

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, MAY 9, 2022 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, May 9, 2022, at Leesburg City Hall. Mayor Pederson called the meeting to order at 5:31 p.m. with the following members present:

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

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 Pederson 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. Water Reuse Week

Mayor Pederson read a proclamation into the record proclaiming May 15th through May 22nd 2022 as Water Resuse Week. He called upon each citizen and business to help protect our precious water resources by practicing water conservation and efficient and effective use of reclaimed water. He presented the proclamation to PWD Cliff Kelsey and Chief Plant Operator (CPO) Al Purvis.

3. PRESENTATIONS:

A. Fire Chief David Johnson Retirement Recognition

CM Minner and Deputy Fire Chief (DFC) Mera wanted to recognize recently retired Fire Chief David Johnson. Unfortunately, Deputy Chief Mera could not be present, he is currently out of town. He is near

his hometown of Emmitsburg, Maryland, attending the National Fire Academy, receiving some additional training. However, as everyone knows, David Johnson is unfortunately leaving the City of Leesburg after serving twenty-eight years. Jokingly, he said he was convinced that David Johnson decided to retire at the dawn of the new fiscal year budget process because he did not want to enlist for all the fire sustainability plans, crazy talks and budget meetings, things of that nature. This past Friday, the Fire Department presented Chief Johnson with a plaque and fire axe which represented his years of service to the City of Leesburg. However, he thought it was really important that he came back on his first Monday into retirement to come before the affectionately "gang of five" as we call it, to be recognized for his years of service. David was the first African-American Fire Chief. He did a tremendous amount of work for the Fire Department in terms of training, advancing certain projects and working with the budget. David really is an all-around good dude. We will really miss him around here. He will really be missed at the emergency management meetings when they have to come in for the EOC because they have to be up all night and David was always there. He believes David had fun with hurricanes. In any case, he wanted to recognize David and thank him for his years of service with the City of Leesburg. **David Johnson** thanked him and said that he appreciated his comments.

4. PUBLIC COMMENTS:

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

There were no public comments.

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

Item pulled for discussion:

5.C.5 = Authorization to submit an Application and Accept a Grant, if awarded, for the Community Development Block Grant program for the Fiscal year 2023

Commissioner Christian moved to adopt the Consent Agenda except for 5.C.5, and Commissioner Robuck seconded the motion.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Burry	Yes
Commissioner Robuck	Yes
Commissioner Connell	Yes
Mayor Pederson	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 April 25, 2022**

B. PURCHASING ITEMS:

- 1. Purchase request by the Information Technology Department for the purchase of a new network core switch infrastructure from High Performance Technologies (HPT) for an amount of \$79,660.00.**
- 2. Purchase request by the Public Works Department for demolition services to remove the old HO Dabney Pool for an amount of \$59,844.75 and an estimated \$15,000 for material disposal costs.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Lake County Water Authority Stormwater Grant Program Agreement to help fund the Center Street Stormwater Retrofit Project Land Acquisition and Design; and providing an effective date.**

ADOPTED RESOLUTION 11,065

- 2. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2021-22 Budget for the General, Stormwater, Greater Leesburg CRA, Electric, Gas, Solid Waste, Airport and Health Insurance Funds for the Second Quarter; and providing an effective date.**

ADOPTED RESOLUTION 11,066

- 3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from C. Ryan Bernard and Leah S. Bernard, his wife, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,067

- 4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Joseph Richard Kauker, Individually, and Joseph Kauker and Sherri Kauker, Individually**

and as Trustees, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

ADOPTED RESOLUTION 11,068

- 5. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to submit an Application and Accept a Grant, if awarded, for the Community Development Block Grant program for the Fiscal Year 2023; and providing an effective date.**

ADOPTED RESOLUTION 11,069

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 Pederson requested comments from the Commission and the audience.

Commissioner Burry stated the reason he pulled this was because, when reading the estimated cost for the five buildings, it is one-point-nine, almost two million dollars. If we are only asking for one million dollars, what is this going to coincide with in the future? **CM Minner** replied that would be something we would have to weave out as we move along. They want to go with CDBG funds and the CDC essentially. The way the project was presented to him was that the CDC would like to continue redevelopment efforts at the Snow Apartment complex. He believes there are three or four quads there now and they are in the process of redeveloping those and that is a good thing. The CDC went out and sought a professional consultant to redevelop that site plan so they could submit it to the CDBG. That site plan called for five quads. As part of the CDBG application, it required a consultant to signoff on the construction project. That estimate was obviously way too high. When we reviewed the breakdown from the consultants, that was just under two million dollars for five quads, which, in turn, is about twenty apartments. That averaged out to be roughly four hundred grand for the design, permitting and impact fees. Then there is another four hundred thousand dollars for the site work, roads, lighting, the infrastructure and drainage. We then have another four hundred thousand dollars per quad, so if we do the math correctly, that should add up to about one point eight million. At this stage, he was unsure of where the commission stood in the process. He believes the best way to get this project kicked off was to submit this CDBG grant. The CDC is submitting two hundred and fifty thousand dollars to go with the CDBG's grant money of seven hundred and fifty thousand dollars. That would set their budget at one million dollars. The CDC is aware that the one million dollars will not get the project done, but it will get this project started. The feedback he has received is that they are reasonably happy with doing the project at the current one million dollar level. They will move forward in the future with a second phase of the project. Again, the one thing that is in the process which will dictate the one-million dollar budget is the grant application, which needs to be submitted and we hope that it will get awarded. Obviously, this is HUD money which goes through the federal government first, then the state, to the county and then the city. All CDBG applications are due by May 27th. He believes that the grant application request of seven hundred and fifty thousand dollars is not asking for everything, but it is a little more than what we may get funded for with the hope that we get the funding. One million dollars would be enough money to at least get this project started. He does not believe there would be a reason at this time to bring it back to the Commission to fill in the gaps or that the CDC would have to fill in the gaps. We have outlined

everything in the grant application. We even included the phasing plan. If we had the one million dollar budget to work with, we would be able to get this moving. The city would do all the admittance work. We would then turn the keys over to CDC to manage, lease and maintain that complex in the future. The CDC has proven that they can do a good job of that. At this time the city will not be putting money into the project, but we will be putting together the RFPs for the consultant design and the construction. It would then shift over to the public works department for the construction management portion of the project. Based on the numbers, we would come back and revisit how much engineering is needed along with the design to get the facilities constructed. His best guess is that one million dollars might get two or three facilities built at this time and that is the hard ceiling. Hopefully, we will receive the seven hundred and fifty thousand dollar grant money to go with the two hundred and fifty thousand dollars from the CDC. **Commissioner Christian** remarked that on behalf of the CDC they wanted to thank the city manager and city staff for submitting the grant application. The CDC is currently working to secure further funding from other organizations. They have hired a consultant who submitted a photo application to a community housing development organization who is working with the county. He met with them on Wednesday when they were talking to another consultant at the county commission meeting. They dolled out about three million dollars on just one project, which included a twelve duplex complex. The City of Leesburg should be in the position to receive these funds, so we want to make sure they were aware of that. However, we are also seeking funding from other sources. The CDC is not planning to come back to the city unless the city manager can find money from somewhere that he just needs to spend. They are prepared to go out and look to other organizations to help fund the affordable housing development. **Commissioner Connell** questioned if we did not receive the seven hundred and fifty thousand dollars, what would happen. **CM Minner** responded that he did not have an answer to that. **Commissioner Connell** wondered if it would come back to this board and where the funding would come from. **CM Minner** replied that the way he read the tea leaves is that the city would not be a big contributor to this. He did not know if there would even be three votes for that. That would be something which if we did not receive the seven hundred and fifty thousand dollar funding he is sure he would hear from Commissioner Christian. Right now, that is an undetermined step. **Commissioner Christian** stated that even if the CDC received five hundred thousand dollars, they would be happy. The CDC will be looking into other avenues and resources for funding. There are other sources of funding out there which could help with this type of redevelopment. The CDC is very happy that we are in the process of submitting this grant. They had until May 22nd to come to the city to receive a vote to submit the grant. If we do not submit, the City of Tavares and Minneola will submit their grants. Minneola is one of the urban partners and our city will not get any funding. The CDC felt that this was a good project to put in front of the county and they did not want to miss the grant cycle. The CDC was pushing to get this in. **Commissioner Connell** commented that he understood. **Commissioner Christian** commented that they would be looking at other resources for funding because prices are not going down on anything. They would like to get started on this project. They have other people looking into other state housing finances and other groups to help. He believes that the CDC is in a good position where, if they had to, they could go out and borrow funds to complete some projects. **Commissioner Robuck** pointed out for clarity, especially for the people watching who may not know, it is not that the city does not want to contribute, because the city has already contributed money to the CDC with the two hundred and fifty thousand dollars that came from the city. He further commented that he fully supports this project. It is great that the CDC is taking that money and trying to leverage it to bring back more money into the City of Leesburg. The CDC has a long history of managing properties and they are doing a great job. He hopes this goes through with the county. If the CDC needs the city or commission to send letters to any organizations stating that they are in full support, he would be more than happy to do so. That way, the county knows the city is in full support of this redevelopment and that we want to see this happen.

The roll call vote was:

Commissioner Burry

Yes

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

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

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

A. SECOND READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 33 +/- acres; and being generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, lying in Sections 14 & 15, Township 20 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 3; and providing an effective date. (Sundance AX)**

This item was pulled from the agenda. The applicant has asked for a continuance and the applicant will be required to cover the cost of the readvertisement.

- 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 33 +/- acres from Lake County Regional Office to City of Leesburg Estate Residential, for a property generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance Subdivision SSCP)**

This item was pulled from the agenda per the applicant's request for a continuance.

- 3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 33 +/- acres from Lake County A (Agriculture) to PUD (Planned Unit Development) to allow for a mixed use development of single-family residential and mini-warehouse storage units for a property**

generally located on the south side of County Road 48, east of County Road 33, and west of Haywood Worm Farm Road, as legally described in Sections 14 & 15, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Sundance PUD)

This item was pulled from the agenda per the applicant's request for a continuance.

- 4. An Ordinance of the City of Leesburg, Ratifying the establishment of The Villages Community Development District No. 14 (District) pursuant to Ordinance No. 21-30 and the Boundary Amendment of the District pursuant to Ordinance No. 22-10; affirming and certifying the establishment of the District, the external boundaries of the District, the initial members of the Board of Supervisors, the name of the District, the location of water and sewer connections, the time table and cost estimates, and the statement of estimated regulatory costs; providing for conflicts; providing for severability; and providing for an effective date.**

ADOPTED ORDINANCE 22-34

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

Commissioner Robuck made a motion to adopt the ordinance and Commissioner Christian seconded the motion.

Mayor Pederson requested comments from the audience. **CA Watson** asked if there was anyone in attendance who wished to provide testimony on this item to stand and he would swear them in. There were none. **Mayor Pederson** closed the public portion and requested comments from the commission. There were no comments from the commission.

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES

- 1. None**

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 had no items to comment on tonight.

9. CITY MANAGER ITEMS:

CM Minner had no comment tonight.

10. ROLL CALL:

Commissioner Christian commented that it is exciting to see everything happening on Pine Street with the new Aquatic Center. He believes the staff is doing a good job. He drove by on Saturday and the parking lot was full and everyone looked like they were really enjoying themselves. He then drove by the Teen Center and saw that the construction was almost complete. He noticed the air conditioners sitting outside and wondered if we were still waiting for certain parts to connect the air conditioner. Other than that, the construction looks like it is moving along well. We have now lost David Johnson from the Fire Department with his retirement and Ken Thomas from the Housing Department to the City of Daytona. Now it is time for the City of Leesburg to look at new adventures. He met with the county to talk about the City of Leesburg. They discussed some things that the city has been coming up with. He believes it would be good to develop a better relationship with the county because they have new staff on board who are still learning how the county is run. He believes there is funding available and it will be coming. He has discussed this with the city manager and the city manager will submit the CDBG application. The county is aware that the City of Leesburg is progressive and the county said we are progressive. It was good to hear the county staff say how progressive the City of Leesburg was. He commended city staff for being progressive-minded because that will continue to push the city to be better. He gave hats off to the city manager and the staff because he knew he was doing a good job. Of course, if all the commissioners are like him, they give the city manager lots of things to do and he just keeps smiling.

Commissioner Burry had no comment tonight.

Commissioner Robuck handed out two informational sheets which provided data for the traffic funding that the Lake-Sumter MPO will be using for this year's funding. These are new forms that he received at the last meeting he attended. He said everyone is aware US 441 is a four-lane highway and they have been trying to make it a six-lane highway. It has been in the works for a long time. It has been on the

Lake-Sumter MPO priority project list since 2004. It is the oldest project on that list. It is not entirely their fault that it has not yet been funded. Back in 2012, we had that big utility relocation project and we were just coming out of the recession. We had to ask them to hold off on the project because we did not have the money to relocate the utilities at that time. The Lake-Sumter MPO put it back on the backburner. A few years later, we said okay, we are ready, so they started pushing it through again. This project got as high as number one on the priority projects list in 2018, but for some reason, it was moved down. He was not sure why it was moved down then, but right now we are currently sitting in the number five position. He asked the commission to direct the city manager to write a letter to the Lake-Sumter MPO to discuss this project. This project has been sitting on this list far too long. We need to move forward with this project. There is another section of US 441 where Lake-Sumter MPO just did a new study which shows no congestion. This section of US 441 is in Mount Dora and that project is currently in the third spot. Plus, that project is twice as expensive as ours. He believes our project should be in the number three project spot. The reason he says number three is because the number one project is located on Highway 50 in Groveland. That is a CST project which is funded completely differently and we would not be competing with that project at all. The number two project is located in Sumter County, so we would not be competing against that one either. At this point, we should be the highest Lake County priority project for local roads, given how long we have been on that list and how long we have been looking for funding. Plus, with the status of that portion of US 441 being more congested than any other portion of that road that Lake-Sumter MPO has put ahead of us. **Commissioner Burry** asked if this section was from Perkins Street to US 44. **Commissioner Robuck** replied yes. We are currently sitting at number five on the list and we need to push Lake-Sumter MPO to move us to number three on the project list. If we can get to number three on the projects list, he would feel very comfortable about receiving funding this year. Even if we were to receive funding this year, this project would not be funded until 2024. So in all respects, we need this to go through now because if they fund it this year, we would not be looking at having this project completed until 2026 or 2027.

With the amount of traffic we have now and with the amount of new growth coming, it is time that the Lake-Sumter MPO gave the City of Leesburg more attention. **Commissioner Christian** asked if he served on the Lake-Sumter MPO board and if he was our representative for the City of Leesburg. **Commissioner Robuck** responded yes. **Commissioner Christian** remarked that with the Mount Dora location not being congested, that should be a no-brainer. They have one project that is congested and one that is not. They also have one that is twice as much money. **Commissioner Robuck** agreed, you would think they would see that. Plus, these handouts are a new process this year. This is the first year they provided this data on what is congested and what is not. In years past, they had to guess where the worst congestion was. **Commissioner Burry** asked what the status was with US 27 heading down towards Okahumpka; is that on the Lake-Sumter MPO radar. **Commissioner Robuck** replied no, that was not on the radar. They looked at it pretty hard. Especially at the intersection of US 27 and Dixie. However, the problem was there was no solution under fifty-million dollars. They had the same problem with US 27 given the congestion and the expenses. Right now, there is no doable project, at least that was his understanding. He will bring that up again at the next meeting to get an update on where it sits. **Commissioner Burry** mentioned that with all the new growth, northbound US 27 is pretty bad. **Commissioner Robuck** commented that right now the only solution is to flyover. **Commissioner Christian** mentioned that, unfortunately, they will not do anything until it gets extremely congested. That road will stay just as it is and the Lake-Sumter MPO will say that it is alright. **Commissioner Robuck** stated that they still have the rather controversial roundabout project on the list, but that one is a safety project and it gets funded differently. **Commissioner Burry** asked if that was the roundabout at Dixie? **Commissioner Robuck** answered no, this was on US 27 north of Dixie. Hopefully, it would help some, but it would not be at that intersection. **Mayor Pederson** wondered why we would be ranked below a project in Mount Dora when that area is not even marked as being congested. **Commissioner Robuck** answered that this was the first time they were provided with the list and data. That is why he

wanted to bring it to the commission's attention so they could try to get this project moved to the number three spot. That way we could try to get this funded. **Commissioner Christian** wondered if they could get everyone in a room to look at this data and maybe they could get them to change this around.

Commissioner Robuck said that other cities would say no even though they are not shown as being congested. It was like the time when Groveland had their big CST project. At that time, we said to Groveland, you are receiving the state funding, so jump ahead of us. However, right now, it should be the City of Leesburg's turn.

Commissioner Connell had no comment tonight.

Mayor Pederson had nothing to comment on tonight.

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 5:59 p.m.