CITY OF APOPKA

Minutes of a regular City Council meeting held on November 7, 2012, at 1:30 p.m., in the City of Apopka Council Chambers.

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

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Land gave the Invocation. He said Sunday was November 11th, Veteran's Day, and the day we set aside to honor those who served in the Armed Forces defending our Nation and protecting the freedom and liberty that we enjoy as citizens of this great Nation. He asked everyone to reflect on their dedication and service as he led in the Pledge of Allegiance.

EMPLOYEE RECOGNITION

1. Michael G. Reagor – Police Department/Field Services - 5 Year Service Award - Mayor Land said Mike was not present, and will receive his award at another time.

2. Robert L. Shelton – Information Technology - 5 Year Service Award - Mayor Land said Bob began working for the City on October 8, 2007, as a Computer Support Specialist for Information Technology, which is his current position. The City Council joined Mayor Land in congratulating Bob for his years of service to the City.

3. Harold W. Cummings –Police Department/Field Services - 5 Year Service Award - Mayor Land said Harold started working for the City on October 1, 2007, as a Police Officer for Field Services, which is his current position. The City Council joined Mayor Land in congratulating Harold for his years of service to the City.

4. Charles U. Clark – Public Services/Inmate Program - 5 Year Service Award - Mayor Land said Buddy began working for the City on October 1, 2007, as a Maintenance Worker III for the Inmate Program, which is his current position. Mayor Land added that Buddy originally started working for the City in 1950 or 1951, and retired from the City. He returned to the City to work with the Inmate Program. The City Council joined Mayor Land in congratulating Buddy for his years of service to the City.

5. Robert J. Campbell – Police Department/Field Services - 5 Year Service Award - Mayor Land said Robert started working for the City on October 1, 2007, as a Police Officer for Field Services, which is his current position. The City Council joined Mayor Land in congratulating Robert for his years of service to the City.

6. Sean J. Wylam – Fire Department/EMS - 10 Year Service Award - Mayor Land said Sean was not present, and will receive his award at another time.

7. Ryan L. Schiedel – Fire Department/Suppression - 10 Year Service Award - Mayor Land said Ryan was not present, and will receive his award at another time.

8. Daniel H. McGatlin – Fire Department/Suppression - 10 Year Service Award - Mayor Land said Daniel was not present, and will receive his award at another time.

9. Anthony P. Keener – Fire Department/EMS - 10 Year Service Award - Mayor Land said Anthony was not present, and will receive his award at another time.

10. Matthew J. Gurgone – Fire Department/EMS - 10 Year Service Award - Mayor Land said Matt began working for the City on October 21, 2002, as a Firefighter First Class for Suppression. He completed his paramedic program and changed to EMS department on November 20, 2004. On December 11, 2009, he was promoted to Firefighter Lieutenant, which is his current position. The City Council joined Mayor Land in congratulating Matt for his years of service to the City.

11. Christopher J. Cowley – Fire Department/Suppression - 10 Year Service Award - Mayor Land said Chris started working for the City on October 21, 2002, as a Firefighter First Class for Suppression. He was promoted on October 12, 2007, to a Firefighter Engineer for Suppression, which is his current position. The City Council joined Mayor Land in congratulating Chris for his years of service to the City.

12. John H. Drechsel – Fire Department/EMS - 10 Year Service Award - Mayor Land said John began working for the City on October 6, 2002, as a Firefighter First Class for Suppression. John completed his paramedic program February 19, 2005, and changed to EMS department as a Firefighter First Class, which is his current position. The City Council joined Mayor Land in congratulating John for his years of service to the City.

ADD ON: Dennis Thomas – Fire/Suppression - Mayor Land said Dennis began working for the City on October 21, 2002, as a Firefighter 1st Class in Suppression. The City Council joined Mayor Land in congratulating Dennis on his years of service to the City.

13. Rene L. Colina – Fire Department/EMS - 15 Year Service Award - Mayor Land said RL started working for the City on October 26, 1997, as a Firefighter First Class for Suppression. RL was transferred to EMS on 10/26/2002. He was promoted on March 2, 2005, to a Firefighter Lieutenant for EMS, which is his current position. The City Council joined Mayor Land in congratulating RL for his years of service to the City.

PRESENTATIONS

1. FY 2012 Budget Award - Edward Bass - Mayor Land read the plaque and presented it to Finance Director Edward Bass. Mr. Bass verified this is the 6th successive year of receiving the award.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on October 17, 2012, at 8:00 p.m.
2. Approve the minutes from the Community Meeting on City Charter held on October 18, 2012, at the Apopka Community Center/VFW Post #10147, at 6:00 p.m.
3. Approve December 26, 2013, as the Floating Holiday for CY2013.
4. Authorize the Chief Administrative Officer to execute the Inmate Work Squads Contract III - #WS793, in the amount of $58,004.00, with the Department of Corrections.
5. Authorize the Chief Administrative Officer to sign the Interlocal Agreement, in the amount of $7,506.00, for the Watershed Atlas Project between the City of Apopka and Orange County.
6. Approve the Disbursement Report for the month of October 2012.

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

Robert Webster, 237 W. Ponkan Road, spoke regarding the Red Light Camera Enforcement Program stating that he had received a citation and stated he would have to defend and represent himself regarding the issuance of this citation. He maintained these violations should be charged by City Ordinance rather than State Statutes.

Mayor Land said this has been discussed multiple times and would be referred to the City Attorney. He said the Council has agreed to meeting with Mr. Webster, and the attorney would be present.

Mike Cooper, 970 Ocoee Apopka Road, spoke regarding the conditions at the corner of 1st Street and Bradshaw Road. He encouraged the City to move forward with cleaning the property of debris and lien the property.

Pat McGuffin, 515 Cooper Commerce Park, stated he agreed with Mr. Cooper, and feels the dilapidated conditions of the property does not represent a good impression of Apopka and needs to be cleaned up.

CAO Anderson reported the matter is being brought back to the Code Enforcement Hearing Officer on November 18th to request the issuance of an Order authorizing the City to move forward to clean the property and file a lien.

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

ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2272 - SECOND READING & ADOPTION -** Amending Chapter 6, "Alcoholic Beverages" Sec. 6-2, "Possession or Consumption in a Public Place", to clarify that possession or consumption on private property, that is open to the public, is prohibited. -

Mayor Land said Ordinance No. 2272 meets the requirements for adoption, having been duly advertised in The Apopka Chief on October 19, 2012. The City Clerk read the title as follows:

ORDINANCE NO. 2272

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF APOPKA, CHAPTER 6 "ALCOHOLIC BEVERAGES," SECTION 6-2 "POSSESSION OR CONSUMPTION IN A PUBLIC PLACE"; PROVIDING FOR CODIFICATION, 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 McQueen, and seconded by Commissioner Arrowsmith, to adopt Ordinance No. 2272. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

2. **ORDINANCE NO. 2273 - FIRST READING - VACATION** - Errol Club Villas, vacating a portion of a platted utility easement, located south of Golf Course Drive and east of Errol Parkway.

Mayor Land said Ordinance No. 2273 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. 2273

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A UTILITY EASEMENT LOCATED SOUTH OF GOLF COURSE DRIVE AND EAST OF ERROL PARKWAY; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR 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 McQueen, to accept the First Reading of Ordinance No. 2273, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

3. **RESOLUTION NO. 2012-16** - Donation of vacant land from The Coca-Cola Company to the City of Apopka.

The City Clerk read the title, as follows:

RESOLUTION NO. 2012-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, TO ACCEPT A DONATION OF VACANT LAND LOCATED IN APOPKA

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 Arrowsmith, to adopt Resolution No. 2012-16. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

4. **RESOLUTION NO. 2012-17** - Authorizing the refunding of the City's Utility System Improvement and Refunding Revenue Bonds, Series 2001 with Refunding Revenue Bonds, Series 2012.

Finance Director Edward Bass explained the City has the opportunity to save approximately $3,000,000 over the remaining life of the bonds by issuing a new bond series. He said the process should be completed by the end of 2012.

In response to a question from Commissioner Kilsheimer, Mr. Bass said the City is taking advantage of the financing and low interest rates available at this time.

The City Clerk read the title, as follows:

RESOLUTION NO. 2012-17

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, SUPPLEMENTING AND AMENDING RESOLUTION NO. 2001-12 ADOPTED ON OCTOBER 24, 2001, AS AMENDED AND SUPPLEMENTED; AUTHORIZING THE REFUNDING OF THE CITY'S UTILITY SYSTEM IMPROVEMENT AND REFUNDING REVENUE BONDS, SERIES 2001; AUTHORIZING THE ISSUANCE OF NOT

EXCEEDING $20,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF APOPKA, FLORIDA UTILITY SYSTEM REFUNDING REVENUE BONDS, SERIES 2012 IN ORDER TO REFUND SUCH BONDS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; AUTHORIZING A NEGOTIATED SALE OF SAID BONDS; DELEGATING CERTAIN AUTHORITY TO THE MAYOR FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT WITH RESPECT THERETO AND THE APPROVAL OF THE TERMS AND DETAILS OF SAID BONDS; APPOINTING THE REGISTRAR AND PAYING AGENT FOR THE BONDS; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF THE OFFICIAL STATEMENT WITH RESPECT THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT AND THE APPOINTMENT OF AN ESCROW AGENT; APPROVING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE, AMENDING RESOLUTION NO. 2001-12 IN CERTAIN RESPECTS; AND PROVIDING 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 Arrowsmith, and seconded by Commissioner McQueen, to adopt Resolution No. 2012-17. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS - CAO Anderson said, based on discussions at previous meetings concerning lot sizes, a report has been distributed to the City Council of a survey performed by City staff regarding lot size comparisons of other agencies in the area.

MAYOR'S REPORT - Mayor Land reported the following:

- Additional "Thank You" cards have been received from Morgan & Barbara Martin, Sally Piety, and Marsha Riggs, for the reception held Friday, October 5, at Highland Manor, in honor of the 100th Anniversary of the Ustler Family.
- Elizabeth Babb called City Hall to compliment Public Services employees Bonnie, Dale, and Marvin. She said they were professional and handled her low water pressure at her home in a matter of minutes.
- Announced the 2nd City Charter Meeting will be held Thursday, November 8th, 6:00 p.m. to 7:30 p.m., at the Apopka Community Center/VFW Post #10147.

- Reminded everyone of The Taste of Apopka Business Expo, being held on Thursday, November 8th, 5:00 p.m. to 7:00 p.m., at Century Link Apopka, 555 Lake Border Drive, Apopka.
- Announced City of Apopka Offices will be closed on Monday, November 12th, in observance of Veterans' Day, and will reopen on Tuesday, November 13th, regular business hours 8:00 a.m. to 5:00 p.m.
- Announced City Offices will also be closed Thursday, November 22nd, and Friday, November 23rd, for the Thanksgiving Holiday.
- Reminded everyone that the City Council Meeting scheduled for 8:00 p.m. on Wednesday, November 21st, has been rescheduled for Wednesday, November 28, at 8:00 p.m.

OLD BUSINESS

1. Council -

Commissioner Kilsheimer reported attending the Institute for Elected Municipal Officials (IEMO), conducted by the Florida League of Cities, held October 19-21, 2012. He expressed appreciation to the City for affording him the opportunity to attend.

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 2:12 p.m.

ATTEST: John H. Land, Mayor

Janice G. Goebel, City Clerk