CITY OF APOPKA

Minutes of the regular City Council meeting held on May 18, 2016, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: Teresa Sargent - The Apopka Chief
Bethany Rodgers, Orlando Sentinel
Reggie Connell – The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor James Hicks of Center of Faith Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on May 21, 1881, humanitarians Clara Barton & Adolphus Solomons held the first organizational meeting of the American National Red Cross, which provides aid to victims of wars and natural disasters. Clara Barton, well known for her work with the sick and wounded during the American Civil War, became known as the Angel of the Battlefield for her dedication. She was in Europe in 1870, when the Franco Prussian War broke out and went behind enemy lines to work for the International Red Cross. This experience inspired her to organize the American branch of the International Red Cross. Since its inception, the American Red Cross has provided humanitarian aid and relief to countless soldiers and civilians in the wake of war and disasters. He asked everyone to reflect upon the bravery and selflessness of those who dedicate their time and effort to render aid to their fellow man in times of crisis as he led in the Pledge of Allegiance.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations

1. National EMS Week Proclamation
   Mayor Kilsheimer read a Proclamation acknowledging National EMS Week and presented it to Chuck Carnesale, Assistant Fire Chief & EMS Director who accepted the Proclamation on behalf of the Department.

Presentation

1. **Special Presentation to Christian Lamphere and Boy Scout Troop 211**
   The Apopka Honor Guard, led in by bag pipes playing Amazing Grace, carried the large piece of the World Trade Center into Council Chambers. Commissioner Velazquez spoke on behalf of the efforts made to obtain the piece and presented Boy Scout Christian Lamphere with a piece of the former WTC that she and her husband, Ed Velazquez, were able to obtain for Christian's Eagle Scout project.

CONSENT (Action Item)

1. Approve appointment of Jose Molina to the Planning Commission.
2. Confirm appointment of Commissioner Dean as alternate to MetroPlan Orlando Board of Directors.
3. Authorize the purchase of a concrete mixer from Ernest Industries, Inc.
4. Authorize the change of dealer and additional cost for a vehicle for the Sewer Maintenance Division.
5. Authorize the purchase and installation of a mast arm traffic signal.
6. Approve the Sensus Agreement relating to the Automated Meter Reading (AMR) System Upgrade.
7. Approve the final extensions of the contracts for Geotechnical and Environmental Engineering Services.
8. Award the perimeter boundary clearing of the Golden Gem property to The Collage Companies.
9. Award a contract to Dell Financial Services for the lease of Police Department laptops.
10. Award a contract for CMAR Preconstruction Services to Garney Construction Company.
11. Award a contract to Florida Community Bank (FCB) for banking services.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the eleven items on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2498 – First Reading – Change of Zoning. The Deputy City Clerk read the title as follows:

ORDINANCE NO. 2498

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (ZIP) TO "CITY" R-1 (RESIDENTIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF LESTER ROAD, EAST OF ROGERS ROAD, COMPRISING 30.5 ACRES MORE OR LESS, AND OWNED BY JTD LAND AT ROGERS ROAD, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

David Moon provided a brief lead-in advising this was a change of zoning of approximately 30.5 acres at the north end of Rogers Road, north of Lester Road from County A-1 to City R-1 zoning. He advised the Planning Commission and DRC recommend approval of the zoning change. He advised this case currently has an active future land-use map amendment in process that will be before City Council on June 1, 2016. A copy of the staff report is on file in the clerk's office.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Becker, and seconded by Commissioner Dean, to approve Ordinance No. 2498 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

BUSINESS

1. Preliminary Development Plan/Development Agreement – Copart, Inc.

Mayor Kilsheimer advised this was a quasi-judicial proceeding. Witnesses were sworn in by the clerk.

David Moon provided a brief lead-in and summary to the project. He advised this was a preliminary development plan and development agreement for approximately 57.89 acres along the south side of U.S. 441, and east of Hermit Smith Road. This case appeared before the Planning Commission on November 24, 2015, at which time the Planning Commission and staff recommendations found the site plan to be consistent with the Land Development Code and Comprehensive Plan. The Copart use is damage storage and online auction for the sale of used and damaged vehicles, trailers, water craft, and industrial and construction equipment. There was a public hearing before City Council on December 26, 201, and due to the concerns of the community, Copart requested City Council continue that hearing to a later date to provide an opportunity for them to demonstrate that their use was similar to the impact and intensities of an I-1 use. Copart revised their site plan and addressed the long term use of the property to ensure it could not transition into an I-2 use which is why there was a Developer's Agreement. He went on to review the site plan. A copy of the staff report is on file in the clerk's office.

Anna Long, Attorney for the Applicant, provided a presentation and answered questions posed by the City Council Members. Mike Carlson, Project Manager for Copart, responded to technical questions regarding the project.

Mayor Kilsheimer and Commissioners Velazquez, Becker, and Bankson disclosed ex-parte communication.

Mayor Kilsheimer opened the meeting to a public hearing. No one wishing to speak, he closed the public hearing.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the Preliminary Development Plan and Developer's Agreement for Copart, Inc. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

2. Council

a. Lake Apopka Natural Gas District Board Appointment Letter –

Commissioner Dean read a letter he submitted with regards to his experience on the LANGD Board and the appointments not appearing on the prior meeting's agenda.

Commissioner Velazquez read a prepared statement with regards to her recommended appointment and her experience.

Discussion ensued and Mayor Kilsheimer reiterated that it is within the Mayor's rights to appoint the members of the LANGD Board.

3. Public

Jerome Lowery spoke requesting access to the restroom facilities at Alonzo Williams Park. He stated he is starting a new Flag Football season this summer and needs a practice field during the week between 5:00 pm and 7:30 p.m. Mayor asked that he meet with David Burgoon to assist with this request.

Pastor Nathaniel Kelly spoke about the upcoming youth Summit & his need for financial support to make this a success. The youth Summit is being held at the VFW and the Apopka Police Department will donate the resources to staff the event. Commissioner Velazquez spoke in support and pledged $250.00 of her discretionary fund. Commissioner Bankson and Commissioner Becker followed suit for a total of $750.00.

Marquise Sankey requested assistance with starting a program to provide drum lessons to youth one day a week. He stated he didn't have insurance yet and this was impeding him from completing his application. Mayor Kilsheimer stated there were no exceptions to the policy & confirmed that insurance would be required prior to any application being processed.

Allison Varble, Daniel Burrington & Bob Baird all spoke about the Parking Ordinance & expressed their concerns. Discussion ensued as to the language in the Ordinance & the various hardships this causes homeowners. Questions arose as to why this has become an issue all of a sudden when it hasn't been enforced for over three years.

Mayor Kilsheimer stated that this is in response to neighbors of Piedmont Lakes calling in, as well as safety issues regarding emergency vehicles. It was suggested that perhaps we need to form a committee to discuss possible solutions regarding same.

Sylvester Hall voiced his concern about leadership in our community and how society and our community have become desensitized. He stated that our elected officials have a moral obligation to lead the people & requested that we come together & grow Apopka into a better, stronger, community.

Rod Love provided information on the upcoming event being held on Saturday, May 21, 2016, at Alonzo Williams Park regarding the Task Force on violence. The event, entitled "The Lunch & Munch Barbeque" is a public service event for the benefit of the community and will be held from 11:00 am to 1:30 pm. Mr. Love expressed the importance of engaging

the public and gave kudos to both Chief McKinley & Captain Miller for stepping up the efforts with this endeavor. In addition to the event on the 21st, there will be a Community Development Task Force meeting held at the Fran Carlton Center on Tuesday, May 24, 2016, from 6:00 pm to 7:30 pm.

Fred Kinney spoke about the LANGD Board appointments, and he felt the public should have been taken into consideration prior to the appointments being made.

MAYOR'S REPORT

Appointments to Lake Apopka Natural Gas District Board of Directors
Mayor Kilsheimer appointed himself and Commissioner Velazquez to the LANGD Board of Directors and asked for Council's ratification.

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to ratify the appointments of Mayor Kilsheimer and Commissioner to the LANGD Board of Directors. Motion carried 3-2 with Mayor Kilsheimer, and Commissioners Velazquez, and Becker voting aye and Commissioners Dean and Bankson voting nay.

NOT REQUIRING ACTION

1. Thank you letter to the City of Apopka from the GFWC Apopka Woman's Club Inc.
2. Thank you letter to the Police Department from the Kids House Children's Advocacy Center.
3. Thank you letter to the Community Development Department from Resident.
4. Thank you card to the City from the Family of the Late Reverend Albert E. Dean

ADJOURNMENT – There being no further business the meeting adjourned at 9:38 p.m.

_____/s/_____
Joseph E. Kilsheimer, Mayor

ATTEST:

____/s/_____
Linda F. Goff, City Clerk