

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, NOVEMBER 23, 2020 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, November 23, 2020, at the Venetian Center. Mayor Dennison called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Jay Hurley
Commissioner Mike Pederson
Commissioner Dan Robuck
Mayor Elise Dennison

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

INVOCATION

Commissioner Christian 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

There were none.

3. PRESENTATIONS

A. Service Award Recognition of Clell Coleman

Planning and Zoning Manager (PZM) Dan Miller presented Mr. Clell Coleman with a service recognition plaque for his dedication and service to the citizens of Leesburg. Mr. Coleman has served the City 40 plus years; starting out on the city's Board of Adjustments and when that became the Planning Commission, Mr. Coleman remained on the board. Mr. Coleman thanked the Commission and stated he is very fortunate to have such a good staff. In all his years of service, he can only remember two cases where they did not like having to do it, but by the book they had to. He mentioned Charlie Strickland, a long time member on the city Commission, who got him started on this journey. He thanked the commission.

B. Certification Results of the November 3, 2020 Election

Mayor Dennison read the Certificate of the Lake County Canvassing Board for the November 3, 2020 election.

Seat 1, District 1

Jimmy Burry received 1,763 votes

Alan Reisman received 1, 343 votes

Seat 3, District 3

Jay Connell received 2,502 votes

Jazmin Felix received 1,133 votes

Fred Griffin, Jr. received 1,128 votes

Leesburg Ordinance 20-25

Referendum to change City Commission Districts to Five Single Member Districts rather than Three Single Member and Two At-Large Districts:

Yes for Approval 6,975 votes

No for Rejection 3,335 Votes

Certificate was signed by County Judge Nimeth, Supervisor of Election Hays, and BOCC Chair Hill on November 13, 2020.

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.

Tracey Samples, President DLBA, thanked the Commission and City Manager for the CARES Act funding; stating many businesses have received a check. Thank you for all the extra work we know you put in.

5. CONSENT AGENDA:

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

Items pulled for discussion:

5.B.3.A and 5.B.3.B - Agreements with Perconti Data Systems

5.B.5 - PCDG Construction, LLC - Improvement agreement to Sleepy Hollow Sports Complex

Commissioner Hurley moved to adopt the Consent Agenda except for 5.B.3.A, 5.B.3.B, and 5.B.5, and Commissioner Christian seconded the motion.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Hurley	Yes
Commissioner Pederson	Yes
Mayor Dennison	Yes

Five years, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has it coordinating Resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

- 1. Regular meeting held November 9, 2020**

B. PURCHASING ITEMS:

- 1. Purchase request by Fleet Services for the purchase of two (2) replacement mini-excavators from Synergy Equipment, Inc. for a total cost of \$87,066.88.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a corrected Amendment 3 to fix scriveners error with NFP for financial advisory services; and providing an effective date.**

Resolution 10,755

- 4. Ratification of City Manager emergency purchase approval for four (4) Ford F-150 Responder police vehicles for \$138,380.00.**
- 6. Purchase request by the Electric Department of a hydraulic underground conductor puller to replace an 18 year old piece of equipment for \$192,075.00.**
- 7. Purchase request for notebook and mini-desktop computers from Staples Technology Solutions for an amount of \$62,645.71.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, setting new rates for providing meter treater surge protection devices to electric utility customers requesting such services; imposing an installation fee for future installations of this service; setting a date for the charges imposed by**

this Resolution to commence; and providing an effective date.

Resolution 10,756

- 2. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an Amendment 2 to Professional Services Agreement with Hoyle, Tanner and Associates, Inc., to provide Gopher Tortoise Relocation services related to the Runway 13/31 Rehabilitation Construction project at the Leesburg International Airport for an amount of \$6,817.00; and providing an effective date.**

Resolution 10,757

- 3. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving the City of Leesburg Electric Department's North American Electric Reliability Corporation (NERC) documentation, including the 2020 Annual NERC Compliance Annual Review Report, the 2019 NERC Internal Compliance Monitoring and Enforcement Program Document, the 2019 Internal Controls for Compliance Monitoring Policy, and the 2020 NERC Compliance Program City Commission Presentation; and providing an effective date.**

Resolution 10,758

- 4. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment 1 to Municipal Solid Waste Disposal and Services Agreement with Covanta Lake II, Inc. for continued disposal of municipal solid waste; and providing an effective date.**

Resolution 10,759

- 3. Resolution executing agreements for the purchase of new Community Development (Building Services / Planning & Zoning / Code Enforcement) software platform.**
 - a. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Non-Exclusive End-User License Agreement with Perconti Data Systems for a cost of \$246,400.00; and providing an effective date.**

ADOPTED RESOLUTION 10,760

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

Commissioner Robuck moved to adopt the resolution and Commissioner Hurley seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

Mayor Dennison said she pulled this item because it appeared only to have page 2, there was no definition or no clarification for this quarter million dollars that she could find. **CM Minner** replied essentially this is to purchase the new software equipment for the Building and Planning & Zoning departments to help process the permits, etc. It was part of the fiscal year 21 pledge process. A solicitation was done, there is a ranking and the preferred alternative was \$246,000.

Roll call vote was:

Commissioner Robuck	Yes
Commissioner Hurley	Yes
Commissioner Pederson	Yes
Commissioner Christian	Yes
Mayor Dennison	Yes

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

b. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Maintenance and Support Agreement with Perconti Data Systems, Inc.; and providing an effective date.

ADOPTED RESOLUTION 10,761

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

Commissioner Christian moved to adopt the resolution and Commissioner Hurley seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

Mayor Dennison inquired if both items, A & B, are \$246,000 each. **CM Minner** replied the \$246,000 is the grand total, being split between the general fund and the building fund. **Purchasing Manager (PM) Mike Thornton** stated the first item (A) is to purchase the software, and the second item (B) is for the annual support agreement, which will not take affect until January of 2022. The total purchase price for the software is being taken from the building fund according to the agenda memo.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Pederson	Yes
Commissioner Christian	Yes
Commissioner Robuck	Yes
Mayor Dennison	Yes

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

5. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement for improvements to the Sleepy Hollow Sports Complex in preparation for NCAA Softball competition with PCDG Construction, LLC for an amount of \$269,037.04; and providing an effective date.**

ADOPTED RESOLUTION 10,762

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

Commissioner Christian moved to adopt the resolution and Commissioner Hurley seconded the motion.

Mayor Dennison requested comments from the Commission and the audience.

Commissioner Pederson asked for clarification as to if the money has already been received from the county. He supports this either way, just wants clarification. **CM Minner** replied the money from the county is reimbursable; so we have to spend it and then get it paid.

Commissioner Pederson thinks this is great for the city, and does not know if this can be handled on a staff level, but the road into this complex is not impressive and will all these people coming to town, he would like to see that road resurfaced or improved. **CM Minner** stated there are a couple things in there because that number came in under budget so, a) we need to do some signage upgrades, and b) we do have some additional gas tax money that we can look to do an overlay on that road.

Mayor Dennison asked if we have received approval from the NCAA. **CM Minner** replied we have not, so we are still not spending all this money until we receive that and we are very close. Every college in the Big 10 is going through their medical staff to get approvals on how they handle COVID planning; going sport by sport. We hope to get this approval as soon as possible and once received he will report back to the Commission.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Christian	Yes
Commissioner Robuck	Yes
Commissioner Hurley	Yes
Mayor Dennison	Yes

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

6. **PUBLIC HEARINGS AND NON-ROUTINE ITEMS:**
NONE

7. **INFORMATIONAL REPORTS:**
The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required. NONE

8. CITY ATTORNEY ITEMS:

CA Morrison had nothing.

9. CITY MANAGER ITEMS:

CM Minner gave a quick CARES Act update. Of the 1.2 million we received we have spent most of that to date. We did receive the county money, so we did not have to play the shuffle the deck game. Category 1 was paid out to the mall; Category 3 was paid out on the first come, first serve basis. This category received over a 100 grant applications and we paid up to about two-thirds or 72 grants. Of those 72, there are probably about 3 or 4 that were denied based on 1) the business was not in corporate city limits, 2) there was only one actually that did not provide enough information. City manager did petition the county for additional CARES Act funds to replenish Category 3 and we should hear back on that by the end of the month. Again, all county CARES Act money has to be spent by the end of the year. Category 2, the downtown business owners grants, is the only grant not paid out. He thinks about 14 grants were issued and there is about \$100,000 remaining, so if you own a facility downtown, the Historic district, or that box of Magnolia to Meadow, 3rd to 9th, contact the city manager's office to see if you qualify and get that grant application submitted.

Commissioner Pederson stated he is still receiving phone calls from the downtown property owners; they are confused and think this is an automatic to receive the funding. He has told them they need to complete the application. **CM Minner** stated correct, we have had this conversation. The important thing for all categories, especially Category 2, we need you to fill out the application, provide that necessary documentation that makes the grants payable; this is needed to give to the county for the Federal track to justify the funds. Please to to the city website or the city manager's office for more information. It is pretty seamless, but we need that application completed and submitted.

10. ROLL CALL:

Commissioner Pederson had nothing.

Commissioner Hurley thinks the Partnership, downtown merchants, and the Chamber could assist with getting the word out about the grant applications. He asked now that our meetings have slowed down, other than we we think a big meeting is coming, how likely are we to move back to the chamber at City Hall. **CM Minner** replied that is really at the commission's discretion. He thinks all commissioners have different opinions about spreading out the six feet and those type things. He does not think there is anything in the Governor's executive order that would prohibit that, so it is really a matter where this body wants to meet. Commissioner Hurley wished everyone a Happy Thanksgiving. This year was a lot for him and you put things in perspective and realize in life that the most important thing you have is relationships with your family and friends. He encouraged everyone this year at Thanksgiving if you look around and start to feel sorry for yourself, it means you are looking at the wrong people; look at those who are less fortunate than you and those who do not have relationships and the things God has blessed you with and you will realize just how much you have to be thankful for this Thanksgiving.

Commissioner Robuck stated Commissioner Hurley said it so much more eloquently, so he will just say Happy Thanksgiving.

Commissioner Christian wished everyone a Happy Thanksgiving and please stay safe. We have heard

the news reports about trying to limit family interactions and social distancing. He had a particular church family who was visiting family in Maryland, being safe and cautious; kids and grandkids came, and 12 family members contracted COVID-19. So, please be safe, of course you do what you want to do but he just prays that we all are responsible and as Commissioner Hurley mentioned, he loves his family so much that he told them to stay home this Thanksgiving; he'll catch them once things clear up. Again this year, his church will be feeding the community as they have always done; this year will be a drive through, pick up your food and go. Commissioner Christian inquired of the city manager, on the \$100,000 dollars left over, once we get the word out, after the drop date that we find other ways to distribute this money if nobody picks it up. **CM Minner** replied let's get the word out, he has spoken with Jeff Cole, county manager, about shifting those funds over, if not collected, and suggests that we shift that money back into Category 3 and pay that out. Probably give that to about mid-December.

Commissioner Christian stated a church pastor called him regarding a conflict he is having with another facility. He, the city attorney and city manager have been working on this and one of the issues is that another group rented a building that sits right in front of this church. The pastor feels there is kind of a conflict with this motorcycle club that is renting this building with very limited parking. The church just spent 1.3 million in renovations and the pastor feels this is very unfair for this club to rent this building, probably 10 feet from their children area, that will be consuming alcohol. City staff is working on this but Commissioner Christian wants to go on record that he thinks this is not how our laws should be interpreted. Hopefully this can be remedied and that a person who invests 1.3 million in a facility does not have to get impacted by someone renting a building right in front of their facility and negligently affects what they do.

Mayor Dennison stated she understands the power and trucks are working on the new restored runway.

Her request is that the city manager, Al, and Tracey sit down with our Airport Advisory Board chairman Alan Reisman and try to determine what our interaction with that board should be going forward. Also, what can be done about the ramp because we paid 2 million dollars for that seaplane ramp and right now that ramp is closed. **CM Minner** believes that may just be a rumor. **Airport Manager (AM) Tracey Dean** stated the seaplane ramp is open, it will remain open for the entirety of the construction project, but with any project because of the way our infrastructure is, there are some inconveniences. There is a section of Alpha that is currently closed because it is in part of the construction safety and phasing plan that was approved by the FAA, so essentially it is part of the haul route where they are taking dirt out. It does not necessarily need to be closed for the entirety of the project, but for right now it is. Pilots can still use the seaplane ramp, but from there they cannot access other sources. If they truly need the FBO and are looking for fuel, then the FBO can easily come to them with their mobile trucks. **CM Minner** stated taxiway A or Alpha is parallel to runway 31/13. **AM Dean** replied correct. **Mayor Dennison** again requested that Al and Tracey please sit down the Alan to make sure because she is hearing, even right now, that this is not what is happening. She stated on Saturday the school board is having the Christmas trees at the mall which is the lighting of the trees and doing the auctioning by the kids who put all these trees together. It is usually a good time, so if you have an opportunity please stop by the mall. Also, Leesburg's Christmas parade is Saturday, the first week of December, at 6:00 p.m. Prior to that is the Christmas stroll and many of these things are open, so please support the issues and have a good time.

Thanksgiving, she wants to wish all a very happy thanksgiving, and yes we would ask you to watch the number of people at your house. Please take precautions because we do not want to lose anyone or have you go through an illness for the holidays. Thank you and Happy Thanksgiving.

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 6:02 p.m.