

CITY OF APOPKA

Minutes of the regular City Council meeting held on May 15, 2019, at 7:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alexander Smith
City Attorney Joseph Byrd
City Administrator Edward Bass

ABSENT: Commissioner Alice Nolan (excused)

PRESS PRESENT: Teresa Sargeant – The Apopka Chief

INVOCATION: - Mayor Nelson called on Pastor Roger Bankson, Victory Church, to give the invocation.

PLEDGE OF ALLEGIANCE: Mayor Nelson introduced SGA President-Elect Faith Evans from AHS to lead in the Pledge. She said on this day in 1776, the Fifth Virginia Convention instructs its Continental Congress delegation to propose a resolution of independence from Great Britain, paving the way for the United States Declaration of Independence.

APPROVAL OF MINUTES:

1. City Council regular meeting May 1, 2019.

MOTION by Commissioner Bankson, seconded by Commissioner Becker to approve the minutes of May 1, 2019. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

AGENDA REVIEW – City Administrator Bass advised there were no changes.

PROCLAMATIONS:

1. Mayor Nelson read a Proclamation recognizing Police Week and presented the Proclamation to Chief Mike McKinley.

PRESENTATIONS:

1. Apopka Proud Concert
Brian Forman said the Apopka Proud Concert was on May 4, 2019, with an estimated 5,000 to 6,000 in attendance. There were six musical groups headline by John Anderson and Sawyer Brown. He played a short video of the concert that can be used in marketing of the amphitheater.
2. Stamp out Hunger
Mayor Nelson recognized Karen, Victor, and Lory from Loaves and Fishes and Rachelle and Laverso from the United States Postal Service. Once a year the Postal Service does a food drive. This year they exceeded their goal of 22,000 pounds, collecting 22,175 pounds of food.

Karen Valiente, Loaves and Fishes said they could not thank the City of Apopka and the Apopka Post Office enough for all they do. She said this helps so many people that come to Loaves and Fishes in need of food.

Leverso Myrick, USPS thanked the Mayor and City of Apopka for their wonderful service. He thanked Loaves and Fishes for their service to the community and for helping the postal service during their food drive. He said it was a blessing for the community to work as a whole for giving back to the community.

PUBLIC COMMENT:

David Hoffman, Rock Springs Ridge, said on May 1, 2019, Mayor Nelson posted a statement that neither he nor city staff support anymore home building on a former golf course at Rock Springs Ridge. He stated that while he and others support this gesture, they are also aware these consoling words do not bring to an end their battle to save their community. He said over the past five years it has been rare for Council to reject a planning development project. Therefore, they conclude the likelihood of Mr. Delarosa will eventually get his way to build on the former golf course in this community is substantial. He stated they know of one change recently of 1 unit per acre to 2 units per acre on the Hamric property to allow this development to move forward. He questioned whether Mr. Delarosa had seen City Attorney Byrd's letter to James Hitt to which Mr. Byrd said he understands he has as his attorney has reached out.

CONSENT

1. Approval of Fireworks Event and Vendor.
2. Authorize the Agreement for engineering services with Reiss Engineering for Phase II Wastewater Utility Asset Management Plan in the amount of \$74,895.
3. Approve extensions of general contractor agreements with AccuTech Construction Inc., CGC Kilfoyle, Inc. and Core Construction Services of Florida, LLC.
4. Authorize the issuance of blanket purchase orders.
5. Authorize the Police Chief to donate money raised by Police Department to Special Olympics.
6. Authorize the disposal of surplus equipment/property and removal of asset property from the City asset list.
7. Accept the April 2019 Disbursement Report.

MOTION by Commissioner Bankson, and seconded by Commissioner Smith, to approve seven Items on the Consent Agenda. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, and Smith voting aye.

BUSINESS

1. Transportation Master Plan – West Apopka Gateway Area
Project: City of Apopka
Location: Area framed by S.R. 429 on the east, S.R. 429 Connector Road on the south, Hermit Smith Road on the west, and Yothers Road on the north

Pam Richmond, Transportation Planner reviewed the West Apopka Gateway Area on a map. She went over the areas in need of better connector roads and pointed out areas where new roads are proposed. She said the Western Gateway area has an opportunity to facilitate upscale development and local roads with connectivity to arterials and connectors are needed to make the area more attractive to developers. There is a need for a well thought out transportation master plan to ensure the connectivity happens. The recommendation is to approve the Transportation Master Plan for the West Apopka Gateway and direct the Community Development Director to process an update of the Transportation Element of the Comprehensive Plan.

MOTION by Commissioner Smith and seconded by Commissioner Becker, to approve the West Apopka Gateway Area Transportation Master Plan and direct the Community Development Director to process an update of the Transportation Element of the Comprehensive Plan. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, and Smith voting aye.

3. City Center Offsite Roadway Improvement Construction Disbursement Agreement.
Jamie Roberson said City Council approved the development agreement with Taurus Apopka City Center, LLC on July 22, 2016, for the City Center project. As part of this agreement, the City is committed to funding certain roadway improvements to SR 436, US 441, McGee Avenue, and 6th Street. Taurus is responsible for the design, planning, engineering, permitting, and construction of the roadway improvements and the City is solely obligated to cover the costs incurred by the developer or associated with the roadway improvements. She advised this disbursement agreement addresses how the payment process will be managed.

MOTION by Commissioner Smith, and seconded by Commissioner Bankson, to approve of the City Center Offsite Roadway Improvement Construction Disbursement Agreement. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

4. Authorize a utility billing customer portal with Sensus Analytics.
Ms. Roberson said the City's current utility billing software does not offer an online water consumption graph for the residents to view their water usage. Sensus, the sole provider of the water meters and meter reading software provides a customer portal that allows residents to view their usage. This can be installed with an initial setup cost of \$16,000, which includes 1,500 users. This would be reassessed at the end of each year and an additional charge of \$2.00 per user added to the contract cost. She advised the City of Ocoee was contacted as a reference and they have 276 users out of 17,255 customers.

Mayor Nelson opened the meeting to public comment.

Linda Laurendeau said this was something that she was one of the original test customers the first initial go around. It allowed her to detect a leak underneath her bathroom floor that normally would have taken much longer to determine. She recommended Council approve this.

No others wishing to speak, Mayor Nelson closed public comment.

MOTION by Commissioner Bankson, and seconded by Commissioner Smith, to authorize Sensus to create an online usage portal for residents and amend the existing 5-year agreement for a total of \$16,000 the first year and an adjusted amount based on customer participation the following years. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. Ordinance No. 2723 – Second Reading – Annexation

Project: American Sanford Four, LLC – Location: 4820 Wesley Road

Project: Steven R. Rubright – Locations: 4813 Wesley Road; Wesley Road; 4814 Wesley Road; 4686 W. Orange Blossom Trail

Project: JP Holdings, Inc. – Location: 4910 Wesley Road

Project: Rubright Properties, LLC – Location: 4670 W. Orange Blossom Trail

Project: Rubright Family, LP – Location: 5000 Longview Road

Project: JP Holdings, Inc. & James Scott Pridgen – Location: Wesley Road

Project: Douglas and Lisa Surrent; and James P. Purdy – Location: 5101 Wesley Road

The City Clerk read the title as follows:

ORDINANCE NO. 2723

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY AMERICAN SANFORD FOUR, LLC; STEVEN R. RUBRIGHT; JP HOLDINGS, INC.; RUBRIGHT PROPERTIES, LLC; RUBRIGHT FAMILY, LP; JP HOLDINGS, INC.; AND JAMES SCOTT PRIDGEN; DOUGLAS AND LISA SURRETT; AND JAMES P. PURDY; GENERALLY LOCATED WEST OF U.S. ROUTE 441 AND NORTH OF HOGSHEAD ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Phil Martinez, Planner said there have been no changes since the first reading.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Becker to adopt Ordinance No 2723. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, and Smith voting aye.

2. Ordinance No. 2727 – Second Reading – Consenting to the Orange County Lake McCoy MSBU and levy of special assessments on certain benefitted properties

The City Clerk read the title as follows:

ORDINANCE NO. 2727

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, PURSUANT TO SECTION 125.01(1)(Q), FLORIDA STATUTES, CONSENTING TO THE ORANGE COUNTY LAKE MCCOY MUNICIPAL SERVICE BENEFIT UNIT AND THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN BENEFITTED PROPERTIES LOCATED WITHIN THE MUNICIPAL BOUNDARIES OF APOPKA, FLORIDA IN ORDER TO PAY A PORTION OF THE COSTS OF LAKE MAINTENANCE AND CLEANING, PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

City Administrator Bass said there have been no changes since the first reading.

Mayor Nelson opened the meeting to a public hearing. No one else wishing to speak he closed the public hearing.

MOTION by Commissioner Smith, and seconded by Commissioner Becker, to adopt Ordinance No. 2727. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

3. Ordinance No. 2726 – First Reading – Annexation
Project: City of Apopka – Location – North of Lust Road and west of SR 429
The City Clerk read the title as follows:

ORDINANCE NO. 2726

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO SECTION 171.044, FLORIDA STATUTES, THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CITY OF APOPKA; GENERALLY LOCATED NORTH OF LUST ROAD AND WEST OF SR 429; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Phil Martinez, Planner, reviewed the location of the property on a map stating this property is abutting current boundaries of the City of Apopka. The proposed annexation will be on the basis of the existing County Future Land Use and Zoning designations. City Future Land Use and Zoning designations will occur at a later date. The recommendation is to approve at first reading and carry over for a second reading and adoption.

Mayor Nelson 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 Smith, to approve Ordinance No. 2726 at first reading and carry it over for a second reading. Motion carried

unanimously with Mayor Nelson, and Commissioners Bankson, Becker, and Smith voting aye.

CITY COUNCIL REPORTS

Commissioner Bankson said he was in conversation today by telephone with Israel and he was very excited to report that several businesses are looking promising to opening in this area.

CITY ADMINISTRATOR'S REPORT – No report.

CITY ATTORNEY'S REPORT – No report

MAYOR'S REPORT – Mayor Nelson reported having a meeting with Orlando EOC and stated there is a company that may want to relocate to Apopka.

ADJOURNMENT: There being no further business the meeting adjourned at 7:51 p.m.

ATTEST:

Bryan Nelson, Mayor

Linda F. Goff, City Clerk