

## **CITY OF APOPKA**

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**Minutes of the regular City Council meeting held on February 5, 2014, at 1:30 p.m., in the City of Apopka Council Chambers.**

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

**PRESS PRESENT:** Roger Ballas - The Apopka Chief

**INVOCATION AND PLEDGE OF ALLEGIANCE** – The Invocation was given by Reverend Jim Page, Pastor of the Apopka Calvary Church of the Nazarene. Mayor Land said Dr. Martin Luther King, Jr., was honored on the 20<sup>th</sup> of January. He worked throughout his life for a peaceful change. Mayor Land asked everyone to reflect on the peaceful change that Dr. King was able to bring about, and how much better it made our great Nation that allows for peaceful change to take place, as he led the Pledge of Allegiance.

Mayor Land announced anyone wishing to appear before the City Council, should submit a Notice of Intent to Speak card to the City Clerk.

### **EMPLOYEE RECOGNITION**

- 1. Ruben Torres – Police/Support Services – Five Year Service Award** - Mayor Land said Ruben was unable to be at the meeting, and will be presented his award at a later time.
- 2. Carlos E. Joseph – Police/Support Services – Fifteen Year Service Award** - Mayor Land said Carlos was unable to be at the meeting, and will be presented his award at a later time.
- 3. Dennis F. Barb – Public Services/Fleet Management – Fifteen Year Service Award** - Mayor Land said Dennis began working for the City on December 21, 1998, as an Equipment Mechanic, which is his current position. The City Council joined Mayor Land in congratulating Dennis on his years of service to the City.
- 4. Michael “Mike” Seefeldt – Fire/EMS – Twenty Year Service Award** - Mayor Land said Mike started working for the City on December 7, 1993, as a Fire Fighter. On December 9, 1999, he was promoted to Fire Engineer. Mike was promoted to Fire Lieutenant on March 6, 2006, which is his current position. The City Council joined Mayor Land in congratulating Mike on his years of service to the City.
- 5. Mary “Jo” Hutsell – Fire/Suppression – Twenty Year Service Award** - Mayor Land said Jo began working for the City on December 19, 1993, as a Fire Fighter. She was promoted on December 9, 1999, to Fire Engineer, which is her current position. The City Council joined Mayor Land in congratulating Jo on her years of service to the City.

6. **Cynthia S. “Cindy” Haynes – Finance/Utility Billing – Twenty-Five Year Service Award** - Mayor Land said Cindy was unable to be at the meeting, and will be presented her award at a later time.

**ADD ON: PUBLIC SPEAKER:** Pat McGuffin, 289 Lake Doe Blvd, spoke in opposition to the moving of Florida Hospital Apopka. He spoke of the solicited money residents of Apopka donated in support of the local hospital, and of the distance to the new location from the current centralized location. He posed the following questions and comments to the City Council:

1. Is it okay with you that some business entity came into your City that you are responsible for, and took hundreds of thousands of dollars from its citizens, and then abandoned the City and moved closer to Ocoee than to the center part of Apopka where it was built for? He explained that the local hospital was originally built by a special North Orlando Hospital Tax District in the 1960's, and sold much later to Florida Hospital.
2. Does the hospital have the legal right to move the facility out of the Central Tax District? He suggested the City check the sales and supporting documents.
3. He said he hopes the City will not give incentive money or in-kind benefit to the hospital for its bold abandonment of Apopka.
4. Can the City and media research what is the criteria for losing a Certificate of Need in an old service area that is being partially abandoned.
5. Do you, as a City Commission, want your legacy to be that our local hospital left Apopka?

Mayor Land said the community will be learning more about this matter in the near future.

**PRESENTATIONS** - There were no presentations.

## **CONSENT AGENDA**

1. Approve the minutes from the regular City Council meeting held on January 15, 2014, at 8:00 p.m.
2. Authorize the use of Kit Land Nelson Park and the provision of support services for the 53<sup>rd</sup> annual Art & Foliage Festival.
3. Authorize the execution of a traffic enforcement agreement with the Wekiva Village Homeowner's Association.
4. Authorize the retirement of three (3) police canines, and their removal from the City's Asset List.
5. Approve the renewal, for an additional one year, of the lease agreement for office space at 405 South Park Avenue, with Dr. Charles Dorfman.
6. Approve the Disbursement Report for the month of January 2014.

**MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Kilsheimer, to approve the 6 items of the Consent Agenda. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.**

Commissioner Dean inquired about the plans for the retired canines. Chief Manley said the handlers normally purchase their dog from the City.

Mayor Land said he believes Greenbrier, on Rock Springs Road, will be donating 2 new dogs to the Police Department. He also spoke of a recently dedicated statue located at Greenbrier, honoring a former Apopka Police Department K-9 Officer named Ryko.

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

## **ORDINANCES AND RESOLUTIONS**

- 1. ORDINANCE NO. 2344 - THIRD READING & ADOPTION - CHANGE OF ZONING**  
- Faircloth Family Ltd., from R-1A (0-5 du/ac) (Residential) to Planned Unit Development (PUD/R-2) (0-5 du/ac) (Residential), for property located west of S.R. 451 (f.k.a. S.R. 429), north of Lake Marshall Road. (Parcel ID #: 08-21-28-0000-00-050).

Mayor Land said Ordinance No. 2344 meets the requirements for adoption, having been duly advertised in The Apopka Chief on January 24, 2014.

The City Clerk read the title, as follows:

### **ORDINANCE NO. 2344**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1A TO PLANNED UNIT DEVELOPMENT (PUD/R-2) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF S.R. 451 (F.K.A. S.R. 429), NORTH OF LAKE MARSHALL ROAD, COMPRISING 25.4 ACRES, MORE OR LESS AND OWNED BY FAIRCLOTH FAMILY, LTD.; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION** was made by Commissioner Dean, and seconded by Commissioner Kilsheimer, to adopt Ordinance No. 2344. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

- 2. ORDINANCE NO. 2346 - FIRST READING - CHANGE OF ZONING** - Cooper Palms Commerce Center, c/o Michael R. Cooper, from I-1 (Industrial) to Planned Unit Development (PUD/I-1), for property located south of 1<sup>st</sup> Street, north of 3<sup>rd</sup> Street, east of South Bradshaw Road, and west of S. Hawthorne Avenue.

Mayor Land said Ordinance No. 2346 does not meet the requirements for adoption, and will be held over for a Second Reading.

The City Clerk read the title, as follows:

**ORDINANCE NO. 2346**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM I-1 TO PLANNED UNIT DEVELOPMENT (PUD/I-1) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF 1<sup>ST</sup> STREET, NORTH OF 3<sup>RD</sup> STREET, EAST OF SOUTH BRADSHAW ROAD, AND WEST OF SOUTH HAWTHORNE AVENUE COMPRISING 17.64 ACRES MORE OR LESS, AND OWNED BY PROPERTY INDUSTRIAL ENTERPRISES, INC. AND ELRO PROPERTIES LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION was made by Commissioner Kilsheimer, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2346, and hold it over for a Second Reading. Commissioner Arrowsmith stated he would abstain from voting as the owner/applicant is a client of the bank he serves as Executive Vice President. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, and Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.**

**SITE APPROVALS**

**1. REPLAT - Lester Ridge Subdivision, owned by Meritage Homes of Florida, Inc., and located at 1786 Water Rock Drive. (Parcel ID No. 29-20-28-4750-00-650)**

Community Development Director Jay Davoll explained that this is a corrective Replat. The staff report is incorporated into and made a part of the meeting minutes.

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

**MOTION was made by Commissioner Kilsheimer, and seconded by Commissioner McQueen, to approve the Replat for Lester Ridge Subdivision, as presented. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.**

**DEPARTMENT REPORTS AND BIDS** - Chief Administrative Officer Richard Anderson reminded everyone of the Old Florida Outdoor Festival this weekend.

**MAYOR'S REPORT** - Mayor Land reported the following:

- Received a letter from Gene Bernal, Chief of Police of the Town of Eatonville, commending Apopka Police Chief Robert Manley for his exceptional leadership during an incident which resulted in an arrest for the break-in of a personal vehicle belonging to one of their officers.
- Apopka resident, Tiffany Moore, expressed appreciation for the exceptional customer service skills of Utility Billing employee, Theresa Brown, in assisting her with several utility account issues.
- Joe Hughes, Winter Park resident, expressed appreciation to City staff members, Linda Goff, Keith Tinch, and Terry Griffith, for their courteous and helpful assistance in locating his relatives' grave sites at the Edgewood/Greenwood Cemetery.
- Reminded everyone of the Apopka Food Truck Round-up on Thursday, February 6<sup>th</sup>, 5:30 p.m. to 9:00 p.m., at Kit Land Nelson Park.
- Again reminded everyone of the Old Florida Outdoor Festival this weekend.

**OLD BUSINESS**

1. **COUNCIL** - There was no old business from the Council.
2. **PUBLIC** – There was no old business from the public.

**NEW BUSINESS**

1. **COUNCIL** – There was no new business from the Council.
2. **PUBLIC** - There was no new business from the public.

**ADJOURNMENT** - There being no further business to discuss, the meeting adjourned at 1:53 p.m.

ATTEST:

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John H. Land, Mayor

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Janice G. Goebel, City Clerk