

CITY OF APOPKA

Minutes of the regular City Council meeting held on February 21, 2018, at 7:00 p.m., in the City of Apopka Council Chambers.

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

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

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

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on February 26, 1940, Apopka Fire Chief Fred Risener appealed to the City Council to reorganize the Volunteer Fire Department by allowing him to name a group of men to serve as assistants to the Fire Chief. The six men selected and approved by the Council were Howard Anderson, R.M. Wells, George Kerr, John Risener, J.P. Bowers, and Don Kenney. This reorganization was the first of many steps in establishing the Apopka Fire Department as one of the best in the country. He asked everyone to reflect upon the selfless bravery of our first responders and those who place themselves in harm's way as service to others as he led in the Pledge of Allegiance.

AGENDA REVIEW:

Glenn Irby, City Administrator, said it is requested to move the Proclamation and Presentation to the first item on the agenda. Also, under Public Hearings Ordinances and Resolutions, Item 5, Ordinance 2624 states it is First Reading and it is actually the second reading.

James Hitt, Community Development Director, said the Lake Marshall property, Item 11, which is the rezoning to the PUD, is requested to be postponed to March 21, 2018 and April 4, 2018. This will provide time for the applicant to hold community meetings to answer questions and concerns the residents have in regards to the development. This will also allow for extension of the closing on the property to April 30, 2018.

MOTION by Commissioner Bankson, and seconded by Commissioner Dean to postpone Item 11, Ordinance No. 2637 to March 21, 2018 for the First Reading and April 4, 2018 for the Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez to set the closing date no later than April 30, 2018. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Future Farmers of America Proclamation was read by Mayor Kilsheimer and presented to Apopka High School, Wekiva High School, Apopka Memorial Middle School, Piedmont Lakes Middle School, and Wolf Lake Middle School.

Presentations:

1. Mayor Kilsheimer advised the City was approached recently by the Carnegie Hero Fund Commission wanting to present the Carnegie Hero Fund Commission Medal to Jason Allen Williams, who rescued Michael J. Bridges from a burning vehicle in Apopka on August 4, 2016, following an accident. Mr. Williams witnessed the accident, stopped to assist and pulled Mr. Bridges from the vehicle. He presented Jason Allen Williams with the Carnegie Hero Commission Medal.

Chief Carnesale spoke of Fire Station Six that was opened on December 3, 2017, in conjunction with Florida Hospital. He said the Fire Department has an award that is the highest possible award for a civilian which is given to any individual on the basis of that citizen performing extraordinary deeds, either by actions displayed in times of crisis or for unselfish service to the citizens of the community. He presented Jason Allen Williams with the Fire Chief Award for his heroic, lifesaving actions at the scene of an accident on August 4, 2016.

Public Comment:

City Attorney Shepard advised that since the Marshall Lake item has been removed from the agenda, those who planned to speak may want to wait until after the community meeting occurs. Council cannot consider these remarks until such time that this comes before them as a quasi-judicial hearing.

Michael Rowe, President of Lake Doe Homeowner's Association, said he was here representing the HOA regarding Lake Marshall. He said this is a very small lake and during the summer it dries up to approximately 40 acres. He expressed concerns of contaminants flushing into the lake and surrounding lakes. He said their plans show a septic pump next to his property which is not pleasing to look at. He stated that page four of their Master Plan states that no residential neighborhoods will be affected by this and that development will not be visible from surrounding properties. He declared this was not true for his neighborhood and this current plan is not beneficial for their neighborhood. He affirmed there was a piece of property he would like to purchase from the city or have it vacated to him since he has been maintaining it for seven years. He requested no motorized boats on the lake, no boat ramp or dock in the new neighborhood.

Nina Rowe expressed concerns about Jackson Pond that she stated was environmentally sensitive and it is protected. She has lived there for 18 years and her home is situated on the southern wetland that this new development is proposing to use as a drainage area. She declared she had many levels of concerns regarding this development including dredging of the lake to put in a storm drain that could result in flooding, and reiterated concerns regarding contamination of the lakes. She also spoke of the wildlife in the area and concerns of their habitat. She asked that the retention pond be moved and place a landscape barrier between the neighborhoods.

Alan Wood said he lives on Lake Doe Boulevard and has been a resident here since 2001. He stated he has enjoyed this property for over 17 years and has seen it go through multiple changes and water levels change through the hurricanes. He spoke of the wildlife in the area stating these woods are unique within the city limits of Apopka and he would hate to see these woods torn down to have a high density subdivision in their place. He also expressed concerns regarding noise levels and spoke of how S.R. 451 changed the noise in the area. He declared he hoped they would come up with a better plan taking into concern the people that live there and have a vested interest in staying in Apopka.

Pat McGuffin said his concern has been addressed in the past and unanimously dealt with by Council to not allow a public boat ramp on this tiny lake. He stated Council listened to the concerns of the citizens about boat safety and liability to the City. Council voted unanimously to not allow the boat ramp on this lake. At that time there were 90 homes being proposed and now it is triple that amount with 300 homes being proposed. He said the lake was too small back then when Council voted and it is still the same size. He stated to clarify, he was not opposed to the homeowners living directly on the lake having access to the lake. He asked that they choose human life and safety over any money concerns.

Scott Hill said he was two lots north of the proposed development and expressed concern of a community boat ramp and the pollution it would cause. He stated this is a standing water sand hill lake with no fresh water coming into the lake and any runoff with contaminants will stay there. He spoke of privacy issues and noise levels. He said there were some legal issues with regards to ownership as the lake is broken into four different private properties.

Kim Pritchard said she has lived there for 10 years and has seen the water levels change drastically. She stated there are only two motorboats on the lake and she is one of them stating the water becomes so shallow that the motorized boat cannot be used. She spoke of safety issues if all 300 residents of the new development are allowed access to the lake.

Ray Shackelford called upon City Council to develop and pass an ordinance that calls for arrest of any person who threatens Apopka schools on social media. He stated if the City of Orlando can pass such an ordinance, the City of Apopka can do the same. He said he was concerned about some information that was stated at a recent debate that the City of Apopka has \$59 million in city reserves to support the general fund and avoid deficit spending. He asked if this was including the reserves from the enterprise funds that are restricted to avoid deficit spending. He said it needs to be clear and to the point of how much is in the city reserves. He said at a recent Council meeting the Mayor stated letters of apologies were forthcoming related to an insensitive police workshop.

Mayor Kilsheimer said the City requested a letter of apology, but a letter of apology has not been forthcoming. He stated they did not know what else they can do to compel a letter of apology and reiterated that it has been requested.

CONSENT (Action Item)

1. Authorize a donation to the Kid's House Advocacy Center.
2. Resolution for naming signatories on a city money market account at Iberia Bank.
3. Appoint Byron Tobias as Fifth Trustee to the General Employees' Pension Board.

4. Appoint Raymond Thompson as Fifth Trustee to the Firefighters' Pension Board.
5. Appoint James Greene as Fifth Trustee to the Police Officers' Pension Board.

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

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. **Ordinance No. 2600 – Second Reading – Comprehensive Plan Amendment – Large Scale – Project: A.D. Raulerson, Sr., & A.D. Raulerson, Jr. and Curtis & Karen Pumphrey – Located at 251 West Lester Road. The City Clerk read the title as follows:**

ORDINANCE 2600

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 TO “CITY” MEDIUM LOW DENSITY RESIDENTIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF ROCK SPRINGS ROAD NORTH OF LESTER ROAD, COMPRISING 23.20 ACRES, MORE OR LESS AND OWNED BY A.D. RAULERSON AND A.D. RAULERSON, JR, CURTIS AND KAREN PUMPHREY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE..

Mr. Martinez said there have been no changes since the first reading.

In response to Commissioner Becker inquiring if it was okay to vote on this due to the advertising, Mr. Moon said he had discussions with Attorney Hand regarding this and it is a decrease in the intensity from what was advertised, it is not considered to have an impact on adjacent properties, and thus the hearing can proceed.

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 adopt Ordinance No. 2600. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker and Bankson voting aye.

2. **Ordinance No. 2634 – First Reading – Change of Zoning – Project: A.D. Raulerson, Sr., & A.D. Raulerson, Jr. and Curtis & Karon Pumphrey – Located at 251 West Lester Road. The City Clerk read the title as follows:**

ORDINANCE 2634

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “CITY” A-1 (ZIP) TO PUD (PLANNED UNIT DEVELOPMENT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF NORTH ROCK SPRINGS ROAD AND NORTH OF EAST LESTER ROAD, COMPRISING 25.39 ACRES MORE OR LESS, AND

**OWNED BY ADELBERT RAULERSON, AD RAULERSON, JR. AND
CURTIS AND KAREN PUMPHREY; PROVIDING FOR DIRECTIONS TO
THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY,
CONFLICTS, AND AN EFFECTIVE DATE**

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

Jean Sanchez, Planner, provided a brief lead-in for this re-zoning request, reviewing the area on the map and surrounding land-uses. The PUD Master Plan proposes a community with 112 single family lots that are 40' wide. There is a proposed 30' buffer to the north and each lot will have two trees. She reviewed the amenities for the project. An additional deviation not included in the staff report is that the wet retention pond will be fenced with a 4' wrought iron fence at the request of city engineer for safety precautions. The Planning Commission voted 5-1 to recommend approval.

Commissioner Becker said the spirit of a PUD in terms of lot sizes has language for some balance. He asked with everything in this plan being lower than code calls for, where is the balance in this plan.

Ms. Sanchez said there was a proposal for enhanced amenities and it meets the required 30% open space requirements. She also advised there will be mail kiosks versus individual mailboxes.

Commissioner Becker said with 40 foot wide lots, the homes in Alexander Place with 85 foot wide lots are potentially going see two homes behind each lot. He declared this goes against what our current Land Development Code states.

David Moon said the traditional residential subdivision would have a minimum or typical lot 70 foot wide and if they backed up to Alexander Place, they would not require a buffer. He stated this master plan provides for a 30 foot heavily landscape buffer between the rear of the single family homes and Alexandria Place. He said the intent is to leave the buffer in a natural state so that it will be a heavy landscape area with a wall within the buffer area.

Commissioner Bankson inquired if there was adequate additional parking provided with the shorter driveways.

Richard Wolfarth, applicant, advised there were 50 additional parking spaces. He said of the five models, three of them will have 30 foot setbacks, and one will have a 28 foot setback, with the largest home having a 25 foot setback. He pointed out they have placed the additional parking throughout the community. He pointed out the distance between the wall and their first unit will be 45 feet. He said in meeting with the neighbors they believe they are satisfied with their proposal. He also affirmed this will be a gated community and all maintenance will be by the Homeowner's Association.

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. 2634 at First Reading and carry it over for a Second Reading. Motion carried 4-1 with Mayor Kilsheimer, and Commissioners Dean, Velazquez, and Bankson voting aye and Commissioner Becker voting nay.

- 3. Ordinance No. 2604 – Second Reading - Comprehensive Plan Amendment – Large Scale – Project: TGINF, LLC - Located at 501 Old Dixie Highway. The City Clerk read the title as follows:**

ORDINANCE 2604

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 COMMERCIAL TO MEDIUM LOW DENSITY RESIDENTIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF OLD DIXIE HIGHWAY AND WEST OF NORTH MAINE AVENUE, COMPRISING 15.73 ACRES, MORE OR LESS AND OWNED BY TGINF LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Moon advised there have been no changes since the first reading.

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 adopt Ordinance No 2604. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 4. Ordinance No. 2628 – First Reading – Change of Zoning Project: TGINF, LLC - Located at 501 Old Dixie Highway. The City Clerk read the title as follows:**

ORDINANCE NO. 2628

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM C-1(COMMERCIAL) TO R-3 (RESIDENTIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF OLD DIXIE HIGHWAY AND EAST OF VICK ROAD, COMPRISING 15.8 ACRES MORE OR LESS, AND OWNED BY TGINF LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the Clerk.

Phil Martinez, Planner, reviewed and gave a brief lead-in stating this was in conjunction with the previously heard agenda item. The applicant is proposing a rezoning for 15.7 acres from Commercial to Residential multiple family. He reviewed the location of the property on the map and the surrounding land-uses. The intent is for townhomes of 92 lots. He pointed out that the current condition of the property is heavily wooded with a natural body of water in the east central segment. The Planning Commission recommended approval at their meeting on March 13, 2018.

Commissioner Velazquez inquired if the lake would remain.

Mr. Goldberg responded in the affirmative.

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 Bankson, to approve Ordinance No. 2628 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. 2624 – Second Reading - Change of Zoning – Project: George Thum, Jr. & Phillip & Peggy Dionne – Located west of Jason Dwelley Parkway, south of West Kelly Park Rd.** The City Clerk read the title as follows:

ORDINANCE NO. 2624

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (AGRICULTURE) AND “CITY” AG (AGRICULTURE) TO “CITY” PO/I (PROFESSIONAL OFFICE/INSTITUTIONAL) FOR CERTAIN REAL PROPERTIES LOCATED WEST OF JASON DWELLEY PARKWAY AND SOUTH OF WEST KELLY PARK ROAD, COMPRISING 15.17 ACRES, MORE OR LESS, AND OWNED BY GEORGE THUM JR. AND PEGGY DIONNE; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the Clerk.

Mr. Moon advised there have been no changes since the first reading.

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 Velazquez, to adopt Ordinance No. 2624. Motion carried unanimously with Mayor Kilsheimer, and

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

- 6. Ordinance No. 2633 – Second Reading – Vacate – Platted Right-of-Way (Ransom Street) – Project: City of Apopka – Located north of East 6th Street, south of U.S. Highway 441; west of South Sheeler Avenue.** The City Clerk read the title as follows:

ORDINANCE NO. 2633

AN ORDINANCE OF THE CITY OF APOPKA, TO VACATE A RIGHT OF WAY, KNOWN AS RANSOM STEEET, LOCATED NORTH OF EAST 6TH STREET, SOUTH OF U.S. HIGHWAY 441; WEST OF SOUTH SHEELER AVENUE IN SECTION 10, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the Clerk.

Ms. Sanchez advised there have been no changes since the first reading.

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 Becker, to adopt Ordinance No. 2633. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 7. Ordinance No. 2629 – First Reading - Comprehensive Plan Amendment – Small Scale Project: VBRO Enterprises, Inc. - Located at 41 East Lester Road.** The City Clerk read the title as follows:

ORDINANCE NO. 2629

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 TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF E. LESTER ROAD AND WEST OF ROCK SPRINGS ROAD, COMPRISING 0.84 ACRES MORE OR LESS, AND OWNED BY VBRO ENTERPRISES INC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Moon said this was a request for a small scale future land-use amendment that affects approximately 0.84 acres. This property is also addressed on the agenda for rezoning and it will be coupled with other parcels for a future commercial shopping plaza. He reviewed the location of the property and surrounding land uses. The staff report is on file in the clerk’s office. The

Planning Commission recommended approval at their meeting on March 13, 2018. The recommendation is to accept at First Reading and carry over for a Second Reading.

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

In response to Commissioner Velazquez inquiring as to what type of commercial business this would be, Bill Burkett, with Burkett Engineering, advised the full intent of commercial is still to be developed, but one of the main uses that is anticipated is an adult daycare facility.

Mr. Moon advised there would be more information addressed at the rezoning application and there would be a limit of square footage that can be used for adult daycare at 7,000 square feet. The site could hold up to 36,000 square feet of commercial floor area.

MOTION by Commissioner Becker, and seconded by Commissioner Bankson, to approve Ordinance No. 2629 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. 2630 – First Reading – Change of Zoning – Project: VBRO Enterprises, Inc. - Located at 41 East Lester Road.** The City Clerk read the title as follows:

ORDINANCE 2630

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 AGRICULTURE TO “CITY” PLANNED UNIT DEVELOPMENT (COMMERCIAL) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF EAST LESTER ROAD AND WEST OF NORTH ROCK SPRINGS ROAD, COMPRISING 3.36 ACRES MORE OR LESS, AND OWNED BY VBRO ENTERPRISES LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

Mr. Moon said the proposed request is to rezone the property to “City” PUD from “County” Agriculture A-1. There are six parcels that are addressed within this rezoning request. City Council just addressed the westernmost parcel that recently annexed into the city. He reviewed the parcels on a map and reviewed the proposed land use types such as a sit down restaurant, and adult day care. He advised there was a list of prohibited uses as well as allowable uses. He stated staff recognized this intersection serves as a gateway to a significant residential area to the City of Apopka. To preserve the residential character it was necessary to limit the intensity of commercial that could locate at this intersection. He reviewed the character of the surrounding areas. DRC recommends 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 Bankson, to approve Ordinance No. 2630 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. 2631 – First Reading - Comprehensive Plan Amendment – Small Scale – Project: Iglesia Getsemani, Inc. - Located at 2575 West Orange Blossom Trail.** The City Clerk read the title as follows:

ORDINANCE NO. 2631

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” COMMERCIAL TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST ORANGE BLOSSOM TRAIL AND SOUTH OF HIGHLAND AVENUE, COMPRISING 1.43 ACRES MORE OR LESS, AND OWNED BY IGLESIA EL GETSEMANI, INC.; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mr. Martinez provided a brief lead-in reviewing the location on a map and the surrounding land-uses. He stated the proposed commercial land-use will complement the other uses in the vicinity between the residential uses to the north and the industrial uses to the south. The Planning Commission recommended approval at their March 13, 2018 meeting. DRC recommends approval of the First Reading and hold it over for a Second Reading.

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 Dean, to approve Ordinance No. 2631 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. **Ordinance No. 2632 – First Reading – Change of Zoning – Project: Iglesia Getsemani, Inc. - Located at 2575 West Orange Blossom Trail.** The City Clerk read the title as follows:

ORDINANCE NO. 2632

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA CHANGING THE ZONING FROM “COUNTY” C-1 (COMMERCIAL) TO “CITY” C-1

(COMMERCIAL) FOR CERTAIN REAL PROPERTY LOCATED AT 2575 W. ORANGE BLOSSOM TRAIL, COMPRISING 1.43 ACRES, MORE OR LESS AND OWNED BY IGLESIA GETESEMANI; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

Mr. Martinez said in conjunction with the previously heard agenda item, the applicant is proposing a rezoning for the same property located at 2575 West Orange Blossom Trail from "County" C-1 Commercial to "City" C-1 Commercial. The proposed zoning is compatible with the future land-use. The Planning Commissioner recommended approval at their March 13, 2018 meeting. DRC recommends approval of the First Reading and hold it over for a Second Reading.

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. 2632 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.

11. Ordinance No. 2637 – First Reading - Change of Zoning & PUD Master Plan/ Preliminary Development Plan - Project: City of Apopka, James D. & Deborah M. Lyda and Citizens Bank of Florida - Located on Johns Road, west of S.R. 451. – Postponed to March 21, 2018.

CITY COUNCIL REPORTS

Commissioner Becker asked for an update regarding the language for medical marijuana.

City Attorney Shepard advised they can bring this forward as soon as council desires.

Commissioner Bankson said he would like to have some workshop meetings regarding the City's reserve policy. He stated there seems to be a lot of confusion about this and there have been a lot of numbers discussed. He said his recollection was the last adopted budget put the City's reserves at 18%. He proposed bringing in some experts and establish a committee from the Chamber of Commerce of successful businesses in the area to look over information and make some proposals.

Mayor Kilsheimer said he was amenable to that and state he had done some of his own research with regards to reserve policies and what other cities do. He said cities like Winter Park, Sanford, and Orlando budget according to a strategic plan. The strategic plan is based on performance measures and each department has a mission statement with performance measurements under that basic strategy. The budgets are built based on these measures. He said he felt this would be a good exercise for the City of Apopka.

Commissioner Bankson said it was healthy to have a long term plan and plan for vehicle replacement.

Mayor Kilsheimer the City has provided for two new Fire Stations including the outfitting and equipping of same, and the hiring of staff all out of the General Fund budget. He said these two new stations have already proven themselves in the short amount of time they have been open. He stated the growth of Apopka is here today, affecting us today. He spoke of the need for a public safety complex that will hopefully be paid for from the newly created impact fund. He reiterated the idea of strategic planning being used to build the budget.

MAYOR'S REPORT – No report.

ADJOURNMENT – There being no further business the meeting adjourned at 8:41 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk