CITY OF APOPKA

Minutes of the City Council regular meeting held on June 1, 2022 at 1:30p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Nick Nesta
Commissioner Alexander Smith
Commissioner Diane Velazquez
City Administrator Edward Bass (Absent)
City Attorney Michael Rodriguez

PRESS PRESENT: Teresa Sargent, The Apopka Chief

INVOCATION – Commissioner Bankson provided the Invocation and led in the Pledge of Allegiance. He then provided the fact of the day, as follows: On June 1, 1980, CNN (Cable News Network), the world's first 24-hour television news network, makes its debut. The network signed on from its headquarters in Atlanta, Georgia, with a lead story about the attempted assassination of civil rights leader Vernon Jordan. CNN went on to change the notion that news could only be reported at fixed times throughout the day.

APPROVAL OF MINUTES

1. Regular Council Meeting Minutes of May 18, 2022.

Mayor Nelson asked if anyone had any questions on the minutes to which Commissioner Velazquez had a change to the minutes. She said Ordinance No. 2906 & 2907, shows that she was present for the vote, however, following the break, the meeting started without her. The minutes now reflect a 3-1 vote for both Ordinances.

MOTION by Commissioner Velazquez and seconded by Commissioner Smith to approve the revised meeting minutes, as presented. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

PROCLAMATION

1. Code Enforcement Officers' Appreciation Week
   Presented by: Mayor Nelson

   Mayor Nelson said he wanted to present a Proclamation to some of our unsung heroes out there for a job that's not easy but said Code Enforcement does so much to keep our City looking like we want it and to keep it to the standards we expect and said it's not an easy job. He said we have with us today, Lieutenant Brick and Officer Whitty to accept the Proclamation,

PRESENTATION

1. Welcome Miss Apopka 2022
   Presented by: Mayor Nelson

   Mayor Nelson introduced Miss Apopka and said she was at the Art and Foliage Festival and was very impressed.

   Victoria Sonsa, said she's Miss Apopka, 2022 for the Miss America Organization. She said it's been a true honor to represent the City of Apopka and said when she was first crowned, her family and her reflected on the impact the City of Apopka has had on the family. She said every candidate has a social impact initiative and hers is Music for Memories, which is about Alzheimer's awareness. She said, the Miss Florida competition is in Lakeland, Florida on June 20-25th so please come and show your support. She then introduced her family including her mother, father, her sister and brother.

2. Concert Series at the Apopka Amphitheater
   Presented by: Radley Williams

   Mayor Nelson said the Concert Series at Apopka Amphitheater presentation will be brought up again but asked the Council for direction so we can let our promoter know regarding future bookings.

   Commissioner Velazquez said she has had some of the regular attendees approach her and she had to dispel the rumor that we were going to start charging for Saturday Sounds, which we are not., She said she explained that all of the Saturdays are tied up with Saturday Sounds and their have been promoters that have approached us for the next season it would be good if we could open up at least 2 Saturday's in the month to allow for that. She said this is something we can work on and it needs to be consistent.

   Commissioner Bankson said he agrees and said this is a tremendous asset that we have as a City and said before it got the interest, we discussed being willing to put money into it to cause it to begin to generate interest. He believes now we have the interest and have that balance and will continue to grow.

   Commissioner Smith asked if we have enough interest that warrants having two Saturday's open or should we have just one per month.

   Commissioner Nesta said to echo Commissioner Bankson, it's a good balance and is self-sustaining at this point and is a great value to the City.

3. FY22 Online Budget Software Presentation
   Presented by: Gladymir Ortega and Jessica Pugh

   Gladymir Ortega introduced her Procurement Team, Jessica Pugh, Giselle Gonzalez and her new member, Tiffany Rurut. She said they'll provide a briefing of the new software that the Council approved last year.

   Jessica Pugh, Purchasing Manager, provided an overview of our new procurement software with OpenGov. She said back in November, this Council authorized the purchase and implementation of OpenGov, which is budget software via State contract. She said the cost for the software was $55,737 and the annual subscription is $43,786. She said implementation has taken us about 6 months and it included the creation of the online FY-22 Budget, which has been published on the City website under the Finance Department. She said training for the Department staff to learn how to do their budgets in OpenGov was approximately 1 hour per Department and the FY -23 is currently in progress. She then provided the highlights of the new system.

4. Public Safety Building needs assessment results
   Presented by: Chief McKinley, Chief Wylam, Rob Hippler and Mr. Ian Reeves with Architectural Design Group

   Chief McKinley provided an overview and said this started with an RFQ and said numerous organizations responded and the committee selected Architectural Design Group, based upon their experience, knowledge and what they've presented to the committee. He said with us today is Mr. Ian Reeves from Architectural Design Group. He said Mr. Reeves reached out to our staff, conducted surveys and went through a methodical method to review our needs and said this was at all levels, not just the Chiefs and the Directors but all the way down to the staff that will be using the building.

   Mr. Reeves, Architectural Design Group thanked Council for having them here today and said we appreciate the opportunity afforded us to work with the City on this planning study. He said it's been several months of data gathering and said our process was exhaustive. He said we'll focus on the process and the results and will review our overall assessment.

AGENDA REVIEW

Michael Rodriguez said there are no changes to the Agenda.

PUBLIC COMMENT PERIOD

Rod Olsen, 3156 Rolling Hills Lane, addressed the Council and said thank you all for all you do in representing us and taking care of business and said the primary reason he wanted to speak today is to thank you all for Saturday Night Sounds. He said it's a wonderful venue and the music and variety is wonderful.

Sylvester Hall, 3091 Rolling Hills Lane, said he echoed Mr. Olsen's thoughts on Saturday Sounds and said the last one with Motown was great. He then spoke about Decorum and said at the last meeting where we discussed Ordinance No. 2931, he said he felt like he was being personally attacked but said he's here to speak for the people who can't speak for themselves and requested that we serve all of the people, all of the time.

CONSENT (Action Item)

1. Execute release of Code Enforcement Lien for Maurice Kluge and Rose Kluge - 372 Breezeway Drive, Apopka, FL.
2. Authorize the Mayor to execute a traffic enforcement agreement with the Vistas at Waters Edge Homeowners Association, Inc.
3. Authorize the City Administrator to execute the Oversizing Utility Line and Partial Construction Reimbursement Agreement with Forestar.
4. Authorize the City Administrator to execute the Purchase and Sale Agreement between Wellington Park Apartments, Ltd and City of Apopka.
5. Award a contract for ITB 2022-73: Harmon Road Extension, New Signal Installation, New Fire Station Site Preparation, and Affiliated Stormwater Facilities.
6. Award a contract for ITB 2022-74: Apopka Water Reclamation Facility Borrow Pit.
7. Authorize the execution of piggyback contracts for fiscal year 2022.
8. Authorize the issuance of evaluated and sole source memos.

Mayor Nelson asked if anyone had any questions or needed to take anything off of the consent agenda. Hearing none, he asked for a motion to approve eight (8) items on consent.

MOTION by Commissioner Smith and seconded by Commissioner Nesta to approve the eight (8) items on consent. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

BUSINESS (Action Item)

1. Plat – Golden Orchard
   Owner: Lennar Homes, LLC
   Applicant: Poulos and Bennett, LLC and GL Summitt Engineering Inc
   Location: 4550 Golden Gem Road

Project: 35.56 +/- acres
Project Manager: Jim Hitt

Jim Hitt, Community Development Director said this item is to approve the Golden Orchard Plat. He said the property is located at 4550 Golden Gem Road and said the Future Land Use is Mixed-Use. He said this project has already been approved by City Council on May 19, 2021. He said this is normally put on the Consent Agenda but said we placed it under business so that Commissioner Nesta has a chance to review it as this is his first Plat approval.

Mayor Nelson asked if anyone had any questions for Jim if anyone from the Public wished to speak about this item.

Jay Parker, 4505 Sadler Road, said the changes to the Plat that we discussed on Friday with Summit Engineering and Richard Earp are not complete yet and asked that the changes be acknowledged publicly or delay approval.

Mayor Nelson asked Geoff Summit to come down and formalize the changes we discussed on Friday.

Commissioner Velazquez inquired as to the meeting that occurred this past Friday.

Geoff Summit of Summit Engineering stated that in regards to the meeting, he's spoken with the client and the contractor and they're okay with the changes. He said he's in the process of clearing it with SJRWMD with the second pond and said obviously, on the east pond, we are going to relocate the Weir to the south as discussed and we're looking at getting rid of the Weir on the western pond as agreed.

Commissioner Nesta asked if the Plat we're looking at is accurate with those changes.

Mr. Summit stated that the Weirs aren't going to affect the Plat as the tracks will stay the same. He said it's strictly a functionality issue.

Commissioner Bankson asked if the motion needs to reflect the changes as discussed.

Commissioner Velazquez asked if we should move this item to the next meeting to which Jim Hitt stated that the Plat is a legal representation of the property and said the approval of the permit is on the record.

Mayor Nelson asked for a motion to approve the Plat for Golden Orchard.

Commissioner Velazquez said she'll make the motion to include the agreement.

Michael Rodriguez stated that Florida Statutes determines what the minimum requirements are for a plat. He said if you want to have 2 separate motions, we can do that.

Commissioner Velazquez said she wanted to make sure we have the agreement for the meeting that was held with the developer, the constituent and the Mayor.

Mayor Nelson said as soon as we get an agreement from St. Johns RWMD, we'll share that with the Council.

Jim Hitt said that when things come in after the fact from the construction plans, they usually come back to DRC for approval. He said once that occurs, he'll report the changes from the WMD to the Council at a future meeting.

MOTION by Commissioner Bankson by and seconded by Commissioner Velazquez to approve the Plat for Golden Orchard. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

2. Willow Run Subdivision - Major Development Plan
Applicant: Appian Engineering, LLC c/o Luke Classon, P.E.
Owner: Lent Road Properties, LLC and Testamentary Trust FBO Amanda P Farrell
Location: Southeast corner of Plymouth Sorrento Road and Appy Lane
Project: 58.3 +/- acres; 110 Single Family Residences
Density: 1.9 dwelling units per acre
Project Manager: Jean Sanchez

Jean Sanchez said this is a request to approve the Willow Run Subdivision, Major Development Plan. She said the properties are located on the Southeast corner of Plymouth Sorrento Road and Appy Lane. She said the Willow Run Subdivision – Major Development Plan proposes a residential development located on the southeastern corner of Plymouth Sorrento and Appy Lane, on the outskirts of the City's Form Based Code area. She said the MDP offers development of 110 single family detached residential units and said each unit has a minimum living area of 12,500 square feet and a minimum lot width of 95 feet. She said the applicant provides a total of 11.3 acres of open space, which is approximately 20% of the development area and the amenities include a pocket park, near the Appy Lane entrance of the subdivision and a dog park.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter.

Commissioner Nesta asked if they're adding a sidewalk on the front to which Jean confirmed.

Jean then introduced Christian Togmas, Planner I, and welcomed him to his first week.

Mayor Nelson asked if there were further questions and hearing none, he asked for a motion to approve the Major Development Plan for the Willow Run Subdivision.

MOTION by Commissioner Nesta and seconded by Commissioner Velazquez to approve the Major Development Plan for the Willow Run Subdivision. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

3. Transportation Impact Fee Credit Agreement for Gardenia Reserve
   Project Manager: Pamela Richmond

   Pam Richmond, Transportation Coordinator, said Gardenia Reserve is located West of Golden Gem and South of Sadler Road. She said this is becoming our standard agreement and said the Developer has agreed to donate right-of-way on Golden Gem as well as the necessary right-of-way to build Sadler Road. She said they're also going to design, permit and construct the piece of Sadler Road that's adjacent to their property. She said eventually, Sadler Road will be connected from US Hwy. 441 to Plymouth Sorrento Road.

   Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve the Transportation Impact Fee Credit Agreement for Gardenia Reserve.

   MOTION by Commissioner Smith and seconded by Commissioner Velazquez to approve the Transportation Impact Fee Credit Agreement for Gardenia Reserve. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

4. Authorize the City Administrator to enter into an agreement with Raftelis Financial Consultant, Inc. to conduct a citywide street lighting study.
   Presented by: Charles Vavrek

   Chuck Vavrek, said this is a request to fund and authorize a Citywide Streetlighting Study. He said currently the City spends about $1.6 million dollars in streetlighting and of that, $200,000 is reimbursed to the City through the FDOT and the additional funds coming out of your Streets fund, which impacts paving, street repair, etc. He said we're requesting to do a study to look at creating a Citywide MSBU for an overall solution to fund future streetlighting and allow for expansion of the network as we move forward.

Commissioner Velazquez asked Chuck to provide additional information regarding this request in order for the benefit of those present and listening from home.

Chuck provided a brief overview regarding the benefits of this as there is not a funding source for this and the dollars are coming out of our Streets Fund. He said we get calls from people who want streetlights but we're paying Peter to pay Paul so either we fix a pothole or we put a streetlight up. This will provide an amicable solution.

Commissioner Bankson said he's thrilled about this program and said this was one of the first things he looked at when he became a Commissioner.

Commissioner Smith said he's excited to see the study and said he's in favor of this.

Mayor Nelson asked Chuck to provide an idea of how much we've put on the books.

Chuck said currently, we're paying $1.6 million dollars, of which the DOT reimburses $200,000 and said he's put an additional $300,000 into MSBU's, however the funding for that portion comes directly from the MSBU's.

Mayor Nelson asked if one neighborhood wants to put decorative lighting in, how do we accommodate that if we do an overall Citywide product.

Chuck stated that will be up to the Council as to the design and said we'll come up with a list of authorized fixtures that Duke provides, which will narrow this down. He said in addition, they'll have to meet the Dark Sky requirements, which minimizes the artificial light. He said we'll be bringing back three proposals to Council for review regarding this.

Commissioner Smith asked when an accident occurs and the streetlight is destroyed, what the process is for replacement.

Chuck stated if he or Pam are made aware of it, we will work with our Duke Energy Consultant. He said in addition, there's a button on our website that will take you to the Duke website.

Mayor Nelson asked if there are any other questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a Motion to authorize the City Administrator to enter into an agreement with Raftelis Financial Consultant, Inc., to conduct a Citywide Streetlighting study.

MOTION by Commissioner Smith and seconded by Commissioner Bankson to

authorize the City Administrator to enter into an agreement with Raftelis Financial Consultant, Inc. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

5. Approve the FY 22-23 Budget Workshops to be held on July 25th, 26th, and 27th at 5:00 pm in the City Council Chambers and move to the regularly scheduled July 20, 2022 City Council Meeting to July 27, 2022 at 7:00 pm.
   Presented by: Gladymir Ortega

   Gladymir Ortega, Finance Director said this is a request for Council to approve the Fiscal Year 22/23 Budget Workshop dates to be held on July 25, 26 & 27th at 5:00 p.m. and to move the regularly scheduled City Council meeting from July 20th to July 27th at 7:00 p.m.

   Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve the FY 22-23 Budget Workshop dates and to move the regularly scheduled July 20th City Council meeting to July 27th, 2022 at 7:00 p.m.

   MOTION by Commissioner Velazquez and seconded by Commissioner Nesta to approve the FY 2022-23 Budget Workshop dates and City Council meeting date change. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2939 - Second Reading - Amending regulations relating to the Fire Department rate schedules.
   Presented by: Michael Rodriguez

   Mayor Nelson asked if there have been any changes since the first reading to which Michael Rodriguez stated there are none.

   He then asked if anyone had any questions or if anyone from the public wanted to speak on this item. Hearing none, he asked for a motion to adopt Ordinance No. 2939.

   MOTION by Commissioner Nesta and seconded by Commissioner Smith to adopt Ordinance No. 2939. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

2. Ordinance No. 2921 – First Reading - Small Scale FLUM – Plymouth Sorrento North Owner: David L. Bakle, Wanda S. McLarty, Larry M. Everly Sr. Family Trust and Corinne

F Everly Family Trust
Applicant: Appian Engineering, LLC c/o Luke Classon, P.E.
Location: 5704, 5706 and 5708 Plymouth Sorrento Road and 3100 Ondich Road
Project: 39.67 +/- acres; 140 Single Family Residences
Density: 3.52 dwelling units per acre
Project Manager: Jean Sanchez

Jean Sanchez said this is a request to accept Ordinance No. 2921, a Small Scale FLUM for Plymouth Sorrento North, from City Future Lane Use – in Progress (FLU-IP) and County Rural T (Transitional) District to Mixed-Use. She said the property is located within the 1 mile radius of S.R. 429 and Kelly Park Road and is subject to the KPI Form Based Code area standards. She said in addition, it sits on the SW corner of Ondich Road and Plymouth Sorrento Road, north adjacent of the Bridal Path Subdivision and is approximately 39 acres in size. She said the KPI Form Based Code requires that this property is assigned a mixed-use future land use designation and said the subject parcels will be allowed a minimum density of 1 DU per acre and a maximum density of 5 DU per acre as well as a minimum FAR of 0.05 and a maximum of 0.5 FAR. She said the applicant has also submitted a rezoning application which is the next item on the agenda.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2921 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Velazquez and seconded by Commissioner Nesta to approve Ordinance No. 2921 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

3. Ordinance No. 2922 – First Reading – Change of Zoning – Plymouth Sorrento North and Master Plan
Owner: David L. Bakle, Wanda S. McLarty, Larry M. Everly Sr. Family Trust and Corinne F Everly Family Trust
Applicant: Appian Engineering, LLC c/o Luke Classon, P.E.
Location: 5704, 5706 and 5708 Plymouth Sorrento Road and 3100 Ondich Road
Project: 39.67 +/- acres; 140 Single Family Residences
Density: 3.52 dwelling units per acre
Project Manager: Jean Sanchez

Jean Sanchez said this is a request to accept Ordinance No. 2922, the rezoning of the Plymouth Sorrento Road properties from T (Transitional) District to KPI_MU (Kelly Park

Interchange-Mixed-Use) with the assignment of Neighborhood Overlay. She said the applicant is requesting this rezoning as required under the KPI Form Based Code area. She said the accompanying Master Plan proposes a development of 140 lot subdivision, consisting of single-family detached residences. She said the residential units will have a minimum lot width of 34' for rear loaded units and a minimum living area of 1,300 sq,ft. as well as 55' of front loaded units with a minimum living area of 1,500 sq. ft. She said there are no minimum or maximum living area standards or lot size requirements in the KPI Form Based Code area. She said the applicant also proposes a 12' wide Recreational Trail along Plymouth Sorrento Road frontage creating connectivity between developments.

Commissioner Bankson stated that on this one and the item coming up, we're short on high school seats and said this has been a discussion we've had but said he realizes that if we don't have the need, they won't build the school so this is pushing the need but we should be mindful of that moving forward. He said he knows there's a market need for smaller homes but said what he doesn't want to do is create something where there's more impact as there's more homes per acre. He asked Commissioner Nesta what his insight on this subject based upon his expertise.

Commissioner Nesta stated that people are looking for affordable homes versus smaller homes and said his guess is that the townhomes will start in the $300,000's and homes will likely start in the $400,000's, which somehow, $300,000 is an affordable price. He said the demand is there and said he didn't believe we're overproducing but said we will start seeing a transition at some point.

Commissioner Smith mentioned the overcrowding of schools as well but said he also understands that until we get to that percentage of "overcapacity" that we won't be eligible for a new school so this helps the School Board get to the point that we will be eligible for a new school in our area. He asked that the Public be patient with us and the County as we abide by the State guidelines. He said he likes the idea of a mixed community and said that way when the individual family is ready to move up to the next level, that they don't have to leave their community and uproot their kids to go to another school.

Commissioner Velazquez said everyone covered the highlights and said it will be our responsibility as Commissioners to keep in touch with our School District representative, Melissa Byrd and make sure she's informed of what we're approving.

Rod Olsen commented that this belongs at the State level and said we have to engage and address the issue. He said the fact that we have resource officers on campus; and that his middle school granddaughters have to go into the auditorium to be seen and supervised to avoid possible fights on the courtyard, are a direct result of over-capacity. He discussed the portables being placed on campuses where new schools are opening.

Commissioner Smith said to your point, Mr. Olsen, he served on a search committee for our new Superintendent, one of the things we heard at all 8 meetings was that they want a Superintendent that would engage with our State Legislators to make sure these things are addressed.

Sylvester Hall said about 15 years ago, myself and other parents from Wolf Lake Elementary took a trip to Tallahassee for a scheduled meeting and said one of the questions that came up was that in the budget, there was plenty of money to build the school but not enough money to operate the school. He asked Council to look into this as that hasn't changed.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2922 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Smith and seconded by Commissioner Velazquez to approve Ordinance No. 2922 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

4. Ordinance No. 2926 – First Reading - Small Scale Future Land Use Amendment – Oaks at Kelly Park Phase 4
From: County Rural (Maximum 1 dwelling unit per 10 acres)
To: City Mixed Use (Maximum 15 dwelling units per acre, Maximum 1.0 Floor Area Ratio) (maximum 142 dwelling units)
Owner: Robert T. and Alana J. Hutter
Applicant: Toll Brothers, Inc.
Location: 2523 W. Kelly Park Road
Project: 9.53 +/- acres
Project Manager: Jean Sanchez

Jim Hitt said this is Small-Scale Future Land Use Amendment for the Oaks at Kelly Park, Phase 4. He said the property is on the far Eastern side of the KPI District and said this is the first reading and said this is from County Rural, which permits a maximum density of 1 dwelling unit per 10 acres, to City Mixed-Use, which permits a maximum density of 15 dwelling units per acre. He said they're using the Neighborhood overlay which instead of it being 142 maximum units, it brings it down to 49 maximum units. The subject property is located within the one-mile radius of the SR 429/Kelly Park Road interchange, and is consistent with the Mixed-Use future land use designation. He said under the school capacity, it is deficient at the high school level of 6.517 seats and said once these projects are approved, they do have to go through concurrency.

Commissioner Smith asked if they've had a neighborhood meeting to which Jim Hitt confirmed. He then asked whether they'll be donating lands for right-of-way to expand that road.

Pam Richmond said they have very little frontage and are outside of the area that we have planned for widening so we won't be getting anything from them. She said they will be putting turn lanes on Kelly Park Road and said they've already built a piece of the Trail in front of their development.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2926 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Bankson and seconded by Commissioner Nesta to approve Ordinance No. 2926 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

5. Ordinance No. 2930 - First Reading - Change of Zoning and Master Plan – Winding Meadows North
   Owner: PM S-1 Reo, LLC
   Applicant: Appian Engineering, LLC c/o Luke Classon, P.E.
   Location: 4476 Plymouth Sorrento Road
   Project: 31.93 +/- acres; 85 Single Family Residences
   Density: 3.58 dwelling units per acre
   Project Manager: Jean Sanchez

   Jean Sanchez said this is a request to accept Ordinance No. 2930, the rezoning of Winding Meadows North from T (Transitional) District to KPI-MU (Kelly Park Interchange – Mixed Use) District with the Assignment of Neighborhood Overlay. She said the property falls within a KPI Form Based Code area and is approximately 31.93 acres situated South of Kelly Park Road, West of Plymouth Sorrento Road; and East of S.,R. 429. She said the property currently has a Future Land Use designation of Mixed Use, permitting up to 5 DU's per acre. She said the accompanying Master Plan proposes an extension of the previously approved Winding Meadow Subdivision and includes a development of 85 single family detached DU's. She said the development program comprises of 16 units of 34' wide rear loaded lots; 20 units of 40' wide, rear loaded lots; and 49 units of 55' wide, front loaded lots. She said residential units will have a minimum living area of 1,300 square feet for the 34' wide lots and for the 40' wide lots; and 1,500 square feet for the 55' wide lots and said there are no minimum or maximum living area requirements in the KPI Form Based Code area. She said the applicant proposes a total of 4.7 acres of open space, which is a little over 20% of the development area and said the amenities include a pocket park and an 8' wide multi-purpose trail connecting from the N and S. She said this development will also be served by the amenities within the previously approved Winding Meadows Subdivision, which is adjacent of this development.

Commissioner Nesta asked about the round-a-bouts and thought that we had previously considered a 4 way stop for this.

Pam Richmond said that's a traffic calming device and said this will slow people down from all directions and said it's better than a 4 way stop.

Commissioner Bankson said he recently saw a video on this and said the round-a-bouts are very productive and the numbers are good with accidents lower. He said the biggest issue is selling it to the public who may be used to it but said once people embrace it, it makes sense.

Commissioner Smith asked if the report is correct in that there is space available for the students in all the schools.

Jean Sanchez stated that this is the most current capacity report from OCPS and said this was part of the Kelly Park Crossings DRI before and said they had vested units already.

Luke Classon, Appian Engineering, said the reason for the capacity change is that this was part of the Kelly Park Crossings DRI that's in the process of vacation.

Jim Hitt confirmed that we're in the process of doing the abandonment. He said as part of the DRI, they've vested close to 9,000 units up in the KPI area and said in addition to that, there's also about eight million square feet of non-residential that's also vested. He said there should not be a capacity issue at all and even with the abandonment, we're putting those numbers into the DRI abandonment so that the vested units aren't lost.

Alfred Kegga, abutting property owner, said he's lived out there for 30 years and planted over 500 Oak Trees and said he built his own house and had a ball living out there. He stated that when Joey McGuckin Road, is built, it's going to pass right in front of his house but said that's progress.

Mayor Nelson asked if there were any questions or if anyone else from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2930 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Smith and seconded by Commissioner Velazquez to approve Ordinance No. 2930 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

6. Ordinance No. 2940 – First Reading - Annexation – Godwin Property
   Owner: Harvey Godwin
   Applicant: Poulos & Bennett, LLC c/o R. Lance Bennett, P.E
   Location: 5206 Plymouth Sorrento Road
   Project: 6.23 +/- acres
   Project Manager: Jean Sanchez

   Jean Sanchez said this is a request to accept Ordinance No. 2940, the annexation of 5206 Plymouth Sorrento Road. She said the parcel is located West of Plymouth Sorrento Road and North of Kelly Park Road, approximately 6.2 acres in size and abuts properties in the City's jurisdiction on its northern boundaries.

   Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2940 at first reading and hold over for a second reading and adoption.

   MOTION by Commissioner Bankson and seconded by Commissioner Nesta to approve Ordinance No. 2940 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

7. Ordinance No. 2941 – First Reading - Annexation – Wingspan
   Owner: Harvey Godwin, Sapp Rodney D Life Estate Rem: Sandra D Sapp, and PM S-1 Reo, LLC
   Applicant: Poulos & Bennett, LLC c/o R. Lance Bennett, P.E.
   Location: Northwest corner of Plymouth Sorrento Road and Kelly Park Road
   Project: 15.24 +/- acres
   Project Manager: Jean Sanchez

   Jean Sanchez said this is a request to accept Ordinance No. 2941, an Annexation of the properties known as the Wingspan properties. She said the parcels are located in the same area as the Godwin properties and the intent is to combine those properties for a future development. She said the total size of the properties is 15.2 acres in size and said staff and applicant are available for questions.

Commissioner Smith asked to confirm that this is for 3 separate parcels.

Jean Sanchez confirmed and said we had to break up the Godwin and the Wingspan properties to avoid an enclave issue with Orange County. She said we brought you the Godwin properties first as that will need to be adopted prior to the adoption of the Wingspan properties.

Michael Rodriguez said in order to properly effectuate the annexation, and to comply with the Statutory requirements, the properties have to be contiguous in the City and said therefore, the Godwin property has to be annexed first in order to being the Wingspan properties in contiguous to the City.

Commissioner Smith asked what about the other piece in the middle to which Michael confirmed that that property is in the County and as such, there is no enclave on that parcel.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Ordinance No. 2941 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Nesta and seconded by Commissioner Velazquez to approve Ordinance No. 2941 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

8. Resolution No. 2022-24 - Adoption of Fire Department Fee Schedule
   Presented by: Michael Rodriguez

Michael Rodriguez said the Resolution before you this afternoon, implements the regulations that were adopted by Ordinance No. 2939 earlier today. He said these are the actual fire fee schedules, which we're adopting by resolution and are included as an attachment to the resolution. He said he'll defer to Chief Wylam regarding any questions about the details of any of the fees but said the fee schedule will be placed on our website for public knowledge.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Resolution No. 2022-24.

MOTION by Commissioner Nesta and seconded by Commissioner Smith to approve Resolution No. 2022-24. Motion carried 4-1 with Mayor Nelson, and Commissioners Nesta, Smith & Velazquez voting aye. Commissioner Bankson was absent for the vote.

9. Resolution No. 2022-26 - Calling for a special election and a runoff, as needed, for the purpose of electing the City Council Commissioner for Seat 3, providing for the qualifying period, and election dates.
   Presented by: Susan Bone

   Susan Bone said this Resolution is a request to call for a Special Election and said the unexpired Seat 3, that Commissioner Bankson currently holds will be expiring effective end of day November 8th, 2022. She said the qualifying period for this is scheduled for Noon on Monday, June 13, 2022 through Noon on Friday, ,June 17, 2022. She said this will be in conjunction with the Countywide Primary Election held on Tuesday, August 23, 2022. She said should it become necessary, the run-off will be held on Tuesday, November 8, 2022, in conjunction with the Countywide General Elections.

   Commissioner Velazquez asked to confirm that if there are more than two candidates, the candidate would have to win by 50% + 1 to which Ms. Bone confirmed that was correct.

   Commissioner Smith clarified that since this is a primary and a general election, the elections will be held at the VFW as well.

   Ms. Bone confirmed and said we'll also be doing the Early Voting in conjunction with the Countywide primary.

   Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to approve Resolution No. 2022-26.

   MOTION by Commissioner Velazquez and seconded by Commissioner Smith to approve Resolution No. 2022-26. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

10. Mayor's Proclamation - City Special Election 2022, Seat 3
    Presented by: Mayor Nelson

    Mayor Nelson read the Proclamation for the Special Election and called for the Special Election for the purpose of electing a Commissioner for the unexpired term of Seat 3. He proclaimed that the Special Election will be held on Tuesday, August 23, 2022 in conjunction with the Countywide Primary Election and said in the event it becomes necessary for a run-off election, it will be held on Tuesday, November 8, 2022.

11. Resolution No. 2022-27 - FY21/22 Budget Amendment
    Presented by: Gladymir Ortega

Gladymir Ortega said this Resolution is a request for a Budget Amendment in the amount of $272,000. She provided a brief summary of the Amendments as follows:

The first amendment will be to fund the Purchase of property located at 633 S. Park Avenue for the future use of the overall development of the Public Safety Complex. She stated that the funding source will come from Police and Fire Impact Fees. She said the dollar amount will be $220,000, plus a 10% contingency for closing costs, for a total of $242,000.

The second amendment is to increase the City Administrators Contractual Services budget line in the amount of $30,000 from the General Fund Reserves in order to obtain the services of a financial services consultant in order to conduct a citywide street lighting study. She said the dollar amount for this will be $30,000, plus a 10% contingency fee, for a total of $33,000.

Commissioner Nesta asked Michael what the closing schedule is for the Park Avenue property.

Michael said we submitted an addendum on the closing to June 15th, 2022 at our title agents request in order to secure a title policy.

Commissioner Nesta asked if we ordered a survey to which Michael stated he didn't believe so. He asked whether we would be ordering one.

Jim Hitt stated that he didn't feel one was necessary at this point as this is on the original plat for the City of Apopka and there haven't been any dimensional changes to the original plat and said it would likely cost about $1,800 for us to have a survey done for something that hasn't changed.

Commissioner Nesta stated that he recalled a conversation that we would be ordering one and said it's surprising to hear that we're not.

Mayor Nelson asked if there are any other questions or if anyone from the Public wishes to speak.

Sylvester Hall stated that just for the record, he felt a survey should be done.

Mayor Nelson directed Jim Hitt to order a survey for this parcel and the property to the East as well. .

Michael Rodriguez said this won't be done in time for closing.

Mayor Nelson asked if there were any questions or if anyone from the public wanted to speak on this matter. Hearing none, he asked for a motion to adopt Resolution No. 2022-27.

MOTION by Commissioner Smith and seconded by Commissioner Nesta to approve Resolution No. 2022-27. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Nesta, Smith & Velazquez voting aye.

Bobbie Boeh, 2317 Boy Scout Road, Apopka, FL, commented on Saturday Sounds and was concerned that if we put a named band out at Saturday Sounds and charge a fee, a lot of families will not be able to afford it.

Commissioner Velazquez stated that Saturday Sounds will continue to be free concerts, however, we're now accommodating or providing opportunities for a Promoter to bring in a "Paid" Concert. She said we're looking to do the 1st and the 3rd Saturday's of the month for Saturday Sounds.

Mayor Nelson said some of the "Paid" ones we had, for instance the International Jazz Fest, we had approximately 2,000 folks for that and said we have a show in October that will draw a couple of thousand people. He said the free Saturday Night Sounds will still be provided and said we budget about $200,000 annually for that program.

CITY COUNCIL REPORTS

Commissioner Nesta said he's trying to get down our average meeting time and said he'll keep it short. He thanked everyone for coming out on Memorial Day and said it was a really incredible service and he enjoyed it.

Commissioner Smith said he also wanted to say the Memorial Day service was an excellent activity and was much appreciated by our residents. He also thanked those who participated in the Emancipation activities and Commissioner Nesta for reading the Emancipation Proclamation. He said we attended our two graduations for Wekiva High School and Apopka High School and said that was a great event. He thanked the City Clerk for including the Public Comments summary in our minutes and said lastly, the Career Education Center is underway at the corner of 18th and Central Avenue and said they've already laid the groundwork for that and thanked Mayor Nelson.

Commissioner Bankson said obviously, he had to miss the last meeting and said he had to miss several things including the graduations. He said it was a very frustrating time to miss all of those important things. He commented on the issue of decorum, and said there was some clarity that was brought forth and said he was able to read the comments in the report. He thought it was interesting as our first amendment is absolutely foundational and said if we don't have that, we're not America anymore. He said what decorum deals with is not something that's trying to be used to stifle things. He said it's both sides of things and is presenting this in a way that gets the City business done that allows people to say these are our issues and we need you to focus on them. He said all in all, the end result is that we do have a Resolution in place and he's in favor of keeping that in place. He said we're moving forward as a City and are developing and growing and said Apopka has gone from that little back door community to being a leader. He said as we move forward, it's important to continue to have good conversation and address all of the issues we need to so we can get down to the business of the City.

Commissioner Velazquez said May was a busy month for us. She said first, she wanted to thank the Florida League of Cities for offering the required 4 hour Sunshine Ethics class that some of us attended. She also thanked Ms. Shantee McNiel Jameson in partnership with the Apopka Chamber, Ms. Cate Manley and the Kiwanis Club, and said she's a proud member of that. She said we had the Apopka area students award at the VFW and recognized 14 schools for the Teacher of the Year and the Student of the Year and said that was really fun. She said we had the grand opening for Sprouts at 6:30 a.m., and said we were all there. In addition, she thanked Commissioner Smith and Ms. Monique Morris for the Proclamation at the steps of City Hall. She said she had the honor of being the MC for Music on my Mind, on Sunday, May 22, 2022 and said it was their inaugural concert and said this was a group and all of the musicians ranged from Middle School to professionals and in less than 3 months they were ready for a concert. She said if you missed it, it's on U-Tube. She enjoyed the graduations and congratulated the graduates of Wekiva High School and Apopka High School. She said Cat Ridge Way and the Tourists closed out the last Saturday Sounds and said she got a lot of feedback from some of the regulars that attend. She said on Monday, we had the Veterans Memorial Day and said she really appreciates that our City actually honors our Veterans in our City. She said lastly, Mr. John Peery, who used to sit at the Press Desk, not only celebrated his birthday but also celebrated his retirement and said we wish him all of the best in his new chapter. She welcomed Teresa Sargent.

CITY ADMINISTRATOR'S REPORT

Mayor Nelson said we have some good news and reported that Edward Bass just provided the figures for the new tax base. He said last year, for FY- 22, our tax base was $4.2 billion dollars and said for FY-23 our tax base has been set at $5.1 billion dollars, which is a 21% increase in property values. He said our tax that's generated will be a new increase of $3.7 million dollars.

CITY ATTORNEY'S REPORT

Michael Rodriguez stated there was nothing to report at this time.

MAYOR'S REPORT

Mayor Nelson said Camp Wewa opened on Tuesday to a packed crowd and said we had to cut off registration at 110 kids per week for the 9 weeks. He said we're completely maxed out on the Day Camp and thanked everyone who made this happen, He said Parks and Rec were out there last week, making sure everything was completed and gave a big shout out to Gary and Donnie and the team to make it happen. He also thanked Terry and Keith at the Cemetery and said they planted red, white and blue flowers around the Veterans Memorial and said that was a nice touch.

Mayor Nelson said the Police Camp starts in July and the Fire Camp starts June 6, 2022. He said Trammel Crowe is the premier developer in the Country and is coming to Apopka and said their only who is coming to Apopka and said their only project in Florida today will be an industrial complex they're putting in behind Coca-Cola and the Goya property and said it will be great to have Trammel Crowe, who is obviously a leader in industrial development as well as commercial and said we're excited to have them here in Apopka.

ADJOURNMENT - There being no further business the meeting adjourned at 4:01 p.m.

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Bryan Nelson, Mayor

ATTEST: ____________________________
Susan M. Bone, City Clerk