

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, MARCH 23, 2026 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, March 23, 2026, at Leesburg City Hall. Mayor Berry called the meeting to order at 5:30 p.m. with the following members present:

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

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

INVOCATION

Mayor Berry gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

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

2. PROCLAMATIONS:

A. Designate April as Water Conservation Month

Mayor Berry read the proclamation declaring April 2026 as Water Conservation month for the City of Leesburg and called upon all members of our community to help preserve this precious resource by practicing water-saving measures and becoming more aware of the need to save water. Chief Plant Operator (CPO) Al Purvis accepted the proclamation.

3. PRESENTATIONS:

A. Lake-Sumter MPO Update on Local Roads and Intersections

Mike Woods, director of Lake Sumter MPO, gave a brief presentation about their 2050 long range transportation plan, that was just adopted in December. It is federally mandated and updated every five years. The 2026 call for projects was issued in January. That is how they implement the plan. The call for

projects is to all partners, and it is submitted to DOT on an annual basis, which is how they develop the funded five-year work program. A new tool developed is the transportation improvement program dashboard, TIP. That is a five-year funded program, approved every year. Right now, it is about \$1.5 billion for the next five years. MPO has partnered with UCF, the civil engineering department, and they did a 10-year and a five-year analysis of all the crash data in Lake and Sumter counties in a countermeasure plan to help resolve that. The Long-range plan was adopted in December. Something different this time, it was not a vision plan, more of an implementation plan. They are really focused on top priority projects, one of them being US 441 and Leesburg project, our number two project. They implemented those projects of the plan and nothing else. They were able to fund 13 of the top 20 projects and are able to fund 14 projects through some phase but not through construction. Now we have a new funding source, a transportation alternative funding, federal funds for smaller projects, bike ped, complete streets, safety, and technology upgrades you could enhance a resurfacing project on a county or state highway. It is 2.5 million dollars a year, a good new funding source to use.

Starting with the financials, he showed the difference between 2020 and 2025. Difference in \$185 million in the revenue forecast, money they can use to plan projects out for the next 20 years. There is also a big difference in the type of money. State funds significantly decreased from about 650 million over 20 years to about 161 million. Increased federal dollars by about 80%, which does have some consequences. Federal dollars are more expensive to spend especially on county roads if they have not done the PD&E or design to meet federal guidelines. Have to go back and redo those before can move forward with construction or Right-of-way phases. The big increase in the transportation alternative funding, going to use that for the call for projects every year of 2.5 million. Federal planning funds for complete streets, technology improvements, bike ped, and sidewalk gaps.

On the new long-range plan, they separated each project into each phase and implemented each project as funds accumulate in the budget. So, this is new. Usually, they just put all the project in a five-year bucket, like 31 through 35, or 35 through 40 and that gives DOT a lot of leeway of skipping our projects. They do every project by phase and if DOT does not want to follow this, they have to tell them why and get us to amend our plan. So, we are kind of holding their feet to the fire on the funding plan.

He provided the 26 list of priority projects. Give DOT a wish list of our top priority projects. Your 441 project is number three and they could fund that in 2033. For 44 in Mount Dora, the county loaned DOT \$10 million and they are going to implement half that project this fiscal year and probably move the rest of it forward way before 2032. State Road 19, the Groveland project from State Road 50 to 455, DOT just announced that project is funded for PD&E and design in this fiscal year. So, that one moves forward. The US 301 corridor enhancements in downtown Wildwood, the city loaned or donated \$5 million to the department to move that project forward. It is a resurfacing project enhanced with three roundabouts, mid-block crossings, and, big wide sidewalks on both sides of main street for the city of Wildwood, which is now the third largest city in Lake and Sumter Counties, right behind Leesburg. So, going to your project, number three, they were able to fund that for construction in 2033. He thinks that project was first designed in 2008, they were buying property in 2003. Then had to turn it down he thinks for utilities. They tried to bring it back in 2014 or 15 but it is going to need a re-evaluation. They just resurfaced that whole section and it looks really nice right now. They are working on the turn for Dixie, so they are doing a lot of improvements. He asked if the city would be willing to help finance the re-evaluation? Probably going to be about \$1.8 million. Look at the design, see if the design still fits what is out there today and what you see there in the future. With the citrus plant closing down is that something that is going to affect this roadway? Do we want to look at the design for that? So, that is kind of the question, not immediate, but we need to start talking about that. And then does the city want to advance that project? Is it still your top priority? Do we want to advance that with some local funds? Get it implemented in 2029 or 2030? Is that something that is desirable to the city? You do not need to answer

tonight, just something we should talk about with the department. But first phase is, let's get the reevaluation moving forward.

By the time project number five is funded, we will be updating this plan again. So, this was a short-term implementation plan to get our top priorities on the books and funded. So far, it has worked really well with the infusion of local funds. On the rest of the list, there are four county projects in Sumter, US 441, in Mount Dora, and Wellness Way in South Lake. That is their 2026 list of priority projects, and it probably will not change for a couple of years.

Projects for the TA funds, really specialized funds, federal dollars, the sidewalk gaps, median improvements, access management, existing roadway enhancements, safety, operations, technology improvements, complete streets, and trail projects are not for capacity. That money is coming in 2032, the new fifth year of their funded work program. It is out there a way, and this will happen every year; \$2.5 million every single year.

As he mentioned earlier, the call for projects is going on right now, opened in January. Looking for applications through March. Will have a draft for the board to look at in April and a final in June.

Commissioner Pederson said it surprises him that State Road 27, south of Leesburg is not on there. We get a lot of complaints about it. He drives all over the county, Central Florida, and it is a mess. He does not know how to describe it. Not a criticism, he just brings it up for discussion. It just surprises him that it is not even on the 10-year, or 15-year radar. That has got to be corrected in some form or fashion. **Mr. Wood** said that is the question: What are your top priorities moving forward? These are the kind of legacy projects we are trying to fund. **Commissioner Pederson** said 441, has been talked about and you said what, 2003? He remembers the state bought all the land and he thought it was on the MPO 5-year plan and it fell off. **Commissioner Burry** agreed it is a long process. **Commissioner Pederson** said he is just surprised Leesburg does not have more on the radar. **Mr. Wood** replied that is the point of this. We need to talk about what are the priorities moving forward. We have been doing this list of party projects for a long time. It used to be like a billion-dollar list. Every year we submit a billion-dollar list to DOT and they kind of scratch their heads. We have 20 million we can spend. We have a lot of projects already cataloged probably for you on some of the table list safety and operation TISMO complete streets, trail projects, and bike ped so you do not have to reinvent the wheel. MPO has been collecting projects from our partners for years and years.

Moving on, he spoke about a new tool they developed. He is sure your constituents want to know what is going on right now so, he showed their transportation improvement dashboard. It is a one-page interactive dashboard that has every funded project in Lake and Sumter County right now that are using state and federal dollars. There are 140 projects right now. As you scroll the list, you can click on it, or expand it. All the data is right there. What year things were funded, the funding types. On the map you can zoom in zoom out and as you zoom in you can focus on Leesburg and the middle column on the left of the map will just list the projects that are in your map. It is a great tool, always updated, pretty transparent and an easy tool to use. There is also about a two and a half minute training video on how to use it, how to make it your tool. You can always be up to date with your citizens when they ask you questions.

He provided some of the impacts of growth and population increase in our area from DOT. Looking at the volume to capacity ratio in our network, the increases in employment and increases in population. The three big areas that are concerning are South Lake and Minneola, Clermont, Minneola, Southwest Villages and Wildwood area, and north of Leesburg. You are kind of the epicenter of all the transportation needs and growth in Lake and Sumter County right now. So, what you are feeling is

correct, there is a lot of impacts going on right here. So, what does this mean? Our funding is decreasing. Gas tax revenues, our main source of funding for transportation are continual decreasing. The number of needs are growing and DOT, District Five is looking for interim improvements something that improves congestion right now. Intersection improvements, technology improvements, we are almost to the point where we need a traffic management center that is manned with traffic experts so they can adjust signals on the fly. It is going to be a combination of adaptive and manned surveillance of our traffic signals and corridors. We are almost there, probably five years away, but funding is still decreasing even as our population increases. They are looking for smaller projects moving forward. Maybe we do the top five intersections of the Leesburg area and submit that as a project. **Commissioner Pederson** said if we could fix the intersections at 27/48 and 27 / Dixie South Street. That is what is causing a big portion of the backlog. Are you saying this funding could become available sooner if we work together? **Mr. Woods** replied that it is a partnership. It is local funds, state funds, and federal funds. And as we fund the top priorities in our 2050 plan, our next one should look different. **Commissioner Pederson** asked if these intersection improvements are ranked right now? **Mr. Wood** answered this is what they want us to look at. We have to be realistic about the funding and so we have to design a new set of projects moving forward and they have a new tool for that too.

The state 19 project in Groveland, which is their number one freight project in Lake County, 20% truck traffic on 19. He did a little study in Webster 471, trying to do a complete street project there, 45% truck traffic on that road. They are still working on I-75 from Wildwood North building the auxiliary lanes right now, and then the next stage of improvement where they are going to look at the median special use lanes. That is the next improvement for that section.

Moving to safety, UCF approached them to partner, kind of a unique area, on the fast-growing rural roadway network and large population of seniors. It is a pretty desirable place to study. Have had three or four projects through with UCF and one of them is the Vision Zero Safety Action Plan. They studied the 10-year and five-year historic crash data for both Lake and Sumter County for all the roadways. They did a policy element in their long-range plan and are looking at the fatal and serious injury crashes and how we can reduce those. Again, they presented this in April as a draft to the committees and board. It is April 8th for committees and April 22nd for the board and back in June for final approval. But the numbers are not great. Right now, our fatal and serious injury crashes are about 4.4% of our total crashes, which beats the state average by of 2.4%. It beats Orange County which is 3.1%. So, there is an issue with safety, and it is something to address with planning moving forward. There are four types of crashes that constitute 85% of the crashes, which are runoff road, left-hand turn, rear ends, and angles. Those are rural roadway crashes usually and about 70% of our network is rural. So, we do have a rural roadway network problem. The three elements of the network are corridor, segments, and intersections. They are identifying the high injury network and will be able to use this in their planning efforts. Going to take our congestion management process, which is traffic data and volume data, combine it with the safety data and identify all the hot spots in our area and do countermeasures to help fix that. The top 10 worst intersections in the area are all in Sumter County. For every corridor segment and intersection, we come up with a countermeasure strategy on how to fix it for everyone. And that is going to be contained in the vision zero dashboard, kind of like the TIP dashboard. Going to be one-page, easy access with all the data. All we need is the money to implement it.

So, what is the schedule? The call for projects was in January, taking applications right now. In April, will have the draft LOPP, List of Priority Projects. Going to have the draft congestion management process tool. Going to have the draft transportation improvement program. So, a lot of things coming before the board in April. We will go for public review in May and final adoption in June.

Commissioner Pederson said this was very informative. He has been on the commission seven years and

thinks this is only the second time he has seen this presentation. Leesburg residents are complaining a lot about traffic, and he drives all over the county, and it just surprises him that 441 and 27 are not listed higher. **Mr. Wood** said there was an issue district wide that their model has not completed yet, a traffic forecast model, the CFRPM. It is a year late and will probably wrap that up in June. They were doing the new long-range plan without the model which is unusual. So, having that they will be able to move forward soon as that is done and work on a new list of priority projects.

Mayor Berry asked if Highway 27 has been the major concern and complaints, how do we get that on the listing if this is the list of projects now and the same dollar amount will be allocated again for next year? Is that what we are concerned about? **Mr. Wood** replied funding 27 would be a capacity project. Right now, they are funding the top priority, but they should probably amend the long-range plan and look at it again. Their goal is funding these legacy projects that have been top of our list since he has been there and start fresh next time. Bring some more money to the table.

Commissioner Burry asked for clarification on the slide with the circles. Exactly what does that represent? **Mr. Wood** said it is a demographic representation of the impacts on our transportation system based on volume to capacity ratios on existing highways. Employment increases and increase in population in these areas, which is a concern for DOT and the MPO. **Commissioner Burry** said looking at this, 27 south of Leesburg is not a problem according to this. Is that correct? **Mr. Wood** said on a bigger picture, Yeah. **CM Minner** added this is really an important point. He is not advocating we have traffic problems or do not have traffic problems with this statement, but thinks it is one that everybody in the room needs to at least have a perspective on and what we are battling against. We are battling against growth in the region, we are battling a road network in the region and we are battling on the state for funds to improve the roadways as these get bad. All those things are in conflict with each other. Obviously, the state does not have enough money to go around to fix roads and they are focusing on areas in the region that are the worst first. If you look at the map, what we do not want to see are the yellow and the red segments, where that is identified as bad areas. So, what we have in Leesburg is historically bad areas that we have always talked about; Singletary Park and of course the ever-popular 27/48 or 44/South Dixie interchange. These have been a problem forever. So, all the PUDs, all the growth areas we talk about are outside the circle. That is not saying we do not have problems in the future, but it says for right now pretty much our segment of 27 from our ISBA coming down into this area, the interchange we got green sailing along this tributary until we get higher up in the area. Again, that has been a historical problem. When you take these problems and put it into the region where there are higher priority issues, you see that and then you also see that 441-widening project, which is this segment, is still green. It is been a project on the books since '03. He would probably argue that the city killed it in '08 and the city brought it back; Bob Bone was really instrumental in the one talking to the commission about making it a priority again. That happened in the 14–15-time frame to where we did update our PD&E for water, sewer, and electric relocation. So, that project has always been on the books since we brought it back, but he would argue it has not really made it to the top because it constantly gets beat out by other problem areas. He would look at that map completely different. He would not say we have humongous traffic issues. That is a concern, but when you take the Lake and Sumter region and look at it cumulatively with the limited funds, there other pressing issues and that is why 27, Dixie, and Singletary Park get passed up because for now those funds are going other places. **Commissioner Pederson** added that if we could fix the intersections, that would solve a lot of it. **Commissioner Burry** said it was mentioned traffic signalization. Is that something that could potentially fall in that \$2.5 million? **Mr. Wood** replied they did a gap analysis in their long-range plan or TISMO, element traffic systems management operation, the new term for technology upgrades. They mapped the gap analysis where fiber is needed. Right now, you have a TISMO project north of Leesburg on 441/27. They are probably filling the gap and doing new signal hardware. Sure, they do not advertise a lot of what they do, but they are upgrading equipment and that should be one of our main priorities moving forward. That and

start discussions on the traffic management center where we have some control over what is going on.

Commissioner Connell said listening to everything tonight, there is a traffic problem on 27 from 48 down to Dixie, especially in peak hours. There is a problem there both north and southbound. If there is an accident, forget about it. There is no way to bypass that stretch, it is just a complete bottleneck from South Leesburg into if you want to refer to it, older Leesburg, no way to bypass it. The more traffic is going to be added to that stretch of road through annexation is just going to magnify this problem more and more and more. This is a project that is worthwhile to look at. Do not know how you really fix it, cannot really widen the road in some parts or you would be in the lake. The best way to fix it is to create a bypass across Lake Harris, but that is not going to happen, but that would alleviate a lot of the issues. But there is a major traffic issue there and that road is going to continue to get busier and busier. Not sure what we would need to do to make it more of a priority on MPO's radar to retake a look at that strip. **Mr. Wood** said they did analysis there, 2018 maybe, think we recommended a roundabout at 44 and 27 and or Main Street and 27 and some other improvement. A lot of it was enhancements, but think technology is going to be our friend on that corridor. Make sure we fix all the gaps and have latest traffic signal equipment. That is going to be our fix especially when there is no place to go and a bypass is not feasible at this point. **Commissioner Connell** added one other intersection is 27 Dixie but on Dixie coming up to turn left to go south on 27. That turning lane is terrible. You sit there at the intersection for 10 to 12 minutes just to get through the turn. **Mr. Wood** said it has been bad for quite a while.

Commissioner Pederson asked for clarification. Did you say that the state decreased funding? **Mr. Wood** agreed funding is decreasing. Gas tax is just on a continual downward spiral. Our vehicles get better miles than they used to. The state gas tax is indexed to inflation; the federal gas tax is not. They have never indexed federal gas tax since '92. **CM Minner** added that it has probably been Phenomena-ish since COVID. He thinks COVID is probably the first one where we started seeing sales tax and gas taxes started dipping because people stayed home and it never really rebounded after that. Gas taxes had always been a growing revenue source in reconstruction, but he would say at least since COVID we have seen that those gas tax dollars are not elastic. They have been shrinking.

Mr. Wood said on County Road 44, there is an active project right now adding a safety project. He could not find any information on the Lake County website, but there is a study on there under their complete studies on engineering section and they detail what they are going to do. From numerous left hand turn lanes to paved shoulders, clearing and grubbing to the right of way line, better signage. And they are doing it with \$2.7 million federal dollars, \$72,000 in local funds. **CM Minner** said if there is anything he can underscore, especially Commissioner Connell, I am not advocating that we do not have a road problem. Comparatively, we are at the end of the line because when these data are shared with the MPO and other people outside our region, when we vote on projects, and we have to vote on limited resources, stuff is getting shifted to priority projects that make the list where you see the yellow and the red. So, do not say Minner said that we do not have road problems. Minner said we have a political issue because our problems are not as comparatively bad as the region. Therefore, when the region through the MPO votes on priority projects, our projects do not get as much weight because they are not yellow and red. They are not supported by an equivalent population base and its limited dollars. So that means even though we are annexing all this stuff, our population base has not grown to where we are going to pull dollars away from South County or The Villages. That is the problem. **Commissioner Connell** said adding additional property to the city, which in the long run is adding more traffic, does create more of a problem.

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Please note that issues raised during this time will not be discussed in detail during the current meeting. They will either be referred to the

appropriate staff or scheduled for consideration at a future City Commission Meeting. Each speaker is allocated three minutes to provide their comments. Kindly adhere to this time limit to ensure equal opportunity for all participants and to support the efficient conduct of the meeting. Thank you!

Mario Nappa, Legacy of Leesburg, wanted to make a request related to the proceedings later on. Mayor Berry has received three letters from the Lake County commissioners and the remaining commissioners here received emails regarding the three applications scheduled for consideration this evening. He respectfully requests that these recommendations be read prior to the vote on each of them. If that is not preferred, he has obtained the letters from Commissioner Smith and the county attorney to read them during the public comment portion. Thank you.

Max Parker, Slowood Drive, wanted to come to do a couple of things. He wanted to thank the city of Leesburg for two events we had downtown. The first one was on March 8, they were granted permission to have a birthday celebration, a 100-year birthday for Ms. Agnes Berry. That event was very well-supported by the city and a lot of participants. We also want to thank the deputy city manager, Commissioner Berry, and also Commissioner Reisman for their support. Also, during this time, he thanked Travis and his team of Ray and Tim for what they did by setting up everything. The second event was this past Saturday, a V-Max One Community event. We brought a nonprofit organization in from Spring Hill. They brought a lot of people, a lot of talented young people who executed very well on the stage. Thank you to the businesses on Third, Market, and Main Streets for allowing us to have the event there. It was again, well attended. A majority of the folks from Spring Hill had never been to Leesburg before, and they enjoyed our downtown. They spent some money here, and they enjoyed going back to Spring Hill, talking positively about this great city. Thank you very much.

5. CONSENT AGENDA:

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

Items pulled for discussion:

5.c.6 Approval of Budget Calendar for FY 26-27;

5.c.9 Road Transfer Agreement with Lake County; and

5.c.10 Waive and release code enforcement fine and lien against 1215 W Dixie Avenue.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.c.6, 5.c.9, and 5.c.10, and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Commissioner Reisman	Yes
Mayor Berry	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 March 9, 2026**

B. PURCHASING ITEMS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Estep Construction, Inc. for a sidewalk construction project; and providing an effective date.**

ADOPTED RESOLUTION 12,204

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, establishing the venue area for the Annual Leesburg Bikefest event, taking place April 24-26, 2026; and providing an effective date.**

ADOPTED RESOLUTION 12,205

- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement with Early Learning Coalition of Lake County, Inc (ELCLC) for the installation of a Born Learning Trail at Berry Park; and providing an effective date.**

ADOPTED RESOLUTION 12,206

- 3. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a satisfaction of mortgage for property donated to Andre Graham at 106 Oak Street through the Infill Housing Program; and providing an effective date.**

ADOPTED RESOLUTION 12,207

- 4. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a satisfaction of mortgage for property donated to Richard Handford at 2355 Mispah Avenue through the Infill Housing Program; and providing an effective date.**

ADOPTED RESOLUTION 12,208

5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an aeronautical lease agreement, with Aerostat, Inc., for property located at 8830 Airport Boulevard, Leesburg, Florida, 34788, at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 12,209

6. **City Commission approval of the budget calendar for Fiscal Year 2026-27, which includes dates for Commission workshops.**

ADOPTED

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

Commissioner REisman made a motion to adopt the item and Commissioner Pederson seconded the motion.

Mayor Berry requested comments from the Commission and the audience.

Commissioner Connell said he pulled this item regarding the mention of a Friday. **CM Minner** replied there are no Friday meetings. That is an administrative note that staff will get the budget out to you on Friday, June 26. Commissioner Connell thanked him.

The roll call vote was:

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

Five yeas, no nays, the Commission adopted the FY 2026-27 budget calendar.

7. **Resolution of the City Commission of the City of Leesburg, Florida, establishing rental rates for Sports Complexes throughout Leesburg; and providing an effective date.**

ADOPTED RESOLUTION 12,210

Following the approval of all items on the Consent Agenda, Mayor Berry said she failed to pull one item off the consent agenda as she had some questions.

CM Minner said the Mayor would like a motion to reconsider item number 5.c.7.

Commissioner Burry made a motion to reconsider item 5.c.7 and Commissioner Reisman seconded the motion.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Pederson	Yes

Commissioner Reisman	Yes
Commissioner Connell	Yes
Mayor Berry	Yes

CM Minner stated so, now item 5.c.7 is unapproved, and we need a motion to read and approve.

Commissioner Reisman introduced item 5.c.7 to be read by title only. CC Purvis read resolution by title only.

Commissioner Reisman made a motion to approve and Commissioner Burry seconded the motion.

Mayor Berry said in the presentation detail she noticed that the proposed rental rates for Sleepy Hollow's estimated revenue would be \$20,000 and Susan Street \$40,000. She asked if these dollars would come back to the general fund or would go back to CRAs. **CM Minner** replied that it is a general revenue of the city. Even though the CRA is paying for it. It is located within the CRA district, allocated the construction project with CRA dollars. It is a CRA operation, but the maintenance and operation of the facility is in SOP, standard operating procedure, which would fall under recreation, which is in the general fund. It is going to be operated and run through the general fund. So those revenues should go into the general fund of the city. **Mayor Berry** asked what of the TIF money that comes through. Would that still go to the CRA or would that come to the general fund? **CM Minner** responded that the TIF money stays in the CRA and is paying for the capital dollars. The miscellaneous revenues they pick up from user fees would go into the general fund of the city and then subsidize the recreation department for the maintenance and operations of the park. **Mayor Berry** asked, as we grow, and the area gets populated, and more people come to visit, is that more revenue for the general fund that we can then pay back some of the funds from the CRA? **CM Minner** replied, Yes, the money would be eligible to go back to and repay the CRA, but you will never collect enough revenue to do that. Even if we grow tremendously, those projects are always going to be a loss-leader. Those honestly are nuisance fees, but we have those fees in place for use to help cover some of our costs. He does not think you will ever see a day and time when any of our recreational facilities cover their own costs. They are subsidized by other general revenues of the city and probably will in perpetuity.

The roll call vote was:

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

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

- 8. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement affecting the property described therein from Silver Lake Commons, LLC, joined by United Community Bank; and providing an effective date.**

ADOPTED RESOLUTION 12,211

- 9. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Road Transfer**

Agreement between the City of Leesburg and Lake County; and providing an effective date.

ADOPTED RESOLUTION 12,212

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

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

Mayor Berry requested comments from the Commission and the audience.

Commissioner Connell said he spoke earlier to the city manager and asked him to explain. **CM Minner** said this agreement is pursuant to the 2013 ISBA agreement. As part of that agreement in the transportation section, the city agreed to accept the dedication of certain county roads that we would have annexed 50% of the road frontage. That is a little bit of an oddity in the way the language was written, and we had public discussion about this several months ago. Pending your feedback to me that was presented to the county and these were ultimately the roads pursuant to the ISBA agreement that the city needed to adopt. To kind of veer off, he thinks that the greater concern was in the discussion with the county at the time there was the county's want to shed many of their county road networks. The greatest being those that are major county roads such as 48, 33, and 19, which really does not affect Leesburg.

But at that time, we internally had that discussion with the county, and publicly with you that the intent of the ISBA was not for the county to shed major what we will call arteria roads like 33 and 48.

Specifically, those roads because they cut through Leesburg and some of our development is over them. He thinks the intent in that was that the county saw through the agreement those roads being county roads. Local roads being roads that get you within the city, not city to city within the city to a county road. County road gets you city to city and then obviously, state network roads get you outside of that.

So, 48, 33, 19 those being county roads, he does not think the ISBA ever really contemplated that those roads would be shifted. As we reviewed the language in those agreements and some of the way it was date specific because much of the annexation for example, the county wanted us to adopt all of county road 48 from 27 to the terminus, which is the county line, and our position that we discussed publicly was no that is not our road and moreover we already have 50% of that road annexed. We annexed Secret Promise back in 2003 or 2006 that already locked in 50% of that, so that agreement came after that. He thinks the intent was yeah county road network, so the county ultimately agreed to our interpretation of that and their road request list pursuant to the ISBA, significantly shrunk to roads that are not regional transportation or arterial. So, what was left on the list were the roads that are in your packets. Portions of Busby, portions of Number Two, portions of Dewey, portions of roads that are not transverse, but we had annexed 50% of that road total between them. Think we are contractually obligated to take on these roads pursuant to the ISBA.

Should you fail to annex them, he does not know what the ramification of that is. Do not think you would be in compliance with the agreement. And where does that lead you? He does not know. Would the county sue us and are they going to take away the annexations that we have done? Probably not, but the cure is probably going to be some big long litigious process where we are forced to take what is before you tonight. So, A) we have to do it or B) what is the concern or, you know what kind of cost we have associated with taking on these roads? That was the specific conversation he had with

Commissioner Connell this afternoon. The number they came up with was about 20 to 25 grand annually to take on these roads. That is probably a reasonable number, but it is a misnomer in that it is not going to be on an annual basis of those funds going out. Budgetary wise, it is not going to have an impact. But when these roads do, say, in five, ten years, when the road needs an overlay, you are going to see us

spend a hundred or 300 grand on this road all at once. You divide that over the course of the life of the road.

Do not think that this is a financial burden for us. It is contractual, and over the course of time, he does not see that these are major concerns. He will not speak to Commissioner Connell's concerns, he will let him bring those up. He does think that the commissioner was concerned about what if we had to widen these roads and those types of concerns. He does not see that as a greater concern as most of the design of the concepts that we have, we see major primary exits onto other county roads or on 27. Do not see we are going to have a backlog as a major problem of a force to take and if we do, then we probably have other planning processes or other PUDs that will come up along these roads or other projects. Not saying we do not have that exposure, but today he is not overly concerned about it. The action is to accept these roads which were triggered by the ISBA. **Commissioner Connell** thanked the city manager and said he touched on several of his concerns. There is an annual maintenance of 20 to 25 thousand, and he said an overlay of one maybe \$300,000 if the roads ever need to be widened. His understanding, through conversation with the city manager, is that the county transportation fees would not be available to us to widen these roads since they are not county roads. Therefore, that cost would fall 100% on our taxpayers. It goes back to what he has been saying for years: that growth is not paying for itself. If we had to widen these roads or even overlay them, those expenses are coming from our taxpayers and the majority of our taxpayers do not want all this growth. To burden them with forcing them to pave roads or widen roads to accommodate growth they do not want is ridiculous. He understands we are stuck here because of the agreement with the county, but he would really caution the city in the future on annexations to keep this in mind that you are absorbing forever cost by taking these roads by annexing all this property on these roads and saddling our taxpayers with paying for them when they do not want them to start with.

Looking to the city attorney, he said he guesses we do not have the option not to accept these roads. In the future, he would really like the commission to consider on all these annexations that it is not just the traffic that all these houses cause, but it is the additional incurring costs every year to accept these roads from the county. To maintain them and to widen them or whatever we might have to do that is going to be charged to our taxpayers to take care of. **CA Watson** said to touch on that, as **Al** said, there is a provision in the ISBA that addresses annexations and roads that need to be taken on by the different cities that are parties to the agreement with regard to the annexations and when they hit that 50% trigger. We did look at that with the 48 issues that came up to kind of examine that provision. And, yes, it is in there, and it is something we have got to comply with. He does not recall if maybe there is a dispute resolution process, if there is a disagreement among the parties as far as how that plays out. Does not have the ISBA in front of him, but it is true there is that provision in the agreement. That is what triggered this. There is that obligation on the city's part to comply with what it said. **Commissioner Connell** asked the city attorney, if in his legal opinion, we have to accept these or is this something we can postpone for a couple of weeks for him to research it to see if we could have a way not to accept them? **CA Watson** replied if we postpone it for two weeks to look at the ISBA, it does not upset him. He does not think it necessarily upsets the timing of anything. He is not very hopeful that he is going to find anything from what they looked at before, but he is absolutely happy to look at that deeper in the next couple of weeks and report back at the next meeting. **Commissioner Pederson** asked does the agreement deal with the split of impact fees? We are taking on the roads because we approved development. **CM Minner** replied no, the impact fees are county road collector road impact fees that go squarely to the county. They are county impact fees, not the cities, and the agreement is pretty explicit, it says we will take the roads. **Commissioner Pederson** wished the agreement spoke to some kind of share on the revenue. **CM Minner** said this portion of the ISBA was not approved by anybody sitting at this table. It was approved in October 2013, and actually, County Commissioner Campione, as chair, signed the document and in 2013, and the contemplation was not massive growth. The contemplation of that agreement was as the county seeking growth, as well as the county being not the political subdivision of Lake County, but the region of going through a recession going through a no growth time period. Understanding that, at that time, the construction industry and the service economy of the region was significant that the agreement

was birthed with the concept of how do we plan. So, contrary to popular belief, the ISBA is actually a planning document, and it shared responsibilities of how to plan for future growth, and its major contemplation was how to plan for fire services. it. So, it was knowing that the county is not in the utility business, let's form these boxes, we call it inter-service boundary agreements on what the city is going to take care of these areas and, through annexation, the city would do this, the county would do that. That was the quid pro quo. One of the trade-offs was non-contiguous annexation, provided cities are going to cover some of the roads, and his opinion is that document contemplated that it was not shifting arterial roads it was shifting smaller roads. You have these roads, Bridges Road from US 27 to the turnpike, that little stubby section right now where there is not a lot of growth and that probably will not need widening because it is a transversal road. Busby Road again, Dewey Robbins, Duncan Road, Number Two, Poe, and Windmill. Not going to say that there is not a potential problem, but the contemplation is these are roads in the future that are going to work more like local roads, which would be our responsibility to manage. That was the contemplation of the agreement and in '13 we agreed to that and there is really no getting out of it. We can put it off for two weeks, but we are going to come back with the same answer. You got to take the roads. **CA Watson** added that there is absolutely a component of having to take roads in that agreement. **CM Minner** said we beat the county up, and he thinks we were pretty successful on what roads we are willing to take. If you notice, this list is substantially shorter than the one we presented to you back in August or September sometime, and we had a long conversation about that. That agreement being the ISBA does not contemplate 48; that is a county road and it stays a county road forever. Think the county has now accepted that. So, the list that you have is after our response back to them, like four months later, unfortunately not fresh in our minds, but four months later, okay, the county is like, Okay, we see your point, here are the roads you need to take. Upon our review, we are like yep, those are the ones we need to take. **Commissioner Pederson** thinks you have done a good job on it. He just wanted to bring up the funding issue, be sure we were crystal clear on that in this agreement. If there is no way to share revenue then we do not need to kick this thing down. **CM Minner** added there is no contemplation in the ISBA about money and, because there is a lack of contemplation about money in the ISBA that means we go the course and the course is actually we collect the impact fees for them, and then we deliver it to the county. Then the county spends it on roads and remember, they have the district plan. Again, you do not see massive county road construction because the county has not collected massive amounts of impact fees in our district. We are the biggest city in our district, and we still grow at about 30 units a month. That is not a whole lot of collector road impact fee money to go towards these improvements. Now, if you look at South Lake, that is a totally different animal. They have collected millions of dollars and you see in their five-year program how they programmed it out. So, the agreement does not speak to money, which means they get to keep their collector road impact fee monies that we collect and transmit to them for their roads. And we have to use our general fund dollars or our local option gas fund dollars to do road improvement projects or maintenance or improvements or widening, and our strategy is to try to get the developers to do as much road construction as possible. Through our PUDS we are pushing off road construction as much as we can. **Commissioner Pederson** appreciates that, and said if we were able to renegotiate this ISBA in any form or fashion, he would hope we could try to tweak the impact fees and split taxes differently. **CM Minner** said the ISBA retires in 2033. **Mayor Berry** asked if it possible to have more roads added to that within that time frame? **CM Minner** answered yes. There is a possibility as we continue at annex that we are going to trip the 50% threshold. There are a couple of roads here technically where we do not trip the 50% threshold. Think Poe Road is one of those, but we know we will, or it is arguable that we already have. Frankly that was brought to his attention by planning and zoning and his administrative recommendation to you is we have already tripped that threshold. There are certain roads that we might as well go ahead and take now and those are De Minimis, by the way. But the roads on your list tonight are bona fide roads that were tripped by the ISBA that need to become city roads pursuant to the agreement that was dated back to October 2013. He understands wanting a delay, but no offense, he does not think a delay sends the right message to the county. He has been asked on more than one occasion about the status of this since receiving the email

from the county attorney.

Commissioner Connell said he just wants a 100% opinion that we have to take these because he obviously is opposed to taking them. It is an additional burden on our taxpayers to maintain, widen, resurface or whatever these roads forever and the developers are long gone. Our existing taxpayers are going to have to pay for these things. But obviously, if we have to do it, we have to do it. **CA Watson** mentioned that he had the same question at the last meeting had we tripped the 50% threshold on those roads. And, again it was pretty clear that once you hit that 50% you have got to take the road. **CM Minner** said we weaved out the questionable roads. **CA Watson** said his main thing was he just wanted to make sure it was all ISBA roads and that the threshold was there. **Commissioner Burry** said not to muddy the water, but we have about what seven community development districts within our PUDs, right? **CM Minner** responded that pretty much every PUD we have done is flipping over and forming a CDD. **Commissioner Burry** asked in those CDDs when those roads start to have problems, are they the city of Leesburg's problem? **CM Minner** said unfortunately, the answer is it depends. Some of the PUDs were written such that we did not take dedication. Then we got into a pattern where the language in the paragraph has always been may and some PUDs, Arlington Ridge for example, do not think we have those roads. Lake Denim Estates those are ones where again we have not taken dedication. We forced the developer to fix some stuff but assume they are probably going to be coming to us now that they have been fixed. It is a "may" and it really is incumbent upon the developers to come in and remind us that, hey, dedicate these roads. So, that answer back to you is going to be it depends. Some of the projects, public works, since we have kind of taken a different approach to them are all going to be our problem someday, so, we might as well just take these in. We have paid a little more attention to road construction so we know that when it is taken by the city it is done. At this stage going to say, it is incumbent upon those developers that once they get their sign off and their COs on housing that they come back and execute their deed to dedication.

The roll call vote was:

Commissioner Pedersn	Yes
Commissioner Reisman	Yes
Commissioner Connell	Yes
Commissioner Burry	Yes
Mayor Berry	Yes

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

- 10. Resolution of the City Commission of the City of Leesburg, Florida, waiving and releasing a code enforcement fine and lien against the property located at 1215 W. Dixie Avenue, Leesburg, Florida 34748 (Alternate Key Number 1653916), owned by Robert G. Hicks, Trustee; authorizing execution of any documents necessary to release the fine and lien; and providing an effective date.**

ADOPTED RESOLUTION 12,213

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

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

Mayor Berry requested comments from the Commission and the audience.

Mayor Berry asked if we had a dollar amount on the fines? **CA Watson** said he did not have the dollar amount, but that number is pretty high at this point. This one has been going on for a little while, probably about a year and a half. We have had a couple of orders; we have had an appeal. We have arguments about whether notice was given and arguments about whether he was originally directed to put the vehicles there to assist with some other problems that were ongoing on the property. A lot of arguments, a lot of time, and a lot of money to be spent if we continue arguing about all of these things. So, the discussion was basically trying to encourage this property owner to fix the problem that the city had, which he has now done, thankfully. The problem has been solved. The suggestion was, if you solve the problem, then we would bring your problem to the attention of the commission to see if the commission is receptive to that. This really has just been a litigious situation. We found a point now where the property owner has come into compliance and done what we asked them to do. So, the request was to waive the fines that had been accruing against the property and avoid the ongoing dispute. **Mayor Berry** said, but we do not know how much the fines were. **CA Watson** answered it was \$100 a day. **CM Minner** added that it was a big number because it went on for a while, probably talking thousands. **CA Watson** said tens of thousands. **Mayor Berry** asked if it was a situation where the person was not notified? **CM Minner** replied, No, and we will argue about that. So, here is where we are. Remember, code enforcement fines are a tool to achieve compliance, they are not a revenue-making tool. He does not think a governing body should look at code enforcement fines to be a general revenue for the city. It is a punitive issue; we are going to fine you "x" number of dollars a day until you fix that problem. Then, when that problem is fixed, it is right, and it is appropriate for the governing body to waive those fees. Where we start getting into circumstances where he hates to say it, but to coin it this way, where the financial beneficiary of code enforcement problems has been a death, a change in ownership, or something that stays on title where the problem has never been fixed. That is where the long arm of the government reaches out and grabs you and forecloses a property and takes it in lieu of a fine. That is not this case. This case is clearly a stubborn property owner not working with code enforcement and code enforcement doing their job. Ultimately, the code situation was corrected and abated. Therefore, the fine should go away. And the only authority who can remove fines is this body. So, staff recommendation is to follow the attorney's advice and waive the fines. **Commissioner Pederson** said the owner is an attorney, so he can argue it. It is still an opportunity cost, but does not cost him money out of pocket. **CA Watson** added, that is a reasonable point. He is a lawyer, and so that keeps this going. **Commissioner Connell** said his question would be, and he agrees, code enforcement is to gain compliance and not really looking for code enforcement to drain somebody of all their money. But something that struggles on for a year and a half, obviously the owner was aware of it at some point and failed to address it. He does not think it is unreasonable to say, Okay, we'll reduce the fine, but the fine goes down to offset the cost of what the city has in administrative costs on employees. The staff time, attorney, legal staff and mailing. Do not think that is asking too much for him to at least satisfy what the city has in it to get to this point. **Mayor Berry** agreed, that is a good point. **CM Minner** said the rough number is \$1,500.00. **Commissioner Connell** said then reduce it down to \$1,500. He should reimburse the city for what the city has in expenses. **Mayor Berry** asked if this was an issue where there was an error on code enforcement or something? **CA Watson** replied, he did not think so, but again, everybody says different things. He supports code enforcement in what they have done throughout.

Commissioner Connell made a motion to reduce the fine down to \$1,500 to cover the cost of what the city has involved in it. Commissioner Berry seconded the motion.

CM Minner mentioned before your vote that would be an amendment to the motion on the floor. Commissioner Connell agreed, it would.

Mayor Berry said there had been a motion and a second and asked for a roll call.

The roll call vote was:

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

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

Mayor Berry asked for a motion as amended. Commissioner Berry moved to approve the amended motion and Commissioner Pederson seconded.

The roll call vote was:

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

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

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

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

A. SECOND READING OF ORDINANCES:

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 25.07 +/- acres; and being generally located south of CR 48, east of Number Two Road, and west of Trimpi Road, lying in Section 20, Township 20 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 3; and providing an effective date. (Lake Margaretta Phase 2 ANNX).**

ADOPTED ORDINANCE 26-05

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

Commissioner Reisman made a motion to adopt the ordinances 6.a.1, 6.a.2, and 6.a.3, and Commissioner Pederson seconded the motion.

Mayor Berry requested comments from the Commission and the audience.

Planning and Zoning Director (PZD) Dan Miller said this is the Lake Margaretta phase 2 project. It consists of an annexation, small-scale comp plan, and rezoning of about 25.07 plus or minus acres, generally located on the south side of County Road 48 and east of Number Two Road. The project is contained entirely with the existing approved Lake Margaretta Phase one project. The request is for approval of a future development for single-family dwelling units that blend into the density of the surrounding approved project, kind of filling a hole in the donut. Under this request, the future land use application the project is requesting a change from Lake County Rural Transition to City of Leesburg Estate Residential. The zoning application for the project is requesting a change from Lake County R1, which is their rural residential, to City of Leesburg planned unit development. Staff received no substantive comments from the city departments. The school board noted the applicant will be required to obtain a school concurrency reservation letter which reserves capacity for the schools and if at the time of development, adequate school capacity is not available, the project would be subject to a school board city of Leesburg mitigation agreement. Lake County Public Works did not have any comments on the project. Under public responses, we actually received no written responses to the ads and letters that were sent out. Under the terms of the SPUD agreement, the project consists of a total of 70 residences as long as it mixes into the same level of density as the Margaretta one project. No other uses are permitted. These are all detached single family homes. The project proposal will include design standards for the architecture which are included and are shown in the exhibits. A minimum of 35% open space, dark sky lighting, code-compliant landscaping is required as well as the use of either Bahia or Bermuda grass which reduces water consumption compared to this St. Augustine standard. The maximum building height is two floors. There are gutters required for side yards of less than five feet and there are facade samples in your packets. Under site access, shown on the plan, it integrates into the larger product project, and they will be using the same access points. The PUD does require the developer to provide any and all expansions or upgrades to the access points as needed and required by FDOT and or Lake County. And if the city takes that road, then it will be the city at that point. Under recreation, 2.7 acres is required and this includes the primary recreation area with the three amenities, which are a swimming pool, children's playground, and dog park. That is also part of the larger Lake Margaretta project. All utilities have to be on city of Leesburg water and wastewater, no wells or septic, and our utility services have indicated that there is capacity to serve this project. Then, finally, there is the phasing or expiration clause which requires that development move forward with substantial commencement within four years or the product the property zoning will revert to the RE-1 zoning standards. It will not revert the zoning, just the standards and that would be one acre per unit. They have four years if approved today to move forward. The planning commission did recommend approval. Mr. Tom Daily of Daily Design Group is here as well if there are any comments or questions.

Tom Daily with Daily Design Group, 913 North Pennsylvania Avenue, stated he is present on behalf of the applicant. He gave a brief presentation at the first reading and said Dan pretty much said everything else, so he would answer any questions.

Commissioner Connell inquired if Gospel Road runs through this subdivision. **Mr. Daily** replied no, that Gospel Road was a county easement, access to the orange property, but now that we are incorporating that into phase one, they are going to vacate that easement. **Commissioner Connell** then asked about the access of the other two parcels. **Mr. Daily** replied everything accesses off the main entrance.

Mario Nappa, Legacy of Leesburg, wanted to read the letter from County Commissioner Kirby Smith to Mayor Berry and thinks the commission also received the email. He read, Dear Mayor Berry, on behalf of the board of county commissioners, I am reaching out to you regarding concerns associated with the annexation of the above-mentioned property. The rest of that paragraph just discussed the property location. Then the letter goes on to say Lake County is opposed to the annexation of this property into the municipal limits for the purpose of increasing residential density in the area. Leesburg previously annexed a significant amount of property along Number Two Road, including Lake Margareta phase one and Eagle. If the city council determines that the annexation is appropriate and that the infrastructure is needed to serve, this level of overall density will be provided, understanding that the city council will be considering accepting jurisdiction and ownership of Number Two Road from County Road 48 to the terminus of the ISBA boundary. He guesses that happened tonight. The board is requesting that Lake Margareta property provide 50% open space in lieu of the proposed 35. Your consideration of Lake County's concern is appreciated, and I look forward to working with you to make Lake County the best it can be. Let me know if you have any questions or need any additional information. Signed Kirby Smith.

Mr. Nappa then had a couple comments of his own. When the original project was presented before the Planning Commission, Dan Miller stated that the county was requesting a traffic light be put at County Road 48 and Number Two road and that Number Two Road be widened for the entire length of the development, but he has never heard anything since. Now that Number Two Road is going to be a city road, are you going to still require that traffic light? And then at the county council meeting last year, there was a proposal made by the developer to add a section to Margareta Estates in the unincorporated section of Lake County, which is contiguous with the section in Leesburg in their earlier map. He said that, according to Kirby Smith, this has not moved forward. For transparency, he would like to hear from the developer what their plans are for this, since it will add to traffic and infrastructure demands on the city of Leesburg.

Mr. Daily said he was not aware of the email Commissioner Smith put out and was also not aware that the county board of county commissioners came up with any action. It is his understanding of what he just heard that this was an opinion by one commissioner, but the board of county commissioners did not take formal action. He would hope that he would have been notified. But, again, this is all within the ISBA, and it just fills out the center portion of this property.

From the audience, Mr. Nappa asked about access to the east? **Mr. Daily** responded that they cannot annex that property because it is outside the ISBA. They had shown access to that property for the benefit of that landowner, but they cannot annex it into the city.

Mayor Berry asked if there were any further comments.

Commissioner Connell asked Dan for clarification, because there were two different statements made. The letter that Commissioner Smith wrote, was that on his behalf only or was that on behalf of the county commission? **PZD Miller** responded he had not seen the letter. **CM Minner** said that was why he stepped out; he went out to grab the letters because of Mr. Nappa's request. We all got copied and just for the public, yeah, we did receive a letter, and he will answer the commissioner's question. In spirit of full disclosure, we did receive a letter from the BOCC in opposition to the annexation that we are discussing at hand. There was not that he recalled a formal vote, and he saw a clip of the meeting. It was done on a consensus basis on the BOCC that there was a general consensus of yes, let's send it because it has been SOP the last year or so for the BOCC to review all annexations throughout the county, and then they opine on it and send a letter out if they are in opposition to such. So, while there was not a formal make a motion to send Leesburg a letter, it was done by general consensus of the BOCC. In this particular case, on this letter he would assume that the letter represents the entire opinion of the BOCC. He does not think that is the case for all the letters but on this one, yes.

Mr. Nappa stated he was not suggesting that they were going to try to annex that east land into the city. Obviously, it is outside the ISBA, but there was a connection point shown on the previous drawing which was taken off. His question is, if you did develop that land, would you access it through the city of Leesburg? **Mr. Daily** responded again, they have no intention of developing that land at this point. The access was shown for the benefit of that particular landowner.

Commissioner Connell said we are talking about 75 more units on a two-lane road, which, again, is adding additional traffic issues. The MPO was up here tonight basically saying that they have no long-term plan at all to address 27 from 48 to Dixie. No plans at all on the books and every one of these little subdivisions is adding additional traffic to a stretch of road that at least some of us tonight acknowledge is a problem. The MPO has no answers, no long-term plans to address South 27; there is nothing on the books. The county commission has asked us not to do this. 48 is another two-lane road. He does not think we need to continue to annex property down in this area and continue to add to a problem that we acknowledge we have.

The roll call vote was:

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

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

- 2. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain real property consisting of approximately 25.07 +/- acres; and being generally located south of CR 48, east of Number Two Road, and west of Trimpi Road, lying in Section 20, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lake Margaretta Phase 2 SSCP)**

ADOPTED ORDINANCE 26-06

The roll call vote was:

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

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

- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 25.07 +/- acres from Lake County R-1 (Rural Residential) to City of Leesburg PUD (Planned Unit Development) to allow for 75 single-family homes, for a property generally located south of CR 48, east of Number Two Road, and west of Trimpi Road, lying in Section 20,**

Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Lake Margareta Phase 2 PUD)

ADOPTED ORDINANCE 26-07

The roll call vote was:

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

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

- 4. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 202.6 +/- acres; and being generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 4; and providing an effective date. (Lake Bright-Brighurst ANNX)**

TABLED ORDINANCE 25-08

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

Mayor Berry requested comments from the Commission and the audience.

CM Minner gave a brief explanation, saying we counted our days wrong. The long and short of it, we thought we had enough time for advertisement, but on our counting we did not include the time we needed to hear back from the state. So, we just scheduled this hearing too early. This is just a matter of procedure to preserve the proper process, where you open this item this evening, and we ask you to table it. That preserves the time frame, but he is also going to instruct Dan to send out another public notice.

PZD Miller said they have been working with the city clerk's office and this is on us, not on the developer because staff errored. He does not want the public to think this is a trick; we messed up, we counted the days wrong. So, we are doing both processes. Preserving it by opening it and tabling it to a date certain in the public hearing. We will also send out another public notice. So, for those in the audience, this is obviously concerning the Lake Bright- Brighurst annexation and land use on 33. It will be heard in its final chapter on Monday, April 13th.

Commissioner Reisman made a motion to table the ordinances, 6.a.4, 6.a.5, and 6.a.6, to April 13, at 5:30 p.m. here in the City Commission Chambers and Commissioner Pederson seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission adopted Tabling the Lake Bright-Brighurst ordinances.

- 5. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 202.6 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst LSCP)**

TABLED ORDINANCE 26-09

- 6. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 202.6 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for 502 single-family residential lots, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright-Brighurst PUD)**

TABLED ORDINANCE 26-10

- 7. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 9.26 +/- acres; and being generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 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 4; and providing an effective date. (Cronin-Dewey Robbins Residential ANNEX).**

WITHDRAWN ORDINANCES

Commissioner Reisman introduced the ordinances 6.a.7, 6.a.8, and 6.a.9 to be read by title only. CC Purvis read the ordinances by title only.

Commissioner Reisman made a motion to adopt the ordinances and Commissioner Pederson seconded the motion.

Mayor Berry requested comments from the Commission and the audience.

PZD Miller stated the Cronin Dewey-Robbins residential project consisted of an annexation, a small-scale comp plan, and rezoning on 9.26 plus or minus acres. The property is generally located north of Dewey Robbins Road and east of U.S. Highway 27. The request is for future development consisting of 26 single family units. Under a future land use application, the project is requesting a change from Lake County Rural to City of Leesburg Estate Residential. The zoning application is requesting a change from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development). Staff received no substantive comments from the city departments, but did receive from the public numerous written responses to the request from the advertisement, posted signs, and the surrounding property owner letters. Among their concerns and comments were 99% of the residents that live on Dewey Robbins and Turkey Lake Road enjoy wildlife peace and tranquility. Hodges Reserve is not conforming to Dewey Robbins Road or the area, you are ruining Dewey Robbins Road, and the City of Leesburg is ruining their area. Leave the county areas alone, the number of homes and lot sizes are too small. Ranch-style homes on one-acre lots would be better. Again, that is just a summary.

Under the terms of the SPUD agreement, there would be 26 single-family detached family homes on the 9.26 acres. No other uses are permitted. The project proposal is a standard PUD, which includes architecture, 35% open space, dark sky lighting, a code-compliant landscape plan and Bermuda or Bahia grass. Maximum height two floors, gutters required on any side lot less than seven and a half feet, a six-foot privacy fence required on the east and west, and a four-foot split rail on Dewey Robbins Road.

There is one access point on Dewey Robbins Road and the PUD would require the developer to make any improvements to Dewey Robbins Road at the access point as needed. There is a requirement for 5,200 square feet of park and recreation land. Of course, all the utilities, as always, are on the city water and wastewater; no wells or septic. And then finally, the standard phasing clause, which is after four years if they have not substantially commenced, it is one acre per unit. The planning commission did recommend disapproval on this one by a three-to-three vote, saying it was not adjacent to existing development and that it should wait for further development of the area prior to annexing and developing the property. Mr. Mike Rankin of LPG in Tavares is present to speak on behalf of this case.

Mike Rankin, stated for the record that he is managing member for Land Planning Group, in Tavares, here representing Mike and Kim Cronin of 6531 Dewey Robbins Road. At this time, he is going to respectfully request to withdraw this project. This project has a great deal of history. Started with 48 town homes in eight buildings with two commercial buildings and then one daycare. They withdrew that and focused on the 26 lots with a dog park and a trail. The difficulty for him doing this is that he loves this city and wants to see good development occur. He is aware that in the area there are other property owners who have reached out to them. His hope is that by withdrawing this project, they can look at the larger picture of infill, as we all realize, with the city taking on Dewey Robbins Road, that there will probably be additional development there. So, he respectfully withdraws the application this evening. Happy to answer any questions. Thank you, your honor.

CM Minner asked if any action was needed? CA Watson replied no. If they want to withdraw their application, it is their right to do that. He does not think that any vote or action is necessary on the city commission's part. He appreciates Mr. Rankin coming up and going through that, but thinks if they are voluntarily killing their application, there is nothing that the city needs to do.

Mr. Rankin said he did not want to flip the chicken switch and send an email or do it over the phone. He

wanted to do it in person. He is a man of integrity and wanted to stand in front of you with an explanation, as well as the public.

Mayor Berry said items seven, eight, and nine are automatically sunset.

8. **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 9.26 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins Residential SSCP)**
9. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 9.26 +/- acres from Lake County A (Agriculture) to City of Leesburg SPUD (Small Planned Unit Development) to allow for single-family residential uses for a property generally located north of Dewey Robbins Road and east of U.S. Highway 27, lying in Section 31, Township 20 South, Range 25 East, Lake County, Florida; and providing an effective date. (Cronin-Dewey Robbins Residential SPUD)**

B. FIRST READING OF ORDINANCES:

1. **An Ordinance of the City of Leesburg, Florida, amending Chapter 4 “Aircraft and Airports”, Article II “Standards for Operators and Airport Tenants”, SEC. 4-19(C) “Leases” of the Code of Ordinances to authorized approval of standard lease forms and rent rates for certain airport rentals and to authorize execution of standard lease forms by the City Manager; providing for inclusion in the Code of Ordinances; providing for severability and conflicts; and providing for an effective date.**

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

Mayor Berry requested comments from the Commission and the audience.

CM Minner said in a quick debrief, we have actually been operating at the airport as far as execution of smaller leases incorrectly, and we have been doing that for about 13 years. So, here is how we uncovered the issue. The airport advisory board has been very active in terms of reviewing our leases, wanting to increase rates, and making sure that the airport is maximizing its profitability as an enterprise fund. In doing so, we noticed that Section 4-9 of the Code of Ordinances is incorrect pursuant to our procedure. So, how did that occur? Prior to his becoming your city manager, the then airport director, Leo Treggi, made a couple of operational changes to that article, Article 19. Before the change, the process was that this body approves major leases. So, when you did land deals, when you did longer hangar deals, the airport advisory board made a recommendation and the Commission acted on that. Then the city manager pursuant to this ordinance, before it changed, executed standard leases on T-Hangars and Box Hangars.

Those are simple leases. There is more turnover, operational, somebody coming and going needing a T-Hangar or Box Hangar for their airplane. Typically, these leases do not include employment, just a person and an airplane, so the code allowed the city manager to sign off on those smaller leases, good for operations. So, we have been operating on that function, and we noticed that Leo changed that, and then this body changed, but we never changed our actions. Leo actually made it so that the city commission had to approve everything. This ordinance changes it back to the way that we operated previously and that we continued to operate even though nobody on staff realized that that change was made. This ordinance promulgates that the commission will approve leases, and it says that the city manager will approve leases for T-Hangars and Box Hangars pursuant to prices that the commission will fix pursuant to a resolution. At the next meeting, you will have this ordinance on second reading and public hearing, as well as the corresponding resolution that promulgates what the prices are for T-Hangars and Box Hangars. So, when you get that resolution and this ordinance at the next meeting, we are going to ask you to increase rental rates pursuant to the recommendation from the airport advisory board.

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. None

8. CITY ATTORNEY ITEMS:

CA Watson said he is still looking at some PFAS stuff and trying to get everything in line. The filing deadline is July 1, so, we should be in good shape by then. He is talking to several people and will come back to discuss further when he has more information.

9. CITY MANAGER ITEMS:

CM Minner had nothing further this evening.

10. ROLL CALL:

Commissioner Connell had nothing.

Commissioner Burry had no further comment.

Commissioner Pederson had nothing.

Commissioner Reisman reminded everyone that tomorrow is the Safe Haven Baby Box Blessing at the fire station at 1 p.m. The Chamber breakfast is this Thursday at 7 a.m. See everyone there. April 2nd, we do not have another meeting before that, and that is the fish fry at Mote Morris. So, mark your calendars,

April 2nd. And then also, if you have not been following what Leesburg in Bloom is doing, that board is a very active and fast-moving board. They are working with the Lake County Bee Association to get the hives put in at the library. So that is happening very soon. And, with that, that is all he has tonight.

Mayor Berry stated this past Saturday, downtown Leesburg was busy. The weather was beautiful, the streets were full, and parking spaces were hard to find, which is always a good sign. The blooms and brews drew a great crowd. The line stretched down past Fifth Street, almost to the side entrance of city hall. And over on Third Street, V-Max for the Community and Stir Up the Gift had our youth proudly showcasing their talents through singing, dancing, and modeling in Candy Land. It was great to see people enjoying our stores and shops and being drawn into the big energy downtown. While the turnout was great, she did have one concern. There could have been more visibility support for the young children that were performing. Encouragement matters. Applause matters, and these young people are our future, and they deserve to feel that we are behind them 100%. She understands everyone is busy, but we must do better to ensure unity. It takes all of us, city leadership, business owners, and residents, everyone who understands the meaning of one Leesburg. We cannot move the city forward without each other. So let us continue working together to put this lakefront city on the map as a place where people come not just to live but to connect, support and grow together. Thank you.

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

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

With a motion by Commissioner Reisman and a second by Commissioner Pederson, the meeting adjourned at 7:33 p.m.