CITY OF APOPKA

Minutes of the City Council regular meeting held on May 5, 2021 at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Bryan Nelson
Commissioner Doug Bankson
Commissioner Kyle Becker
Commissioner Alexander Smith
Commissioner Diane Velazquez
City Administrator Edward Bass
City Attorney Michael Rodriguez

PRESS PRESENT: John Peery – The Apopka Chief

INVOCATION/PLEDGE – Commissioner Smith provided the Invocation and led in the Pledge of Allegiance. He then gave the fact of the day as follows: On May 8, 1945, both the United States and Great Britain celebrate Victory in Europe Day which has become known as VE Day. Cities in both nations, as well as formerly occupied cities in Western Europe, put out flags and banners, rejoicing in the defeat of the Nazis during World War II as the Allied Forces formally accepted Nazi Germany's unconditional surrender after nearly six years of war.

APPROVAL OF MINUTES

1. Regular City Council Meeting Minutes of April 21, 2021.
2. Rock Springs Ridge Community Meeting Minutes of April 27, 2021.

Mayor Nelson asked if anyone had any questions about any of the minutes or if anyone needed to make any changes. Hearing none, he asked for a motion to approve the two sets of Meeting Minutes.

MOTION by Commissioner Bankson and seconded by Commissioner Becker, to approve the two sets of Meeting Minutes. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

AGENDA REVIEW

Edward Bass, City Administrator, said there were no changes to the Agenda.

PRESENTATION

1. Potential Fire Department partnership with Air Methods/Air Care Helicopter Helicopter Service
   Presented by: Chief Wylam

Chief Wylam said we're here to talk about relocating Air Care helicopter here to Apopka. He said he has several subject matter experts as partners to answer any questions. He said we have Mr. Rick Clow who is the Vice President of customer experience with Air Method. He said we have Mike Talento, the Chief Flight Medic with Orlando Health and Sky Campbell, another flight medic as well as our Division Chief, Wil Sanchez. He said we also have Elizabeth Walkins who is the local government affairs manager for Orlando Health. He provided an overview of what Air Care and said basically it's a partnership between Orlando Health and Air Methods to bring critical care transport to the Central Florida Region. He said Air Methods is a Denver based company with over 400 helicopters, and over 440,000 safe take-off and flight landings in 2020. He said this included 64,000 patient transports around the country each year and over 130 flight hours. He said the other side of the partnership is Orlando Health, which is the Regions #1 Trauma Center. He said there are over 782 team members of Orlando Health who are residents of Apopka and Orlando Health is also connected to us through the Apopka Chamber. He then provided his presentation in detail and responded to questions.

PUBLIC COMMENT PERIOD

Rogers Beckett, 7 West Main Street, Suite 100, Apopka, FL 32703, asked for clarification on some things he may have heard regarding the meeting at the recent Rock Springs Ridge Golf Swap idea what was provided last Tuesday. He said he didn't hear if there was a tentative date for the land swap to be completed and had some additional questions regarding same. He asked if during the leasing period, would the City or the HOA be responsible for the roof and repairs noted by the current tenant, the Tavern. He asked whether the City or the HOA would be responsible for the golf course maintenance and the club house. He asked if the land swap itself is predicated upon the allowable density that the developer was tentatively going to get. He said you may be addressing some of these issues during your report which I see is on the Agenda.

Mayor asked him to send his list and we'll review them and will go through the report and see if we can answer some of these.

CONSENT (Action Item)

1. Approve the Plat for Ramjit Estates Subdivision at 2378 Marden Road.
2. Authorize the Police Department to expend funds from the Federal Law Enforcement Trust Fund to donate to the 2021 Florida Office of the Attorney General National Conference on Preventing Crime.
3. Reject RFP 2021-03: Council Chambers Audio & Visual Presentation System Retrofit.

4. Authorize the issuance of evaluated and sole source memos.

   Mayor Nelson asked if anyone needed to pull any of the items or had any questions. Hearing none, he asked for a motion to approve the four (4) items on consent.

   MOTION by Commissioner Smith and seconded by Commissioner Velazquez, to approve the four (4) items on consent. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith & Velazquez voting aye.

BUSINESS (Action Item)

1. Major Development Plan – Nottingham Subdivision
   Owner: FTI Funding, LLC
   Applicant: KRPC Ponkan Road, LLC. c/o Appian Engineering, LLC
   Location: 3515 and 3081 Ponkan Road
   Project: 23.40 +/- acres
   Project Manager: Bobby Howell

   Bobby Howell, Planning Manager, said that this is a Major Development Plan for the Nottingham Subdivision. He said the property is located at 3515 and 3081 Ponkan Road and is approximately 23.40 acres. He said the rezoning was recently approved for this property and the property is zoned RSF-1B for the purposes of developing a 46-lot single family residential subdivision. He said the major development plan proposed is 46 lots and said the minimum lot widths are 75 feet and the homes will be a minimum living area of 1.600 square feet. He said access to the subdivision is from Ponkan Road and said 2 public streets are proposed within the development. He said the Planning Commission recommends approval, subject to a right turn lane being provided on the plans and said staff also recommends approval.

   Commissioner Smith asked about the potential access on one of the cul-de-sacs to which Bobby stated that there will be a future connection to the property.

   Commissioner Becker asked if we require the developers to put anything in their HOA by-laws that would indicate that this would be a future road connection to which Bobby confirmed, yes.

   Commissioner Velazquez asked if there will be a turn in lane on Ponkan to go into the development to which Bobby confirmed, yes.

   Rod Olsen, 3156 Rolling Hills Lane, asked about the aspect of schools and said he'll be continuing to speak out on this issue as he said the City, the County, the State and the School Board continue to rubber stamp these types of developments.

   Commissioner Becker said that to confirm, on this development, we have the capacity?

Bobby responded yes, at the rezoning stage, there was a capacity determination that was denied and was short by 4 seats at the high school level but when they go to plat, they'll have to go through concurrency which is required under Florida law.

Mayor Nelson asked if anyone had any questions on this item or if anyone from the Public wanted to speak on this item. Hearing none, he asked for a motion to approve the Major Development Plan for the Nottingham Subdivision.

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

2. Request for Authorization to Hold Public Hearings on Request for Brownfield Area Designation for 1617 W. Keene Road on behalf of Branch Apopka Associates, LLC. Presented by: Michael Rodriguez

Michael Rodriguez, City Attorney, said that this item is a request to authorize the City staff to begin the process of having a property designated as a Brownfield Area as well as the opportunity for the City Council to make a Public announcement for the Public Hearings that are required for a Brownfield Designation. He said the current contract purchaser for the property, which is located at 1617 W. Keene Road, has made an application for a Brownfield designation for the property. He said if the Brownfield designation is achieved, the contract purchaser can enter into an agreement with the DEP in order to have a Brownfield mediation that allows and opens the opportunity for certain economic investments for the cleaning of the property as well as the redevelopment of the property. He said the applicant has suggested that this property may be available for potential commercial development and hence, such incentives on the part of the State in order to clean and redevelop the property would be beneficial in the long term to the City. He said the initial requirements that the Council first authorizes to move forward with the designation process as well as to designate and announce the public meeting. He said that State law requires that there are 2 public hearings that are held for a Brownfield designation with one of the meetings being held at or as close as possible to the site. He said tentatively, we've scheduled May 17th at 6:00 p.m. for the first public meeting at the site. The second public hearing will be scheduled at our regular City Council meeting of June 2, 2021 at 1:30 p.m. for the final designation. He said a special Resolution is then submitted to the State to notify DEP that the City has authorized such designation of the property as a Brownfield and then the contract purchaser, or potential property owner, can proceed forward to negotiate with DEP to receive what is known as a Brownfield site rehabilitation agreement. He said staff is seeking a Motion to authorize the process to move forward as well as approval to announce the 2 public hearings.

Mayor Nelson asked if anyone had any questions on this item or if anyone from the Public wanted to speak on this item. Hearing none, he asked for a motion to approve the request for authorization to hold Public Hearings on Request for Brownfield Area Designation for 1617 W. Keene Road, on behalf of Branch Apopka Associates, LLC.

MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve the request for authorization to hold Public Hearings on Request for Brownfield Area Designation for 1617 W. Keene Road, on behalf of Branch Apopka Associates, LLC. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith & Velazquez voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2832 – Second Reading – Annexation
   Owner: PMDW Ventures, LLC
   Applicant: GL Summit Engineering, Inc. c/o Geoff Summit P.E. Location: Southwest corner of Sadler Road and Golden Gem Road
   Project: 9.86 +/- acres
   Project Manager: Jean Sanchez

   Mayor Nelson asked if there have been any changes since the first reading to which Jean advised there were none. He then asked if anyone had any questions or if anyone from the public wished to speak on this item. Hearing none, he asked for a motion to adopt Ordinance No. 2832.

   MOTION by Commissioner Velazquez and seconded by Commissioner Bankson to adopt Ordinance No. 2832. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

2. Ordinance No. 2836 - Second Reading - Establishing Chapter 2, Article VIII, Code of Ordinance, Code Enforcement. Presented by: Michael Rodriguez

   Mayor Nelson asked if there have been any changes since the first reading to which Michael advised there were none. He then asked if anyone had any questions or if anyone from the public wished to speak on this item. Hearing none, he asked for a motion to adopt Ordinance No. 2836.

   MOTION by Commissioner Smith and seconded by Commissioner Velazquez to adopt Ordinance No. 2836. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

3. Ordinance No. 2837 – Second Reading – Annexation
Owner: Donna and Carl Redder
Applicant: GL Summit Engineering, Inc. c/o Geoff Summitt, P.E.
Location: Southwest corner of Sadler Road and Golden Gem Road
Project: 10.41 +/- acres
Project Manager: Jean Sanchez

Mayor Nelson asked if there have been any changes since the first reading to which Jean advised there were none. He then asked if anyone had any questions or if anyone from the public wished to speak on this item. Hearing none, he asked for a motion to adopt Ordinance No. 2837.

MOTION by Commissioner Bankson and seconded by Commissioner Becker to adopt Ordinance No. 2837. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

4. Ordinance No. 2829 – First Reading – Change of Zoning
From: T (Transitional District)
To: RSF-1B (Residential Single-Family Large Lot)
Owner: Citrus Ridge Real Estate, LLC
Applicant: Cantero Holdings, LLC
Location: 202 S. Binion Road
Project: 19.11 +/- acres
Project Manager: Allyson Williams

Allyson Williams, Planner I, said the applicant is requesting to rezone the property from T (Transitional District) to RSF-1B (Residential Single-Family Large Lot). She said the property is located at 202 S. Binion Road and is approximately 19.11 acres. She stated that the proposed zoning is compatible with the surrounding property in the area and said the applicant intends to develop 24 single family homes on the property and said the surrounding properties are primarily residential, agricultural and recreational in nature. She said the DRC and the Planning Commission recommend approval.

Commissioner Bankson asked for confirmation as to what the difference in 1-A & 1-B is to which Allyson stated RSF-1-A is residential single-family estate which are 90'wide lots and RSF-1-B is residential single family, is 75" wide lots.

Commissioner Becker asked to confirm that this property already has school capacity to which Allyson confirmed it does.

Jose Cantero, Citrus Ridge Real Estate, said he owns the subject property and said we've talked with City staff about making the lots 90' lots and said that interior lots will be 75' lots but the ones on the Southern boundary will match the neighborhoods to the South.

Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Ordinance No. 2829 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. 2829 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

5. Ordinance No. 2831 – First Reading – Comprehensive Plan – Small Scale Future Land Use Amendment From: Mixed-Use (15 DU/1.0 FAR)
To: Mixed-Use (15 DU/1.0 FAR)
Owner: PMDW Ventures, LLC
Applicant: PMDW Ventures, LLC c/o Geoffrey L. Summit, P.E.
Location: 2600 Peterson Road Project: 9.84 +/- acres
Project Manager: Jean Sanchez

Jean Sanchez, Planner II, said this is for a request to apply the future land use designation of Mixed-Use for a portion of 2600 Peterson Road. She said the property is adjacent to Avian Pointe subdivision and the request applies to the northern portion of the property comprising of 9.84 acres. She said that the City's future land use map shows the property has an existing future land use designation of mixed -use, however during a title search, no documentation was found that a mixed-use future land use was approved on the property. She said to correct this discrepancy, the applicant requests that a mixed-use designation be formerly re-approved. She said the current zoning on the property is Mixed-Use East Shore Gateway sub-district and is compatible with a mixed-use future land use designation. She said DRC and the Planning Commission recommend approval.

Mayor Nelson asked Jim to explain how this could have happened.

Jim Hitt, Community Development Director, said this is one of those discrepancies that staff does not know how it happened and said we did research to try and find where the property was designated as mixed-use and could not find the paperwork on this.

Mayor Nelson asked how we know it was supposed to be to which Jim said the area has a lot of mixed-use districts and that was done at the same time as a lot of those were done and said it may have been just a map change. He asked when that would've been done to which Jim said approximately 2014.

Commissioner Becker said his only question would be which LDC version would this mixed-use apply to.

Jim Hitt stated that this wouldn't have been the LDC, it would've been a Comprehensive Plan item and said this is a 2030 Comp Plan that wasn't in force at that time.

Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Ordinance No. 2831 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Bankson and seconded by Commissioner Becker, to approve Ordinance No. 2831 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

6. Ordinance No. 2834 – First Reading – Change of Zoning – Assignment of KPI Transition Overlay District
From: T (Transitional District)
To: MU-KPI (Kelly Park Interchange District Mixed Use) and Transition Overlay Owner: Foremostco, Inc.
Applicant: G L Summit Engineering, Inc.
Location: 4550 Golden Gem Road
Project: 35.56 +/- acres
Project Manager: Phil Martinez

Phil Martinez, Planner II, said the applicant is proposing a re-zoning from Transitional to Kelly Park Interchange District with a Transition Overlay along with a Master Plan and Major Development Plan. He said the subject property is comprised of approximately 35.56 acres. He said the surrounding area consists of residential and agricultural properties, along with Golden Gem Road to the east and West Kelly Park Road to the north. He said the property is zoned transitional district and in accordance with the Kelly Park Interchange Form Based Code, the applicant is requesting Kelly Park Interchange District zoning with the Transition Overlay. He said the subject property has mixed-use future land use, which is compatible with the proposed Kelly Park Interchange District zoning. He said the Master/Major Development Plan shows 165 single family lots, with 50' wide lots along the exterior and 32' wide lots being located along the interior. He said the applicant has provided 10.4 acres of open space where 5.33 acres is required. He said the open space will include a dog park; a community pool and clubhouse and landscape buffer.

Commissioner Becker asked what about this is mixed-use to which Phil stated the applicant is proposing two variations of single-family homes.

Commissioner Becker said this is single family residential and when he looks at the transition overlay in our form-based code, it states that the zone shall respect pedestrian function scale and shall mainly be comprised of single or multi-use office; medium density residential buildings and urban single-family homes. He said if the language in our form-based code is that the spirit of mixed-use isn't required, then we have some glitches to fix.

Jim Hitt said that the designations in this area are all supposed to be mixed-use as it is because it is a mixed-use product, in terms of land use itself so it automatically goes to mixed-use, no matter what. He said it goes by what the designation is or what location it is and said in this case, it is transitional. He said what we're looking at is what is comparable or an appropriate mix for this location. He said if we were to put commercial on this, it doesn't front anything that could support a commercial use. He said what we're looking at in this case is there are townhomes and single-family development out there now and said staff feels that where this is located, this is an appropriate type mixed-use.

Discussion ensued as to what constitutes a mixed-use type of development and the requirements of a transitional overlay.

Commissioner Becker asked if we're approving just the zoning change today and not what we see on paper today?

Geoff Summit of Summit Engineering stated that yes, what you see on paper is zoning change and Major Development Plan if approved today.

Commissioner Becker said the packet says we're voting on the change of zoning and not the development agreement.

Mr. Summit said that within the Kelly Park Form Based Code area, we do preliminary and zoning at the same time so he had to go to this level of detail to get the zoning. He said the problem is that when you look at the map, and the way the colors are drawn, there is not a lot of logic to this side of the 1-mile radius and it's either neighborhood transitional; interchange or village center and it goes from no density to high density. `

Commissioner Smith asked if we have any idea of what the remainder of that property is going to be developed and wondered if it's all going to be residential with none of it being mixed use.

Mayor Nelson said he understands the frustration and said what if we have Jim come back and provide an overview of what we have on the books as far as commercial and office in the Kelly Park Crossing area so we can get a feel for what non-residential uses we have coming forward. He suggested we discuss this at the beginning of the next Commission meeting.

Commissioner Bankson said that the anticipation in this area was to see some development as far as restaurants and shopping. He said the colors that designate the one square mile does is not clear and there is no dividing line.

Commissioner Velazquez said she saw this as a major residential development and didn't see the mixed use, other than the homes were different. She said she agreed with the Mayor and said we should discuss the Form Based Code so we can have a better understanding.

Commissioner Becker asked if there was an opportunity to postpone this Ordinance until we have more information and said he can't get behind this as it currently stands.

Michael Rodriguez said if you move to deny this now, there will be no second reading.

Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Ordinance No. 2834 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Smith and seconded by Commissioner Bankson, to approve Ordinance No. 2834 at first reading and hold over for a second reading and adoption. Motion carried 3-2 with Mayor Nelson, and Commissioners Bankson, and Smith voting aye and Commissioners Becker & Velazquez voting no.

7. Resolution No. 2021-11 - Granting a non-exclusive franchise for roll-off container collection and disposal of waste in the City of Apopka to Mid Florida Materials. Presented by: Jeff Weatherford

Jeff Weatherford, Public Services Director said this is a non-exclusive franchise agreement for Mid-Florida Materials. He said we're requesting approval of the resolution and can answer any questions you may have.

Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-11.

MOTION by Commissioner Becker and seconded by Commissioner Smith, to approve Resolution No. 2021-11. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

8. Resolution No. 2021-12 - Granting a non-exclusive franchise for roll-off container collection and disposal of waste in the City of Apopka to Waste Connections of FL. Inc. Presented by: Jeff Weatherford

Jeff Weatherford, Public Services Director said similar to the previous resolution, this is a non-exclusive franchise agreement for Waste Connections of FL., Inc.

Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-12.

MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve Resolution No. 2021-12. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

9. Resolution No. 2021-13 - Granting a non-exclusive franchise for roll-off container collection and disposal of waste in the City of Apopka to Action Recycling Inc. Presented by: Jeff Weatherford

   Jeff Weatherford, Public Services Director said this is a non-exclusive franchise agreement with Action Recycling, Inc. and we ask that you approve this item.

   Mayor Nelson asked anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-13.

   MOTION by Commissioner Bankson and seconded by Commissioner Smith, to approve Resolution No. 2021-13. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker & Velazquez voting aye.

10. Resolution No. 2021-14 - Establishing a non-ad valorem street lighting special assessment rate for Avian Pointe and hold over for a second reading and adoption. Presented by: Charles Vavrek

    Chuck Vavrek, Administration, said this resolution is to set the final rate for providing street lighting in the Avian Pointe development. He said that as you may recall, the City Council established the MSBU's for this area in late 2020 at the request of the developer, in accordance with State statutes. He said in keeping with the statute, the Council must now establish the assessment rate, which will appear on the property owners TRIM notice. He said, in accordance with State statutes, a notice of Public Hearing was advertised in the local newspaper. He said in addition, the property owners were sent notice by 1st Class Mail. He asked Council to adopt the rate as proposed for the first reading and hold over for a second reading. He said the rate for the Avian Pointe assessment is $356.00 per year and said this development is a lease to own development, which will be leased by a property management company.

    Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-14 at first reading and hold over for a second reading and adoption.

    MOTION by Commissioner Velazquez and seconded by Commissioner Becker, to approve Resolution No. 2021-14 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

11. Resolution No. 2021-15 Establishing a non-ad valorem street lighting special assessment rate for Bridle Path and hold over for a second reading and adoption.
    Presented by: Charles Vavrek

    Chuck Vavrek said this resolution is to set the final rate for street lighting and said the annual fee for the street lighting in this development is $188.00. He said they were sent notice via 1st Class Mail and was properly advertised of the Public Hearing. .

    Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-15 at first reading and hold over for a second reading and adoption.

    MOTION by Commissioner Velazquez and seconded by Commissioner Becker, to approve Resolution No. 2021-15 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

12. Resolution No. 2021-16 - Establishing a non-ad valorem street lighting special assessment rate for the Oaks at Kelly Park Subdivision and hold over for a second reading and adoption.
    Presented by: Charles Vavrek

    Chuck Vavrek said this resolution is to set the final rate for street lighting and said the annual fee for the street lighting for the Oaks at Kelly Park Subdivision, Phase I & Phase II is $126.00. He said Community Development will have a Phase III coming up in the future so we'll need to re-evaluate this particular one once that phase moves forward. He said they were sent notice via 1st Class Mail and was properly advertised of the Public Hearing. .

    Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-16 at first reading and hold over for a second reading and adoption.

    MOTION by Commissioner Becker and seconded by Commissioner Smith, to approve Resolution No. 2021-16 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

13. Resolution No. 2021-17 Establishing a non-ad valorem street lighting special assessment rate for Oak Pointe North Subdivision and hold over for a second reading and adoption.
    Presented by: Charles Vavrek

Chuck Vavrek said this resolution is to set the final rate for street lighting and said the annual fee for the street lighting in Oak Pointe North will be $128.00. He said currently the roads are being put in so there are no street lights as of yet. He said they were sent notice via 1st Class Mail and was properly advertised of the Public Hearing. .

Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-17 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Bankson and seconded by Commissioner Becker, to approve Resolution No. 2021-17 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

14. Resolution No. 2021-18 Establishing a non-ad valorem street lighting assessment rate for the Residents of Emerson Park subdivision and hold over for a second reading and adoption.
Presented by: Charles Vavrek

Chuck Vavrek said this resolution is to set the final rate for street lighting and said the annual fee for the street lighting for the Residents at Emerson Park will be $71.00. He said they were sent notice via 1st Class Mail and was properly advertised of the Public Hearing. .

Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-18 at first reading and hold over for a second reading and adoption.

MOTION by Commissioner Becker and seconded by Commissioner Smith, to approve Resolution No. 2021-18 at first reading and hold over for a second reading and adoption. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

Edward Bass said that these light assessments will be in their own Fund so we can make sure each benefit unit is paying their cost and said the process will be very transparent. He said we'll be putting a page on our website with an assessment tab that has this breakdown on it so the homeowners can go on and review.

15. Resolution No. 2021-19 - FY20/21 Budget Amendment Presented by: Gladymir Ortega

Gladymir Ortega, Finance Director, said this budget amendment includes changes in funding and appropriations related to the Florida Recreation Development Assistance Program Grant for the Recreation Department. She said this grant was accepted during the September 9, 2020 City Council meeting for the new construction of the playground and renovations to the surrounding park facilities. She said this amendment assigns funds for grant expenditures that will be reimbursed by the Florida Department of Environmental Protection.

Mayor Nelson asked if anyone has any questions or if anyone from the Public wishes to speak on this matter. Hearing none, he closed the Public Hearing and asked for a Motion to approve Resolution No. 2021-19.

MOTION by Commissioner Becker and seconded by Commissioner Bankson, to approve Resolution No. 2021-19. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Velazquez voting aye.

CITY COUNCIL REPORTS

Commissioner Bankson said we had Tom Terry at the Chamber event the other day and said it was really enlightening and said there are 17 storms projected for this year. He said he's glad we have plenty of funds in the reserve to handle anything that comes our way. He said tomorrow is the Mayor's Prayer Breakfast and said it's also the National Day of Prayer.

Commissioner Velazquez said the breakfast with Tom Terry was interesting and said Saturday Night Sounds was great and we're nearing the end of this series and encouraged people to come out and support this event.

CITY ADMINISTRATOR REPORT

Edward said before you this afternoon, you have the financial update and said we've completed another month and are 7 months into our fiscal year. He said with collections as related to sales tax, the April number is actually for February collections as we're always a couple months behind when we receive this. He said the comparison between last year and this year show a little bit of a positive trend. He said we still have 5 months to go in this fiscal year so next month, we'll be able to see the comparison between where we were last March to where we're at this March which will be interesting.

He reported that we had an issue come up at Kit Land Nelson Park in the bathrooms where we had bats take over the bathroom attic space so we've had to close that while we get the bats out and do the repairs. He said we anticipate having it all cleaned up and will reopen by June 1st. He said, in addition, the Chiller will be installed next weekend at City Hall and said this will be up and running by the beginning of the week.

He said he's been working with the Florida League of Cities on the American Rescue Act dollars and said he had a conversation this week and said the US Department of Treasury has to have the guidance on how the money can be spent by May 10th. He said once that occurs, we can share that and should know when we'll have those dollars. He said the County will hold a workshop on the retail pet store issue on Tuesday, May 11th and will present a couple of Ordinances on this issue.

CITY ATTORNEY'S REPORT

Michael said he has nothing more to report but said that today marks his 1-year anniversary of service to the City.

MAYOR'S REPORT

Rock Springs Ridge Update

Mayor Nelson said everyone has the minutes which goes over a lot of what we talked about at the Community Meeting at the Amphitheater. He said he would say we had approximately 400-450 people in attendance so it was a great crowd and a great turn out and there were a lot of great questions asked. He said we will be meeting with Bill Cowles and his team tomorrow to try and figure out how to figure out the best option for the residents to get the vote as there is a lot of mixed information in the Statutes so they will help clarify this. In addition, he said we should have a cost tomorrow on what it would cost to do an election for us based on 1,320 homes, including postage. He said there are a lot of questions and thought that within the next few weeks we should be able to respond to most of them. At the end of the day, it's up to the residents at Rock Springs Ridge to decide.

Camp Wewa Update

Mayor Nelson said there are no updates to date however, he said in the paper a few days ago, there's a lawsuit filed against a developer as there are wetlands on the property. He said the County passed an Ordinance last year to protect wetlands and animals and said interesting that these rights are being challenged in Court.

Northwest Recreation Community Meeting Update

Mayor Nelson provided the results of the Northwest Recreation Community Meeting and said that the Tier 1 was additional bathroom facilities. He said we're talking about doing one at the top of the hill near the amphitheater and one on the lower left of the stage. Tier 2 was an accessible playground; more fields; additional lights and a dog park. He said Tier 3 was courts and disc golf.

Unionization Update

He said the Police completed their vote on April 28, 2021 and said the votes for no-union were 38 and the vote for union was 14. He said the Fire Department is now in the voting process and the tabulation is due on May 18th.

ADJOURNMENT - There being no further business the meeting adjourned at 3:59:p.m.

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Bryan Nelson, Mayor

ATTEST: ____________________________

Susan M. Bone, City Clerk