

**AMENDED AGENDA
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, SEPTEMBER 26, 2022 5:30 PM**

1. CALL TO ORDER

INVOCATION

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

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. None

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.

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

A. CITY COMMISSION MEETING MINUTES:

- 1. Regular meeting held September 12, 2022**
- 2. Special Meeting (Tentative Millage & Budget) held September 15, 2022**

B. PURCHASING ITEMS:

1. **Fiscal Year 2023 Vehicle Purchase Approval**
2. **Purchase request by Public Works to Mid-Florida Signs & Graphics for the installation of a monument sign and a monument sign with a digital message board for the H.O. Dabney Aquatic Center for a total purchase cost of \$70,167.63.**
3. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment with SWI Software Install, Inc. amending certain terms of an existing agreement for meter reading services; and providing an effective date.**
4. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment with NFP Retirement, Inc. (fka Fiduciary First, LLC) for investment advisor services to the City's employee 401(a) Defined Contribution and 457(b) Deferred Compensation plans; and providing an effective date.**
5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the City to use the Master Services Agreement awarded by the Florida Municipal Power Agency (FMPA) to Osmose Utilities Services, Inc. to provide services related to system assessment and associated documentation and reporting; and providing an effective date.**
6. **Resolutions authorizing an Amendment to an existing Agreement for Tree Removal, Trimming & Related Services with Tip Top Tree Experts LLC., and with Native Land and Tree, Inc.**
 - a. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment to an existing Agreement for Tree Removal, Trimming & Related Services with Tip Top Tree Experts, LLC; and providing an effective date.**
 - b. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an amendment to an existing Agreement for Tree Removal, Trimming & Related Services with Native Land and Tree, Inc.; and providing an effective date.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 55, a subdivision of the City of Leesburg, Florida, being a portion of Sections 6 and 7, 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. 55)**
- 2. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 61, a subdivision of the City of Leesburg, Florida, being a portion of Section 7, 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. 61)**
- 3. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 63, a subdivision of the City of Leesburg, Florida, being a portion of Sections 7 and 8, 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. 63)**
- 4. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 64, a subdivision of the City of Leesburg, Florida, being a portion of Section 8, 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. 64)**
- 5. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Villages of West Lake Unit No. 68, a subdivision of the City of Leesburg, Florida, being a portion of Section 8, 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. 68)**
- 6. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Lease Renewal Agreement, between the City of Leesburg and Michael R. Dominick, Personal Representative of the Estate of Raymond D. Dominick, M.D.; and providing an effective date.**

7. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing Park Square Enterprises, LLC to include certain City Property within a Sand Skink Permit Application; authorizing the City Manager and City Clerk to execute the Owner's Authorization Form; and providing an effective date.**
8. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving an Interlocal Agreement for the Right-of-Way Transfer from Lake County, Florida for the public right-of-way known as Blackstarr Road and more particularly described in the document; and providing an effective date.**
9. **Resolution of the City Commission of the City of Leesburg, Florida suspending carrying charges for delinquent payment of utility charges; providing for conflict; and providing an effective date.**
10. **Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute a natural gas service agreement between the City of Leesburg and Hanover 623 Holdings LLC, for the purpose of setting forth the terms and conditions under which the City of Leesburg will supply natural gas service to the development referred to as Eagletail Landing (McElyea) Phase 3; and providing an effective date.**

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

- A. **Public Hearing on the proposed millage and proposed budget for Fiscal Year 2022-23**
 1. **Announce the name of the taxing authority, the rolled back rate, and the millage rate to be levied**
 2. **Discuss the proposed aggregate millage rate**
 3. **Request comments from the public regarding the millage rate**
 4. **Resolution of the City Commission of the City of Leesburg, Florida finally adopting 4.0192 mills as the Fiscal Year 2022-23 Millage Rate for the City of Leesburg, Florida, representing the current year proposed aggregate Millage Rate of 4.0192 mills which is 9.87% more than the current year rolled back rate of 3.6583 mills; and providing an effective date.**

5. **Request comments from the public regarding the Fiscal Year 2022-23 budget**
6. **Resolution finally adopting the Fiscal Year 2022-23 budget**
7. **Announce the adopted millage rate**

B. SECOND READING OF ORDINANCES

1. **None**

C. FIRST READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida; Amending Part II, Chapter 5 of the Municipal Code, Amending Section 5-2 as to the zoning areas where alcoholic sales are permitted and Section 5-6 as to the areas exempt from open container prohibitions, Amending Section 5-16 as to the zoning for Medical Marijuana Dispensaries, Amending Part II Chapter 12 of the Municipal Code, Amending Section 12-19 adding an Exemption, Amending Part II, Chapter 14 of the Municipal Code, Amending Section 14-71 adding an Exemption, Amending Part II Chapter 15 of the Municipal Code, Amending Section 15-5, adding an Exemption and Amending Section 15-8 adding an Exemption, Amending Part II, Chapter 18 of the Municipal Code, Amending Section 18-3, adding an Exemption and Amending Section 18-7 Exempting the Operation of Golf Carts and Utility Vehicles from certain provision, Amending Part II, Chapter 25 of the Municipal Code, Amending Section 25-121, adding an Exemption, Amending Section 25-288, adding an Exemption, Amending Section 25-292, adding an Exemption, and Amending Section 25-362, adding an Exemption, Amending Part II, Chapter 26 of the Municipal Code, Amending Section 26-3 as to the Exceptions to Special Event Permit requirements, repealing conflicting ordinances; and providing an effective date. (VOWL code amendment)**
2. **An Ordinance of the City of Leesburg, Florida, Vacating approximately 6,100.80 square feet of Walker Road unconstructed easement consisting of an area 203.36 feet long by 30.00 feet wide MOL lying north of Tuller Road, and Vacating approximately 4,723.05 square feet of Seng Road unconstructed easement consisting of 314.87 feet long by 15.00 feet wide MOL lying north of Tuller Road and Vacating approximately 6,480.60 square feet of Tuller Road unconstructed easement consisting of an area approximately 216.02 feet long by 30.00 feet wide MOL lying east of Seng Road, said property being generally located in an unconstructed portion of Silver Lake Estates Plat as recorded in Plat Book 10, Page 66; Section 9, Township 19 South, Range 25 East; Public Records of Lake County,**

Florida; and providing an effective date. (The Hills of Leesburg Residential Subdivision)

- 3. An Ordinance of the City of Leesburg, Florida, correcting a scrivener's error in Ordinance 22-17, by amending the language in Section D.1.f. from "7.5 feet" to "5 feet" for the side setback requirement, and amending the language in Section D.2.b. to read "'10 feet" instead of "15 feet" for building separation requirements, for a property consisting of approximately 41.69 acres, and being generally located west of County Road 44 and north of Seng Road, as legally described in Section 01, Township 19 South, Range 25 East, Lake County Florida; and providing an effective date. (Hills of Leesburg)**
- 4. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 49 +/- acres; and being generally located west of County Road 44 and north and south of Seng Road, lying in Section 16, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date (Swan Capital).**
- 5. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 49 +/- acres from Lake County Rural Transition to City of Leesburg Estate Residential, for a property generally located west of County Road 44 and north and south of Seng Road, lying in Section 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Swan Capital)**
- 6. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 49 +/- acres from Lake County R-1 (Rural Residential) to City of Leesburg PUD (Planned Unit Development) to allow a single-family residential development for a property generally located west of County Road 44 and north and south of Seng Road, lying in Section 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Swan Capital PUD)**
- 7. 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 59.6 +/- acres from City of Leesburg Industrial to City of Leesburg Estate Residential, for a property generally located east of County Road 33 and north of Manor Oaks Court, lying in Section 22, Township 20 South, Range 24 East, Lake County,**

Florida; and providing an effective date. (Cedar Creek LGCP)

- 8. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 59.6 +/- acres from City of Leesburg M-1 (Industrial) to City of Leesburg PUD (Planned Unit Development) to allow a single-family residential development for a property generally located east of County Road 33 and north of Manor Oaks Court, lying in Section 22, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Cedar Creek PUD)**
- 9. An Ordinance of the City of Leesburg, Florida, amending the conditions of a PUD (Planned Unit Development) to revise the buffer requirements and allow for bungalows and cottage sites on a property generally located north of U.S. Highway 441 and east of Pemble Road, lying in Section 20, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Blue Gill Marina)**
- 10. An Ordinance of the City of Leesburg, Florida ratifying revisions to the form of Ballot Question Number 1 from the version appearing in Ordinance Number 22-43; providing for inclusion in the Code of Ordinances; providing for severability; providing for conflict; and for providing an effective date.**

D. NON-ROUTINE ITEMS

- 1. Resolution Amending Utility Rates for Fiscal Year 2022-23**

7. INFORMATIONAL REPORTS:

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

8. CITY ATTORNEY ITEMS:

9. CITY MANAGER ITEMS:

10. ROLL CALL:

11. SUSPEND REGULAR MEETING

12. OPEN the CLOSED ATTORNEY-CLIENT SESSION

13. EXIT all BUT THE FOLLOWING INDIVIDUALS:

A. Mike Pederson - Jimmy Burry - John Christian - Jay Connell - Dan Robuck, III - Mark Brionez - Stephanie Brionez - John Metcalf - Al Minner - Court Reporter

14. END CLOSED SESSION and REOPEN COMMISSION MEETING

15. 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.