CITY OF APOPKA

Minutes of the regular City Council meeting held on January 2, 2019, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT:	Mayor Bryan Nelson Commissioner Doug Bankson Commissioner Kyle Becker Commissioner Alice Nolan Commissioner Alexander Smith City Attorney Joseph Byrd City Attorney Cliff Shepard City Administrator Edward Bass
PRESS PRESENT:	John Peery - The Apopka Chief

CITY OF APOPKA COLOR GUARD - Mayor Nelson called for the marching of the Colors, presented by the Apopka Color Guard. Alyssa James, Apopka High School student, sang the National Anthem.

PLEDGE OF ALLEGIANCE: Mayor Nelson introduced Matthew Touchet, a student at Apopka Memorial Middle School, who led in the Pledge. He said on January 2, 1788, Georgia became the fourth State in the Union to ratify the Constitution of the United States. The first was Delaware on December 7, 1787, and the last of the thirteen colonies was Rhode Island, which ratified the Constitution on May 29, 1790.

INVOCATION: - Mayor Nelson called on Pastor Darrell Morgan, Word of Life Church, who gave the invocation.

APPROVAL OF MINUTES:

1. City Council regular meeting December 19, 2018.
   Commissioner Becker said under Council Reports it references non-premise alcohol sales, the intent was for non-restaurant on premise alcohol sales.

   MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to approve the minutes of December 19, 2018, as corrected. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith and Nolan voting aye.

AGENDA REVIEW – No changes

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Employee Recognition:

- ❖ Ten Year Service Award – Ruben Torres – Police/Support Services. Ruben was not present and his award will be presented at another time.
- ❖ Twenty Year Service Award – Carlos E. Joseph – Police/Support Services. The Commissioners joined Mayor Nelson in congratulating Carlos on his years of service.

- ❖ Twenty Five Year Service Award – Mary Jo Hutsell – Fire/Suppression. Mary Jo was not present and her award will be presented at another time.

Presentations:

1. Festival of the Trees Check Presentation to the Apopka Historical Society & Museum
   Robbie Manley said when they discussed the Festival of Trees all were in agreement it should be brought back to the Museum. He asked Diann Haubner to Chair this event and put the committee together. A check was presented for $9,131.92 for the Museum. There were 51 Christmas Trees in the Festival of Trees.

2. Vietnam Traveling Wall Celebration Presentation
   Mayor Nelson said being a Rotarian and Mayor of Apopka, said having the Vietnam Traveling Memorial Wall come to Apopka was very exciting to him.

   Marten Piccinini said he was incredibly honored to be here and to have been a part of this as a citizen of Apopka. He has made a living for 27 years as a member of the Director's Guild of America and when the Mayor reached out regarding this event and introduced him to Bill Spiegel who was putting the event together. He stated his team simply went out and recorded the events, stating these events have had an impact their lives forever. He said they took the footage and put together a collection of the events that happened over five days. The film presentation played at this point.
3. AT&T Aspire Check Presentation to the City of Apopka/Alonzo Williams Park Community Center
   Dan Pollack with AT&T presented a check to the City of Apopka through their ASPIRE program for $15,000 for a computer center in the new Alonzo Williams Park Community Center.

Public Comment: – There was no public comment.

CONSENT

1. Approve the appointment of a new Planning Commission member.
2. Authorize alcohol sales at the Northwest Recreation Complex for the Cystic Fibrosis fundraising event.
3. Approve the install of a manhole liner and cover between Votaw Road and Burgust Street.
4. Authorize a proposal from Reiss Engineering for a Reclaimed System Feasibility Study.

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

BUSINESS

1. Authorize a shutdown agreement for the red light cameras and the associated budget amendment.

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

MOTION by Commissioner Smith, and seconded by Commissioner Bankson to authorize a shutdown agreement for the red light cameras. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Approve a change order and funding for the Amphitheater.
Edward Bass, City Administration, said in July the canopy replacement was awarded to Big Span and since that time, they started with getting the material ready. It was brought to our attention that there was an opportunity to strengthen the actual structure the canopy adheres. Mr. Marsh, Building Official, was brought in to make sure the City did everything required to have this done in the right way. He advised we would need a General Contractor to sign off on the strengthening of the structure. The two general contractors under continuing contract with the City both declined. The City discussed this with Big Span to see if they would be interested in proceeding with the strengthening of the structure. Mr. Bass reiterated that FEMA is involved in this project and after contacting them FEMA advised to pull back the current request and put the package together for the strengthening of the structure and the canopy and refile. He advised this was done and Big Span is going to do a change order, hire the General Contractor to strengthen the structure, then the material will be placed. This is a change order of approximately $60,000. The request is to grant the change order to Big Span and approve the additional funding. He advised the total in the packet includes funding for the lights, which staff will come back to Council for approval. He reported the City has received $266,000 from the insurance proceeds. We are requesting $132,000 from FEMA. The request is to approve the change order and the additional $9,631 that will be in the budget amendment under the resolution. He advised that once approved, Big Span has indicated they will be able to complete the project by the end of January.

Ray Marsh, Building Official, said the frame was designed for 150 mph wind load and with the fabric change and cable increased in size; it will handle a substantially more dead load for lighting. He stated the newer lighting will not have as heavy a dead load.

MOTION by Commissioner Bankson, and seconded by Commissioner Becker to approve the change order and funding for the Amphitheater. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. Ordinance No. 2697 – Second Reading – Vacate – Drainage Easement
   Project: Edward and Patricia Talia
   Location: 2846 Sand Oak Loop – The City Clerk read the title as follows:

ORDINANCE NO. 2697

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A FIVE-FOOT WIDE PORTION OF A DRAINAGE EASEMENT LOCATED AT 2846 SAND OAK LOOP; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS AND AN EFFECTIVE DATE.

Jean Sanchez, Planner, said there have been no changes since the first reading.

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

MOTION by Commissioner Smith, and seconded by Commissioner Nolan to adopt Ordinance No. 2697. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

2. Ordinance No. 2701 – Second Reading – Annexation
   Project: Emerson Point Phase II, LLC
   Location: 1900 South Hawthorne Avenue and Unimproved ROW to the north
   The City Clerk read the title as follows:

ORDINANCE NO. 2701

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY <u>EMERSON POINT PHASE II, LLC,</u> LOCATED AT 1900 SOUTH HAWTHORNE AVENUE; AND THE UNIMPROVED PUBLIC ROAD RIGHT-OF-WAY TO THE NORTH; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

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

MOTION by Commissioner Nolan, and seconded by Commissioner Becker to adopt Ordinance No. 2701. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

3. Ordinance No. 2699 - First Reading - Change of Zoning – Overlay District Master Plan
   Project: Orlando Beltway West Parcel
   Location: 5401 Effie Drive
   The City Clerk read the title as follows:

ORDINANCE NO. 2699

AN ORDINANDE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "CUNTY" A-1 (ZIP) TO "CITY" KELLY PARK INTERCHANGE MIXED-USE (KPI-MU), AND ASSIGNING A KELLY PARK CROSSING EMPLOYMENT MEDTECH CAMPUS OVERLAY DISTRICT, FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF STATE ROAD 429 AND EAST OF EFFIE DRIVE, SPECIFICALLY LOCATED AT 5401 EFFIE DRIVE, COMPRISING 51.0 ACRES MORE OR LESS, AND OWNED BY <u>ORLANDO BELTWAY</u>

ASSOCIATES; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Bobby Howell reviewed the area on an aerial map. He pointed out the surrounding land uses in the area.

Erika Hughes, representing the applicant, said they agreed with staff recommendations and were available to answer any questions.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Smith to approve Ordinance No. 2699 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Ordinance No. 2707 – First Reading - Annexation
Project: Ramjit Bhoodram Life Estate, Ramjit Ethel R Life Estate, Rem: Ramjit Family Trust
Location: 2378 Marden Road
The City Clerk read the title as follows:

ORDINANCE NO. 2707

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUTATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY RAMJIT BHOODRAM LIFE ESTATE, RAMJIT ETHEL R. LIFE ESTATE, REM: RAMJIT FAMILY TRUST: LOCATED AT 2378 MARDEN ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Bobby Howell provided a brief lead-in on the property to be annexed and reviewed the area on a map.

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

MOTION by Commissioner Smith, and seconded by Commissioner Nolan to approve Ordinance No. 2707 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

4. Resolution 2019-01– FY18/19 Budget Amendment

RESOLUTION NO. 2019-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND BENDING SEPTEMBER 30, 2019, PROVIDING FOR A BUDGET AMENDMENT.

Jamie Roberson, Finance Director, said this amendment was for items Council has already approved, including the amendment for the amphitheater canopy replacement and improvement to the structure. Also included is the amendment recognizing the AT&T grant for media upgrades for the Alonzo Williams Park Community Building, and additional revenues and appropriations as it relates to the Phase out program for the red light camera agreement.

MOTION by Commissioner Bankson, and seconded by Commissioner Nolan to approve Resolution No. 2019-01 as presented. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Smith, and Nolan voting aye.

CITY ADMINISTRATOR'S REPORT – No Report

CITY COUNCIL REPORTS

Commissioner Bankson reported he would be absent at the next Council meeting. He will be traveling to Israel and will be representing the City there.

MAYOR'S REPORT

Mayor Nelson presented a 2019 City of Apopka Legislative Appropriation Project Requests to include: Dream Lake Water Quality Improvement; Fire Station 6; Government Public Meeting Accessibility; Harmon Road Extension; Lake Cortez Flood Protection and Re-Use Project; Quest/Camp Thunderbird Inclusive Playground; Stormwater Asset Management Program, and Apopka Birding Park. He said the Dream Lake Water Quality Improvement Project, because of the connection to the Wekiva Springs, it may qualify for springs funding as well as the Lake Cortez Flood Protection.

Richard Earp, City Engineer, said Border Lake at Wekiva Springs Road and 436 had increased and getting high. FDOT believed it to be due to some of the projects in the area. He advised they were looking into pumping the water from Border Lake, treating it to reclaimed water standards and placing the water into the city reclaimed water system to distribute to customers. He advised Orange County, Department of Transportation, and St. Johns River Water Management District have all indicated an interest in helping fund future phases of the project. This phase is the feasibility study. This will also help the homes around Lake Cortez.

Commissioner Smith suggested two additional items to have considered for funding, a pedestrian crosswalk at the downtown center, and a satellite campus for FAMU and Valencia Community College in Apopka. He said FAMU is known for their nursing program so that would be one of the courses of study as well as sports medicine, allied health and health information, agriculture degrees, and business administration degrees to be considered.

Commissioner Becker said he was glad to see Quest and Camp Thunderbird on the list. He said he thought it would be helpful for this to be part of a masterplan for utilization of that property from the City and Quest.

Commissioner Bankson said they have been doing a lot of work at the Airport and said there was a need for an extension of the runway. In order to do this, federal funding is available, but fencing is required. He reported the flight school was planning to add a mechanic school, and if there was a way to collaborate with them there could be funding available for students. He suggested looking into tying this in to Valencia.

Commissioner Nolan agreed with looking into higher education opportunities in the City of Apopka.

Mayor Nelson reported there have been some complaints about the water meters and pointed out a water meter on display that was replaced on city property.

Mayor Nelson thanked Mr. Piccinini and Mr. Spiegel for their hard work on the Vietnam Traveling Wall. He added the groundbreaking for the Alonzo Williams Park Community Building was earlier in the day and it should be complete in approximately nine months.

ADJOURNMENT: There being no further business the meeting adjourned at 2:40 p.m.

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Bryan Nelson, Mayor

ATTEST;

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Linda F. Goff, City Clerk