

CITY OF APOPKA

Minutes of the regular City Council meeting held on March 1, 2017, at 1:30 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 Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Kevin Goza of Trinity Baptist Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on March 1, 1961, President John F. Kennedy issued an executive order establishing the Peace Corps, following up on his inaugural address wherein he challenged America's youth to "*ask not what your country can do for you, ask what you can do for your country.*" The program was designed to promote world peace and friendship by sending trained American volunteers to foreign nations to assist in development efforts. In all, more than 225,000 Americans have joined the Peace Corps since 1961, serving in 141 nations. He requested everyone to reflect on the selfishness of the Peace Corps volunteers who help promote peace through service to others as he led in the Pledge of Allegiance.

AGENDA REVIEW: Glenn Irby, City Administrator, advised there is an item to be added under Business with regards to sludge removal at the wastewater plant.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment:

Eric Coleman provided an update on the progress and status of the Apopka area Council of Neighborhoods (CONA). He stated the combination of citizens' participation and active neighborhoods will contribute to the improvement of the quality of life in our city. They recently had a speaker from Orange County discussing grants that are available to community associations, up to \$20,000. They have a scheduled speaker from the Apopka Police Department to discuss the new parking ordinance at a future meeting. He said their goal is to get all of the HOA officers state certified per the state regulations.

Edward James Walther said his house is on W. Ponkan Road and apparently there are going to be some homes built to the rear of his home. He spoke of a 30 ft. easement to the left of his home, asking if this easement was going to be utilized as an entrance to the proposed subdivision. He inquired if a barrier would be placed between his property and this road.

Mayor Kilsheimer said the Community Development Department will work with him in regards to a solution.

Ray Shackelford again called upon Council to support Commissioner Bankson's request for a 25% reserve fund balance. He called upon Council again to utilize some of the funds from the Apopka Gospel Fest to waive some of the youth sports fees. He applauded the Task Force on Violence presentation and their willingness to address poverty through economic development.

Rod Love said he wanted to follow-up with Council based on the interaction at the last meeting stating it was appreciated the Task Force had the opportunity to present. He stated they received a lot of feedback from stakeholders and the faith leadership regarding a statement made by the Mayor that it was time to have an adult conversation, saying this offended many. He said one of the reports of the Task Force was related to PTSD in the community and Channel 9 did an interview and a report on PTSD. He advised they had a forum yesterday for Community Redevelopment Agencies from Seminole, Orange, Brevard, and Osceola counties.

Proclamations:

1. Art & Foliage Festival Proclamation presented to GFWC Apopka Woman's Club.

Mayor Kilsheimer read a proclamation acknowledging the Art and Foliage Festival and presented it to the GFWC Apopka Woman's Club recognizing them for the 56th Art and Foliage Festival.

Employee Recognition:

Five Year Service Award – Theodore Oliver – Fire/Suppression - Fire Fighter 1st Class –

Theodore began working for the City on February 3, 2012, as a Fire Fighter 1st Class, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Theodore on his years of service.

Ten Year Service Award – Eric Hernandez – Recreation/Athletics - Maintenance Worker I

Eric began working for the City on February 5, 2007, as a Maintenance Worker I, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Eric on his years of service.

CONSENT (Action Item)

1. Authorize the purchase of vehicles for Public Services, Recreation and Administration.
2. Authorize a Private Street Traffic Enforcement Agreement with Wekiva Run Homeowners Association, Inc.
3. Authorize a Scoreboard Sponsorship Agreement with Major Display Inc. for new Scoreboards.
4. Authorize the Emerson North Townhomes School Concurrency Mitigation Agreement.
5. Authorize the replacement of a computer and dispatch solution for the Fire Department.
6. Award a bid to Space Coast Fire and Safety, Inc. for Security & Fire Alarm systems and approve the associated funding.

Item 3 was pulled for discussion and separate vote.

Commissioner Bankson expressed concern with it not having been budgeted.

Shorty Robins, Major Display Scoreboards, gave a presentation on the custom scoreboards, pointing out there is field recognition on either side of the board. There are ad panels at the bottom utilized as a sports marketing program they are proposing to enter into with the City

of Apopka. The boards can be controlled wireless through Bluetooth. There is a potential of four field naming partners at \$15,000 a field, two ad panels on each board that generally cost \$5,000 per panel for the advertisement. The package price for four scoreboards is \$132,200. The City would be responsible for a deposit of \$46,500 and \$15,000 to supply power. The remaining balance would be covered through sponsorships sought out by Major Display and these sponsorships would be split 50/50 between the City and Major Display. Once the full cost is met, the agreement would allow for a 70/30 split.

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Item 3 on the Consent Agenda. Motion carried 3-2 with Mayor Kilsheimer, and Commissioners Velazquez, and Becker voting aye, and Commissioners Dean and Bankson voting nay.

Discussion was held on Items 1 and 6.

MOTION by Commissioner Velazquez and seconded by Commissioner Bankson to approve items 1, 2, 4, 5, and 6 on the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

BUSINESS

1. Plat – Emerson North Townhomes – 1701 Ocoee Apopka Road

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

David Moon provided a brief lead-in advising this was postponed at the February 15, 2017 meeting so the applicant could meet with the developer of the roundabout on Marden Road to coordinate construction and access to the Emerson North Townhomes property. The Plat is for 136 townhomes located to the west of Marden Road and south of S.R. 414. The Final Development Plan was approved by City Council on December 7, 2016. Planning Commission met on February 14, 2017, and recommends approval. DRC also recommends approval.

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 Velazquez to approve the Emerson North Townhomes Plat. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Emergency Biosolids Removal, Transport, and Disposal from the Water Reclamation Facility

Kevin Burgess, Assistant Public Services Director, reported during the Woodard and Curran draft Management and Organizational Evaluation of the Water Reclamation Facility, it was determined that due to increased organic loadings, the facility has become overloaded with

biosolids. It is necessary to remove the excess solids in order to reduce the biosolids. He advised they obtained three proposals and the lowest was Shelley's Septic Tanks at a total cost of \$63,400. He said it will take approximately 12 weeks to complete this process.

Discussion ensued regarding Anuvia and what responsibility they may have in regards to this matter.

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to approve the removal of biosolids, transport, and disposal from the Water Reclamation Facility. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. Cooper Sportsplex

David Burgoon, Recreation Director, said they met with Mr. Cooper this week and discussed a partnership. He stated during that discussion they both felt a public/private partnership just wasn't feasible at this time. He said with everything going on at Cooper Sportsplex, they are busy from 5:00 p.m. to 10:00 p.m. five days a week and the weekends are booked until the end of July. Part of their discussion included if the City wanted to entertain purchasing the complex, this could be an option. He reiterated at this time a public/private partnership would not work to benefit both parties.

Mr. Irby said they would first have to have the facility appraised and Mr. Cooper would have to agree to the appraisal. Mr. Cooper could also have his own appraisal done and the two appraisers would negotiate. Council would have to accept the appraisal. The next step would be to take this to referendum since it would be general fund debt and likely a bond. If approved, then taxes would be increased to pay the debt.

Mike Cooper, owner of Cooper Sportsplex, said they have entertained some conversation and it was agreed by all that a public/private partnership was difficult to arrange due to how busy they are. He spoke of other development in the center they have considered and various opportunities between them and the City of Apopka. He stated the Sportsplex is currently listed at \$6.2 million and it will probably appraise over \$10 million. He stated they are a construction company and not designed to run a facility such as this.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

- 1. Ordinance No. 2527 – Second Reading – Code of Ordinances, Part II, Chapter 78 - Parking** - The City Clerk read the title as follows:

ORDINANCE NO. 2527

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 78 "TRAFFIC AND MOTOR VEHICLES," ARTICLE I, "IN GENERAL," SECTION 78-1 "DEFINITIONS" AND AMENDING CHAPTER 78 "TRAFFIC AND MOTOR VEHICLES," ARTICLE II, "STOPPING, STANDING AND PARKING" IN ITS ENTIRETY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY;

PROVIDING FOR CONFLICTS, AND SETTING AN EFFECTIVE DATE.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to adopt Ordinance No. 2527. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. **Ordinance No. 2555 – First Reading – Comprehensive Plan – Small Scale Amendment.**
The City Clerk read the title as follows:

ORDINANCE NO. 2555

AN ORDINANCE 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 FROM “COUNTY” RURAL (1 DU/10 AC) TO “CITY” AGRICULTURE (1 DU/5 AC) FOR CERTAIN REAL PROPERTY LOCATED AT PLYMOUTH SORRENTO ROAD, COMPRISING 4.01 ACRES MORE OR LESS, AND OWNED BY SMITH FAMILY REVOCABLE LIVING TRUST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Elizabeth Florence, Planner, provided a brief lead-in reviewing the location of the property and the surrounding land-use. The Planning Commission at their February 14, 2017 meeting found the proposed amendment consistent with the comprehensive plan and consistent with the surrounding area, recommending approval.

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 Becker, to approve Ordinance No. 2555 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. **Ordinance No. 2556 – First Reading - Administrative Rezoning – Quasi-Judicial.** The City Clerk read the title as follows:

ORDINANCE 2556

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-2 (AGRICULTURE) TO “CITY” AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 4.01 ACRES, MORE OR LESS, AND OWNED BY SMITH FAMILY

REVOCABLE LIVING TRUST; 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.

Ms. Florence said this was the same property and they were requesting a change in zoning due to Policy 3.9 of the Comprehensive Plan requiring the City to apply zoning to annexed properties. The Planning Commission and DRC recommend approval.

Mayor Kilsheimer 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 Dean, to approve Ordinance No. 2556 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

4. **Ordinance No. 2557 – First Reading - Administrative Rezoning – Quasi-Judicial.** The City Clerk read the title as follows:

ORDINANCE NO. 2557

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-2 (AGRICULTURE) TO “CITY” AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 2.10 ACRES, MORE OR LESS, AND OWNED BY MARY M. ASHBURN BALLINGS; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Ms. Florence advised this was an administrative rezoning for the property owned by Mary M. Ashburn Ballings required by the Comprehensive Plan Policy 3.9. She reviewed the property location and advised the zoning is consistent with the surrounding properties. The Planning Commission and DRC recommend approval.

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

MOTION by Commissioner Dean, and seconded by Commissioner Becker, to approve Ordinance No. 2557 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

5. **Ordinance No. 2558 – First Reading - Administrative Rezoning – Quasi-Judicial.** The City Clerk read the title as follows:

ORDINANCE NO. 2558

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (AGRICULTURE) TO “CITY” AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 927 ACRES, MORE OR LESS, AND OWNED BY TITF/DEP; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Ms. Florence advised this was another administrative rezoning as per Policy 3.9 of the Comprehensive Plan. The rezoning is compatible with the surrounding properties. Planning Commission and DRC recommend approval.

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 Becker, to approve Ordinance No. 2558 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

6. **Ordinance No. 2560 – First Reading - Comprehensive Plan – Large Scale Amendment.** The City Clerk read the title as follows:

ORDINANCE NO. 2560

AN ORDINANCE 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 FROM RURAL SETTLEMENT (0-1 DU/5 AC) TO RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF PONKAN ROAD AND EAST OF GOLDEN GEM ROAD, COMPRISING 23.43 ACRES, MORE OR LESS AND OWNED BY PROJECT ORLANDO, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Kyle Wilkes, Planner, said this project is a large scale future land use map amendment by Project Orlando, LLC. He stated the 23.43 acre parcel is generally located north of W Ponkan Road, and east of Golden Gem Road. The subject property currently contains a container nursery and it is surrounded primarily to the west by single family residential, agriculture, and city owned conservation land to the north, and Zellwood Station to the

south. Staff and DRC reviewed and found this application consistent with the Apopka Comprehensive Plan. The Planning Commission and DRC recommends approval and transmittal of this large scale future land use map amendment to the Department of Economic Opportunity.

Mayor Kilsheimer opened the meeting to a public hearing.

Phillip Simmons said he is in Orange County and expressed concerns with this development. His property is adjoining this, stating his property is approximately 1320 square feet. He asked what kind of impact this will have for the residents in that area that are agricultural. He expressed concerns with impact it could have on their property taxes. He also had concerns with the traffic impact, stating at this time during the mornings the traffic on Plymouth Sorrento Road is backed up to Yothers Road from 441. He asked the Council to please consider these points.

Cindi Cioci said she was Mr. Simmons neighbor and she was directly across the street from the property he was speaking about. She also has the same concerns and would like to know the reduction in density and inquired if they were building single family homes. She also spoke of the traffic and how dangerous it is becoming.

Commissioner Becker said the staff report states 46 single family homes.

Jeff Welch said he appreciates the staff time on this and the unanimous vote by the Planning Commission. He advised this is a future land use, stating they do not have anything planned for this property at this time. He stated it would be appropriate to have meetings with the neighbors at that time as they come up for ideas for this property. He said they felt this was consistent with the land use up and down Plymouth Sorrento. He agreed there would be a need in the future for upgrades of both Plymouth Sorrento, Ponkan, and Kelly Park roads. He reiterated they were not proposing any development at this time.

Mr. Walthers said he understood these were being rezoned from agriculture to residential so they can build on them. He asked if this was being done so they could make the lots smaller to build on. He stated people moved out to be able to have more land

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve Ordinance No. 2560 at First Reading and transmittal to the State. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

City Council recessed at 3:31 p.m. and reconvened at 3:38 p.m.

7. **Ordinance No. 2561 – First Reading - Comprehensive Plan – Capital Improvement Element – Legislative.** The City Clerk read the title as follows:

ORDINANCE NO. 2561

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; INCORPORATING AN AMENDMENT TO THE CITY'S FIVE YEAR CAPITAL IMPROVEMENTS PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Wilkes said this was a proposed amendment to the City's Five Year Capital Improvement Plan, incorporated into the Capital Improvement Element of the Comprehensive Plan. Council recently approved the annual update. However, subsequent to that approval, a grant opportunity arose through the Florida Department of Environmental Protection and the City is proposing to use a potential \$200,000 through this grant, should it be awarded, for incorporation of a fitness trail and/or track at Kit Land Nelson Park to complement future improvements, as well as access to the West Orange Trail. As part of the process, an award point is given for a public hearing before the grant application was submitted. This was done on February 14, 2017, at Planning Commission. Other points are also given for incorporation of the proposed grant project into the CIP. The request is to add two items through amendment to the Five-Year CIP, including the requested \$200,000 from the DEP grant, as well as the 40% required match of \$80,000 by the City of Apopka. The Planning Commission recommended adoption of the amendment to the CIP at their February 14, 2017 meeting.

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 Becker, to approve Ordinance No. 2561 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

8. **Ordinance No. 2562 – First Reading - Comprehensive Plan – Small Scale Amendment – Legislative.** The City Clerk read the title as follows:

ORDINANCE NO. 2562

AN ORDINANCE 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 FROM "COUNTY" LOW DENSITY RESIDENTIAL, (0-4 DU/AC) TO "CITY" OFFICE (MAX. FAR 0.30), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF SOUTH PARK AVENUE AND NORTH OF RAND COURT, COMPRISING 0.82 ACRES MORE OR LESS, AND OWNED BY APOPKA HOLDINGS, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN

EFFECTIVE DATE.

Mr. Wilkes provided a brief lead-in stating this was a small scale future land use map amendment by Apopka Holdings LLC for property located east of S. Park Avenue, north of Rand Court. These properties were recently annexed and require both a future land use map and zoning designation assignment. The applicant intends to use the subject property for parking to meet minimum parking requirements for the Central Florida Recovery Center that was recently approved. DRC and Planning Commission both recommend approval.

Mayor Kilsheimer 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 Dean, to approve Ordinance No. 2562 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

9. **Ordinance No. 2563 – First Reading - Change of Zoning – Quasi-Judicial.** The City Clerk read the title as follows:

ORDINANCE NO. 2563

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-3 (RESIDENTIAL) TO PLANNED UNIT DEVELOPMENT (PUD-PO-I); FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF SOUTH PARK AVENUE AND NORTH OF RAND COURT, COMPRISING 0.82 ACRES MORE OR LESS, AND OWNED BY APOPKA HOLDINGS, 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.

Mr. Wilkes said this was the associated change of zoning request to the previously mentioned small scale land use map amendment. The request is to change the zoning from County R-3 to Planned Unit Development (PUD – PO-I). The existing and proposed use of the property is consistent with the Office Future Land Use designation. DRC and Planning Commission recommend approval.

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 Velazquez, to approve Ordinance No. 2563 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

10. **Resolution No. 2017-04 - Recreation Master Plan.** The City Clerk read the title as follows:

RESOLUTION NO. 2017-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ADOPTING THE PARKS & RECREATION MASTER PLAN AS A CONCEPTUAL PLAN FOR THE DEVELOPMENT AND MAINTENANCE OF APOPKA PARKS; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO PREPARE IMPLEMENTATION MEASURES; PROVIDING AN EFFECTIVE DATE.

David Burgoon, Recreation Director, said in November during a workshop the Parks and Recreation Master Plan was presented. At that time several suggestions were made and these have been addressed in the Master Plan. As part of Policy 3.3 of the Apopka Comprehensive Plan, Recreation Element, they are requesting approval by Resolution of the Recreation Master Plan.

Commissioner Bankson said this was a conceptual plan, so it does not mean these are set in stone, but a direction.

Mr. Burgoon responded in the affirmative.

Mayor Kilsheimer opened the meeting to a public hearing.

Bill Spiegel said as a member of the Parks and Recreation Review Committee, and having attended the workshop, there were several issues with the plan. He requested that Council strike the page highlighting a central park concept of Edwards Field and Kit Land Nelson Park, because he believes they have not done their due diligence. He said there were many viable alternatives to consider prior to putting this in the Master Plan. He also said the RFP for the splash pad had no mention of restrooms.

Mr. Irby said this does not lock in the City and there are many steps to get to the end product. The next step, at some point, will be to hire an architect and during that time Council will be advised and voting on every step.

Linda Laurendeau said earlier in the meeting they gave a proclamation to the GFWC Apopka Woman's Club who sponsors the Art and Foliage Festival. She said the last time they were here speaking about that they were hoping nothing would happen prior to the Festival. She stated she understands there is a bid out for a splash pad, but she would like assurance that nothing will happen until the close of Festival on April 30, 2017.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Resolution No. 2017-04. Motion carried unanimously with Mayor Kilsheimer,

and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

11. **Resolution No. 2017-05 - Governmental Lease- Purchase.** The City Clerk read the title as follows:

RESOLUTION NO. 2017-05

A RESOLUTION AUTHORIZING THE NEGOTIATIONS, EXECUTION, AND DELIVERY OF GOVERNMENTAL LEASE-PURCHASE AGREEMENT NO. 008-0713393-300 DATED JANUARY 23, 2017 (THE "LEASE"), IN PRINCIPAL AMOUNT NOT TO EXCEED \$217,998.24, BETWEEN CITY OF APOPKA, 11 NORTH FOREST AVE., APOPKA, FL 32704 AND TCF EQUIPMENT FINANCE, A DIVISION OF TCF NATIONAL BANK, 1111 WEST SAN MARNAN DR., SUITE A2 WEST WATERLOO, IA 50701-8926; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH.

Mr. Burgoon said the lease-purchase was previously approved by the City Council on January 4, 2017. The company requires a resolution to move forward.

Mayor Kilsheimer 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 Velazquez, to approve Resolution No. 2017-05. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

12. **Resolution No. 2017-06 - FACC 45th Anniversary.** The City Clerk read the title as follows:

RESOLUTION NO. 2017-06

A RESOLUTION OF THE CITY OF APOPKA COMMENDING THE FLORIDA ASSOCIATION OF CITY CLERKS FOR ITS 45TH ANNIVERSARY.

Commissioner Velazquez said her first year of serving as Commissioner the City Clerk's office was very helpful for her and continues to offer help through professionalism not only to them, but to the public.

Mayor Kilsheimer opened the meeting to a public hearing.

Linda Laurendeau said the City Clerk's office is the place of calm in a sea of constant activity. She spoke of working through an election with the City Clerk's office and how the standard is set from the beginning with everything being explained. She said there were 411 municipalities in Florida and the City of Apopka was one of the best.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve Resolution No. 20017-06. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS

Commissioner Dean said he would like to see Public Comment moved back to where it used to be so that Council can comment.

Commissioner Becker said he would like to let this remain for a year. However, he was not opposed to looking into it again.

Commissioner Velazquez said when this was approved by resolution in July, they looked at other municipalities and found that most do their public comment at the beginning so residents can share their concern or comment and be able to leave rather than having to stay to the end of the meeting.

In response to Commissioner Bankson expressing concern regarding refile of a lawsuit against Richard Anderson, City Attorney Shepard said if the City did not pursue this, he may decide to pursue this matter. City Attorney Shepard explained if there was a need to discuss pending litigation, they could call a shade meeting.

MAYOR'S REPORT – There was no report.

SPECIAL REPORTS

1. Eagle Scout Daniel Baughman gave a presentation on his project to do repairs/replacement to the Cemetery Gazebo. He said the plan is to have it completed in June.

ITEMS NOT REQUIRING ACTION

1. Thank you note to elected officials from Commissioner Betsy VanderLey for flowers at former Oakland Mayor Jon VanderLey's funeral.

ADJOURNMENT – There being no further business the meeting adjourned at 4:49 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk