

**AGENDA MINUTES  
CITY COMMISSION MEETING  
CITY HALL, 501 W MEADOW STREET  
THURSDAY, SEPTEMBER 11, 2025 5:30 PM**

**1. CALL TO ORDER**

The City of Leesburg Commission held a regular meeting on Thursday, September 11, 2025, at Leesburg City Hall. Mayor Reisman called the meeting to order at 5:39 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 pledge of allegiance were conducted at the Carver Heights Montclair Area Community Redevelopment Agency meeting, which was held prior to this meeting.

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

**2. 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!**

There were no public comments offered.

**3. 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. Public Hearing on the Proposed millage and Proposed budget for Fiscal Year 2025-26.**

BD McDaniel said in this budget nothing has really changed as far as personnel. There were nine new positions in the budget, and four of them were for the meter reading division. Those positions were brought in during FY 25. We also have three positions in the gas department, which will be new positions for FY 26. **CM Minner** commented that there were a couple of changes. Since our last meeting, we have changed a couple of things. We added stuff and removed stuff, but the biggest debate was about the rolled back number versus the existing millage rate, which brought in roughly \$400,000. That portion of the presentation was pretty much a repeat of what we did: the 5% increase in personnel, the changes to the PBA and IAFF CBAs, and the 3% match that we are adding for the 457-retirement program. With the fire assessment fee, the health insurance contribution, the education program, all those stay the same. If they want funding for the home grant program throughout the community, the \$400,000 unallocated would be where they go or there is cash in the general fund. For the purposes of where we went, based on discussion, the following recommendations from staff were to shift the civic funding from the solid waste fund to the general fund. It will no longer be an enterprise liability, and, because we needed to increase the solid waste rates this year, we did not think it would be justifiable to increase the rates while skimming money off that to do general fund things. So, with the room in the general fund, we slid that over. Now, specifically, with civic funding, we increased that by \$50,000. The \$50,000 increase in the civic funding takes over for the chamber, so basically, with the chamber's funding and because we ultimately decided to do it alone with Bikefest by using an outside source, we still have the liability of keeping the chamber whole. Having said that, we do have other options for funding the chamber later. However, at the start of the fiscal year, we had to determine how much we wanted to fund the chamber, and we said \$50,000 because that is what we gave them in prior years. With the changes to Bikefest, he suggested keeping the number at \$50,000 so as we move into October, they will know what their operating budget is, and we do have an option later to shift the wires. With the shifting of wires and Bikefest, if there are funds available, we could grab and use some Bikefest money to fund them. If we do that, we could put this money back in the general fund. With the chamber, we have two options for funding in the future, but moving into FY 26, they need their numbers set and this is how we will do it. Then, with the cemeteries, we will keep it at \$161,760. Also, with the beautification committee, the mayor petitioned during the budget hearings to carve out some money for beautification in and around the city, so we budgeted \$100,000, and we have \$40,000 left for general maintenance of the public works and recreation departments. At the end of the day when we are balancing the budget, we always go to the public works and recreation operation numbers, and we start cutting them. He could not specifically say what that \$40,000 would cover, but it would be for operation. It would cover the cost of a new lawn mower if one blows up, and we have plants that die because it gets too cold in the winter. So, with a \$40 million dollar budget, we have about \$392,000 of flexibility.

**Commissioner Burry** mentioned that they had quite a bit of discussion regarding the cemeteries during the budget sessions, and he saw that we were going with \$161,000. **CM Minner** explained that he had reached out to the cemeteries and at this time the cemeteries said they were good. They intend on keeping their \$161,000. They told him informally through verbal conversation that they are good at \$161,000, and that maybe they were premature in asking us for money back in the summer. With that information, he recommended keeping it at \$161,760. **Mayor Reisman** questioned the booster club. He was asked to see if the commission would be open to splitting that half-and-half, where \$2,500 would go to the sports and \$2,500 to the band since they come and do all the parades and things like that. He knows the booster club funded the band out of that last year, but this would make it a little more black and white on our end. **Commissioner Berry** said she would have no problem with that. **Commissioner Pederson** wanted to know which CDC this was. **CM Minner** stated that it was for Men of Distinction and that kind of stuff. **Commissioner Connell** questioned the splitting of the band because the booster club supports all the

high school's sports. There are about eight different sports versus one band, so how would they split it 50/50? **Mayor Reisman** said there are about five hundred kids in the band. **Commissioner Connell** wanted to confirm that he said there were five hundred kids in the band. **Mayor Reisman** said there were between two hundred and fifty to three hundred kids in the band. **Commissioner Connell** asked how big the band was at the high school. **Mayor Reisman** stated it was a big band. **Commissioner Connell** inquired if the whole senior class was in the band. He could not believe that there would be five hundred students in the band. **Commissioner Burry** mentioned that there were not that many. **Mayor Reisman** stated if he went to their football games, he would see them. **Commissioner Connell** commented that he would take a shot in the dark that there are eight different sports, and only one band. Yet, he wants to split that 50/50. That does not seem right. **Mayor Reisman** replied that he was open to ideas.

**Commissioner Connell** said if there are eight sports and one band, it is just simple math. The band would get that percentage, one ninth of the money that is being contributed. **Mayor Reisman** responded that he did not think the booster club divided the \$5,000 evenly between each. **Commissioner Connell** agreed. They may not, but they are still supporting about eight different sports, so it was not fair to say 50/50. **Commissioner Pederson** stated he would support an additional \$2,500 to the band on top of the \$5,000. **Commissioner Berry** asked if the band still traveled to go to the state? **Mayor Reisman** answered yes. They do that, and they come to all of our parades and events.

**Commissioner Burry** indicated that the original funding for the band came about long ago when the band went to Washington to march in a big parade. We started funding it and we just kept funding it. Then, towards the end, they changed band directors, and they did not even know the city was funding it.

Commissioner Pederson made a motion to increase the civic funding by \$2,500 to the Leesburg High School marching band, and Commissioner Berry seconded the motion.

Mayor Reisman asked if there were any comments from the commission and the public. 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 approved the motion.

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

BD McDaniel announced the name of the taxing authority, the City of Leesburg, Florida. The current year's rolled back rate is 3.3131. The proposed millage rate of 3.4752 is 4.89% higher than the current year rolled back rate. The millage rate to be levied: 3.4752 mills per \$1,000.

**2. Discuss the proposed aggregate millage rate.**

BD McDaniel stated that on July 14, 2025, the Commission approved the tentative millage rate of 3.4752 mills per \$1,000. This is the same rate as the prior fiscal year. Whereas, the proposed budget was developed using 3.4752 mills per \$1,000. Therefore, the tentative millage rate of 3.4752 mills per \$1,000 represents a 4.89% increase from the current year rolled back rate, which is attributable to additional

expenses and is a tax increase under TRIM guidelines.

### 3. Request comments from the public regarding the millage rate.

Mayor Reisman requested comments from the public regarding the millage rate.

Robert Boliek of 1206 South 8th Street, Leesburg, said he was part owner of three separate properties. He owns 48,470 square feet of retail warehouse space in the City of Leesburg. Their current proposed tax bill is \$41,963.86. He was not a proponent of the current rate. He wants the rolled back rate because they are paying far too much in taxes now. With inflation and everything they have to buy along with all their costs, they pass that on to their tenants, so it is critical that they use a rolled back rate. He would love to see that 4.89% back in the budget. They developed the budget on it, and they need to keep that number and stay with the rolled back rate. **Mayor Reisman** asked if there were any other public comments. There were none.

Commissioner Connell said he absolutely agreed with Mr. Bolick. We should go with the rolled back rate. Taxes are getting out of control, so we should use the rolled back rate, and let the citizens keep more money in their own pocket. We can figure it out on our own end. Maybe we do not have as much money to waste on nonsense stuff.

Commissioner Connell made a motion that they go with the rolled back rate. **Mayor Reisman** asked for a second to the motion. There was no second. The motion failed.

Commissioner Pederson commented that the millage rate they are approving, if they take Montverde out of the equation, we have the lowest millage rate in Lake County, including Lake County and all the municipalities. **Commissioner Connell** said that may be true, but we should not base ourselves off other cities. In general, cities are collecting way too much money in property taxes. Property values continue to go up and cities do not lower their millage rate. They continue to either leave it, which is a tax increase, as this year it is almost 5%, or they raise it. He does not know if we should set our standards based on what everybody else is doing. He would really like to see us do the rolled back rate, even though the motion failed. However, that was his stance. We should not continue to tax our citizens for additional money. We should let them start keeping a little bit more of their money. **Commissioner Berry** stated when they had these discussions before, we were lower. We were at a rate that was pretty decent. **Commissioner Connell** said it was across the board if they look at the whole county, but he did not know that we should be basing ourselves off what other cities are doing. **Commissioner Berry** said she thought that was just a benchmark to see where we were. She did not think that was the determining factor for how they came up with the benchmark. **Commissioner Connell** agreed, but just because somebody else is charging six mills, that does not mean we should. We need to do what is best for our city. We could roll the rate back and let our citizens keep more of their money and the city would still be perfectly fine financially. **Commissioner Berry** commented that as the population grows, we add new police officers and new cars, so our expenses do increase, but we are keeping the rate at which we are billing the same. **Commissioner Connell** said that was still an increase. He agrees that expenses increase, but so does the amount of taxes we are bringing in with the amount of property the city continues to annex. Everyone knows where he stands with annexations, but we keep increasing the property taxes on our existing citizens to offset the cost of growth, because growth does not pay for itself. The existing citizens are paying for growth and that is a problem. Growth should be paying for itself to bring on more police officers and firefighters. From what he was hearing, that was why we are not lowering the property taxes because we have to pay for these additional services for all the people coming in. These new people should be paying for it themselves. If we are going to continue to annex all this property, then they need to start paying their fair share without putting the burden on the existing

taxpayers to offset the costs. **Commissioner Pederson** stated that he was not sure that was an honest or fair statement, and he was going to get the community stirred up over what he does not deem to be a completely accurate statement. **Commissioner Connell** pointed out that they were raising taxes by 5%. **Commissioner Pederson** remarked that he did not take that lightly and he respects his comments. However, what he would say on the record is that all of our enterprise funds and utilities are in the top quartile. That would be the good quartile, which is the lowest quartile. We have the lowest rates in the county and the lowest millage rate. He was happy about the progress that our city has been making with the beautification efforts along with all the things we are doing. So, the fact that we are able to do that and have the lowest utility rates and the lowest tax rate is a compliment to the city. He does not take it lightly with increasing taxes, but our city is heading in the right direction, and we are spending our money wisely. He likes the direction of our city, so we are going to disagree on that. **Commissioner Berry** said when this was presented it was all in line with what we are expanding as far as growth of the city. She does not want to say that they are intentionally increasing taxes to be compared to other communities, but in their presentation, it all made sense, so can we get a recap of that presentation? **CM Minner** explained, from the city manager's perspective of reasonable and not-so-reasonable comments, Commissioner Connell said we have plenty of funds to operate at a rolled-back rate, and he would agree with that. He thinks we could probably keep the rate at 3.3, and we could operate fine and that was how the budget for FY 26 was presented. It was during the budget workshops where the supermajority of the commission asked what it would look like if we kept it because the step from the 3.4 to the 3.3 financially was not very significant; it was only about \$392,000. So, for the record, that was a 3% increase, it was not a 5% increase. For a business like Mr. Boliek, it may be a little different because they do not have a homestead cap, so everybody will be a little bit different. However, from a homestead perspective, it would be a 3% increase. On the growth comment, anybody can argue that, but as the manager, he would not say that growth is causing the consideration of keeping the current rolled back rate. In fact, he would argue the opposite because the biggest increase in our ad valorem revenue comes from The Villages development and not from all the smaller PUDs. That is the number one reason why we were the fastest growing community last year. It was not the other smaller PUDs. He would look specifically at The Villages, and every fact and statistic would support that. As far as why the commission, in his opinion, considered a rate increase was to fight inflation. Just as every business pays more for gas, electricity and these things, so does the general fund. His reflection of those discussions from the summer would be, if we continued to stay at the current rate, the city would get behind. We are paying our people more, we pay more in utility bills, and we pay more for fertilizer. Everything that businesses are struggling with the city is struggling with it too. **Commissioner Pederson** indicated that the big one was police and fire and that is important to note. Those positions have become very competitive. **CM Minner** added that the number one expense in our general fund is police and fire. That is not a pinpoint at police and fire, because they are the number one thing that we do and they are an expensive service. The guys and ladies who work in our public safety do mission-critical things. They are highly sought-after positions, and we have to renumerate those correctly. We have seen a continued decline in the police department in terms of numbers because we have not kept pace. Those are factual issues, and that is for the commission's collective wisdom to have that discussion. That is why he kept quiet until Commissioner Berry asked him to provide insight. **Commissioner Berry** apologized for putting him on the spot, and he did answer her question with the first line. He helped to jar her memory and that was what she needed to know. **Mayor Reisman** asked if there were any other commission comments. There were none.

4. **Resolution of the City Commission of the City of Leesburg, Florida tentatively adopting 3.4752 mills as the Fiscal Year 2025-26 millage rate for the City of Leesburg, Florida, representing the current year proposed aggregate millage rate of 3.4752 which is 4.89% more than the current year rolled back rate; and providing an effective date.**

**ADOPTED RESOLUTION 12,120**

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. There were none.

The roll call vote was:

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

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

**5. Request comments from the public regarding adoption of the tentative 2025-26 budget.**

Mayor Reisman requested comments from the public regarding the adoption of the tentative 2025-26 budget. There were none.

**6. Resolution tentatively adopting the Fiscal Year 2025-26 budget.**

**ADOPTED RESOLUTION 12,121**

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. 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. Announce the tentatively adopted millage rate.**

BD McDaniel announced the tentatively adopted millage rate to be levied is 3.4752 mills per \$1,000.

**8. Establish and publicly announce the date, time and place for the public hearing to finally adopt the millage rate and the Fiscal Year 2025-26 budget.**

BD McDaniel stated the date to finally adopt the millage rate and the fiscal year 2025-26 budget is scheduled for Monday, September 22, 2025, at 5:30 p.m. in the City Commission Chambers at City Hall.

**B. 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 12,122**

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

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

Mayor Reisman requested comments from the Commission and the audience.

Commissioner Connell wanted to verify that the fire assessment fees were going to go up by \$5 for the residential. **BD McDaniel** agreed. It would go from \$165 to \$170. **Commissioner Connell** wanted to know how that would affect commercials overall. What is a percentage increase? **BD McDaniel** responded that it would be 3%. **Commissioner Connell** asked if she had any idea about what that came out to? **CM Minner** answered that the rate would be cents on the dollar. For a commercial entity, if your bill was \$300, they could count on a 3% increase, because everything is a fair ratio of 3%. **Mayor Reisman** asked if there were any other commission comments. There were none. He asked for public comments.

Robert Boliek of 1206 South 8th Street, Leesburg, said regarding the fire rescue industrial warehouse tax, again, back to the 48,470 square feet that would amount to \$1,942.40, which does not sound like a lot of money, but it continues to add up and they are experiencing inflation. Lake Glass and Mirror is his business, and they occupy 24,400 square feet of that 48,000 feet. So, they will have to absorb that and/or pass it along to their customers. Plus, their tenants will have to do the same thing. So, we are talking about increasing taxes, and we are not going to agree on the rolled back millage rate, so now they are adding another fee. That really concerns him, because, less than two weeks ago, the city gave away city property which was of real value that could have potentially been sold, and those funds could have been used to offset the expenses of the fire department. He believes it is foolish to continue to add taxes to the public burden and then spread it around here and there, since the city has ample land that they can either

give away or sell to offset the expenses. Please vote no on the fire rescue industrial warehouse tax. **Mayor Reisman** asked if there were any other public comments. There were none.

The roll call vote was:

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

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

#### 4. ROLL CALL:

**Commissioner Berry** had no further comment.

**Commissioner Connell** apologized for having to step out early at the last meeting. However, he was able to catch up and watch the end of the meeting where something was brought up under roll call about doing away with our planning and zoning commission. He absolutely disagrees with that. He agrees with Commissioner Berry, because it is important to have a planning and zoning commission that is made up of Leesburg citizens because they do provide recommendations. It would be terrible to turn this over to a special magistrate. At that meeting, he also brought up the consideration of having a broker realtor, and the commission decided that we did not want to hire a realtor that was not local. However, we are going to potentially look at hiring a special magistrate who is not local, and who does not know the area? That does not make any sense. He really hoped that would not pass. He assumed the city manager was the one putting together the ordinance to change that. **CM Minner** stated that staff was to give a presentation. **Commissioner Connell** expressed that he really hoped the commission would reconsider the planning and zoning commission because those members are extremely important. However, the city commission does not generally listen to their recommendations, which is discouraging, and he does not think this is a good idea at all. Secondly, there was an article that came out today in the Daily Commercial, and he would like some clarification on it. He was not sure about the accuracy of the article, but the Daily Commercial article stated that the City of Leesburg was going to pay for the demolition of the shuffleboard courts. **CM Minner** said that the article was not accurate. **Commissioner Pederson** commented that the article was just one example of about twelve inaccurate statements in this community. That comment was not directed at Commissioner Connell, it was directed at the community, who are spewing false information on that. He apologized, but he was fired up about it. **Commissioner Connell** mentioned that he read the article this morning, and he just wanted some clarification.

**Commissioner Burry** had no comment.

**Commissioner Pederson** had nothing tonight.

**Mayor Reisman** had nothing to comment on this evening.

**CA Watson** said he wanted to jump in before adjourning the meeting because he had a couple comments on two items. We have two existing claims that have been brought against the city, and he was looking for direction by the commission on how they would like to proceed. First, we have the Venice at Lake Harris, which was talked about a little bit Monday night. They are requesting relief in response to the city denying their application for annexation, which was the property located near Corley Island. The second case is the Leesburg Shuffleboard Club. They have filed a lawsuit against the city. We have not been

served yet, but he was able to pull a copy of that lawsuit. Now, the city does have insurance coverage, and it would potentially provide for an attorney to represent the city. That insurance coverage would pay for the cost of that representation. He would not be doing his job if he did not tell them that there might be an avenue to save money in terms of paying the deductible to get coverage for that. However, there are a couple of ways to look at this, and he would not be offended if the commission chose to use the insurance coverage. He understands saving money because that just makes sense. That would be a hybrid approach, and we would not be on the insurance company's defense list if we chose to file an insurance claim, but his firm would not be handling it. The insurance company may be on board with the concept of letting them start to see how things go. For example, if we look at the special magistrate process, there would be a mediation that occurs and a hearing after that. Another avenue they may consider if the commission was comfortable with his firm would be to have his firm handle the mediation side of it. At that point, if they were not able to resolve it, then they could file the claim.

With the shuffleboard lawsuit and without getting too deep into a strategic discussion here. We do have some opportunities to try and get rid of that or at least test the claim early on. He did not believe that it would be too costly to take some initial stabs at that to see where things go. Again, the insurance company may be on board with the hybrid approach of letting Stone and Gerken start the process. Then, if it starts getting heavier on the expense side or if we have to go deeper into litigation, we could shift over to insurance.

That was all he had. Again, under the insurance policies that the city has, there is an ability to file a claim for the request of relief in the Venice at Lake Harris case and the Leesburg Shuffleboard case. He wanted to know which avenue the commission wanted to take. They could take a hybrid approach, where they start out with his firm to see how things go. If the expenses start getting heavier, then we could shift over to the insurance attorneys. **Commissioner Burry** asked about the insurance direction and if Stone and Gerken would not be handling it, because it would move to a different attorney? **CA Watson** agreed. It would be whatever firm is listed with the insurance. There may be a couple of attorney firms he is familiar with, and they may have represented the city before. That firm may not be a complete stranger, but his firm is not on the insurance company list. **Mayor Reisman** wanted to know which avenue he would recommend. **CM Minner** said he completely agreed with the city attorney. He does not want to talk too much about the cases, but with the Venice of Lake Harris case they are seeking relief. This is a very interesting case, because it really attacks the core legal principle that was granted to the commission, which is that annexations are a legislative prerogative. We are being attacked for that, and that is important because we have heard throughout the county that all cities have to do is say no. We just have to say no to annexations. We just have to say no to annexation. Well, we did that and now we are being sued for it. That is what he wanted to say publicly, because that comment needs to get out there to the county because we said no under our legislative prerogative, and now we are being sued. With the Venice at Lake Harris case, it is an interesting interpretation of our charter. With that being said, the last time we were sued was the Sunnyside case, and we had to go to special counsel for good reasons. However, in these two cases, the city attorney has suggested that the right place to start would be with our home council. We need to let Stone and Gerken handle it. We had an initial conversation with Brown and Brown about the hybrid approach, and they seemed okay with it. So, he would encourage the commission to take the city attorney's recommendation and go with the hybrid approach. **Commissioner Pederson** wanted to verify if the hybrid approach would be that the commission agrees to fund the city attorney with a small amount. **CM Minner** agreed. We would pay the city attorney just as we pay Stone and Gerken for anything else. So, we would start with Stone and Gerken and if they read between the lines, they would hear what they were trying to say about these lawsuits. Having Stone and Gerken start out would be best, and if we see this going more intricate, we would be back to talk about using outside counsel. **Commissioner Burry** wanted to know if they were talking about a specific number. What does intricate mean as far as dollars? **CA Watson** replied that was something they would keep everyone

apprised of as they move along. Things develop in different stages. We will take the initial shot of getting rid of it, but we may end up having to take the same shot a couple of times to see where things go. They would certainly keep everybody updated as far as the depth of litigation and how heavy it is getting. They could reevaluate as they go along to see if the commission wants to shift gears. **CM Minner** added that with the Venice at Lake Harris issue, we are going to start seeing cases like this pop up because developers will start pushing the edge with how they interpret the political subdivisions and municipal corporations act. That is definitely one to keep an eye on.

**Commissioner Pederson** said he wanted to be very careful with what he said. Obviously, he was very happy with Grant Watson being the city attorney, but he was not very happy with the shuffleboard people right now and to make sure the audience was clear, once again, false information is going everywhere because they have seventy-three members and only about seven members reside in the city. They came before the commission five times and the residents thought the commission had a meeting in the shade or something and that this was approved in one meeting. They came before the commission five times. He would prefer to let the insurance company handle it. Turn them loose and let them have their fun. They picked a fight with the city and they are wrong. He was not a lawyer, but he read the lawsuit, and he thinks it was a joke. He would prefer to let the insurance company have the fun because he believes the shuffleboard people have handled it wrong. **Commissioner Connell** commented that as far as the lawsuit, he would not weigh in on that. However, he did not think they were wrong from the standpoint that they were upset with this commission for selling the property that they had been utilizing for over fifty years. They held tournaments at that location. In fact, they have three tournaments scheduled before their closing date in November. **Commissioner Pederson** remarked that they were being nice by giving them time to host their first tournament. **Commissioner Connell** questioned the nice comment and asked if he was being serious because the city sold the property they were using. **Commissioner Burry** pointed out that it was not their property. **Commissioner Connell** clarified that we did not sell it, we gave that property away, and they had been using it for over fifty years. **Commissioner Burry** clarified that it was not their property. **Commissioner Connell** stated that he keeps saying that it was not their property, but they were using it and maintaining it. **Commissioner Burry** said he was not going to listen to this anymore. **Commissioner Connell** agreed. He did not want to listen to this nonsense anymore either. **Commissioner Burry** emphasized that it was not their property. **Commissioner Connell** agreed. It was the city's property and they were using it. **Commissioner Burry** said he was giving misinformation and that he was not stating the truth. **Commissioner Connell** stated they were using this property, which belonged to the city, and we just gave it away for nothing. **Commissioner Burry** remarked that they requested \$400 to \$500,000 for the city to fix it and that was left out. **Commissioner Connell** pointed out that they asked for \$27,000 to redo the courts and that was in the proposal that was submitted in the budget.

**Mayor Reisman** announced that everyone had heard enough and that they needed to bring the meeting back to order. He asked the city attorney if he needed a recommendation from the commission. **CA Watson** agreed. He was looking for a poll of the commission about what they would like to do. If someone wanted to make a motion, that would be fine. There were three options; they could turn it over to insurance, go hybrid, or let Stone and Gerken roll with it. **Commissioner Berry** wanted to know if the decision had to be made tonight. **CA Watson** said no. He did not think there was an immediate crisis. However, there are some scheduling items coming up with regard to the request for relief. The magistrate has been out of the office for two weeks, but he will be back on Monday. However, we should move into scheduling pretty soon, so there was some urgency. The shuffleboard lawsuit has been filed and sent to the newspapers, but the city has not been served or sent a copy. He was able to pull a copy off of the docket, but the twenty-day clock to respond had not started. **Commissioner Pederson** asked if the lawsuit interfered with the conveyance of property. Do they have a legal bite to stop it? **CA Watson** answered that they would have included a claim for injunction whereby they would try to stop the sale of

the property. They would have to post a bond for that, which is something they would be asking for. How that ends up shaking out is unclear, but that would have to come out of pocket to get an injunction. **Commissioner Pederson** said that they picked this fight, and they are out of line. They have been very hard on the city for a bunch of non-residents. He would make a motion to let the insurance company handle it, since we have \$100,000. Why should we pay for it? Let the insurance company lawyers have fun with them.

Commissioner Pederson made a motion to have the insurance lawyers handle the Leesburg Shuffleboard Club claim.

**Mayor Reisman** wanted to know what the recommendation was, and if it was the hybrid approach. **CA Watson** answered yes. The city manager had suggested the hybrid and that approach made sense, but he was flexible and comfortable with how the commission wanted to move forward. **CM Minner** stated the recommendation on the approach indicates that, and without talking about litigation, it indicates how we need to tackle that before going the insurance route.

**Commissioner Pederson** withdrew his motion and said he did not have a strong opinion on it. He threw it out there because he had his reasons. However, he needed to be careful, and he could not say everything he wanted to say right now. **CM Minner** said he hoped he had a reputation for being a good steward of the city's money and if the city attorney starts getting too expensive, we will be back to the commission rather quickly. However, the hybrid approach is the best because, by handling it this way, we will have our best chances at ending this in the city's favor as quickly as possible. **Commissioner Pederson** wanted to make sure the city attorney knew he was completely happy with him and the firm. **CA Watson** stated he would not be doing his job if he did not bring up the fact that the city had coverage and the ability to move forward without paying out of pocket for legal fees.

Commissioner Pederson made a motion to go with the city attorney's suggestion of a hybrid, which would be his firm beginning with it, and if the fees start getting excessive, we would go to the insurance company, and Commissioner Burry seconded the motion.

Mayor Reisman asked if there were any further comments on that. There were none.

The roll call vote was:

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

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

Mayor Reisman clarified that this would cover the Venice at Lake Harris lawsuit as well. **CA Watson** agreed.

**CM Minner** said he needed to revisit a couple of slides in the spirit of full disclosure and transparency. Referring to a couple of slides, he showed what the capital projects were, which were tentatively approved tonight, and they do have another bite at the apple on September 22nd. Everything in the electric, water and sewer funds, along with all the enterprise funds, remain the same. With the capital projects fund, he wanted to throw out some numbers. They have equipment numbers that they talked about and the special projects money that comes from the DST. The way the priorities were set up, we

have \$1 million dollars for the Palmetto Sports Complex, which is pickleball. That is the direction we are headed now and there is the \$200,000 to fix the gymnasium floor. **Commissioner Burry** confirmed that it would also include the tennis court resurfacing and pickleball. **BD McDaniel** added that this was the same thing that was presented in the draft. They did not change anything. **Commissioner Connell** stated when the Palmetto Sports Complex was first talked about with him, it was said that it included refinishing the shuffleboard courts, so it has changed some. With the downtown parking project of \$1.5 million that is in the budget, but will that come back to the commission prior to any money being spent? **CM Minner** agreed. **Commissioner Connell** said he felt that was outrageous. He was really curious about how many parking spots we were going to get for \$1.5 million. **CM Minner** replied there would be two hundred and fifty parking spots. **Commissioner Connell** said that is only because we are tearing down the building. **CM Minner** said he thought the delta was about one hundred and fifty parking spots, and we would pick up about one hundred more parking spots. **Commissioner Connell** wanted to clarify that we were tearing down a building to get the lion's share of parking spots.

**5. 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 6:28 p.m.