AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JUNE 13, 2022 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, June 13, 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) Scott Gerken, 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. None

3. PRESENTATIONS:

A. <u>Employee Service Award Recognitions:</u>

Five Years: Johnna Agin, Finance; Deborah Bussinger, Library; Logan Elton, Police; and Joshua Loudermilk, Water Distribution
Ten Years: Melissa Arriaga, Human Resources; and James Gibson, Jr, Gas
Fifteen Years: Dawn Barrett, Gas Administration

Twenty Years: Alan Irwin, Electric
Twenty-five Years: Brian Hepburn, Customer Service
Thirty Years: Ray Evans, Athletic Fields; and Melyssa Lopez, Police
Thirty-five Years: Steven Davis, Electric; and Glen Muchnicki, Solid Waste

HRD Arriaga and **CM Minner** recognized and presented each of the employees with their service awards. **Mayor Pederson** congratulated all the employees on their years of service.

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.

Carolyn VanDyken, of 120 Palmore Boulevard, stated they were here to recognize the City of Leesburg and present a plaque of gratitude for allowing the Special Olympics to utilize the soccer fields. The Olympic Games participants, **Sitch and Chris**, expressed their appreciation to the city for allowing them the use of the fields for their games. It really means a lot to them that the city allowed them the opportunity to come out and enjoy sports. **Mrs. VanDyken** thanked the Recreational Director for handling all the paperwork with the Special Olympics Coordinators to ensure that this would happen. She knew it was a lot of tedious work.

Consuela Ebay, stated that she owns a business at 600 Market Street; in the incubator. She asked that the city commission and/or city staff provide them with some sort of notification if there was going to be any changes coming up, just keeping safe business practice. They would like some sort of notification via their lease. **CM Minner** replied he would follow up with her tomorrow. Ms. Ebay thanked him and wished everyone a good night.

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.B.6 - Purchase request from the Leesburg International Airport for construction services related to the replacement of a metal roof on an aircraft T-hangar for an amount of $210,458.65 with Johnson-Laux Construction LLC.

Commissioner Christian moved to adopt the Consent Agenda except for item 5.B.6, and Commissioner Burry 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 May 23, 2022

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment One to an Existing Task Order with GAI Consultants, Inc; and providing an effective date.

ADOPTED RESOLUTION 11,090

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment One to amend the contract term for an existing Agreement with Envirowaste Service Group, Inc. for Sanitary Sewer System Smoke Testing Services; and providing an effective date.

ADOPTED RESOLUTION 11,091

3. Purchase request by the Stormwater Utility for the purchase of ONE (1) Vacuum Truck for an amount of $468,237.49 to Super Products, LLC.

Approved

4. Purchase request by Public Works for the purchase of new programmable logic controllers and associated electronics for use in the wastewater and water equipment for a total cost of $216,260.63.

Approved

5. Resolutions authorizing execution of three (3) Professional Services Agreements on a Continuing Basis for engineering services related to public works utilities.

a. Resolution of the City Commission of the City of Leesburg, Florida

authorizing the Mayor and City Clerk to execute an Agreement with Jones Edmunds & Associates, Inc. for professional engineering services on a continuing basis; and providing an effective date.

ADOPTED RESOLUTION 11,092

b. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement with Dewberry Engineers, Inc. d/b/a Dewberry | Hydro for professional engineering services on a continuing basis; and providing an effective date.**

ADOPTED RESOLUTION 11,093

c. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement with Halff Associates, Inc. for professional engineering services on a continuing basis; and providing an effective date.**

ADOPTED RESOLUTION 11,094

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Landlord Consent to Assignment and Assumption of Leases, between the City of Leesburg (Lessor), Progressive Aerodyne, Inc. (Lessee), and TTOTF, LLC D/B/A First Class Aerospace (Assignee), for the Corporate Hangar Unit 1 and Corporate Hangar Unit 2, located at 8855 Airport Boulevard, at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,095

2. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 44, a subdivision of the City of Leesburg, Florida, being a portion of Section 06, Township 20 South, Range 24 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Villages of West Lake Unit No. 44)**

ADOPTED RESOLUTION 11,096

3. **Resolution of the City Commission of the City of Leesburg, Florida, recognizing the 50th Anniversary of the Florida Association of City Clerks (FACC) and honoring this achievement.**

ADOPTED RESOLUTION 11,097

4. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Right-of-Way Deed to the City of Leesburg from Village Community Development District No. 14, for the purpose of dedicating all roadways located within Villages of West Lake Unit No. 49 as described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,098

5. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Arnold Williams, Clinton Ruddock, and C.C. Pratt as Trustees of the State Board of Trustees of the Church of God for the State of Florida, Cocoa office, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,099

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment #1 to the Office Use Agreement between the City of Leesburg and Lake Economic Area Development (LEAD) Corporation; and providing an effective date.**

ADOPTED RESOLUTION 11,100

6. **Purchase request from the Leesburg International Airport for construction services related to the replacement of a metal roof on an aircraft T-hangar for an amount of $210,458.65 with Johnson-Laux Construction, LLC using the City's Job Order Contract (JOC) Agreement.**

Approved

Commissioner Christian introduced the purchase request to be read by title only. CC Purvis read the purchase request by title only.

Commissioner Robuck made a motion to approve the purchase request and Commissioner Christian seconded the motion.

Mayor Pederson requested comments from the Commission and the audience.

Commissioner Connell stated he spoke with the city manager about this item earlier because it is an awful large number to only have one bid. He asked the city manager to speak about why we only had one bid. Plus, it was his understanding that this was only brought up as an informational item to the airport advisory board as a discussion item. There was nothing voted on. He relies on the advisory boards and he would like this item pulled without a vote until we can secure a couple of other bids. He would prefer this to go back before the advisory board for a vote and recommendation. **CM Minner** stated that this started out as a bid item. However, we received an enormous number of questions from the contractors. We had concerns after receiving the questions that the bids were going to yield goofy numbers which would not add up. We felt that a more detailed specification would be needed. We went to the consulting engineers to help us prepare a more formal specification that would tie down and answer those questions coming up through the procurement process. The quote we received back from the engineers was about forty thousand dollars and that was just to help prepare the specification. In our typical procurement process, we have Johnson-Laux as our main contractor. That is who we go with to get jobs done quicker. They do sometimes come out a little higher with prices, but we pay for that in their efficiency and getting stuff done quicker. City staff felt that with the cost of preparing a detailed specification, it would be more efficient and a reasonable method to just bring Johnson-Laux on to get this project done. That is why his recommendation was to go ahead and approve it. He believes the purchasing manager's response was that the price was actually lower than what we anticipated. This is roughly a seventeen thousand square foot building and it has a metal roof. However, if the commission prefers this to go back for a formal discussion with the airport board, they could do that. However, thus far, he has not received any negative feedback from the airport manager or the airport board. This is a city building that needs to get fixed. **Commissioner Christian** stated his concern was the condition of the building and if it was leaking? **PM Thornton** replied that included in the scope were some steel issues. They would replace a number of the c-channels on the rolling doors that have rusted out. As part of the roof replacement, once the materials are off, they will spray the entire support structure with an anti-corrosion coating. This project will be more than just roof work. There would be door structural work that needs to be done as well. With the cost breakdown of the proposal, the cost for just the roof work was one hundred and fifty-five thousand dollars. **Commissioner Connell** remarked that he did not see the exact bid. He asked if they would be adding any insulation to the building or the roof. **PM Thornton** responded that it was not insulated and we would not be adding insulation. **Commissioner Christian** inquired if the building was leaking or what was wrong with the building to prompt this discussion. **PM Thornton** replied that the primary purpose was to repair the structural items that are rusted. That was all detailed in the engineering report that the airport manager obtained. **Airport Manager (AM) Dean** stated it was not so much that the building was leaking, it was that the whole exterior edge of the roof had started to look like Swiss cheese. It is completely rusted in some areas, so debris from the rust has started falling and it can fall on the aircraft. That is much worse than just a leaky roof. **Mayor Pederson** questioned the age of the building. **AM Dean** answered that the building was constructed back in the early to mid eighties. **Commissioner Robuck** asked if they received any objections from the airport board. **AM Dean** answered that they acquired another bid. She informed them that the bid that was competitively out on the street was cancelled prior to the date that the bids were due, so they had nothing for comparison. As far as an action item, this was in the approved budget at one hundred and fifty thousand dollars and the advisory board previously reviewed this in the budget. **Commissioner Christian** stated that the purchasing manager talked about other areas of the building needing repair. He asked if the roof was on budget and if we added the other sixty-five thousand dollars for those other items and if they will be repaired while they are doing this project? **AM Dean** replied, yes those will be done at the same time. She was aware of the conditions and she saw the damage. The rust of the c-channels, and a number of other issues that need to be replaced. They also included an additional five thousand dollars over and above because, in the interim of about four weeks, which is the time it will take to put on the new roof, there will be nine tenants displaced. She is currently working with SunAir Aviation, who rents all the tie-down spaces on the ramp from the city to see if they are willing to make accommodations. **PM Thornton** asked the commission to keep in mind that the budget for this project was made two years ago, so prices have increased. **Commissioner Robuck** commented that he certainly likes to see more bids, but he would worry about getting more people to respond right now. He has been experiencing that in his line of work. On the commercial stuff, just getting people to respond has become more difficult. He does not have a strong preference one way or the other. He just knows we need to fix this building. We do not need to damage an aircraft because that could get very expensive very quickly. If we started all over again and went out to bid, what kind of timeline would we be looking at? How far would that push us back? Do we have an idea when Johnson-Laux would be able to start if we move forward with this? **AM Dean** replied that the reason this was on the agenda was to allow the opportunity to procure the materials. She has been working with the city attorney to find out how much notice was needed to give the tenants so they could coordinate getting aircraft out. With having nine tenants, we are unsure if they are currently here in the State of Florida. **CM Minner** said that the short answer is however long the job is going to be. With the procurement process, we are most likely looking at six to eight weeks. The purchasing manager would need about thirty days to put out a fair bid. We would need a few weeks to put the specifications together. Then, whatever time lag we have from when that returns. If it goes before the airport advisory board before it comes back before the commission, we could be looking at eight to twelve weeks. **Mayor Pederson** stated he would prefer to see more bids, but with the savings of forty thousand dollars on the engineering fees combined with the urgency, he could support this. **Commissioner Burry** agreed with the mayor on the forty thousand dollars that it would cost the city to put together the specifications. We could do the job for two hundred and ten thousand dollars and that would be a smart thing. **Commissioner Connell** stated that forty thousand seems outrageous to put some specifications together for some c-channels and a reroof. He thinks we should look for some additional bids from somewhere else. It just seems outrageous, to pay that kind of money to put a spec book together for a reroof and to fix a few beams. He would like to see the city get some other estimates from somebody else that could put the specifications together so we could put this out for bid. It is hard to believe that for forty thousand dollars, we cannot find a much cheaper engineer to put a spec book together. It seems like a simple job. It should not be overly complicated. We are disrespecting the airport advisory board on these major decisions by not running it through them and allowing them to have a formal vote. If we do not allow them to do that, he does not know why we even have advisory boards. **Alan Reisman**, member of the airport advisory board, stated that they replaced another building's roof about a year ago. That one was about half the size of this one. They upgraded the metal, put six-inch insulation in and multiple skylights. The total cost for that was about sixty-five thousand dollars. That building was way older than this one and it was metal. However, all they did was just replace the existing metal. They took the metal off and put the metal back on. He did not understand why they had to go out for a scope when they were just replacing existing metal. They did not replace any c-channels or beams. All they did was measure the beams and replace them with the exact same thing. **Commissioner Christian** asked if they went through a private company or the government. **Mr. Reisman** answered they went through a private company. **CM Minner** asked how much square footage was fixed on that building? **Mr. Reisman** replied it was eight thousand square feet. It included thirty-two skylights and six inch insulation. They provided upgraded metal and they painted it. **CM Minner** pointed out that with that number, it is one twelve a square foot. Our number, which is at one fifty-five, equals nine dollars a square foot. There is only a one dollar difference per square foot and that includes all the other steel work. He does not think we are that far off, but we will do whatever the commission wants. He understands the need for the airport board in an advisory manner, but remember this is an operational matter. There is a difference between operational matters, long-term future matters and visionary matters. Just as the commission provides vision and direction to the city manager, the advisory boards do the same thing. The commission writes the checks, the commission hires professional staff to do the maintenance items which are in the budget. If you want to go back to the advisory board, we would not argue because that would be the direction. We are at a dollar difference compared to a private company. If we go back out to bid, we know the timeframe. Johnson-Laux is in the ballpark and it would get the job done. He appreciates Mr. Reisman's comments on the airport board. He appreciates where Commissioner Connell is coming from. He does not think the number is outrageous, especially considering the times we are in. **Commissioner Christian** stated that with the advisory board, they are volunteers we select, so whether bouncing this back to them, they will make a decision on whether we do the roof, or if we go get more bids. Basically, what they would say is for us to go get more bids and bring them back. Now, what the city manager said was the first bid we received had a bunch of questions, so the new scope would have to answer all those questions plus perceive what may come up. We will be back twelve weeks later to see if the price is better or worse. Johnson-Laux is a company that we hired to help us facilitate these types of projects faster, so they may be a little higher in price because they will get this done faster than what the normal process would be. He does not know if that price would come down tremendously, but he thinks the airport advisory board would say to the commission to go get more bids. Now, as the city manager sends operations, we still have to get the roof and steel work done and it is already in the budget. He does not see any other option that the board would give us other than go out for more bids. **Mayor Pederson** mentioned that it would be after we spent forty thousand dollars on the engineering fees. **Commissioner Christian** added that we may have to go get another company to track engineers and that could cost forty thousand dollars or less. However, those are the only two options we have. He does not know if that would be faster or if we even have enough time. It may not be that beneficial. **Commissioner Connell** said it was his understanding that we previously put out some type of bid before without any specifications. He believes we received a wide range of estimates, at least that was his understanding. He wondered if the purchase manager could provide input on that. **PM Thornton** said that historically, in this city, roofs have always been a problem. We do not have anybody on staff who is a roof expert to put together specifications. In that instance, he took it upon himself to take some specifications that GAI created when we built the new hangars out at the airport. He tried to modify them for this project to save the city some money, but when that bid went out, that was when all the questions came up. Those questions were way outside of his wheelhouse. He became uncomfortable answering them. He stated that we needed to pull back and that we needed to see what we could do with the specifications. He suggested contacting GAI to see what they could do to develop specifications. That is where the forty thousand dollar proposal came from. The other option is the job order contract method, which is what this contract is good for. For example, when the Ski Beach bathroom burned, we were able to call them and they were able to inspect the project. They told us exactly what was needed. They came back and gave us a proposal and we were able to move forward. That is where we are now. We do not have the means to develop a solid specification or scope of work for this project and that is where they come in. They come, inspect the job and provide the proposal based on what they believe needs to be done. That is where we are now. **Commissioner Robuck** said, as a commissioner, that is why it is so frustrating, because what Firehawk Aerospace did or what he would do or even what Commissioner Connell would do is hire a roofing company to basically write the specifications because any roofing company could go up there and look. They would say this is what needs to replace it, but as a city we cannot hire a roofing company to write the specifications. We have to put it out for bid to other roofing companies, so we get stuck in these situations where we have to overpay. We either pay an engineer some ridiculous amount to write it or we shop contracts. As much as he hates it, he was very skeptical of Johnson-Laux at first, but they have done good work thus far. They did a good job on Pat Thomas and with the restrooms at Ski Beach. He does not see any other way around doing this and we just need to spend the money.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Robuck	Yes
Commissioner Connell	No
Commissioner Christian	Yes
Mayor Pederson	Yes

Four yeas, one nay, the Commission approved the purchase request.

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

A. SECOND READING OF ORDINANCES

1. None

B. FIRST READING OF ORDINANCES

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 7.93 +/- acres, and being generally located east of County Road 468 and north of Griffin Road, lying in Section 21, Township 19 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 2; and providing an effective date. (Lake Co Holdings)

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

Mayor Pederson requested comments from the Commission and the audience. There being none, he stated this item would lay over.

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 7.93 +/- acres from Lake County Urban High Density to City of Leesburg General Commercial, for a property generally located east of County Road 468 and north of Griffin Road, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Co Holdings)

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

Mayor Pederson requested comments from the Commission and the audience. There being none, he stated this item would lay over.

3. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 7.93 +/- acres from Lake County R-7 (Mixed Residential

District) and Lake County CP (Planned Commercial District) to City of Leesburg SPUD (Small Planned Unit Development) to allow for mixed use development for a property generally located east of County Road 468 and north of Griffin Road, as legally described in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Co Holdings)

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

Mayor Pederson stated this item would lay over as well. He requested comments from the Commission and the audience.

Commissioner Christian commented that he does not like the idea of having ice machines at the front of CR 468 and Griffin Road. They will become eyesores because they are not maintained. We just approved one at 14th Street and there is another one on US 27. We will have a city full of unmaintained ice machines right on the main thoroughfare in the redevelopment area. He strongly disagrees with this. With land uses, this is one that he has not seen before. Under number ten, where we have permitted uses, it states that additional uses may be permitted by written request to the planning and zoning director. Such requests shall indicate how the intensity, traffic and uses are consistent with permitted uses shown herein and with the remaining conditions of the SPUD document. That is concerning because they would be voting as a commission to hand over their rights to the planning and zoning director. So, in the future, someone could write a letter saying that they want a strip club right on this property and the commission would have no say in it. Under the prohibited uses, he did not see where it listed thrift stores or liquor stores as prohibited uses. With accessory use, he is completely against ice machines. These are not something the city should allow on CR 468 and Griffin Road. The buffering and landscaping should be better. This should be something we are proud of when driving down one of the major thoroughfares. We will have storage units, but we need to make sure that we make this development look nice and presentable. He is completely against number ten. He did not know if we were just starting to use these in all the PUDs, but we are saying that anybody could write a letter to the planning and zoning director and they could possibly put other uses on the property. He was concerned about that and he did not remember seeing that in any other SPUD lately. **PZD Miller** stated this has been in most of the PUDs for a while. What it is trying to convey is, if the applicant shows that the traffic intensity and uses are consistent with the permitted uses, then the city would consider that use. However, if the commission would prefer to have that section taken out, they could do so. That would not be a problem. In terms of a strip club or something, that would not be a permitted use. **Commissioner Christian** asked who would determine what would be consistent. Would it be you, the planning and zoning director? **PZD Miller** replied yes, that is how it is written. However, it would have to meet the criteria of the intensity, traffic and use. **Commissioner Christian** asked if he would provide an example. **PZD Miller** answered, for example, under general retail use, they could put a daycare there. That is something that would be similar to the other uses. It would be supportive of the uses. **Commissioner Christian** said he was concerned that if the commission changed, the thought process may change. For instance, he is not in favor of gaming. So, being on the commission now, he would vote no. However, some people may think gaming is just for recreation, but we all know it will end up being illegal. Someone may come in and say they want to put a gaming site here. At that time, we may have a different planning and zoning director, and that person may like to gamble. He may say that is great. It meets the intensity and the traffic. Now the community is completely unaware, the city commission is unaware of what is happening. The next thing the community knows is we have a gaming site on this property because it meets the traffic and intensity. There was no gauging by the commission, the city manager or the community to say we did not want that. It is now too late. We now have to get legal lawyers involved, and most communities cannot afford to hire attorneys to fight commercial uses. That is why number ten brings such concerns. He apologized for not catching it on previous PUDs, but this PUD is really close to his residence. It yields a lot of concern. **PZD Miller** remarked he appreciates his comments because it would make his job easier if they just took out number ten. He would be okay with that. **Mayor Pederson** wanted to know if gaming businesses were prohibited in the city. **PZD Miller** responded that internet cafes, thrift stores and liquor stores were supposed to be listed as prohibited use. However, he forgot to put them in. That is his fault. **Commissioner Christian** questioned if internet cafes are prohibited in the city? **PZD Miller** replied that they are technically allowed under very strict criteria. This was done back around 2014 through an ordinance, which allowed them under specific conditions in specific locations. They have to be fifteen hundred feet away from any daycare, school or church, things like that. They have to have a fifty thousand dollar bond with bulletproof glass, they need a security guard, a locking safe, the list goes on and on. He was unsure of all the legalities, but the city could not totally prohibit them. We created an allowance that came down to about three spots. He has a map in his office, which shows the areas where they can go in the city. If you went to look at these three areas you would not want to put one there because it would cost about one hundred thousand dollars right up front. They have to put up a freestanding building and there are a lot of other requirements they have to meet. So, while it is not technically outlawed, it is very difficult to achieve. However, this is not a spot they could put one in. His intention was to have the liquor stores, internet cafes and thrift stores added to the list of prohibited uses. That was an oversight on his part. He apologized. **Commissioner Christian** wanted to verify that those items would be added before the next reading. **PZD Miller** responded absolutely. However, he would be more than happy to remove number ten completely. From his standpoint, it would make his job a lot easier and he would not have to worry about it. **Commissioner Christian** asked if anyone was opposed to him taking out number ten. **Mayor Pederson** said that would be fine. **Commissioner Christian** asked if they were going to deal with the ice machines at the next meeting. **PZD Miller** replied that he would handle the ice machines before the next meeting.

Commissioner Burry inquired about the six thousand square foot commercial center. It says there will be fifteen thousand square feet of offices with storage and then there is a three thousand square foot mini-warehouse. With the six thousand commercial centers, does that mean there will be one type of business in that building? What is the difference between the six thousand square feet and fifteen thousand square feet if it is office space with storage? **PZD Miller** answered that the commercial center is six thousand square feet. That is where retail is permitted. With the fifteen thousand square feet building, referring to page thirteen of the PUD, the site plan shows the retail businesses and offices with attached storage. That could be specifically used for office use, but not necessarily retail. If you wanted to mix and match, that would not create a problem. The boat storage would be behind that. There would be a twenty-foot landscape buffer next to the residential area just to the north, plus a fence.

Commissioner Christian stated that this looks good. He just did not like the ice machine. Everything else looks wonderful. He knows they say commercial retail, but right next to the commercial is where they want to put the ice machine. That is where people would go to fill up their boats with ice. When you look at the site plan, there is not enough space to turn around. It seems very unrealistic. It would be an eyesore and it is in a very difficult spot. It may just be the site plan, but it looks like it would be very difficult to maneuver. Plus, it is located on the main thoroughfare. There is very little landscaping and this does come off CR 468, where it would be difficult to get ice. It should be eliminated. We need to create a nice commercial look, it would make the whole property look better. **Commissioner Robuck** questioned where it says offices with attached storage. **PZD Miller** responded that it would be something like we have on Main Street with the offices in front. The warehouses on Main Street and CR 468 would have the offices in front and the warehouse in the back. **Commissioner Robuck** stated that it would basically be like rental storage units. **PZD Miller** answered yes, it would be mixed with retail in the office. **Commissioner Robuck** mentioned that he was okay with that. He wanted to make sure that he understood. **PZD Miller** said that the point was to create jobs. **Commissioner Christian** stated this would be good for this site because it is a difficult site to develop.

C. NON-ROUTINE ITEMS

1. Consider Special Counsel for City of Leesburg versus Sunnyside Landing Development, LLC

CM Minner stated we need to appoint special counsel for the Sunnyside Land Development writ of certiorari which was filed with the city. It was filed a couple of months ago when Sunnyside Land Development sought to overturn the decision made by the city commission. They filed a writ of certiorari with the Lake County Court. We moved pretty quickly and brought in Lindsay Holt who is the City Attorney for the City of Tavares. She served as the special counsel that night for the meeting. That night, our city attorney recommended her to sit in on the public hearing because they had a conflict of interest in the case. We needed to move and get started with the petitions. We started with standard operating procedures and reported the writ to our insurance company. As it turns out, the insurance company would pay a portion of the legal fees. The coverage for that would be up to one hundred thousand dollars for legal fees with no deductibles. He discussed this matter with Attorney Watson and Attorney Holt. Attorney Holt was extremely gracious and understood the financial situation because our insurance company had some prerequisites for attorneys who are recognized attorneys on their preferred vendor list. Unfortunately, Attorney Holt is not on that list and she is unable to get on that list. This will be a conversation that we need to have with our city attorney at a later date to ensure that Gerken & Stone are on that list in the future. In any case, we reviewed the vendor list and we have a three-folded option. We could stay with Attorney Holt, but we would have to absorb all the legal fees. The fees would be somewhere in the ballpark from fifty to one hundred thousand dollars. It would depend on how in-depth the precedencies went and how many stages we have to go through to respond to the court with pleadings and those types of things. He did not think it would be that much, but the last time he said that he was wrong. The second option would be to pick a firm from the vendor list. The recommendation from our city attorney was Brionez & Brionez because we have previously worked with them. Our city attorney has spoken with Mark Brionez and he stated they would be willing to do the work. The third option would be a combination of both. We would need some updates from Attorney Holt and Brionez & Brionez so that everyone could get up to speed. He was unsure if all the legal fees would be absorbed. Attorney Holt has provided a list of dates for initial mediation, which was required. There are a lot of dates coming up in August. He recommended reassigning the special counsel to Brionez & Brionez so they could start moving forward on this. **Mayor Pederson** remarked he was okay with that.

Commissioner Christian made a motion to reassign the Special Counsel to Brionez & Brionez for the Sunnyside Land Development writ and Commissioner Robuck seconded the motion.

Mayor Pederson requested comments from the commission and the public. There were none.

The roll call vote was:

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

Five yeas, no nays, the Commission approved the reassignment of Special Counsel for the Sunnyside Land Development writ.

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 Gerken stated he had no comments tonight.

9. CITY MANAGER ITEMS:

CM Minner said he is looking to get direction from the commission. Back when we received the American Recovery Act money there were some allocations made. One of the allocations was to set aside one hundred thousand dollars for qualifying civic organizations. He believed the timeline was mid-April. He apologized for getting back this late. However, we only received ten applications from civic organizations for funding. One of the organizations was not in the city limits and two are not qualified. That left only seven organizations qualified for the money. We do have some options. We could re-advertise to try and bring in more organizations. We could apply the one hundred thousand dollars and divide it by seven and give that out. We could slim that number down and then award and go back out. He asked for some directions as to where the commission would like to go. If it was divided by seven and issued out, he could have the grant agreements back at the next meeting. However, he was surprised at how few applications were received. The number of applications received for the Cares Act money was about one hundred and eighty. He expected a lot more because the same amount of advertising was done for this. **Mayor Pederson** wondered who the seven organizations were. **CM Minner** answered that he could not remember off the top of his head. He believes one may have been Darling Diamond. **Mayor Pederson** asked if they went through the process for all of them. **CM Minner** answered yes, they went through the same process for all of them and they are all bonafide.

Commissioner Christian said the criteria was given, it was put out and those who applied did. If we put it out again, it could mess up the city's integrity. **Mayor Pederson** asked if we put any cap or limits on the proposal. **CM Minner** replied we did not. We said it was going to be based on the number of applicants and money. **Commissioner Robuck** remarked that he would cut the money in half based on the number of applicants, take the other fifty grand and roll it into other capital projects. That would be him, because we never anticipated that the grants issued could be that big. **Commissioner Chrisitan** wondered about taking seventy thousand and dividing it, then we could put the rest into capital projects. **Commissioner Robuck** said that would be okay. It would also provide a little bit towards other items. **CM Minner** stated he would get back with those groups. He would take another look and cap it at ten thousand. What we do not spend we will put back into CIPs. **Mayor Pederson** said that would be great.

10. ROLL CALL:

Commissioner Robuck said he appreciated the approval of moving LEAD to the incubator. He took one of the representatives over there to take a look at it as a temporary site when they found out that the airport was going to take a long time to renovate. When he found out that we had an incubator, he was pretty excited. Of course, they would prefer that the Chamber stay in the incubator. LEAD runs the incubator for Marion County and if that is something the city would like them to do, they would be happy to do so here. He encouraged them even though they are not asking right now, because they still need to get LEAD set up. He knows the city manager has their contact information. He suggested that if you are in Ocala that you stop by to check out the incubator because it is super impressive with what they have been doing up there. Thirty businesses have graduated through there and twenty-three are still in operation. This has been over ten years and they have created over three hundred and fifty direct jobs there. Again, it is really impressive to see how they run it. It would take that off the city's plate and it is not something they would have to be super equipped to do. **Commissioner Burry** questioned that since LEAD is moving to the incubator, would they still need to fix up the airport? **CM Minner** replied his recommendation would be no. The lanai is not going anywhere anytime soon. Nobody has really used that facility. He would like that money to stay in the hopper. We were looking at around twenty-five thousand dollars to fix it. **Commissioner Robuck** suggested asking the airport board about taking some of that money and using it for their conference room. It needs a little updating. It is pretty bad looking. **Commissioner Christian** suggested maybe putting a little bit of technology in there.

Commissioner Connell had no comment tonight.

Commissioner Christian had no further comments tonight.

Commissioner Burry commented that his airport advisory board designee, Tweet Coleman, had to resign. She took a position that competes with the time that the airport board meets. He would like to recommend Joel Hargis as Tweet's replacement. Mr. Hargis has been involved with experimental aircraft. He also has a plane at the airport and has offered to do this, which is a positive thing. For the art advisory board, he would like to appoint Semeion Richardson. She is the owner of Arts with a Purpose. She mainly does mental health type art. Ms. Stefanovich seemed happy when he told her. She said she would be a good one to get involved. Lastly, a couple of months ago we talked about the Susan Street project. He wondered if there were any updates. **CM Minner** replied it would be coming before the commission on June 27th. As you know, staff has been in the heat of the budget process since March. That is important, especially this year as we revisit our CIPs and where we spend our capital monies. Our biggest issue with capital money is the American Recovery Act. Back in October, we put together a resolution about where we were going to spend it. The bulk of that money was going to go to the Turnpike Wastewater Treatment Facility, which was about 6.3 million dollars. The Biden administration has slowly modified where we can spend these funds as the money has been out there. Long story short, he will bring a formal recommendation to the June 27th meeting. It will show where we change some funding mechanisms and we can focus on CIPs. Over the past eight years, we have been successful with a bunch of different projects, but we are at a time where we need to re-analyze our situation. We need to look for different improvement projects as we move into the future. We have been blessed with the American Recovery money. We bonded out the sewer plant, so we probably will not be able to use the recovery money for that project. The note looks like we would be able to squeeze it into and afford it with our existing revenues. That would be the revenue coming in from the growth of the wastewater flow. Specifically, those associated with The Villages. He believes that we will be covered there. That will allow the city to take that recovery money and add it to other projects that we find most important. So, ahead of the budget process, he wanted to review the suggestions. He has already talked about this with all members of the commission individually. The recommendations are Susan Street, Sleepy Hollow and changing the makeup of Susan Street to where it would become a football, lacrosse, soccer complex and Sleepy Hollow to a baseball and softball complex. We still need to tackle the Market Street concept. We also have a few marina issues that need to be revisited. There is the pretty multi-layered topic of beach volleyball. He is in the process of putting that presentation together and speaking with each member individually. They have each provided different feedback that he will address better in the report. The biggest thing is getting some economic impact numbers, so when we spend the money, we see that we are not just investing in capital improvement, we see that we are living up to our namesake of being the Lakefront City. We will see that we are investing in sports, recreation and tourism. He wants to get the numbers together and come back to the commission for direction on the June 27th agenda. **Commissioner Burry** said that would be excellent.

Mayor Pederson remarked that last week was a good week for the City of Leesburg. We had the ribbon cutting for the Boys and Girls Club. He received a lot of positive feedback and comments. We also had a ceremony of recognition for Virgil Hawkins recognizing his contributions to the community. They installed a plaque downtown in his honor. Both of these events were very nice and speek very highly of our city.

11. ADJOURN:

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

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

The meeting adjourned at 6:26 p.m.