

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JUNE 9, 2025 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, June 9, 2025, at Leesburg City Hall. Mayor Reisman called the meeting to order at 5:30 p.m. with the following members present:

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

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

INVOCATION

The invocation and the Pledge of Allegiance to the Flag of the United States of America were held at the Carver Heights Montclair Area Community Redevelopment Agency meeting held prior to this meeting.

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

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. Employee Service Award Recognitions:

Five Years: Maia Pegues, Fire

Ten Years: Paul Austin, Finance Director

Fifteen Years: Shawn Archie, Solid Waste Commercial; and Gustavo Escalante, Police

Twenty-Five Years: Stephen Lueallen, Solid Waste

Thirty-Five Years: Christopher Adkins, Electric Distribution; Bobby Boyd, Electric Distribution; and James Gentles, Wastewater Lift Stations

Forty Years: Steve Rockefeller, Police

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

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

Michael Ann Hussan of 8601 East Dewey Robbins Road, spoke about the impact of growth and asked the commission to please stop and think about their quality of life.

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

The roll call vote was:

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

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held May 27, 2025

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Services Agreement with Aftermath Disaster Recovery, Inc., TRF Enterprises, Inc., and Southern Disaster Recovery, LLC for emergency disaster debris removal and disposal services; and providing an effective date.

ADOPTED RESOLUTION 12,042

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Services Agreement with Rostan Solutions, LLC., and DebrisTech, LLC., for emergency disaster debris monitoring services; and providing an effective date.

ADOPTED RESOLUTION 12,043

3. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute Amendment One to the existing contract with J WALTON MOWING, INC.; and providing an effective date.

ADOPTED RESOLUTION 12,044

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the approval to reimburse a portion of the Developer's (Leesburg Development III, LLC) cash payment, regarding the electric service to the development known as Lake Griffin Reserve Subdivision; and providing an effective date.

ADOPTED RESOLUTION 12,045

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement 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 lighting; and providing an effective date.

ADOPTED RESOLUTION 12,046

6. **PUBLIC HEARINGS AND NON-ROUTINE ITEMS:**
During Public Hearings and Non-Routine Items, the Commission requests that those in attendance respect the process and maintain order. As such, in accordance with Robert's Rules of Order, please refrain from speaking out, cheering, or applauding during these proceedings. Your cooperation helps ensure a fair and respectful hearing.

A. SECOND READING OF ORDINANCES:

1. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 37.48 +/- acres; and being generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 5; and providing an effective date. (Old Mill Subdivision ANNX)**

DENIED ORDINANCE 25-25

Mayor Reisman asked the city attorney to perform the swearing-in ceremony. **CA Watson** asked anyone in attendance wishing to provide testimony on 6.A.3 to stand and raise their right hand. He swore them all in.

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

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated the overall proposal is for 37.48 plus or minus acres. It is generally located east of Radio Road and north of Highway 441. It is a request for annexation, a small-scale comprehensive plan, and a PUD (planned unit development) zoning. The future land use request is to go from Lake County Urban Low to the City of Leesburg Estate. The zoning would go from Lake County Agriculture and Urban Residential to the City of Leesburg PUD. The request is for a future development of one hundred and forty-two single-family units divided into townhomes and single-family homes. One hundred and ten single-family detached with thirty-two single-family attached townhomes for a total of one hundred and forty-two. There is a two-floor maximum height and no other uses besides the single-family detached and attached. Sixty-seven of the lots would be detached single-family homes of six thousand square feet and the other forty-three lots would be seventy-two hundred square feet. The house sizes are between seventeen hundred and eighteen hundred square feet for the different lot sizes. The townhouse units would be twenty feet in width with fourteen-hundred square feet home sizes. There is a minimum of two off-street parking spaces for each unit and there are provisions for additional parking in the concept plan for the attached units. Under the design and architectural standards there will be architectural requirements under the PUD for all the constructed units. They have a list of five different features to choose from. Thirty-five percent of the property has to be open space. They included dark sky lighting requirements. There is a split rail fence required where the development is adjacent to the subject property and Bahia or Bermuda grass is required instead of St. Augustine. There will be two trees on each lot. There are signage requirements and the access point is currently being requested from Radio Road with a boulevard-style entryway. In addition, the applicant is offering a wall which would need to be written into the PUD. Under recreational requirements, there are requirements for twenty-eight thousand four-hundred square feet devoted to a separate recreation area for amenities such as a children's playground, trails, dog parks, pavilions, and those types of things. There is a requirement for walking trails around the retention areas. Under city department responses, there were no substantial comments

received. Lake County Public Works had a significant number of comments which they went over at the planning commission hearing. They included additional right and left-hand lanes on Radio Road along with additional right of way needed by the County in order to accommodate any necessary off-site improvements. A sidewalk along Radio Road and right-of-way donation and permitting from their public works. That is a summary, but there were a significant number of comments received. The city received a letter from the Lake County Board of County Commissioners (BoCC) which restated the requirements of the public works comments. City staff did go over the requirements during the planning commission and again those comments were summarized here for the record. Also, the City of Leesburg, through the PUD process, requires the developer to upgrade the roadway anywhere there is construction, and it has to meet Lake County standards. So, city staff have fully coordinated at a staff level with Lake County. Under public responses, there were significant concerns about this project, particularly regarding access to the site and the wetlands immediately south of the site. Those concerns included the proposed roadway which would go from Radio Road to the subject property. Concerns included wildlife, wetlands, flooding, noise, privacy, property values, security and quality of life. Again, there were significant discussions at the planning commission and at the first reading of the city commission. City staff asked the applicant to conduct a neighborhood meeting, which they did. The school board noted that the project is subject to school concurrency review, which would be done in the form of a mitigation agreement. It would require that there be adequate stations available for the children at the time that the project has an impact. They included the standard phasing or expiration clause which requires the developers to move forward with substantial commencement within four years, or it would automatically revert to the RE-1 zoning, one acre per unit. The entire development is required to be on city water and wastewater. The planning commission recommended approval after a lengthy discussion. They also asked that the access road be located as far to the south as possible and that the speed table have a full wall on the north side and the sidewalk only be on the south side. If the commission chooses to approve this proposal, staff would request that the changes be allowed to be incorporated into the PUD. If the commission chooses not to approve this proposal, then the request would be moot. Logan Opsahl of the firm Lowndes, Drosdick, Doster, Kantor & Reed out of Orlando was present to represent the case. **Mayor Reisman** asked if there were any questions by the commission. There were none.

Logan Opsahl of Lowndes, Drosdick, Doster, Kantor & Reed, 215 North Eola Drive, Orlando, said (referring to slides) that he provided a snapshot of the assemblage, and they have four overall parcels. Of course, the one that they will talk about most is the one that runs east to west, because that is where the proposed access would go. They looked at alternatives, and he would be happy to answer any questions, but he wanted to outline the various parcels and how that make up the overall project tract being presented. They were there seeking approval of three items. It was noted in the staff report that this property is within the municipal planning area, which is subject to the interlocal service boundary agreement (ISBA) that was negotiated and executed between the City and Lake County in November 2014. What the ISBA did was specifically contemplate areas within unincorporated Lake County and this was one of them. It was in the plan to be annexed into the City for the provision of utilities. Again, this particular assemblage of parcels has been identified by the ISBA for annexation. He showed a snapshot of the current entitlements under Lake County, which is an urban-medium land use designation. He also provided an aerial map of the subject property. There are some minor areas that still have agricultural zoning, but the remainder and bulk of the area is R-6, which is the residential medium entitlement designated under Lake County. They are requesting a PUD for future land use and rezoning, which is a down zoning from a density perspective. It would allow for some of the items that were recommended by the planning commission and to effectuate some of the items that they heard as a result of the neighborhood meeting relating to the wall, landscaping and sidewalk. He provided a rendering of the city's zoning map with the subject property identified, and the concept plan showed the outlines of the thirty-two townhomes and one-hundred and ten detached single-family lots. He showed a comparison of the existing entitlement under the county verses what is being proposed from a density zoning and future

land use perspective. The annexation is for the provision of utilities, specifically water and sewer, per the terms of the interlocal service boundary agreement. They held a community meeting on March 5, 2025, where they talked about access alternatives. They also fielded comments and concerns. A site walk was conducted on March 14, 2025, and the concerns were outlined by the planning and zoning director as it related to the wetland to the south of the Stonegate community, which is where the access would go. With consideration to those concerns, a commitment was made to locate the access road as southerly as possible with the understanding that the water management district would have to permit this. They would work with that jurisdiction to make sure the road is as southerly as possible from the existing residential areas. They would be required to maintain and allow for flow underneath the roadway.

In the concept plan, it is important to note the history of the property and the historical access. There were a number of old platted rights of way, but those were petitioned, approved and vacated, so they no longer exist. They looked through it, and it was their understanding through discussions with the county that there was no legal mechanism to revisit those rights of way because they had been vacated. It is obvious that there are wetlands that run along Radio Road, and there are some pockets of dry areas. One suggestion they heard was to come closer to the mall. They approached the mall property and the other private property owners to facilitate a potential acquisition to allow and effectuate alternative access. However, that is not a possibility. They had conversations with the property owners along with mall management, and they did not want to sell to allow access to this property. Currently, there is platted access through the Stonegate community, and that access exists today as part of a court case. The courts granted that easement by necessity, which is a common law remedy and that would allow access to the property. However, that is not the preferred access by either the applicant or the current residents. By virtue of this PUD, they would surrender that access to allow for an east to west access across a skinny parcel of land. There are perimeters and considerations that a judge in a competent jurisdiction can consider in granting easement by necessity. There are a number of things delineated in common law. They wanted the easiest and most direct access, but the considerations granted show the current access going through the Stonegate subdivision. Again, having access through Stonegate was not preferred, and if approved this PUD would forego that access. It would allow for the east-to-west access off Radio Road. The only other option was to purchase a parcel through private ownership, but unfortunately, that was not made available by the existing property owner. It would also propose additional impacts to wetlands that run along Radio Road. They worked hard to accommodate as best they could, and they would move access as far south as possible. He showed another private parcel that they were unable to get control of. However, they are proposing to move the access road as southerly as possible on the parcel that they do own. He acknowledged and pointed out that there are wetlands to the south of the Stonegate community on the parcel they own. He vocalized that it was not preferred to put a road through a wetland because there is a lot of consideration and permitting that needs to take place with the water management district. They would have to work with them to get this permitted. He wanted to acknowledge that because many folks that live in this community are most affected by this topic as it relates to this project. He noted that he appreciated the concerns that were raised, and they will work to accommodate them as best they can on the parcel that they own. They would work to accommodate that with the city and the water management district. On a holistic level of whether this parcel would be developed, they can see that it is fully developable, and it does have certain entitlements. However, the question for this body is how can we effectuate and allow for the improvement of these parcels in accordance with a development program that meets city code. They have worked with city staff for several months to accommodate the considerations and conditions that are being proposed as part of this PUD. Part of the conversations were outlined by the planning and zoning director in his review. They would like to accommodate an 8-foot pre-cast wall with some landscaping. It was noted during the last meeting that there were no second-story homes along the proposed road. During the last meeting, they showed an image that looked down from a second-floor home. They have since gone back and removed that slide because there are only one-story homes along the access road. They would provide additional

landscaping behind the 8-foot pre-cast wall, and they would remove one sidewalk that was previously part of the PUD ordinance to allow for additional landscaping. The sidewalk would run along the access road on the opposite side of the road furthest away from the Stonegate community. They would remove that sidewalk along Stonegate to allow for additional landscaping and the wall. They are also proposing landscaping on both sides of the road along Stonegate. There is an existing retaining wall in the Stonegate community, and they are proposing an 8-foot masonry wall. They would put it as close to the northern property line as possible. A question was previously asked about the in-between space and who would be responsible for taking care of it. This development/HOA would maintain that area, if preferred, in order to keep that area clear. He asked for a few minutes to respond to public comments. **Mayor Reisman** asked for public comments on this item.

Public Participants:

Frank Stanfield - Opposed	Allen Chen - Opposed	Louise Chen - Opposed
Lisa Hayden - Opposed	Ray Hayden - Opposed	Angela Chambliss - Opposed
Peter Kehde - Opposed	Angie Langley, on behalf of Jim Collins, Foshay Construction - Supported	Lorine Davey - Opposed

Mayor Reisman closed public comments and asked the developer to respond to the public comments. **Mr. Opsahl** thanked everyone for their comments. With access going through the Stonegate community, that is not preferred, and it is a gated community. When they looked at access for this project, they saw the existing width of the allowed access that exists today through that community to service this property. There were certain code considerations that needed to go into accessing this project and this PUD allows for alternative access. It would also vacate the existing access. That was important to note because that needs to occur to allow for access moving forward. It will need to be done through a court of law and those prongs of considerations on proximity to right of way and code requirements weigh heavily on granting access. This allows the opportunity to remove the access through that neighborhood. Wildlife is an important consideration. City staff mentioned it, and we also talked about it at the planning commission and at the first reading. The proposed road as part of this project is in a portion that would provide as minimal impact on the wetlands as possible. The four alternative access points proposed would have much greater impacts on the wetlands. We understand that water management district permitting is difficult and considerations have been made with flooding and water flow as they exist today for hurricanes. All of these things are gone over when we apply for the permit from the water management district. All of these things require engineering and extensive permitting. We would not be eliminating a wetland by virtue of this access road. It does have some impacts which were outlined, but that is not an elimination of the wetland. It would still accommodate the flow of the wetlands and allow for access. There was a lot of discussion about the wall in the community meeting. The wall was proposed because Stonegate is a gated community. The wall was proposed as a way to provide additional screening of the access road and security. If the wall was something they wanted to be removed, they would agree to that and provide additional landscaping. There was a discussion about the topo and the access road and how it needed to be built up. They saw the floodplain, and he asked the project engineer to speak about it briefly. He thought it would be helpful to talk about the elevations.

Chuck Hyatt of 902 North Sinclair Avenue, Tavares, said the wall was used as a visual. Currently, the elevation of the wetland is at sixty-five. Now, assuming the floor is at sixty-five, and the one-hundred-year flood is sixty-nine. They would have to be a foot above the one-hundred-year flood at seventy. The finished floor of the houses that exist today at Stonegate is at seventy-five, which is the top of the roof. They are still five feet lower than the wall from the existing residence. He wanted to put that in

perspective for the commission as far as elevation differences. When they say we are raising the road, we are, but we are only raising it five feet. We are still five feet lower than the wall in their backyards. If the eight-foot wall was put in, it would really only be three feet higher than the existing wall. It would not be eight feet above their backyard. It would only be three feet. However, looking from their backyard, they would be looking at an eight-foot concrete wall.

Mr. Opsahl finalized his response by thanking the commission for their time. He has been through a lot of these, and he has not seen a lot of public comment on developments with concrete suggestions and alternatives about the access road. Clearly, some time and consideration was put into the alternatives by the residents and the applicant team. They are there presenting a project that meets the city code. We have pursued alternatives to no avail. When they consider this subject property, the existing entitlements and the interlocal service boundary agreement do not look at the short range; they look at the long range. This property was designated for annexation to allow for utilities, water and sewer. That was part of the agreement that was adopted by ordinance in 2014. Under the ISBA, annexation is necessary to extend utilities to the property. Florida Statute Chapter 171 deals with annexation and is the main consideration in the ISBA. It requires sound planning, which is what they call efficient provision of services and accommodation for growth. They were there today on these three topics, and they have done well to address the specific points and concerns that have been heard and how we are accommodating them. He understands that any annexation has its own challenges and unique considerations, but the ISBA answers that. **Mayor Reisman** thanked him for his comments. He asked if there were any commission comments or questions.

Commissioner Connell asked how many units there were. From the audience, **PZD Miller** answered one hundred and forty-two. **Commissioner Connell** questioned the density. **PZD Miller** said it was 3.78 because of the town houses. **Commissioner Connell** stated he has spoken a lot about development and this is a horrible location to be putting that number of units. It is basically a flat lot, and they would go through a flood plain to get to it. This is just absolute craziness. It may be in our ISBA, but that does not mean we have to annex. This is in the county. If they want to develop it in the county, they can work on it with the county. We should not be doing this. It is a terrible location and the access is horrible at almost four units an acre. **Mayor Reisman** pointed out that he went and walked Ms. Chamberlain's property. She has two feet of wall exposed so she can see everything over it. With the elevation proposed, he could not see a road that close to her back door. We as a commission have the right to protect the investment in those properties. He has an issue with the current entrance.

The roll call vote was:

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

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

Mayor Reisman stated that since this ordinance has failed, both 6.A.2 and 6.A.3 will not be heard. They have now become moot.

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 real property consisting of approximately 37.48 +/- acres; and being generally located east of Radio Road and north of U.S.**

Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision SSCP)

ORDINANCE 25-26

NOT HEARD DUE TO DENIAL OF ANNEXATION

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 37.48 +/- acres from Lake County A (Agriculture) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for 32 townhomes and 110 single-family homes, for a property generally located east of Radio Road and north of U.S. Highway 441, lying in Section 01, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Old Mill Subdivision PUD)**

ORDINANCE 25-27

NOT HEARD DUE TO DENIAL OF ANNEXATION

4. **An Ordinance of the City of Leesburg, Florida vacating and abandoning a portion of the unimproved right-of-way of Madison Street located in Leesburg, Lake County, Florida, south of U.S. Highway 441 and between Lot 4, Block 46, and Lot 1, Block 47, According to the Revised and Recorrected Plat of Re-Subdivision of Subdivision of Silver Lake Estates, as recorded in Plat Book 10, Pages 66 through 69 of the Public Records of Lake County, Florida; Reserving a utility easement; providing for conditions; providing for severability; and providing for an effective date.**

ADOPTED ORDINANCE 25-28

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

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

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

The roll call vote was:

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

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

5. **An Ordinance of the City of Leesburg, Florida, amending Chapter 10 of the Code of Ordinances, relating to Fire Protection and Prevention, to Create Article III - Open Burning Regulations; Creating Sections 10-50 through 10-52; providing for Regulations and Restrictions on Open Burning; providing for penalties; providing for exemptions; providing for conflicts, severability, codification, and an effective date.**

ADOPTED ORDINANCE 25-39

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

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

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Burry pointed out to the audience/public that this ordinance is going to mimic an existing Lake County policy with regard to burning. **Commissioner Berry** asked what the timeframe was for when it is considered no burning? **Commissioner Burry** replied that typically it is January through April, maybe May. **Commissioner Berry** asked if that information was provided to all the residents? Is it included in the mail-outs or anything? **CM Minner** responded that we have not done that in the past, but we can. This year we had a couple of different projects: Susan Street and a couple of other ones and this year has been extremely dry, which was the catalyst for the ordinance. **Commissioner Berry** wanted to know if this went hand in hand with the no watering or is that completely separate? **CM Minner** answered yes. **Commissioner Berry** said she has seen so many residents burning, because they are not aware that they should not be burning. **CM Minner** replied that it was one of the catalysts for the ordinance, so we can take action to stop those types of burns. **Mayor Reisman** asked if there were any further comments from the commission and audience. There were none.

The roll call vote was:

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

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

6. **An Ordinance of the City of Leesburg, Florida amending Ordinance No. 24-25 Concerning the Granting of a Non-Exclusive Franchise to Tri-County Sanitation, LLC, and its successors and assigns (“franchisee”); providing for conflict and severability; and providing an effective date.**

ADOPTED ORDINANCE 25-40

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

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

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

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES:

1. An Ordinance of the City of Leesburg, Florida amending the City's Code of Ordinances; Chapter 25, Section 25-292 (18) Mobile food vending; providing for conflicts, severability, and an effective date. (Mobile Food Vendor Ordinance Revision)

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

Mayor Reisman requested comments from the Commission and the audience.

PZD Miller stated there has been a significant increase in the number of mobile food vendors over the last two or three years in the city. The food trucks under the city's current ordinance are required to get a permit and meet specific standards listed on the permit. However, recently there has been a change in our policies due to the legislature passing an amendment to FS 509.102, which preempts food trucks and food truck regulations from local control. This includes licenses, registrations, permits and fees. It also includes all mobile food vendors and food dispensing vehicles. When a city's codes are preempted by the legislature, staff have to go in and adjust the code to meet state requirements. This is what we have found with food trucks, tree permits, group homes, business tax receipts, and other functions of local government that the state legislature chooses to impose. We are left with a little bit of authority in that area and, with that in mind, staff have rewritten the mobile vending food truck ordinance to meet the requirements of the revised statute. The revised ordinance will allow three options if you want to have a food truck. The first would be that they have to have a letter of compliance, which is not a permit; it is simply a letter from staff saying this location meets the criteria to have a food truck. The second would allow mobile food vendors two times per year under a temporary use permit, which greatly restricts their use. The third would allow mobile food vendors in association with a special event like Bikefest or the Arts Festival. When those come, we can get many of those under that one permit. He asked Senior Planner, Max VanAllen, to create a presentation.

Senior Planner (SP), Max VanAllen, said they are discussing the proposed revisions to the mobile food vendor ordinance. City Code Section 25.292 (18) regulates food truck vending activities within city limits. As mentioned, the state has preempted regulation of food trucks and hot dog carts, also known as mobile food vendors. Thus, some changes to the code are necessary. Several city departments were directly involved with the regulation and enforcement of mobile food vendors. First, the planning and

zoning department assists with permanent and temporary vendors through letters of location, compliance and temporary uses if approved. The fire department conducts fire inspections for each food truck permitted within city limits. The recreation department handles vendors for special events and code enforcement ensures compliance with regulations. Since the state legislature has preempted the regulation of licenses, registrations, permits and fees, local governments may not require any of those mentioned regulations. Therefore, we had to go into the code and make some changes to comply with the state's regulations. However, the city still has the ability to regulate time, manner, location and require any state-mandated documentation such as insurance. The changes to the code will still allow the city to focus on these areas specifically. In line with state-level changes, the planning and zoning department has two major goals. One is to comply with the Florida Statute and adopt DBPR and Florida statute definitions into our code. Secondly, we want to clarify processes and requirements based on the Florida Statute changes, but also for greater clarity for anyone coming to pursue any of these avenues. In order to comply with state requirements and definitions, we need to revise the existing process and code sections, such as removing the permit fee that was previously required, and adopt the definitions for hot dog carts and mobile food dispensing vehicles, which are also known as food trucks. Then we will need to add the DBPR licensing requirements to the city code for both the hot dog carts and food trucks. These changes streamline the permissions process and allow for cross-code consistency. To clarify processes and requirements, we will outline all the processes in the city code for staff and vendor clarity. That way, everyone is on the same page and following the same requirements to get through the process. We will also require a copy of state-mandated licenses, registrations and insurance to verify that they have gone to DBPR, that they have gone through the correct process and that they are following all the state-level requirements. So, the three pathways that were briefly mentioned, one would be the letter of location compliance from planning and zoning, which would allow one mobile food vendor per property, and they may vend year round at this one location. It would be more of a permanent stationary method. The second would be a temporary use which also comes from planning and zoning. It allows up to three mobile food vendors per property, and they may only vend up to two consecutive days once per year. Finally, special events from the recreation department would be pursuant to recreation department requirements and associated event links and locations. That is when food trucks will be allowed on public property in association with a special event. If adopted as proposed, the code update shall comply with Florida Statute and DBPR requirements and definitions. We will update non-compliant code sections, no longer requiring permitting or registration fees. We will adopt state and DBPR definitions in the code. We will clarify processes and requirements by having them clearly outlined in the code and require copies of state-mandated licenses, registrations and insurance for efficiency and public safety. If adopted as proposed, we will comply with the two major goals.

Commissioner Connell questioned if they were saying that presently they can set these mobile food courts up permanently in one location? **SP VanAllen** replied presently that it is allowed through the former permitting process. They can choose that option with the property owner's written permission, which has to be notarized. **Commissioner Connell** pointed out that they really would not be mobile. **SP VanAllen** stated they would not be allowed to stay there overnight. They would need to leave at the end of each day and come back to serve at the beginning of the next day. **Commissioner Connell** wanted to know the criteria for where they could set up. **SP VanAllen** answered it is limited partially by zoning, it would be in commercial, industrial or planned development zoning only. This would eliminate residential areas. They would also need to have an existing principal business onsite, meaning that vacant properties are not permitted. This would be more like a shopping center where they approach the anchor store to get the property owner's permission to vend in the parking lot. However, they will need to abide by the rest of the rules and regulations.

Commissioner Connell asked the city attorney from a legal standpoint. Could our ordinance regulate the distance where these food trucks could be set up? These mobile food vendors are in strict competition

with our brick-and-mortar restaurants. Basically, they can set up anywhere all year round with no overhead. They are undercutting our business owners. Could we regulate this through an ordinance on how long they could stay at one location and include a distance requirement where they cannot set up within a certain distance of a brick-and-mortar restaurant? That way, they are not directly competing with them. **CA Watson** answered that it was something that the city could do at least with regard to the distance requirement. That has been done in other communities as well. There are a variety of what those distances might be. He has seen five hundred, fifty, and two hundred feet from an existing restaurant. Some places might allow some flexibility. For example, if a brick-and-mortar restaurant was impacted and if they signed off on that, then some localities have allowed that exception with the affected business owners' permission to violate that distance requirement. However, the distance requirement is absolutely something that the city could put in to protect some of the existing businesses or regulate the welfare, safety and health and all of that for the community. **Commissioner Connell** said these mobile food vendors are becoming more and more popular, but for him, they are mainly for special events and stuff like that. They should not be setting up every single day and competing with our legitimate permanent businesses. He would like to see something put into this ordinance that says there has to be some type of distance requirement where they have to be away from our brick-and-mortar stores because currently they are directly competing with them. Unless the restaurant signs off saying they do not care. If they were fine with it, then he would be fine with it. He just does not want to hurt our brick-and-mortar businesses by letting these mobile food carts set up and take their business away. **CA Watson** added that there could be a scenario where there might be more than one affected restaurant. There may be multiple restaurants affected. **Commissioner Connell** said he would say any of them within that distance would have to agree to it. **Mayor Reisman** added, speaking to the distance, he likes that, but would we have to add that a special events application would null and void that because of the downtown? **Commissioner Connell** agreed. With special events, this ordinance would not apply because they would be under the umbrella of the special events. **CM Minner** stated when we do special events we exempt ourselves from certain rules and Bikefest is the classic example.

Commissioner Berry questioned about the central business district. It was noted, but how far down Main Street does it go? If we were going towards the lumberyard area. Is it too far because she could not tell on the map? **PZD Miller** responded on the map that it is the central business district zoning area. It stops at Palmetto, and it does not go all the way to Canal Street. It goes to Ninth Street and Orange Avenue. Then on the north side they have Meadow Street and on the south side to Magnolia and right up to the trail. **Commissioner Berry** inquired about Main Street. How far down would it go? Would it go past the library? **Mayor Reisman** wanted to know if she was looking at the historic district map because they could not go into that area. **PZD Miller** confirmed that there were two maps. One was the central business district and the other was the historical district map. **Commissioner Berry** said she was looking at the central business district map. **Mayor Reisman** indicated that the historic preservation map was even larger, and it goes down to Canal Street. **Commissioner Pederson** stated that he thought they expanded the central business district when they approved the apartments. **PZD Miller** said they expanded the future land use, not the zoning. One thing they are finding is that a lot of these mobile units are coming in and setting up overnight and on the weekends. They want to be consistent with the state code and have the codes be very clear about what they can and cannot do. When they come in for that letter of compliance, we can give them a letter of compliance or send them on their way. We need to clarify it because we do get steak trucks sitting in different parking lots, and that is not permitted. We do not want people opening up the back of their cars selling paintings and so forth. We are trying to clean it up. **Mayor Reisman** wanted to know if this would cover those types of vendors, and if it included the types of vendors who set up on the side of the roads to sell flowers. **SP VanAllen** said that would include other types of non-prepared foods, like frozen foods, such as steaks, merchandise and flags would not be permitted under this ordinance. She noted that the central business district and the historic preservation districts do not permit mobile food vendors at this time. They want to keep them out of the downtown

and historic preservation areas. This ordinance is consistent with the existing ordinance. **Commissioner Berry** wanted to confirm if that included private property. **SP VanAllen** replied yes, even if it is private property. This is one of the areas that has been identified.

Commissioner Pederson wanted clarification because he thought she said they now have to move and that they cannot stay overnight. **PZD Miller** replied that currently they can stay overnight. Under the new ordinance, they will not be allowed to do that. **SP VanAllen** said they are limited by state statute to the hours of the principal business on site. If they were set up in a shopping center and the main business closed at 8:00 p.m., they would need to pack up and remove themselves by 8:00 p.m. **Commissioner Pederson** said he would be fine with that, but he wondered if that would run a lot of them off. The ones he sees around town are there permanently because they do not move. However, he was just seeking clarification. **Mayor Reisman** questioned if there was a way to add that if the principal property has a code violation that they would not be able to get a permit until that property comes into code compliance. **SP VanAllen** answered yes. **Mayor Reisman** commented that he has been dealing with code enforcement and doing ride-a-longs. That was why he would like that included.

Commissioner Berry wanted to know when it comes to private property, how can we tell someone what they can and cannot do on their property? **SP VanAllen** said that was covered under the state statutes by allowing us to regulate location. They do that by zoning and by overlay, so for historic preservation it would be by overlay. For the central business district, that is by zoning. It would be permitted only in commercial zoning, industrial zoning, planned zoning, and elsewhere. That is covered by state statute. If that is an issue, she could investigate it. **Commissioner Berry** answered no. She was concerned about people's mindset because that is their personal property, and they can do what they please. Even though they live downtown on Main Street and if they want to participate and do something on the weekend, they think it is okay to do it. She wanted to confirm that there will be a lot of communication put out to make sure people are aware. **SP VanAllen** replied absolutely. That is part of why we wanted to put the process in the code, so everyone is on the same page. For her, dealing with mobile food vendors at the front counter, there is always confusion about the steps in the process. She thought this was a great way to eliminate that by adopting it and putting it in the code. **Commissioner Berry** pointed out that they were going to have to say no to the kids and their lemonade stands. **SP VanAllen** agreed. Unfortunately, that is correct.

Commissioner Connell wanted to know if there was an agreement on the distance. **Mayor Reisman** said he would be in agreement with that and **Commissioner Pederson** said he also liked that idea. **SP VanAllen** stated that staff would have no objections to that either. **CM Minner** stated that the discussion brought up two points which they would have to go back and visit. First, the distance from the brick-and-mortar buildings and the code if a vendor has a code issue. They will need to add those. He wanted to know if the commission had a distance that they wanted to stick in there. He would say five hundred, but is that too much? **Commissioner Connell** agreed with it being at least five hundred. **PZD Miller** stated that the number is up to this commission, and they will do whatever. If they went by five hundred feet, that would clean it out. However, it will be whatever the commission desires. If they put in one hundred feet there would be some areas left for food truck vendors. That is a commission decision, and they will respect whatever it is. **CA Watson** pointed out that the state said they cannot prohibit mobile food vendors from operating within the entirety of the city. When looking at distance requirements, they need to make sure there will be locations where it would still be allowed. **PZD Miller** commented that staff would come back with some numbers at second reading. **Commissioner Connell** stated he would like as much as we can get but still comply with the statute. That way, they will still have some areas to set up. **PZD Miller** said that is the point because sometimes they have mobile food vendors set up with a couple of restaurants right around them.

Mayor Reisman inquired about whom the enforcement arm would be on this. **SP VanAllen** said that would be code enforcement. They have reviewed what was proposed and sent in their comments, which have been incorporated. **Mayor Reisman** wanted to know if code enforcement worked outside the normal shift of 8:00 am to 5:00 pm? **SP VanAllen** answered no, not that she was aware of. **Mayor Reisman** asked if there was another agency to cover the after-hours or would this be put on the police department to cover evenings and weekends, since that is the majority of times when these things are set up. If code enforcement does not work past 5:00 pm, there needs to be another enforcement arm for this.

Commissioner Berry wanted to know if they should consider or designate an area for the food trucks where they are not in an area of restaurants? It could be somewhere for people to go and eat during work hours. Could they look at doing a food truck row? That way, instead of someone trying to drive to US 27 or US Hwy 441 within a 30-minute lunch break, they would have a selection of vendors in one area so they could go and choose what they want. That way, it gives food truck vendors an opportunity to make money as well. **SP VanAllen** said yes, they could look at that. **PZD Miller** pointed out that they have been actively looking for a site, but they have not found anything yet. If they find something, they do intend to bring it to the city manager for review to see if it will work. He has been to a number of cities where they have an area set up specifically for food trucks. He went to one about a year ago and they had a gravel parking lot. It had parking in the front and there were about five or six different food trucks. They were able to walk around and it included seating. It was almost like a food truck park. He has seen them work very well. There is one in downtown Jacksonville, and he has seen them as far as Texas. They just need to find a location that works. They would be happy to do that, and they are actively looking. **Commissioner Berry** said it was a great idea. That way, we are giving them an opportunity to make their income, since most of them depend on that. **Mayor Reisman** asked if there were any other comments from the commission and the audience.

Gary Custer of 8909 East Treasure Island Avenue said by doing this they would effectively eliminate food trucks. They would be permitting and only allowing two permits per year for a two-to-three-day period. The county tried to do it and the county ended up tabling it, because it did not work. **CA Watson** pointed out that he was only referring to one of the options. That option would allow them to avoid the overall ordinance. There was an option for someone to have that temporary permit up to two times per year. Otherwise, they have to follow the other options. The ordinance included an option for special events. He was just referring to one exception to what is being proposed. **Mr. Custer** said they invest \$100,000 in these food trucks, and they are only allowed to use them two times a year, for two or three days at a time. **CA Watson** pointed out for clarity that he was only referring to one option in the proposed ordinance. They can apply for temporary permission if they want to, or they could apply for a more permanent option. **PZD Miller** stated that the temporary use permit option is per property, and it is two times per year per property. They could have a food truck on a piece of property two times per year if they do not want to come in for a whole permit. **CA Watson** indicated that there was not a limitation on everybody, and they could choose to do it two days per year. That is just an option to avoid full compliance with the zoning code. **Mr. Custer** said the county tried to do it, and then they tabled it because they were trying to eliminate the whole idea of food trucks. Some of the best food he has had came from a food truck. It does not make sense to eliminate these people from trying to make money when they invest that kind of money in a food truck. **Commissioner Pederson** asked about the three options for the mobile food vendors. Did that come straight from Tallahassee or was that an amendment by the city? **PZD Miller** said that city staff put it together. It was not specifically Tallahassee, but it was put together based on what Tallahassee would allow us to do. **Commissioner Pederson** said he thought it came from Tallahassee. He wanted to know if city staff created this? **SP VanAllen** answered yes. Staff created this to include the temporary use, which was the number two pathway. It was created based on feedback from mobile food vendors coming in and speaking with staff. Just to review the first pathway is the letter of location compliance, which is the more permanent basis where they choose a property, get

the property owner's permission and, a zoning letter would be provided. **Commissioner Pederson** wanted to confirm that they would have to move that truck every day. **SP VanAllen** agreed. The second temporary pathway that we are currently discussing is very limited. It is more for a specific property to have a once-a-year event where they would like to have two or three food trucks. **PZD Miller** added that the location compliance came out of the state because the state said we cannot require permits. Therefore, we said we would require a letter of compliance because that is not a permit. The third option was for special events, which we already do now. That was not changed by the state. We came up with the temporary use permit, to try and create a situation and people can have up to three on their property once or twice a year. It is allowed for a special one-time special event. There are three paths and the most common one would be the first option. The second path was to try and help people out. **Commissioner Pederson** thanked him for the clarification.

Commissioner Berry wanted to verify that the license, registration and insurance would have to be visible for everyone to see. Along with their rating or was that a state requirement? **SP VanAllen** responded that she was not sure, but she believed so. Also, their office would have a copy of that on record with their letter of location compliance as part of their packet. They ask that they turn those items in, and yes, they should be displayed in the window. **Commissioner Berry** stated she would like it displayed somewhere in their truck because there have been times when she has had to ask, and they did go get it. When there are a lot of people in line, they do not have the time to look for it.

Commissioner Burry said with regard to the distance we have thrown out, five hundred, one hundred and fifty. When this comes back, could they provide a general idea of what it would look like? We already know where most of these guys are at every day, but he would like to see the impact. He would like to see it at five hundred feet to see how many of those guys would be put out of business. **PZD Miller** stated they will include maps that cover different distances. **Commissioner Burry** said he knows some of these guys just appear, but he was referring to the ones that are always there. **PZD Miller** commented that he liked the suggestion of making sure the information was posted because we tell them they need to have it available if someone from the city comes in. **Mayor Reisman** asked if there were any other comments by the public or commission. There were none. He stated this item would lay over until June 23rd.

C. NON-ROUTINE ITEMS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, relating to the provision of Fire Protection Services, Facilities and Programs in the City of Leesburg, Florida; Imposing Fire Protection Assessments against assessed property located within the City for the Fiscal Year beginning October 1, 2025; Approving the Rate of Assessment; Approving the Assessment Roll; and providing for an effective date.**

ADOPTED RESOLUTION 12,047

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

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

Mayor Reisman requested comments from the Commission and the audience.

CM Minner stated this item was for the annual fire assessment fee. This resembles the trim notice process, but at this stage we do it slightly differently. We are recommending that the fire assessment fee for next year be set at \$170 per equivalent residential unit (ERU), and we are currently at \$165. This resolution would promulgate a 3% increase in the fire assessment fees for all classifications. They were broken down in the resolution and the primary fire assessment fee that collects most of the revenue is the ERU, and then we have square footage rates based on the type of use, whether that be commercial, industrial, and so forth, with the same exemptions that we have had in previous years. This resolution would notify the public by putting the fire assessment fee on the trim notices. A yes vote on this is more of a notice because, at this stage, it does not commit that it would be \$170. However, it does say that it would not go above \$170. Then in September, when we do the remainder of the budget items, we will adopt another resolution that formally sets the fire assessment fee. It is difficult timing in reference to this, because when we promulgated the fire assessment fee in the past, we had long meetings about the initial inception, which was eight or nine years ago. We did not increase the fire assessment fee for several years. However, a couple of years ago, we did increase it, but he could not remember to what level. At this rate, we would still have one of the lower fire assessment fees. Also, we do have a difficult budget year coming up, and the draft will be shared publicly shortly. The budget workshop meetings are scheduled for the first two weeks of July. So, by the middle of July we will cover the budget in full. However, at this stage we are looking at a 3% increase in the fire assessment fee. We are looking at keeping the millage rate the same, which is technically a tax increase, and we are looking at a series of user fees on our utility side of the house for electric, water, gas, and sewer. At this stage, most of our services will require an increase. He recommended approving the \$170. If the commission was of the flavor that they did not want to see an increase, he would ask that they amend the total amount from \$170 to \$165. **Mayor Reisman** asked if there was any commission discussion.

Commissioner Connell wanted to know if the proposal was to basically increase the tax. **CM Minner** answered yes. **Commissioner Connell** asked what the rationale was for needing an increase of 3%. **CM Minner** responded that there were a couple of major reasons for that and, obviously, fire and police services are the lion's share of the general fund. We tax at an extremely low level, and the reliance on the fire assessment fee is a primary way to keep fire assessment fees out of the taxing power of the city, which is the norm for municipal and county governments. Most of the revenue for those services, being fire services, is done through an assessment. Just like all the other services, those services have increased. Case in point, this year the IAFF has asked for a 12% increase in pay, so that is one of the reasons for needing the fire assessment fee. We need to keep pace with where we are at with inflation. We need to keep pace with the cost of that level of service. Now, can we go without an increase in fire assessment fees? Yes, but if we do not increase the fire assessment fee, we are looking at a delta overall in the general fund of about \$120,000. Another ingredient is The Villages, and he would not say that we are increasing the fire assessment fee because of The Villages, but that was a component that was contemplated when we worked out the deal with The Villages on the Villages of West Lake and the other properties there. There is a trip hazard there, because when we brought The Villages to the City of Leesburg, we agreed that The Villages Community Development District (VCDD) would be the promulgation officer for these services. In that respect, we are the collector because we are the governmental agency in the district and the City of Leesburg promulgates the fire service fees. We contractually agreed to collect that fee and reimburse that fee to the VCDD. For statutory reasons, we could not develop a village's fee and a separate city fee. In the agreement with The Villages, they committed to starting at \$163 per ERU, and we are now in the third year of the engagement letter. However, this year they are increasing their fire assessment fee to a specific level. It started at \$163, then it went to \$165, and they will now go to \$170. If we do not keep pace with them, we will contractually be obligated to pay the delta of the fire assessment fee. Meaning, no matter what our fire service fee is, we will still receive an invoice from The Villages CDD for what their fire service is. Their fire assessment

fee was modeled from our fire assessment at the time they started. They have now gone up 3%, and if we do not raise ours, we will still have to pay The Villages for what they do. So, there is a delta there and that delta is the difference between our fee and The Villages fee multiplied by the existing 3,200 units. That delta is not huge, but it is about \$16,000. If we keep our rate at \$165, we will still have to pay The Villages \$170 per unit. The delta is \$5 for each home and that adds up to \$16,000. Again, we can absorb that cost this year, because \$16,000 will not break the bank, but over the course of that increase, we will then cut more and more into the general fund to pay that delta on fire services to The Villages. Then those general service dollars will not be available for other services. It is a tangled web, but at the end of the day, with respect to The Villages, we made that assumption based on the amount of tax revenue that would be coming in from The Villages, because they are not sharing the full load of the general fund. Hence, the delta was not a question seven years ago, and we felt it was a reasonable financial option for the city. To bring it back full circle, we are recommending the \$170. We think it is a reasonably competitive rate, and it continues to isolate those fire services out of the general fund so that the general dollars can be spent in other places.

Commissioner Connell wanted to confirm that, since the fire assessment fee was paid as part of our property taxes, did he say that The Villages could not have their own fire assessment fee on their tax bill? **CM Minner** said that was correct. We have to have a uniform fire assessment tax on the residential side that is equivalent to the statutory language between The Villages and the city. **Commissioner Connell** asked if the VCDD sets their fire assessment rate? **CM Minner** agreed. The VCDD sets their fire assessment rate. **Commissioner Connell** inquired if we were to pass a fire assessment rate that is below what the VCDD passes, we would be required to pay the difference. Is that correct? **CM Minner** replied yes. **Commissioner Connell** stated to sum it up in a nutshell with this scenario this commission really no longer sets the fire assessment rate. The VCDD in The Villages is now setting the fire assessment rate unless we want to eat the difference every year. So, they are really setting the fire assessment rate for the entire city. **CM Minner** responded no. **Commissioner Connell** stated, in essence, they are, because if not, we have to pay the difference. So they are setting the rate. **Commissioner Burry** remarked that they were setting the rate for 3,200 of the residents. **Commissioner Connell** confirmed that we would have to pay the difference if they went to \$170, and we kept ours at \$165. We have to pay the difference of \$5, which is \$16,000 this year. If we kept it at \$165 next year, and they went to \$180, we would have to pay the difference of \$15 per unit. So, they are setting the rate unless we want to pay the difference every year. **Commissioner Burry** mentioned that we do have that option. **Commissioner Connell** replied yes, but they are setting the rate, and we will have to take money out of the bank every year to make up the difference. So, we would be penalizing our existing citizens by making them pay the difference. He was not in agreement with increasing the fire assessment rate this year by 3%, and he was definitely not in agreement with giving The Villages \$16,000. We have painted ourselves in a corner, and it is just one or the other. **CM Minner** replied that The Villages promulgates to us over \$3 million in general revenues that we would not have received if we did not do this deal. We are receiving over \$3 million in additional revenues from The Villages. That revenue goes back to subsidizing many services for the entire city. Many of those services are not limited to just The Villages. So, we have about \$3 million, and we may have to pay \$16,000. In that respect, we could afford to eat the delta. Would he recommend eating the delta? No. However, the other side of the equation is that the \$165 rate for Leesburg is low. We are collecting about 80% of the total and our fire assessment fee is competitive in the region. It is open to interpretation of how they would like to interpret who is wagging the dog. At the end of the day, there are options. We have gone over the options, and we will move forward from here. **Commissioner Pederson** said he remembered on the budget we were definitely one of the lower cities, but do we know the range? **CM Minner** responded with the 3% increase. It would be \$170 for a single-family house in Leesburg, and Lake County is set at \$400. **Commissioner Pederson** mentioned that all the other municipalities are above us. **CM Minner** said, typically, in the ominous rough house, he would say \$250 is the average. **Mayor Reisman** added that if the IAFF is asking for a 12% raise we are going to need

additional cash to cover that. **CM Minner** agreed, and the fire assessment fee is part of that. **Mayor Reisman** said that we have to be competitive in the fire industry to keep our guys. **Commissioner Connell** said he was a supporter of police and fire. He was a supporter of all employees, but as the city manager said, The Villages bring in \$3 million dollars a year, so he did not know if we needed to raise our citizens' fire assessment. Take it out of the \$3 million that The Villages gives us. **Commissioner Pederson** said it was basically an inflation adjustment, so it is more than reasonable. All costs and salaries alone will go up. He was sure there would be a recommendation of a 3% increase in salaries. **CM Minner** stated that they budgeted a 5% increase. **Commissioner Pederson** said that we have to keep up. **Commissioner Connell agreed** we do need to keep up, but we are bringing in new stuff so that should cover the difference in costs. He did think we should be raising fees on everybody. **Commissioner Pederson** said he follows the argument, but if we were at the top of the range he would be more sympathetic. However, the fact is that we are at the bottom of the range, so it does not really bother him. **CM Minner** pointed out that this was a notice-type resolution even though it does not read that way. The process is that we notify, and send this to the county so it becomes part of the trim process. It will be notified through the trim notice and we will have a final setting. It is a preliminary fire assessment fee resolution. **Commissioner Burry** questioned whether this item needed to come back again. **CM Minner** said no, because this is a resolution. **Commissioner Pederson** said this resolution gives the city the ability to go up to \$170 in the next budget. **Commissioner Burry** wanted to confirm that they were setting it at 3% and, during the budget time, they could say they wanted to go to zero, but we do not have to set it at 3% at budget time. We can set it at whatever, without going over \$170. **CA Watson** agreed. As the city manager said, this is a two-step process and this is the preliminary rate. This gets it on the trim notice, so when everyone gets their notice they can see what their fire assessment will be. Then the annual assessment would come back in September, and they would set the final rate at that point. Again, they will be capping it today with the preliminary rate. **Mayor Reisman** asked if there were any further questions or comments. There were none.

The roll call vote was:

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

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

7. INFORMATIONAL REPORTS:

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

A. None

8. CITY ATTORNEY ITEMS:

CA Watson had nothing further to discuss.

9. CITY MANAGER ITEMS:

CM Minner had no items this evening.

10. ROLL CALL:

Commissioner Connell had nothing.

Commissioner Burry had no comments.

Commissioner Pederson had nothing.

Commissioner Berry congratulated the West Leesburg CDC on their ribbon-cutting event that was held on Friday, June 6. It was a very nice event. The Chamber was there and they did the ribbon cutting.

Mayor Reisman gave kudos to the recreation department for the Dragon Boat event that was held last weekend. He received multiple calls from participants from all over the state saying they thoroughly enjoyed it. They loved the venue and Leesburg. They hoped the city would continue to grow that event. On Saturday, he attended the Treasure Coast Police K-9 Competition that was held in Sebastian. Officer Heuser and K-9 Nick competed in that event. There were people from all over the state and out-of-state there competing. Our officer and K9 came in second place in that competition, so huge kudos to them. Hopefully, at the next commission meeting we can recognize them.

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 Pederson and a second by Commissioner Burry, the meeting adjourned at 7:29 p.m.