AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, OCTOBER 11, 2021 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, October 11, 2021, at the Venetian Center. Mayor Christian called the meeting to order at 5:33 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner Jay Connell
Commissioner Dan Robuck
Commissioner Mike Pederson
Mayor John Christian

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Fred Morrison, the news media, and others.

INVOCATION

Mayor Christian stated that the invocation and the Pledge of Allegiance to the Flag of the United States of America were previously done by Commissioner Jasper at the Carver Heights/Montclair Area CRA meeting.

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

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. Pine Street Complete Streets and Redevelopment Final Concept Brief

Nikel Jindal, CPH, stated they held two public outreach workshops with the stakeholders in order to develop some ideas on how to handle the road and to enhance the vibrancy of the corridor. They are here tonight, to present where they are with the planning portion of the conceptual design and to get feedback on what they could do to get this project implemented. **Kurt Luman**, Project Manager, CPH stated they have had a couple of quarterly meetings with the community to come up with and get some feedback from the community and the city, to find out what kind of improvements they were looking for in order to balance the needs of the area and the roadway.

Referring to the slides, he showed the existing road conditions. He then showed the overall layout from Canal Street from the west to Lake Street on the east. He pointed out in the rendering where the new Aquatic Center is under construction. During that project, the City donated an additional thirty feet of right of way, which is shown by a yellow line along the north side of Pine Street. That helped them meander the roadway to the north to add some onstreet parking, along with some intersection improvements with brickpavers, potentially a roundabout located at Rambo and some other safety improvements as it goes further east behind UF Health. On the next slide, he showed in more detail, on a block by block basis, the first segment from Canal Street to Childs Street. They were able to meander the road north to add some onstreet parking, which was a real need of the community for the businesses on the south, and adding some parking for the Aquatic Center on the north, along with enhancing the corridor with some landscaping. They also added eight-foot wide sidewalks and added a raised crosswalk near the driveway to the Aquatic Center. That was a request from one of the public meetings to have that pedestrian crosswalk from the north to the south side of the businesses. They were also asked to provide some traffic calming. Referring to another slide, looking from Childs Street to Knott Street, there was a desire from the community to provide a statement-piece for the corridor. They looked at putting a roundabout there but that would require a partnership with UF Health because that would involve land acquisition of a right of way from the hospital. They would need that partnership in order to accommodate the roundabout. This would also provide a wonderful place for a statement-piece for the community. It would potentially add some aesthetics and an opportunity for a statute or a monument inside the roundabout at this intersection. It would also provide for more traffic calming. Once we are able to get behind UF Health, we can slow the cars down and have eight-foot wide sidewalks. It will have landscaped areas and raised crosswalks for the employees of UF Health to walk from the south side of the roadway to the north side and that will make it more pedestrian friendly. It will slow cars down and make the area more multimobile for all users. The intersection at Rambo is one where they had to look at some different options. Referring to another rendering, looking at the left roundabout, this one they had in the initial concept. It is a smaller roundabout with a brickpaver center island. It would accommodate the designed vehicles to make sure that trucks could turn the corners and that they could do the maneuvers. We would also want to be able to utilize the central island to traverse it, for vehicle tracking. The larger roundabout proposed requires a little more area for the intersection, but it provides a greenspace in the middle where you could add a community feature or some sort of monument on the island to help identify the Pine Street corridor. It would still provide traffic calming and the aesthetics for the intersection. This would still require the coordination and partnership with UF Health to acquire the additional right of way needed. Referring to a rendering, he pointed out what the intersection would look like if UF Health decided not to participate. He showed where they could beautify the intersection with some brick pavers for the crosswalk to signify where there would be a crossing. He then asked for some directions from the Commission. He knows a few meetings ago, they received authorization for the final design phase. They will be moving into the ninety percent design permit for the project and then the final design should end in March 2022.

Commissioner Burry asked about the roundabouts and commercial semi-type traffic. Does that play into what we could have or not have? He assumes the hospital has some of that type of traffic coming in that way towards Lake Street. **Mr. Luman** responded that both these designs take into account FDOT design standards and that would be fifty. That is typical for semi-trucks going through this area. We use auto-cad and it has an auto-turn analysis which shows vehicle tracking and turning radius along with the trailer hauling. This program shows where the wheels track behind the tractor. These roads would accommodate emergency vehicles, solid waste trucks and semi-trucks. It is designed for all types of vehicles. All the green space will have plantings and trees so that will create a boulevard feeling throughout the whole corridor. It will also include lighting along the corridor that will match the lighting on Main Street. **Commissioner Robuck** asked if he could review what they wanted to do at the intersection of Childs and Pine Street. **Mr. Luman** answered that they were looking at providing brick paver crosswalks similar to Main Street. They would follow the same pattern and the same brick type to make it uniform throughout the city. **Commissioner Pederson** questioned the width of the road at Pine Street off Canal Street. It is very narrow now. How wide will that be? **Mr. Luman** replied one thing that helps make the traffic calm will be the narrowing of the road. However, the road right now is fairly wide because people can actually park on the road. They would have two ten-foot travel lanes, which is the minimum standard for the local roadways. We will also have onstreet parking for the first segment between Canal and Childs and for the remainder of the roadway there will be two ten-foot travel lanes, which meet the FDOT design criteria for local municipalities. **Mayor Christian** pointed out that people can park on the road now. With the new design, people will not be parking directly on the road. They will be off the road and there will be two ten-foot roadways going through, which is standard. We currently have ten feet of roadway and people are parking on that ten-foot roadway, so we really only have maybe seven feet of roadway because the cars are parked on the roads. Once the cars are off the road and parked in their own designated parking space, there will be more room. **Mr. Luman** stated that will also allow for the ladder sidewalks, landscaping areas, lighting and beautification elements of it. Currently, there are five-foot sidewalks and this will allow for eight-foot sidewalks as well as green space. **Mayor Christian** then said that it would be similar to Main Street. **Commissioner Pederson** remarked that they all seemed to be narrow to him. He just wanted to make sure the road was wide enough to accommodate the school buses coming through and larger trucks having a swimming pool. He believes it is a great design and by spending all this money he wanted to make sure the road was wide enough. **Mayor Christian** thanked CPH for holding the community meetings. The hospital was there along with some downtown organizations. They did a very good job listening to everyone's concerns and they did their best to put it into the plan. He thanked CPH again for listening and implementing a plan that kept everyone happy. He believes everybody got a little bit of what they wanted.

Dr. Erika Jasper gave kudos to CPH and to the DPW Director, Cliff Kelsey and his staff, because they did a wonderful job meeting with the community and listening to the design concepts. She wanted to thank them publicly. As a sidenote, she wanted to mention that she does like the idea of the larger roundabout.

Commissioner Robuck wanted to know if we had started conversations with the hospital about the idea of the roundabout. **CM Minner** responded that they have a little bit. They have had some initial discussions, but they will go in earnest now. **Mr. Luman** mentioned that they wanted to get some direction from the Commission before moving forward with the hospital. **CM Minner** said the next step would be having discussions with the hospital, finishing the designs and then taking this out to bid. **Mayor Christian** thanked everyone for their hard work and their dedication to Leesburg.

4. PUBLIC COMMENTS:

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

Tanya Thompson, Pleasantview, stated she was here to talk about the A21 walk for freedom. They are hosting in partnership with the Fathers House church, and A21, which is a global organization that fights against human trafficking. This Saturday they are having a walk and the registration will be held in this room at the Venetian Center. They are walking around the Venetian Garden Park. The walk will start at

9:00 a.m. The first step will actually be taken at ten and it is a silent single file walk to bring awareness to the community about human trafficking. After the walk, around 11:00 a.m., they will have a lunch to learn. They will have some people who are a part of the anti-human trafficking taskforce come in and share information about human trafficking. She wanted to make the community aware of this event and if anyone was interested in attending the walk, you could go to A21.org/leesburg. They currently have two hundred and sixty-five people registered in the community and they are hoping for a lot more.

David Sedar, Wintergreen Drive, Fruitland Park, stated that what we do today can improve all our tomorrows. He lives in Fruitland Park, but he attends commission meetings all over the area. Last week he attended the Planning and Zoning meeting in Lake County. He said it was his honor to be in front of the commission again because they are the elected officials and the gladiators. He goes to church on Sundays and hopes a lot more people go to church. Bikefest is coming up in Leesburg and he loves coming to downtown Leesburg. They just had a carshow on Saturday and Leesburg is a cool place to be. He was privileged and honored to be here and he is a concerned citizen.

5. CONSENT AGENDA:

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

Items pulled for discussion:

5.B.1.A - Construction Change Order Number 1 with Evergreen Construction management, INc. for the Teen Center Project;
5.B.1.B - Amend the project budget by adding an additional $240,000 and authorizing the City Manager to approve additional expenditures (Teen Center Project);
5.C.1 - Conveyance of a vacant lot to Carmela Daley for development of a single family home as part of the In-fill Housing Program;
5.C.3 - Facility Use Agreement with the Boys & Girls Clubs of Central Florida, Inc.;
5.C.6 - Vacant land sales contract with Bertha M. Hill for the City-owned lot at 2107 Waitman Avenue;
5.C.7 - Civic Organization Funding Agreements for Fiscal Year 2021-22;
5.C.13 - American Recovery Grant Funding Agreements;

Commissioner Robuck moved to adopt the Consent Agenda except for 5.B.1.A, 5.B.1.B, 5.C.1, 5.C.3, 5.C.6, 5.C.7, and 5.C.13, and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	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 September 27, 2021**

B. PURCHASING ITEMS:

1. **Resolutions authorizing execution of a Construction Change Order No. 1 with Evergreen Construction, Inc. for the Teen Center Project and a Resolution amending the Teen Center budget and authorizing the City Manager to approve future additional expenditures on the Teen Center project not to exceed an additional $240,000.**

a. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Change Order Number 1 with Evergreen Construction Management, Inc. for the Teen Center project in the amount of $166,022.62; and providing an effective.**

ADOPTED RESOLUTION 10,938

Commissioner Robuck 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 Christian requested comments from the Commission and the audience.

Commissioner Robuck stated he needed to pull this item because Evergreen is a customer of his, so he needs to abstain.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Abstain
Mayor Christian	Yes

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

b. **Resolution of the City Commission of the City of Leesburg, Florida amending the project budget adding an additional $240,000.00 and authorizing the City Manager to approve additional expenditures such as construction change orders and owner supplied equipment**

up to the amended project budget amount; and providing an effective date.

ADOPTED RESOLUTION 10,939

Commissioner Robuck 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 Christian requested comments from the Commission and the audience.

Commissioner Robuck stated again that this is a customer, so he must abstain from voting.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Robuck	Abstain
Mayor Christian	Yes

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

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida approving the conveyance of a vacant lot to Carmela Daley for development of a single family home as part of the In-fill Housing Program; and providing an effective date.**

ADOPTED RESOLUTION 10,940

Commissioner Robuck 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 Christian requested comments from the Commission and the audience.

Commissioner Robuck stated that Homes in Partnership is also a customer, so he has to abstain from voting.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes

Commissioner Robuck	Abstain
Mayor Christian	Yes

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

2. **Resolutions related to the Leesburg International Airport Apron Rehabilitation Project.**

   a. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment 2 to Public Transportation Grant Agreement 444872-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for the purpose of adding construction funds, based on bids, for the Leesburg International Airport Apron Rehabilitation Project; and providing an effective date.**

ADOPTED RESOLUTION 10,928

   b. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a construction services agreement with CW Roberts Contracting, Inc. for an amount of $2,254,738.50; and providing an effective date.**

ADOPTED RESOLUTION 10,929

   c. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Task Order with GAI Consultants, Inc. for an amount of $229,730.00; and providing an effective date.**

ADOPTED RESOLUTION 10,930

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to enter into a Facility Use Agreement with the Boys & Girls Clubs of Central Florida, Inc.; and providing an effective date.**

ADOPTED RESOLUTION 10,941

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 Robuck seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Commissioner Burry stated he pulled this to question the forty-year timeframe. He remembers a discussion on a fifty-year lease on a building at the airport and we did not like that. He wanted to have some comment on whether this forty-year lease was appropriate. **Commissioner Robuck** replied that at the airport he likes to see shorter leases because the city is getting paid. On this item he views it as we are getting paid by them running the program for us. It is the city's benefit for the contract to be longer because they are committed to providing that programming, which is what we are getting in return. **CM Minner** stated we had this discussion with the Commission three years ago when we started this venture. We signed a memorandum of understanding (MOU) between the City Commission and the Boys and Girls Club and that kicked off the design of the Teen Center and it put everything and the mechanism in place. That is where the initial forty-year term started. With the forty-year commitment through that process, there was a discussion amongst the Commissioners about whether we wanted a Teen Center and how we would manage that Teen Center. Ultimately, the Boys and Girls Club came to be a big compromise, with some of the Commissioners wanting to have a Teen Center and keeping it in-house, while some of the Commissioners did not want a Teen Center at all, so the Boys and Girls Club seemed to be a good vehicle. We would have the capital dollars that we could spend and a long-term position for years. Plus, the forty-year term could be viewed as good because it keeps it out of the general fund. Also, that forty-year commitment was driven by the Boys and Girls Club. They are hard negotiators, but essentially, their forty-year commitment was because it came hand in hand with the five hundred thousand dollar contribution. Their position was because of that contribution level of five hundred thousand dollars, their donors would want to see a long-term commitment to the facility and hence the forty years. Those are all the things that went in to come up with the forty-year term. **Mayor Christian** remarked that for him in the first paragraph where it talks about the Teen Center having exclusive use for the Club, he has no problem with that. However, it goes on to say that the City's gymnasium is not part of the Club, but then it states subject to future agreement that the City and Club shall enter into the use of the gym from time to time by Club members. It appears that we have a gymnasium that was in existence before the Club built the Club here. We, the citizens, cannot go into the Club, but we are going to say from time to time you can come and kick the City residents out for use of the gym. That does not seem fair. He does not think we should enter into an agreement where the Club could, whenever they want, just call the City and say hey we want to use the gymnasium. That should be programmed with what the City already does, and the City should not feel pressured to shut down the gymnasium or our current programming for the Club to utilize it. This agreement should be better worded so, in the future down the road, the City will not feel pressured or obligated. In the first paragraph, it says that the Club shall enter into use of the gym from time to time by Club members at a future agreement. He wants to make sure that we are all clear, especially with them being hard negotiators, that is not part of the agreement and it should not be part of the negotiations. **CM MInner** replied the City Attorney helped him out on this, but that does state with a future agreement. So, that is not a bulldoze to where, if they want to use it, they will get in. The Boys and Girls Club would have to seek a future agreement from the City to be able to use the basketball area. That is not carte blanche that is in the City's favor, which gives the Boys and Girls Club a platform. If they would like to use the basketball court, they would have the opportunity to ask for it. It puts us in the driver's seat. We are still in control, but he does not envision that being exercised. It is in the agreement for future consideration, but remember there would have to be a future agreement and both parties would have to mutually agree.

Mayor Christian wanted to know why that has to be included in this agreement? Whether a citizen or if his church wanted to use the gymnasium, we should have a procedure in place where we would go to the city to pay a fee to use the gymnasium. We should use the same fee structure, but they should not get preferred treatment. He sees this being a problem five years down the road when a new commission is seated and we have new staff. It will put the City at a disadvantage because this is in the agreement. If he were to come to the City, being from the Club's perspective, say five years down the road, he would say that it says in this current agreement, that we could make a future agreement, so I am here for that future agreement. To him, it says that we are talking about a legal document or a contract of an agreement. It is not that he wants to use the gym on Friday at a certain time because that could be a simple phone call. This puts it in a legal document where he could sit down and say we need to draw up a document that says give me every Friday from six to twelve and that will be the agreement. Then some could be sitting on the Commission voting no on the agreement two years from now. This is a concern and has been from day one. The gymnasium was built years ago for the entire community and if any group monopolized it, it would be a disfranchise from the intent of the gymnasium. That strikes a real alarm for him in this agreement. Even though we are in the drivers seat today, three or four years from now someone could sit down and draw up an agreement that could take over a ten thousand square foot gymnasium built for all our youth and that is not fair. This should not even be in the document. It even goes further in this document and talks about how they are going to keep insurance. With the maintenance part, where the City is responsible for all the maintenance repairs with the defects of construction and the Club shall conduct all routine maintenance and cleans the entire center. Then, if they have a problem, they will call the City and we are responsible for fixing it. If we do not fix it, they will fix it within fifteen days and the City will receive an invoice from the Club for reimbursement of such costs. It is things like this for the Boys and Girls Club. If they have a problem, they tell us to fix it and if we do not fix it, they send us an invoice. It then goes even further, where if the City comes or enters for an inspection, if the City sees a problem, it says in Section 10, that the City shall see if the Club is in compliance and we shall recover the cost from the Club and in which case, the out of pocket cost shall be considered additional rent from the Club within fifteen days after the Club receives receipt of invoice. With their track record, he would like to have something in place where we are going out and inspecting this facility on a regular basis. We need to have a checklist so that, even if he is not on this Commission and he is a regular community member, he would like to be able to hold someone accountable who was not checking and making sure that this facility was not being maintained properly. Someone in the City has to keep a checklist, because what if they come back saying the City did or did not fix a problem? We need to keep records. We need to keep records of the deficiencies and if we do or do not fix them. The other hand, what if the Club sees something that they want done and if we do not fix it, then they fix it and send us a bill. If we find something when we go in there that they have done or if someone has broken something or if we find that there was a deficiency and we fix it, we should send them a bill. We should put pressure on a non-profit to pay a bill for anything that has been broken. He thinks that this agreement has not been written to protect the City or the previous facility that the Club is currently in, which they have not taken very good care of. We need to add something where we are monitoring this facility on a regular basis to make sure that it is being kept up to a City of Leesburg standard because of their track record. It is imperative to have this in the agreement, especially with a forty-year contract. We have to make sure this building is maintained properly. **CA Morrison** stated that provision where they are able to assess the City for things was added by them. It was much worse and he and the City Manager pushed back pretty hard on that. Believe it or not, what you are seeing is a significant compromise on their part from where they proposed initially. It was really bad to begin with and this was about as far as we could get with them, but if it is the will of the Commission, we can go back to them and try again. They were very insistent on having that in there and initially we told them that it had to come out completely. They said no, they were not going to proceed with it, so we went back and forth and this was the end result. **Mayor Christian** asked what the take and pushback was on this. **CA Morrison** responded that he told them that provision, as they initially put it in, had to come out and they said no way, they wanted it in there. It appears in several places besides the ones you flagged. They are through out the whole lease, but this is the best they could get through the negotiations. If the Commission turns it down, they will go back and say we have a problem and we need to talk further about this. **Mayor Christian** said he does have a problem with this, but he wanted to listen to what the other Commissioners had to say and how they felt about it. **Commissioner Robuck** agrees this is too aggressive, especially for someone who is supposed to be a partner. We are supposed to be discussing giving them three hundred thousand dollars in just a few minutes and we have already given them money and buildings in the past. It just seems like this is a lease between two adversaries. He believes this should be sent back. **Commissioner Connell** stated that he pretty much had the same conversation with the City Manager this afternoon. His concerns were pretty much the same as the Mayors. **Commissioner Pederson** remarked that he brought up a great point and, being a past boardmember of the Boys and Girls Club, he can tell you when you bring in hundreds of kids to a property like this they are rough on buildings. We are spending roughly five times more than what they are spending on building construction. He is pro Boys and Girls Club and he thinks this will be great for the City, but he does not think the requests from the city are unreasonable. The way he reads it, we needed to cover the defects from construction for a period of time, but with the kids' wear and tear, he would say that falls on the Club. That part he does not think is unreasonable. As far as the first comment, where we have exclusive control of the gym, he does respect those comments. That language in the contract does not concern him because a future commission could change it with or without that clause. However, he does agree with the maintenance. **CM Minner** asked the Commission to grant the City Attorney the authority to modify those changes. They can redline the agreement with the changes requested, so it does not have to come back to this body. They will have the agreement before the Boys and Girls Club, they will know what was approved. If they fail to sign it, we will be back before this Commission and if they sign it, we will be done. **Commissioner Pederson** replied that he is sure the Club is maintaining all their other buildings so he has no problem asking them. He does not think it is unreasonable to pushback on the Club for maintaining the building. **CM Minner** responded that they were saying the same thing, he just wanted to add in that they give the City Attorney the authority to modify the agreement and to execute it. What we need is an amendment to modify the agreement and then vote yes on that, so it can be executed and then it is up to the Boys and Girls Club. **Mayor Christian** asked if there were any public comments before making this amendment. He then asked for an amendment to send it to the City Attorney to negotiate with the Club on the maintenance along with the other items which had been brought up. **CM Minner** then said we need a motion to allow the City Attorney to modify the maintenance clauses.

Commissioner Robuck made a motion to amend the resolution to allow the City Attorney to modify the maintenance clauses per the discussion and Commissioner Burry seconded the motion.

Mayor Christian pointed out that he is very pro Boys and Girls Club, but, for the record, we are not charging them any rent. So, when someone is giving someone a bill for rent that is only one dollar a month for the lease, you should maintain what you have been given. This facility is worth almost three million dollars, so this is something that should automatically be understood. He believes that we need to monitor that facility to ensure that it is being kept up to a City standard.

The roll call vote on the amendment was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Mayor Christian	Yes

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

The roll call vote as amended was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Mayor Christian	Yes

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

4. **Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute a Directive to Florida Gas Utility to purchase firm gas supply at discount pricing from Municipal Gas Authority of Georgia; and providing an effective date.**

ADOPTED RESOLUTION 10,931

5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the expenditure of the funds for Natural Gas extension to the Eagle Tail Landing Development prior to developer Hanover 623 Holdings, LLC providing funds for Phases subsequent to Phase 1 of the Development; and providing an effective date.**

ADOPTED RESOLUTION 10,932

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a vacant land sales contract between the City of Leesburg and Bertha M. Hill for a City owned lot at 2107 Waitman Avenue; and providing an effective date.**

ADOPTED RESOLUTION 10,942

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck stated the reason he pulled this item was because he wanted to point out the work Ken Thomas was doing finding homeowners that want to build houses in the community where they live. He fully supports this and the only thing that is a little different than the other ones that are normally before the commission is that this is an individual homeowner as opposed to others who have been non-profit organizations. It is not about this one specifically, but he wanted to make an amendment and he would like to see this set up as a standard practice on all lots that we sell to individuals, where if they do not build within five years, the City would have the right to purchase that lot back at the original sales price. Mostly to just stop it if a property was not being maintained or something and if we wanted to go back, we could have some say in doing that. He believes that Ken Thomas reached out to the homeowner already and they were fine with this amendment because they do plan on building within that timeframe.

Commissioner Robuck made a motion to amend the motion giving the City the right to repurchase the property at the original sales price after five years if construction has not started, and Commissioner Burry seconded the motion.

The roll call vote on the amendment was:

Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Mayor Christian	Yes

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

The roll call vote as amended was:

Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

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

Mayor Christian pointed out that Ms. Hill is here tonight and he congratulated her. He also commented that she is Dr. Erika Jasper's mom and twin.

7. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Civic Organization Funding Agreements for Fiscal Year 2021-22 with Band Parents Association of Leesburg High School, Inc., Boys and Girls Clubs of Central Florida, Inc., Community Development Corporation of Leesburg, Inc., Leesburg Area Chamber of Commerce, Inc., Leesburg Arts Festival DBA Leesburg Center for the Arts, Leesburg Partnership, Inc. and Melon Patch Players, Inc.; and providing an effective date.

ADOPTED RESOLUTION 10,943

Commissioner Robuck 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 Robuck seconded the motion.

Mayor Christian stated that he pulled this because he needed to abstain from voting. He then requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Mayor Christian	Abstain

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

8. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Civic Organization Funding Agreement for Fiscal Year 2021-22 with Leesburg Cemeteries, Inc.; and providing an effective date.

ADOPTED RESOLUTION 10,933

9. Resolution of the City Commission of the City of Leesburg, Florida establishing the special events venue area for the November 11-14, 2021 Bikefest event; and providing an effective date.

ADOPTED RESOLUTION 10,934

10. Resolution of the City Commission of the City of Leesburg, Florida establishing the per square foot cost recovery fee for businesses located within the November 11-14, 2021 Leesburg Bikefest Venue area; and providing an effective date.

ADOPTED RESOLUTION 10,935

11. Resolution of the City Commission of the City of Leesburg, Florida approving a special transfer in Fiscal Year 21-22 from the Solid Waste fund in the amount of $350,000 for various Capital Projects; and providing an effective date.

ADOPTED RESOLUTION 10,936

12. Resolution of the City Commission of the City of Leesburg, Florida, adopting Revisions to the City of Leesburg Personnel Policy 115; and providing an effective date.

ADOPTED RESOLUTION 10,937

13. Resolution of the City Commission of the City of Leesburg, Florida authorizing approval of the American Recovery Grant Funding Agreements; and providing an effective date.

ADOPTED RESOLUTION 10,944

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

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

Mayor Christian commented that he would need to abstain from voting on this item. He then requested comments from the Commission and the audience.

Commissioner Robuck stated that he would like to amend the Boys and Girls Club agreement to be contingent upon them agreeing to the terms in the lease for the Facility Use Agreement and Commissioner Pederson seconded the motion.

Commissioner Robuck remarked maybe giving them a three hundred thousand dollar incentive would help them accept the changes.

The roll call vote on the amendment was:

Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Mayor Christian	Yes

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

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Robuck	Yes
Commissioner Burry	Yes
Mayor Christian	Abstain

Five yeas, no nays, one abstain, the Commission adopted the resolution as amended.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW) AVAILABLE

A. SECOND READING OF ORDINANCES:

1. None

B. FIRST READING OF ORDINANCES:

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 18.5 +/- acres; and being generally located south of U.S. Highway 441 and east of Sunnyside Drive, lying in Section 33, 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 1; and providing an effective date. (Sunnyside Subdivision AX)

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Pederson pointed out that this item has previously been before this Commission and the only thing he can see different is the density level. **PZM Miller** said yes, they asked for an increase of one hundred and sixty-four units total. **CM Minner** stated that there are eighteen units on one side. **Greg Beliveau of LPG Planning Group** stated there are eighteen acres and they dropped from eighteen lots to four lots. **Commissioner Robuck** asked if he knew if part of that large parcel was part of the old Sunnyside agreement, which technically is not legally binding by the City, but is that part of the larger parcel? Is it all of it, part of it or none of it? **PZM Miller** stated it is his understanding that it is. **Commissioner Robuck** wanted to know if it covered the whole parcel. **PZM Miller** agreed that is was. **Commissioner Robuck** asked if this was all under low density, high density or if there was a mix? **PZM Miller** answered that part of it is at low density and another part is very low. **Commissioner Robuck** asked before the next meeting if we could get a breakdown of how many acres are in low and how many are in very low, so we could better understand what this looks like. **Commissioner Burry** remarked that we are essentially looking at three different items here. He wanted to reserve his comments until we reached the third item on the agenda for this. **Mayor Christian** stated that this was the first reading, but because the public came out, he wanted to allow the public time to come and speak.

Murry Tucker stated that because this was the first reading, the Sunnyside Association decided that we are not going to present tonight. We are going to wait until the next meeting when the vote comes. He also asked the citizens who came out to please hold their concerns until the next meeting, so they can get this meeting over with. It will also save a lot of time and we will not have to hear the same thing over and over again. We will be able to get right to the point next time. The question was asked about the acreage and it was about a fifty-fifty split. Half of it is low and half of it is very low. That was in his presentation from the last meeting. That was also entered into the record and the City Clerk should have that information. The only other thing he wanted to mention was that if you have not been out to Sunnyside and taken a leisurely drive, you should. You should drive around the interior of Sunnyside and really take a look around. Look at what the development trend has been over the last twenty years, and then look around and see if you think this development would fit into this area. He thinks that would make it pretty clear.

Mr. Beliveau stated he would not be making his presentation tonight, recognizing that this is first reading. They will have the actual documentation for each category along with the graphics that will show what they will be presenting. If they would like, they could also provide that information ahead of time. That way, it will be available for the packets prior to the second reading. He also stated that it was not fifty-fifty, but he would provide that information for them. In the interest of time, they will have all the experts here for the second reading because they have already been through this a few times and they already know what the issues are. They will have everything prepared for that.

2. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 18.5 +/- acres from Lake County Rural to City of Leesburg Estate, for a property generally located south of U.S. Highway 441 and east of Sunnyside Drive as legally described in Section 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Sunnyside Landing)

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

Mayor Christian requested comments from the Commission and the audience.

PZM Miller stated in the ordinance itself for this future land use map change they need to delete Section Two which transmits the ordinance to DEO. This ordinance was written a while back and during the summer the State of Florida changed the large scale transmittal requirements from ten acres to fifty acres, so this would no longer be considered a large scale amendment and we would not be transmitting it to the State. We would just need to delete that section from the Ordinance. **Mayor Christian** inquired if that had to be deleted tonight or if that can be covered at the next meeting. **CA Morrison** answered that can be handled prior to the next meeting. **Mayor Christian** then said to delete section two of the Ordinance.

Murry Tucker asked if they were to hand in the land split early, could they please put it in the Planning and Zoning section, because he would like to see if it is greatly off from what his experts had deemed it to be. **Mayor Christian** asked if that could be put up Planning and Zoning. **CA Morrison** replied that it would not go back to Planning and Zoning because it has already been there. **Mr. Beliveau** informed him that he would be happy to send him one personally. **Mayor Christian** then asked Mr. Tucker if he could provide everyone else in Sunnyside with a copy of that. **Mr. Tucker** replied that he could forward that on.

3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 139 +/- acres from Lake County R-1 (Rural Residential) to City PUD (Planned Unit Development) to allow for a single-family residential subdivision for a property generally located south of U.S. Highway 441 and east of Sunnyside Drive, as legally described in Section 33, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Sunnyside Landing PUD)

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Burry commented that this project being brought forward is very similar to what was brought forward ten months ago and that was voted down. Our Planning Commission voted it down seven to nothing. The concerns from the meeting in December were that the roads could not handle the capacity and the density if it was a lot higher than what had been negotiated through that 2004 agreement. Also, this still seems to be too dense of a neighborhood for this area. Nothing has changed, the roads have not been improved significantly. The County did some road work out there, but he cannot really tell what they have done. The density on the interior of the piece has actually gone up, not down. He is not in favor of this project.
Commissioner Robuck mentioned that he was in favor of this project the last time it came before them. Things have changed since then and, for him, the big thing has been all the growth we have seen on the south end and it was high in the sky a year ago. Now we have a bunch of approved developments and we are having a bunch of conversations about our CUP and where the water sits. Now there are concerns about density and what we are seeing elsewhere and we may not have enough water to where we can keep approving these devleopments. The market has changed and the market could support a higher end product in this area than what it could in the past, which is a positive thing. Even if the developer walks away, it could be useful for the Commission at the second reading to indicate what, if anything, that we may approve out there. Maybe that is something this developer is not interested in, but for him he will be in favor of some form of development. This, however, is not it. If we do not have the votes for this, we could at least talk about what type of development it could look like out there. **Commissioner Pederson** said he was against this development the last time over the density and roads and his position has not changed.

Mike Stoval, Froglog Lane, said it was hard to hear some of the comments again. This is the second time around for them on this. They have something special out there and they have a rural feel in an urban area. That is a good thing for any City to have. It is a mix of density and that was the point of the Sunnyside Agreement, which he understands the City is not bound by. He agrees with Commissioner Robuck that it is land and someone owns it. He is not naive to think nothing would ever be built on that, but the kind of development that they would like to see is the same kind of development they already have. He would encourage the Commission to keep that in mind.

David Hedrick, Sunnyside Drive, stated he lives right across the street from Froglog Lane. He moved here a year ago from California. He likes to say he escaped from that state because it has changed quite a bit. They have a very special area over there and it is paradise for those that live there. It sounds like someone wants to teardown paradise and put up a parking lot all to pad somebody's pocket. It would not be for the City, because the City would have to build the infrastructure for it sooner or later and it would actually cost the City more. All he asked for was if you have a piece of property like this that draws people from all over the country into this area because it is beautiful and it represents Florida and he just loves it here, please leave it. He also asked that we not let Florida become California.

Mayor Christian stated this item will lay over until a future meeting. Staff has been given instructions on what the Commission needs along with any documentation that is given needs to be shared, so that everyone has access to that information before coming to the second reading.

C. NON-ROUTINE ITEMS:

1. None

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

A. Financial Reports as of August 2021

Mayor Christian asked if there was anything in this report that they needed to be aware of. **CM Minner** replied no.

8. CITY ATTORNEY ITEMS:

CA Morrison had no comment to offer tonight.

9. CITY MANAGER ITEMS:

CM Minner stated we obviously missed our pool opening date. We were trying to open the pool for Labor Day, but we missed that. Evergreen has now changed that date to October 29th. They are still angling for that and they are about ninety percent complete. They are having some wrapup issues with getting everything done. Although Evergreen has not said, we are anticipating it to be more like Thanksgiving. Whatever the case may be, we are constantly reviewing it. Hopefully, it will be closer to October 29th, to allow for a little swimming before it gets too cold. He will keep everyone posted.

Mayor Christian asked if he had an update on the Teen Center. **CM Minner** replied that they are cruising along on the Teen Center and we are still looking at the March 2022 deadline.

10. ROLL CALL:

The Commissioner had no further comment for the evening.

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.

The meeting adjourned at 6:32 p.m.