CITY OF APOPKA

Minutes of a regular City Council meeting held on May 16, 2012, at 8:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor John H. Land
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Marilyn U. McQueen
Commissioner Joe Kilsheimer

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Land gave the Invocation. He said on the 28th of May we will honor our fallen heroes who have died in conflict while serving our Nation. He said that Memorial Day is set aside for this and asked everyone to remember those who died serving our Nation, and reflect on their great sacrifice that brought about the freedom and liberty that we enjoy today as he led the Pledge of Allegiance.

ADD ON: PRESENTATION

Mayor Land recognized Nancy McClure, Apopka's Art Committee Chair, who will be presenting the art acquired at the 51st Annual Art and Foliage Festival.

Ms. McClure presented the artwork recently purchased by the City at the Art and Foliage Festival. The artist, Leslie Scott Aubrey, was unable to attend. She gave a brief autobiography of Mr. Aubrey, adding that he now lives in Plant City, where he teaches pottery-making. She described and presented the three pottery bowls and how they were created and designed. These pieces of art will be on display in the lobby of City Hall.

PRESENTATIONS

1. **Code Enforcement Week Proclamation – Captain Randy Fernandez, Aaron Graulau, and Dave Whitty** – Mayor Land read the Proclamation and presented it to Captain Randy Fernandez, and Code Enforcement Officers Aaron Graulau, and Dave Whitty. The City Council joined Mayor Land in expressing appreciation for the efforts of the Code Enforcement Officers.

2. **Orange County Charter Review Commission Final Report – Linda Laurendeau** – Ms. Laurendeau gave a detailed presentation of the proposed Charter changes addressed, and the ballot language that will be presented to the citizens of Orange County. The Presentation is available through the City Clerk's office, upon request.

Frazier Gunter, 574 Sand Wedge Loop, spoke to the City Council regarding (1) the need for the sidewalks in Rock Springs Ridge to be power-washed; and (2) the low reclaimed water pressure in Rock Springs Ridge.

CAO Anderson said the City was contacted by the Rock Springs Ridge HOA Attorney regarding the sidewalks, and a letter was sent to him from the City that the maintenance of the area between the road and the property is the responsibility of the homeowner or homeowner's association. The City would be responsible for repairs within that area only.

In response to the comment about the reclaimed water pressure in RSR, CAO Anderson explained that is one reason the City is requesting authorization to contract with Sanlando Utilities under the Consent Agenda, to increase the City's reclaimed water supply.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on May 2, 2012, at 1:30 p.m.
2. Authorize the Chief Administrative officer to sign the Agreement with Sanlando Utilities Corporation for the delivery of reclaimed water to the City of Apopka.
3. Acknowledge notification of the application for Fiscal Year 2012 of the Edward Byrne Memorial Federal Justice Assistance Grant Program.
4. Authorize the expenditure of $3,000 from the Federal Law Enforcement Trust Fund for investigative buys and undercover operations.
5. Authorize the purchase, in the amount of $44,000, to Unitrends for a new data backup/recovery appliance.

MOTION was made by Commissioner Dean, and seconded by Commissioner McQueen, to approve the five (5) items on the Consent Agenda.

Commissioner Kilsheimer asked for further clarification concerning the Agreement with Sanlando Utilities, which was given by CAO Anderson. He also asked about the purchase in Item #5.

Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

SPECIAL REPORTS AND PUBLIC HEARINGS – There were no special reports or public hearings.

ORDINANCES AND RESOLUTIONS

1. ORDINANCE NO. 2233 – SECOND READING & ADOPTION- COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE - FUTURE LAND USE - International Foliage Corporation, from Residential High Density (Max. 15 du/ac) to Industrial for property located east of Bradshaw Road, south of 1st Street – Mayor Land said Ordinance No. 2233 meets the requirements for adoption, having been duly advertised in The Apopka Chief on May 4, 2012.

The City Clerk advised there was a scrivener's error on the green sheet in that the number of the ordinance should read 2233. She then read the title as follows:

ORDINANCE NO. 2233

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FOR PROPERTY LOCATED EAST OF BRADSHAW ROAD, SOUTH OF 1st STREET AND OWNED BY INTERNATIONAL FOLIAGE CORPORATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Land opened the public hearing. No one wishing to speak, he closed the public hearing.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to adopt Ordinance No. 2233. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

SITE APPROVALS

1. **ROCK SPRINGS ROAD COMMERCIAL SUBDIVISION - FINAL DEVELOPMENT PLAN/PLAT – Property located east of Rock Springs Road, south of East Welch Road.** - Community Development Director Jay Davoll gave an overview of the plan/plat, stating there will be one larger sign on the lot along Rock Springs Road advertising businesses on both lots, rather than two smaller signs on each lot. He advised the Development Review Committee recommends approval and the Planning Commission unanimously recommended approval. He requested the staff report be incorporated and made a part of the minutes.

Mayor Land opened the public hearing.

Mathew Campo, Campo Engineering, 1725 E 5th Avenue, Tampa, said he was available to answer any questions.

No one else wishing to speak, Mayor Land closed the public hearing.

MOTION was made by Commissioner McQueen, and seconded by Commissioner Dean, to approve the Final Development Plan/Plat for Rock Springs Road Commercial Subdivision, as recommended. Commissioner Arrowsmith advised he would abstain from voting, as he owned the adjoining property and the owner of the property is a client of the bank. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, and Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

2. **O'REILLY AUTO PARTS APOPKA – FINAL DEVELOMENT PLAN, property located east of Rock Springs Road, south of East Welch Road. - Property located east of Rock Springs Road, south of East Welch Road.** - Community Development Director Jay Davoll gave an overview of the project. He advised the Development Review Committee recommends approval and

the Planning Commission unanimously recommended approval at their meeting on May 8, 2012, as presented. He requested the staff report be incorporated and made a part of the minutes.

Discussion was held regarding the brick face of the building and there was consensus of the Commission that they would like to have this actually be brick.

Commissioner Kilsheimer expressed concern regarding the way the area along Rock Springs Road was developing.

Mayor Land opened the public hearing.

Mathew Campo, Campo Engineering, 1725 E 5th Avenue, Tampa, said he was available to answer any questions. He said from the graphics provided, it was their understanding that it would be a brick product, but he will verify this with staff.

No one else wishing to speak, he closed the public hearing.

MOTION was made by Commissioner McQueen, and seconded by Commissioner Dean, to approve the Final Development Plan for O'Reilly Auto Parts Apopka, as recommended. Commissioner Arrowsmith said he would be filing a form 8B and abstaining for the same reasons as the previous item. Motion carried 4-0 with Mayor Land, and Commissioners Dean, McQueen, and Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

DEPARTMENT REPORTS AND BIDS

1. Administrative Report – Richard D. Anderson – Chief Administrative Officer –
CAO Anderson reported the City will be conducting a Job Fair on June 4th, 2012, 12:00 Noon to 4:00 p.m. Currently there are approximately 200 jobs being offered, with RaceTrac and Panera Bread hiring the highest number.

CAO Anderson said the Police Department Honor Guard and others attended the candlelight vigil held at the National Law Enforcement Officers Memorial in Washington, D.C., where the name of Apopka Officer Denson Hudson, who died in the line of duty in 1941, was added to the National Law Enforcement Officers Memorial Wall. A video was shown of the event. CAO Anderson commended the Apopka Police Department for honoring Denson Hudson and the great job they do every day. Commissioner Kilsheimer requested the video be placed on the City's website for all to see.

MAYOR'S REPORT - Mayor Land reported receiving a Thank you note from Commissioner Dean, for the City's outreach to the family in the death of his Granddaughter.

Mayor Land announced the first meeting in July is scheduled for July 4th, and asked the City Council about canceling that meeting and only holding one (1) meeting in July, on July 18th. CAO

Anderson said staff is working to ensure there are no Council agenda items affected by the cancelation.

Motion was made by Commissioner Dean, and seconded by Commissioner McQueen, to cancel the first meeting in July. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

OLD BUSINESS

1. **Council -** There was no old business from the Council.

2. **Public** - There was no old business from the public.

NEW BUSINESS

1. **Council -** There was no new business from the Council.

2. **Public** – There was no new business from the public.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 9:13 p.m.

ATTEST: _____
John H. Land, Mayor

_____
Janice G. Goebel, City Clerk