

**MINUTES OF THE CITY COMMISSION MEETING
MONDAY, AUGUST 12, 2013**

The City of Leesburg Commission held a regular meeting Monday, August 12, 2013, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Elise Dennison
Commissioner Jay Hurley
Commissioner Bill Polk
Mayor David Knowles

Commissioner John Christian was absent. Also present were Interim City Manager (ICM) Ray Sharp, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Andi Purvis, the news media, and others.

City Clerk Betty Richardson gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PROCLAMATIONS: None

PRESENTATIONS:

City Clerk Betty Richardson presented the Certificate of Completion from the Institute for Elected Municipal Officials to Commissioner Jay Hurley.

KIDS KORNER

Carolyn VanDyken accepted checks for the Kids Korner rebuilding playground project from:

Rotary presented a check from their Interact Club of First Academy, high school version. Leesburg Boating Club presented a check for \$3,000 from their poker run fundraiser held in March.

The Leesburg Boating Club also presented a check to the City for Monkey Island for \$250.00.

CITY MANAGER CANDIDATES REPORT BY COLIN BAENZINGER & ASSOCIATES

BARTOLOTTA, Robert	COHEN, Thaddeus
HOLMAN, John	HOWARD, Steve
JONES, Angel	LA VENIA, Gary
MALINEN, William	ROBERTS, Jon

Sean Baenzinger presented a selection of candidates for the Commission to determine who would they would like to interview for the next City Manager. He stated there are three additional candidates who could be added as write in candidates; John Granger, Paul Berg and Dottie Keedy. However, extensive background checks have not been completed on Mr. Berg or Ms. Keedy.

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ICM Sharp stated the first write in candidate should be Brian McDougal who was previously considered from the first round which should be the third candidate. Mr. Baenzinger stated that was correct.

Mayor Knowles asked if Mr. McDougal is still available. Mr. Baenzinger stated yes, he e-mailed him today.

Mayor Knowles asked Commissioners to mark their ballots. He stated Commissioner Christian is out of town this evening so therefore not voting.

CC Richardson gave the following tally: Bartolotta three votes, Howard two votes, Berg three votes, Malinen one vote, McDougal four votes, Roberts one vote, and Keedy three votes.

Mayor Knowles stated four candidates received three votes. Commissioner Hurley asked if an alternate should be selected in case one candidate should drop out.

Mayor Knowles stated Howard received two votes. He stated the candidates for interview will be Bartolotta, Berg, McDougal, and Keedy, and Howard as alternate.

Commissioner Polk asked if there are set interview times. Mr. Baenzinger stated there should be or the Commissioners will receive them in the near future.

ICM Sharp stated a revised schedule was sent out and the candidates will be in Thursday, August 22nd for a public reception that evening. Friday morning, August 23, will be the one on one interviews with each candidate and Commissioner and the afternoon will be the group interviews, full commission with each individual candidate. He stated the following Monday, August 26, at the regular commission meeting, the finalist will be selected and the Commission will authorize negotiation of a contract.

Mayor Knowles asked if this schedule was agreeable with all Commissioners and all were in favor.

Mayor Knowles then made the correction that Dottie Keedy received four votes.

AIRPORT PLAN

Michael C. Moon with Hanson Professional Services presented a brief power point presentation and stated this process has gone through three Airport Advisory Board meetings. He thanked Leo Treggi and Dave Lewis for their help in bringing this in thirty days ahead of schedule and stated the goal with approval tonight is to submit the plan to the FAA & FDOT by August 19, 2013.

ADOPTED RESOLUTION 9239 ADOPTING THE AIRPORT LAYOUT PLAN

Commissioner Dennison introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, APPROVING AND ADOPTING THE INTERIM AIRPORT LAYOUT PLAN UPDATE FM 414440-2, AND AUTHORIZING CITY STAFF TO PROCEED WITH THE STEPS NECESSARY TO SUBMIT SUCH INTERIM AIRPORT LAYOUT PLAN TO THE FLORIDA DEPARTMENT OF TRANSPORTATION AND TO THE FEDERAL AVIATION ADMINISTRATION FOR REVIEW AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Dennison moved to adopt the resolution and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

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

CITY CODES RELATING TO KEEPING CHICKENS IN CITY LIMITS

Mr. Jeff Hartzell addressed the Commission on city codes relating to keeping chickens on residential properties within city limits. He stated when his daughter asked for chickens, he checked Section 6-41 which stated no more than 50 fowl within 500 feet of any dwelling and stated they only have ten chickens and are less than 50 feet* from any house. Code Enforcement first told him he was okay, but then later was told he was in Leesburg's Historic district. Mr. Hartzell stated he is not sure what to do. (*Editor's note – Mr. Hartzell stated "50 feet.")

ICM Sharp stated when Mr. Hartzell originally spoke with him, he asked for some follow up from the Police Department as there was confusion about the initial citation in the reference to a specific section of the City's land development code. ICM Sharp stated he asked CA Morrison to look into this and offer his comments this evening.

CA Morrison stated the current code provision on this subject is rather hopelessly confused as the section cited is a carry-over from quite a long time ago. He stated subsequent to that the city retained consultants who completely rewrote the entire land development code and not all the provisions drafted are separate provisions; it not only governs chickens and other fowl, but also other animals. CA Morrison stated the more he read, the more confused he became. He stated his recommendation at this time is to suspend the code enforcement case until the Commission gives staff clear guidance regarding the preferred wording; then the code will be rewritten.

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Mayor Knowles stated if Mr. Hartzell had a few chickens within the city limits of Leesburg, then it would be legal at this particular time.

CA Morrison stated it depends on which section of the ordinance is reviewed. He stated his thought after reading through it is he does not want to have to be in the position of trying to defend an appeal of a code enforcement order for violation because it is too confusing. CA Morrison told Mr. Hartzell when all this is said and done, it may not be legal for him to have the chickens, but for now at least nothing would happen. Mr. Hartzell stated the concern was it will cause rats, but he keeps the pens elevated and the feed is contained.

CA Morrison stated he thinks this will be similar to what Orange County went through with front yard gardens. The city needs to determine what the policy should be and then put it in writing.

Mayor Knowles asked for time to let the Commission do a little research before it offers any opinion.

Commissioner Polk asked Mr. Hartzell be given plenty of time to do whatever he has to do after an opinion is made.

CONSENT AGENDA:

Commissioner Dennison moved to adopt the Consent Agenda and Commissioner Polk seconded the motion.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Four yeas, no nays, the Commission adopted the Consent Agenda, as follows:

CITY COMMISSION MEETING MINUTES:

Regular meeting held June 24, 2013

Regular meeting held June 24, 2013 - City Manager Candidates review

PURCHASING ITEMS:

Purchase request from Public Works Water Division for Change Order 2 to the existing contract to add well pump repairs for a cost of \$1,292.55 to Beach Construction Company, Inc.

Purchase request from the Electric Department for repairs to a power transformer at East Substation for a total cost of \$36,604.00 to Electrical Engineering Enterprises, Inc.

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RESOLUTIONS:

RESOLUTION 9240

Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute the Tenth Amendment of the Depository Trust Agreement necessary to conform the City's depository account, maintained for the benefit of Florida Gas Utility, to the latest requirements for the amount of the deposit to be held in escrow; and providing an effective date.

RESOLUTION 9241

Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Commission to appoint a representative and alternate to the Board of Directors of Lake Community Action Agency; and providing an effective date.

RESOLUTION 9242

Resolution of the City Commission of the City of Leesburg, Florida Authorizing the Mayor and City Clerk to execute an agreement with J&H Waterstop Utilities, Inc. for construction services to rehabilitate the lift stations (6A and 21) in the amount of \$72,957.00; and providing an effective date.

RESOLUTION 9243

Resolution of the City Commission of the City of Leesburg, Florida, authorizing employee bonuses in lieu of EPIP for FY 2013

OTHER ITEMS: None

**ADOPTED ORDINANCE 13-29 AMENDING THE CITY OF LEESBURG
POLICE OFFICERS' PENSION TRUST FUND**

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, AMENDING CHAPTER 17, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' RETIREMENT FUND, OF THE CODE OF ORDINANCES OF THE CITY OF LEESBURG; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 15, MAXIMUM PENSION; AMENDING SECTION 26, PRIOR POLICE SERVICE; AMENDING SECTION 28, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Commissioner Polk moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience.

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Commissioner Polk stated his understand was this is to get the City up to date with the IRS on its pension funds. Finance Director (FD) Bill Spinelli stated yes.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

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

ADOPTED ORDINANCE 13-30 AMENDING THE CITY OF LEESBURG RETIREMENT PLAN FOR GENERAL EMPLOYEES

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FURTHER AMENDING THE CITY OF LEESBURG RETIREMENT PLAN FOR GENERAL EMPLOYEES, ADOPTED PURSUANT TO ORDINANCE NO. 03-57, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 14, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Commissioner Dennison moved to adopt the ordinance and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

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

ADOPTED ORDINANCE 13-31 ADOPTING AMENDMENTS TO ORDINANCE 13-09 AMENDING THE INTERLOCAL SERVICE BOUNDARY AGREEMENT

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ADOPTING AMENDMENTS TO ORDINANCE NO: 13-09 AN INTERLOCAL SERVICE BOUNDARY AGREEMENT AMONG

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LEESBURG, LAKE COUNTY, THE CITY OF GROVELAND, THE CITY OF MASCOTTE, THE CITY OF CLERMONT, THE CITY OF MINNEOLA, AND THE TOWN OF HOWEY IN THE HILLS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Polk moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

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

ADOPTED ORDINANCE 13-32 AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE GENERAL AND CAPITAL PROJECTS FUNDS FOR THE THIRD QUARTER

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE GENERAL AND CAPITAL PROJECTS FUNDS FOR THE THIRD QUARTER; AND PROVIDING AN EFFECTIVE DATE

Commissioner Polk moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience.

Commissioner Polk asked what obstructions are at the airport. ICM Sharp stated this is to clear vegetation.

Commissioner Polk asked if this has already been done or is a future item. Development Review Coordinator (DRC) Adrian Parker stated this is currently out to bid. Budget Manager (BM) Brandy McDaniel stated most of these items have already been approved by the Commission; these just require a budget adjustment.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes

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Commissioner Dennison	Yes
Mayor Knowles	Yes

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

FIRST READING OF AN ORDINANCE AMENDING SECTION 15-9 OF THE CODE OF ORDINANCES PERTAINING TO RESTRICTED AREAS ON CERTAIN WATERWAYS WITHIN THE CITY

Commissioner Polk introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING §15 – 9 OF THE CODE OF ORDINANCES PERTAINING TO RESTRICTED AREAS ON CERTAIN WATERWAYS WITHIN THE CITY, TO ALTER THE DESCRIPTION OF THE RESTRICTED AREA WITHIN THE VENETIAN GARDENS COVE AND REDUCE THE SIZE OF THE NO WAKE ZONE IN THAT AREA; ADDING A SUBSECTION TO §15 – 9 TO DELEGATE TO THE LAKE COUNTY SHERIFF THE AUTHORITY, CONCURRENT WITH THE LEESBURG POLICE DEPARTMENT, TO ENFORCE §15 – 9; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk stated he remembers skiing in the boat basin when young and originally thought it was a great idea to reinstate the no wake zone, but now has reservations. Since there has been no visioning session, he does not want to go ahead and then a restaurant is on the lake, people may not be able to unload their boats because there is a thirty foot boat going by making a three or four foot wake. He stated he is not in favor of this and more so not in favor of spending \$85,000 to put up barriers to stop the wake.

Commissioner Dennison stated \$85,000 for a no wake zone attenuation system is a lot of money and asked where it would come from. She stated this would also be an additional expense to the Lake County Sheriff Department with arrangements to be made with their office to either keep a boat there or to be out there certain days of the week.

Commissioner Hurley stated there will be no additional cost to the Sheriff's office since they patrol there now. He said you can see what has happened to the basin by putting the wake zone in. When the visioning session is held, if there are problems the Commission can vote to reinstate a no wake zone. Commissioner Hurley stated he understands Commissioner Polk's comments about how boats have definitely changed, but the main focus is trying to get activity back into the basin. He stated if there was a need for enforcement from the Sheriff's office, they would step in as they keep all the waterways safe in Lake County. He stated the City does not have to spend the \$85,000 that was just in case we thought it was needed. Commissioner Hurley stated he is in support of this as

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there are several benefits to this like learning how to ski for our kids and if someone wants to sit in the shallow water, it is much calmer.

Mayor Knowles stated the three areas are the Marina, the boat ramp, and the boat club and all three of those entities would probably appreciate maintaining a no wake zone. He stated if a restaurant were adjacent to the boat club with boat docks, it would be advantageous for them also to have a no wake zone so the boats tied up would not be disturbed. Mayor Knowles stated he like Commissioner Polk also water skied in the area many years ago, but they knew the traffic pattern and did not go nearly as fast as the boats today. He stated what concerns him is if this succeeds and there is more boat traffic it will become a traffic nightmare with the higher speeds. If water skiing is in the area and a young skier drops and falls will the other boats coming in behind them be able to spot them in time?

Richard Kelly stated his concerns are exactly what Commissioner Polk said and no one has mentioned jet skis which are a recipe for disaster. He spoke with several people, young and old, and stated no one is favor of this. He spoke with Mike Perry, Director of the Lake County Water Authority, and Mr. Perry said he has never heard of a no-wake zone being repealed as people put it in place for safety. Mr. Kelly urged the Commission to not pass the no-wake.

Chuck Johnson stated he also skied at the beach. He stated the Lake County Sheriff's Office has nine boats and if multiply by the number of acres of water, you cannot get out there on a consistent basis. He stated he was there the day Marty's child died in the basin due to speed caused by kids being kids with fast boats and now you are talking about opening the boat basin up to boats which are ten times faster. If we are going to err, then please let us consider erring on the side of caution as the wake zone is there for a reason. It serves its purpose and will continue to serve in the future which is to protect our citizens and visitors. Mr. Johnson stated to take the no-wake zone away will allow high speed boats and traffic to come in and he thinks it will be a mistake on the City's part and asked the Commission to consider not repealing the no-wake rule.

Commissioner Hurley stated he understands people are against this, but on the other side several members of the Boat Club and residents have told him they are in favor of it. He stated he understands safety is a key thing and if there is a problem with safety, then address it. It is not fair to make assumptions to say the Sheriff's Department or Police Department cannot do their jobs and the City has three boats. Commissioner Hurley said he understands jet skis are more of a nuisance for some people, but right now there is nothing. Raising the speed limit to 25 mph to get from the docks to the areas of Lake Harris out past Monkey Island is what we are trying to do; not trying to make it an inconvenience or impose something which will be hard to manage. Commissioner Hurley stated he appreciates the comments and understands the concerns, but he is still in favor for this.

Mayor Knowles stated he is in favor of growth and would like to see a restaurant next to the boat club like a Little Joes Hideaway, but thinks going to Little Joes the boats come in at a no wake speed. Curt with the Lake County Sheriff's Marine Division stated in the

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five years he has been assigned to the Marine unit, they have not had any calls for service or accidents.

James Gentles stated he has been in the area for thirty-eight years and the amount of activity taking place now in our park looks like it is dead. He said Ski Beach was a very popular place for our younger generation in the community to hang out, but not anymore.

ADOPTED RESOLUTION 9244 AMENDING RESOLUTION 8163 REGARDING THE EXISTING INVESTMENT AND PORTFOLIO POLICY AND ADOPTING THE NEW POLICY AND INVESTING THE FINANCIAL ASSETS OF ALL FUNDS OF THE CITY, EXCEPT THE PENSION TRUST AND AGENCY FUNDS

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA REPEALING RESOLUTION 8163, RESOLUTION 4342, RESOLUTION 4886, RESOLUTION 4923, AND RESOLUTION 5538, AND ADOPTING NEW POLICIES TO BE FOLLOWED WITH REGARD TO INVESTING THE FINANCIAL ASSETS OF ALL FUNDS OF THE CITY OF LEESBURG, FLORIDA, EXCEPT THE PENSION TRUST AND AGENCY FUNDS; SETTING FORTH THE OBJECTIVES OF THE INVESTMENT POLICY; PROVIDING A STANDARD FOR ETHICS AND CONFLICTS OF INTEREST; PROVIDING FOR DELEGATION OF AUTHORITY; PROVIDING A STANDARD OF PRUDENCE; PROVIDING FOR MONITORING AND ADJUSTING THE PORTFOLIO; PROVIDING INTERNAL CONTROLS; DEFINING SHORT-TERM AND LONG-TERM INVESTMENTS AND THE MANNER OF HANDLING EACH; PROVIDING FOR THE BID PROCESS: REQUIRING A LIST OF APPROVED FINANCIAL INSTITUTIONS; SETTING FORTH SAFEKEEPING AND COLLATERALIZATION OF SECURITIES AND REPORTING PROCEDURES; PROVIDING AN EFFECTIVE DATE.

Commissioner Polk moved to adopt the resolution and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk asked for short comments of clarification. Finance Director (FD) Bill Spinelli stated the City has an investment firm who makes recommendations on which agencies are good investments for the City. This is an opportunity for the City to invest additional funding on a corporate security bond going out on the yield curve with the opportunity to make money. He stated a two year basis of that investment would have the opportunity to bring in an additional \$50,000 to \$75,000 a year without having any additional risks to the portfolio.

The roll call vote was:

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Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9245 AUTHORIZING EXECUTION OF A CONTINUING SERVICES AGREEMENT WITH AMEC ENVIRONMENT & INFRASTRUCTURE, INC.

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTINUING SERVICES AGREEMENT WITH AMEC ENVIRONMENT & INFRASTRUCTURE, INC. FOR PROFESSIONAL STORMWATER DESIGN AND STUDIES ENGINEERING SERVICES ON AN AS NEEDED BASIS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Polk moved to adopt the resolution and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk stated it seems like these bids go out and a team bids on them. Purchasing Manager (PM) Mike Thornton stated the RFQ goes out and either before or after the project department, in this case Public Works, will put together an evaluation team to evaluate all proposals.

Commissioner Polk stated he was speaking more along the lines of two companies bidding together on a certain project as one company. PM Thornton stated it is quite possible as some companies will bid as a sub-consultant to the main company which occurred in this case.

Commissioner Polk asked for an explanation of the ranking or the point systems particularly used. PM Thornton stated typically in a Request for Qualification, the department requiring the services will determine what criteria is used to evaluate the proposal. They will determine what is most important to them, assign a number of points for that particular criteria and this information is provided to the professionals when they are submitting the proposals so they know what items to address in their bids. He stated when the proposals are evaluated; the evaluators assign a score to each criteria, total the points and then rank the firms. Each evaluator in this case will have a number 1 through 12 so each firm will be ranked by the evaluator and then we add up those rankings and come up with an ordinal total which is the number you see on the far right. He stated use of the ordinal point ranking eliminates any one evaluator from controlling the outcome of

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the evaluations. For example, if you look at CDM they scored a total of 242 points, but yet their total ordinal was 16. This means one evaluator ranked them high and one ranked them low, but had they had gone with points then that one evaluator would have tipped them up in the rankings.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9246 EXECUTING A CONTINUING SERVICES AGREEMENT WITH DRMP, INC.

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTINUING SERVICES AGREEMENT WITH DRMP, INC. FOR PROFESSIONAL STORMWATER DESIGN AND STUDIES ENGINEERING SERVICES ON AN AS NEEDED BASIS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Polk moved to adopt the resolution and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9247 REDUCING THE SOLID WASTE RESIDENTIAL COLLECTION FEE BY \$2.00/MONTH TO \$17.19/MONTH

Commissioner Dennison introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE RATE SCHEDULE FOR

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SOLID WASTE COLLECTION AND RELATED SERVICES, TO REDUCE THE SINGLE FAMILY RESIDENTIAL RATE BY \$2.00 PER MONTH; AND PROVIDING AN EFFECTIVE DATE

Commissioner Polk moved to adopt the resolution and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk stated this takes effect October 1, 2013.

Commissioner Hurley stated this is eliminating one position and asked if the employee will be reallocated to another position or department.

Interim Public Works Director (IPWD) DC Maudlin stated this is a current vacant position.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9248 AMENDING THE BUILDING PERMIT FEE SCHEDULE

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE BUILDING PERMIT FEE SCHEDULE; REPEALING THE EXISTING BUILDING PERMIT FEE SCHEDULE ADOPTED VIA RESOLUTION NO. 8115; AND PROVIDING AN EFFECTIVE DATE

Commissioner Polk moved to adopt the resolution and Commissioner Dennison seconded the motion.

ICM Sharp stated this resolution includes a provision for either option 1 or option 2.

Community Development Director (CDC) Bill Wiley stated Option 1 is for a fee change to basically cover the Department operations. Prior to 2005, the Department had a reserve built up. With fees not increased to keep up with cost, it gradually went down and has since been supplemented by the General Fund. He stated Option 2 is the staff recommendation to adopt fees which would allow the department to build up reserves required by policy as the building division is a special fund. CDC Wiley stated currently

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the building division owes about \$275,000 to the General Fund and with the reserve; the building division could pay back the General Fund in about five years.

Commissioner Polk asked of the options available is staff recommending Option 2. CDC Wiley stated correct.

Commissioner Polk amended his motion to adopt 5I with Option 2 and Commissioner Hurley seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9249 AMENDING THE FIRE FEE SCHEDULE TO COVER THE COST OF THE LEESBURG BUILDING DIVISION FOR FIRE PLAN REVIEW

Commissioner Dennison introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG AMENDING THE FIRE FEE SCHEDULE ADOPTED VIA RESOLUTION NO. 8113 TO COVER THE COST OF THE LEESBURG BUILDING DIVISION FOR FIRE PLAN REVIEW AND INSPECTIONS SERVICES; AND PROVIDING AN EFFECTIVE DATE

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

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk stated this has two options and asked if the motion was for Option 1. Commissioner Dennison stated yes.

Commissioner Polk asked if this is only refers to new construction. CDD Wiley stated this is for any plans received requiring fire plan reviews and inspections.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

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

ADOPTED RESOLUTION 9250 AMENDING RECREATION FACILITY RENTAL RATES FOR RESIDENTS, NON-RESIDENTS AND NON-PROFIT ORGANIZATIONS

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AMENDING RESOLUTION 8626 PERTAINING TO FACILITY RATES CHARGED; APPROVING NEW RATE CHANGES FOR FACILITIES, PARKS AND BALL FIELDS FOR CITY OF LEESBURG RESIDENTS, NON-RESIDENTS AND NON-PROFIT ORGANIZATIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Dennison moved to adopt the resolution and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

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

INFORMATIONAL REPORTS:

Miscellaneous Receivable Balances as of June 2013

Expected Write-offs as of June 2013

Monthly Financial Reports as of June 30, 2013

City Manager Contingency budget as of June 2013

Commissioner Polk asked regarding the write offs, does staff anticipate these going down now there are meters that can be turned off in the office. Customer Accounts Manager (CAM) Lori Beach stated the meters are being turned off much quicker and pointed out since 2012 to 2013, there is almost a \$50,000 difference.

Commissioner Polk asked where the deposits are reflected and if the Commission could get a balance sheet to say the City lost X amount of dollars this month, but has X amount of dollars in the bank. CAM Beach stated when it gets to the collection portion by this time the deposits have already been applied to the account.

FD Spinelli stated the deposit policy is doing its job that is why the balance keeps going down year after year. He stated there are several older customers who are not in

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compliance with the City's deposit policy because they were "grandfathered in" and this is where the write offs are in that issue.

CITY ATTORNEY ITEMS:

CA Morrison asked in regards to the chicken issue if each Commissioner would put some thought into what they think the ordinance should say and possibly at the next meeting give him some guidance. **Commissioner Dennison** asked for the ordinance number. **Commissioner Polk** suggested CA Morrison send each Commissioner a copy to read and review to help form their opinion. **CA Morrison** stated he would forward all the information he had gathered in his analysis of the situation. **Commissioner Dennison** asked what year this ordinance was put into place. **CA Morrison** stated Section 6-41 says it is part of Ordinance 89-6, but he suspects it was a reenactment from the way it is written with language probably going back further. He stated he does not have a date on the land development code, but thinks it is much more recent. **Commissioner Polk** stated one thing on this would be if Mrs. Dennison lives in Legacy then their HOA would probably override what the City has so it would not be the same for anyone in the city limits. He stated he thinks a certain amount of chickens is a good thing especially for the education of young children and would like to see this item carefully addressed.

CITY MANAGER ITEMS:

ICM Sharp stated the advertisement for the civic funding has been done and letters sent out to all the current civic funding recipients. He stated the deadline for applications is Monday, August 19. The application and information letter are posted on the City website's home page. He stated all of this is in preparation for the workshop Thursday, August 29, to consider the various civic funding applications. He stated the applications are also to include updated copies of the 501C3 documentation, as well as their financial information.

ICM Sharp stated he spent time Friday talking with the gentleman from the Boys and Girls club. An arrangement was made for them to use Rogers Park throughout the summer for their programs. They have now reached a point where they are preparing for the school year programs and are still trying to sort out details of how they will approach those with various entities. He stated they have asked the City to extend their existing agreement through September 30, 2013 to let them continue to do the work they do and operate their programs, in particular the school programs as they start the new school year. ICM Sharp stated it is his intent to present a formal agreement to the Commission to address extending the agreement through September 30, 2014, should they wish to continue using Roger's Park. He asked in the meantime for the Commission's consideration to extend their agreement so they have time to complete their preparation work for the school programs and as well still continue to offer their services throughout the period of time and the interim. He stated as far as he knows and can tell, the Boys and Girls Club has been good stewards of Rogers Park, well behaved and take care of the things they need to do. The program appears to be well supervised and if there have been any complaints, none of them made their way to the City Manager's office.

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Commissioner Polk made motion to accept the agreement as drawn to extend the license for the Boys and Girls Club and Commissioner Dennison seconded the motion.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Four yeas, no nays, the Commission approved the extension of the License Agreement with the Boys and Girls Club through September 30, 2013.

PUBLIC COMMENTS:

Chuck Johnson, on behalf of the Leesburg Lightning, thanked the City for its support this season. They consider it a significant record throughout the league in attendance to finishing second in the championship game. He stated he did not speak earlier on the recreation fee changes as he was assured this afternoon both the Leesburg Lightning and the Leesburg High School would be dealt separately. He stated in considering funding, it seems odd the City would want to surcharge the Leesburg High Athletic Booster club for its hard work; stating they have never thought it appropriate to ask for money and would just rather ask for use of the facilities. **Commissioner Hurley** asked how much Mr. Johnson would say the booster club generates in funds. **Mr. Johnson** stated he knows there was an article in the paper Sunday saying \$85,000 but thinks this is a bit of an exaggeration. Recognizing all they do throughout the year at each of their events; football, baseball, softball, basketball and of course the Lightning season, he would say they probably gross about \$50,000 total. **Commissioner Hurley** asked if the Lightning is in the all-time top five in finishing. **Mr. Johnson** stated they have never finished less than third and have set several records for attendance and the most games won this season. The Lightning may not have won the championship game the four times participating, but have won it twice which is more than any other team. Mr. Johnson stated he believe Leesburg is the greatest city around.

Carolyn VanDyken asked if the Commission **could** give an update at the next meeting on where the City is with the GE contract. The news reports say it is \$900,000 annually when she knows the documentation showed from last year and the year before that the City is spending a million to two million dollars just for GE just to monitor our meters. She is concerned about this with our City struggling with money.

Dan Robuck stated despite the consultants best efforts to do a good job finding the two qualified candidates for City Manager, after he read the resumes he knows there are some local candidates and thinks local candidates ought to qualify. However, he stated he does not know of any other city in Lake County that Leesburg should be looking at to try to emulate, stating he thinks Leesburg can do much better than the other cities in Lake County. He stated some of the outside candidates have some really great experience, but it might be easier to stay with someone local but thinks it is a good opportunity to try to reach out and really push to where Leesburg can go.

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Pat Lee with the T Foundation stated she has found outsiders sometimes can bring a different broader exposure and experience which can be a benefit to everyone. She expressed thanks to Ray Sharp for his job as Interim City Manager stating he is doing a great job as a short timer. Mrs. Lee also wanted to thank the City for its support with the Lake Sumter Celebration of Nations Leesburg Olympics stating the festival is coming along much better than they could have hoped. She also expressed thanks to Cutrale for their support and said they will be there with juice for anyone and they have several other businesses that are also supporting them. The date is August 31, 2013 at the Community Building and this event is to bring people together to help start appreciating our various differences and to celebrate our heritage.

ROLL CALL:

Commissioner Hurley thanked IPWD Maudlin and his staff for their efforts on the cleanup at Monkey Island as it is starting to take shape. He encouraged the other Commissioners to think hard about their decision on the no wake zone, stating he has also received telephone calls from the public. This could help bring back quality of life and activity to Ski Beach and the boat basin.

Commissioner Dennison gave a shout out for Leesburg Electric as one civic organization had trouble and concern with their bills and staff went out and did not leave until the problem was found and corrected. She stated the Commission is trying to do what it can for its employees and tonight voted to give city employees and officers a bonus. She also stated Kids Korner is kicking off, the manufacture for equipment has been selected and urged everyone if they belong to an organization in town to please get involved as this will be a benefit several children. Commissioner Dennison stated a few weeks ago several Commissioners participated in a golf scramble to raise funds for the Leesburg Chamber of Commerce. She stated to be able to drive an environmental golf ball is harder than regular golf balls, but these landed in the lake and will eventually turn to fish food. She also presented a plaque to Mayor Knowles who gave it to ICM Sharp for hanging in City Hall.

Commissioner Polk provided a short video of two men, Robby and Steven, from Sumter County who are interested in bringing a zoo to Lake County and presented the idea to Clermont officials with no response. These gentlemen have been seen on the television shows Swamp People and National Geographic. They are looking for approximately 80 to 100 acres to build a zoo to share experiences with children. Commissioner Polk suggested this might be a good idea for the 470 property as this would bring people into Leesburg and put it on the map. **Commissioner Dennison** asked if Commissioner Polk was talking about the south side of property. **Commissioner Polk** stated yes, on the 470 property and asked how many acres the City owns. **ICM Sharp** stated approximately 28,000 acres. **Commissioner Polk** stated this might be the start to development of the property. **Commissioner Dennison** stated this would also bring a research aspect to area. **Commissioner Polk** stated he would like for the men to meet with ICM Sharp and our Economic Development Director. **Commissioner Dennison** stated this is a good idea to follow up on.

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Mayor Knowles stated with the candidates suggestions this evening; the City is headed in the right direction. He stated tonight was a good meeting.

ADJOURN:

Commissioner Dennison moved to adjourn the meeting and Commissioner Polk seconded the motion. The meeting adjourned at 7:07 p.m.

Mayor

ATTEST:

Betty M. Richardson
City Clerk

J. Andi Purvis
Recorder