

CITY OF APOPKA

Minutes of the regular City Council meeting held on October 19, 2016, at 7:00 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 Andrew Hand
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Reverend Laura Viau of First Presbyterian Church of Apopka, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on October 22, 1968, members of the Apopka Historical Society appealed to the City Council for use of a room on the second floor of City Hall to establish a museum. The Council's vote was unanimous and the Apopka Historical Society quickly setup the museum in City Hall where it remained for nearly twenty years. In 1987, looking for more space for the growing number of exhibits, the museum relocated to the ground floor of the McBride building. The Museum of the Apopkans today is situated in a modern log cabin structure built in 2001. It hosts an impressive display of the rich heritage and history of Apopka and serves an important role in preserving artifacts and presenting the stories of the past. In the last week, the Apopka Historical Society unexpectedly lost its President, Jerry Weiss, who had recently organized a photo preservation event and was active in cataloging Apopka's history. He declared our thoughts and prayers are with the Weiss family and the Historical Society. He asked everyone to remember those men and women, who like Jerry Weiss, help to preserve Apopka's history for future generations as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

1. City Council workshop August 23, 2016.
2. City Council Budget Hearing September 14, 2016.
3. City Council Budget Hearing September 28, 2016.
4. City Council meeting October 5, 2016.

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve the minutes of August 23, 2016, September 14 2016, September 28, 2016, and October 5, 2016. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Presentations:

1. Apopka Fire Department, Firefighter Combat Challenge.
Chief Carnesale recognized a group of Apopka Firefighters that competed last month in the

Firefighter Combat Challenge in Missouri. He said the Challenge annually attracts hundreds of United States and Canadian Fire Departments at more than twenty-five locations across the country. The Challenge encourages firefighter fitness and demonstrate the profession's rigors to the public. He showed a video of the firefighters competing. He introduced the firefighters that competed: Zeyn Alvarado, Dylan Spencer, Sean Knapp, Cody Minchey, Chris Lenahan, Justin Joseph, Earl Hines, Scott Harrell, Don Klouse, Renee Beasley, Thomas Garner, Jon McGuire, Antonio Batista, and Danny Criswell. District Chief Todd Bengston was coach and manager for this event. He stated Scott Harrell qualified for the world competition in the 40 and over age division. Apopka took home third place overall in the team division led by Justin Joseph, Danny Criswell, Earl Hines, and Scott Harrell. The Apopka Fire Department also took the top five of 26 newcomers to the competition led by Justin Joseph, Scott Harrell, Danny Criswell, Earl Hines, and Sean Knapp. Renee Beasley won first place overall in the women's division and qualified for the world competition with a time of four minutes and eighteen seconds. Engineer Don Klouse qualified for the world competition with a time of three minutes and thirty-five seconds and won first place in the male over 50 division.

Public Comment Period:

Max Kelly, President of the Apopka High School Drama Department and Matthew Zenon, Vice President of the Apopka High School Drama Department, both Apopka residents, spoke of the performances they produce every year, the most recent being *Fantastic Mr. Fox*, which they will be performing for multiple elementary schools. Max said their honors theatre class will also be performing for elementary schools, advising they did a bullying piece last year to teach how to overcome bullying. Matthew said they not only enrich the children of the community, but the high school students also gain a lot from this department. They are unfunded and fundraise as much as possible, as well as asking for donations from local businesses. They said the City has donated in the past and they would love for the City to consider donating again.

Pastor Hezekiah Bradford, Jr. said on behalf of the Apopka Christian Ministerial Alliance and the South Apopka Ministerial Alliance, said they would love to continue to work with the community in any way they possibly can. He stated when he returned from vacation he heard about the Gospel Fest the City was trying to do and had a chance to review the last Council meeting. He received a call from Commissioner Bryan Nelson and they had a meeting with the Ministerial Alliances. From that meeting they decided to have an Apopka Faith Family Food Festival and submitted an application today for the event to be held on January 7, 2017. He stated they employed Willy Carey as the event coordinator. He invited any other faith based initiatives to be part of this event.

Ray Shackelford said he called sanitation and waste management services last week and said he spoke with Marianne who was very patient and respectful. He asked if a friend of his came to speak after a vote or consensus of City Council, would they be allowed to speak. He spoke of the Apopka Begins and Ends with "A" program and the foundation running it. He made a public records request for a finance report of the \$20,000 spent and on the budget for \$30,000 and how it is planned to be spent. He applauded Commissioner Becker for keeping his campaign promise as related to the young people. He said he looked forward to the campaign promise of the Mayor related to term limits. He stated the General Finance Officers Association and Civic Federation state that the minimal fund balance should be roughly 17% for two months. He declared they also state some governments may require much larger reserves based on concerns of potential financial conditions.

He stated several cities in Central Florida are seeking or have a fund balance of at least 25%. He called upon the Council to support Commissioner Bankson's call to raise the fund balance in order to protect the fiscal integrity of the City of Apopka and bond rating.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of September, 2016.
2. Award a contract for a reclaim water service main extension on Ocoee-Apopka Road.
3. Award a construction contract to Rosenbauer America, LLC for a new Fire Engine.
4. Award a construction contract to Rosenbauer America, LLC for an Advanced Life Support Rescue vehicle.
5. Approve the ranking of firms and authorize the negotiation of a contract for a Construction Manager at Risk for Fire Station 5.

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

Mayor Kilsheimer recognized newly elected Kamia Brown, District Representative for District 45, who will be sworn in after the November 8, 2016 election.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION

1. **Ordinance No. 2519 – Second Reading – Master Plan/Preliminary Development Plan.** The City Clerk read the title as follows:

ORDINANCE NO. 2519

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING ORDINANCE NUMBER 2170, CHANGING THE ASSIGNMENT OF OWNERSHIP FOR TRACT "B" AND "F" AND AMENDING THE APPROVED ORCHID ESTATES MASTER PLAN PRELIMINARY DEVELOPMENT PLAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF JASON DWELLEY PARKWAY AND NORTH OF APPY LANE, AND OWNED BY JTD LAND AT ORCHID ESTATES, 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.

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 adopt Ordinance No. 2519. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. **Ordinance No. 2520 – Second Reading – Small Scale Future Land Use Amendment.** The City Clerk read the title as follows:

ORDINANCE NO. 2520

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” MIXED USE, FOR CERTAIN REAL PROPERTY LOCATED AT 1850 S. BINION RD., COMPRISING 5.6 ACRES MORE OR LESS, AND OWNED BY EQUITY WATERS EDGE LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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. 2520. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. **Ordinance No. 2521 – Second Reading – Change of Zoning.** The City Clerk read the title as follows:

ORDINANCE NO. 2521

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” MIXED-EC FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 1850 S. BINION RD., COMPRISING 5.6 ACRES MORE OR LESS, AND OWNED BY EQUITY WATERS EDGE 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.

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 Bankson, to adopt Ordinance No. 2521. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

4. **Ordinance No. 2522 – Second Reading – Vacate – Right-of-Way.** The City Clerk read the title as follows:

ORDINANCE NO. 2522

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF RIGHT-OF-WAY(ALLEYWAY); LOCATED SOUTH OF EAST 6TH STREET AND WEST OF SOUTH HIGHLAND AVENUE; IN SECTION 09, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE

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 adopt Ordinance No. 2522. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

5. **Ordinance No. 2523 – Second Reading – Vacate – Right-of-Way.** The City Clerk read the title as follows:

ORDINANCE NO. 2523

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF JOHNS ROAD RIGHT-OF-WAY; LOCATED EAST OF BINION ROAD AND SOUTH OF BEARDSLEY DRIVE; IN SECTION 07, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE

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 Dean, to adopt Ordinance No. 2523. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

6. **Resolution 2016-32 – Accept a donation of right-of-way along Marden Road from the Central Florida Expressway.** The City Clerk read the title as follows:

RESOLUTION NO. 2016-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ACCEPTING A QUIT CLAIM DEED FROM CENTRAL FLORIDA EXPRESSWAY AUTHORITY FOR REAL PROPERTY; DIRECTING THE CITY CLERK OR DESIGNEE TO RECORD THE EXECUTED DEED IN THE PUBLIC RECORDS OF ORANGE COUNTY, AND PAY ALL FEES NECESSARY TO EFFECTUATE SUCH RECORDATION, PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

Glenn Irby, City Administrator, said this is in relation to the roundabouts on Marden Road connecting it to S.R. 414. He advised this was an assembly of different parcels of property along that round in order to construct the roundabouts. The City has accepted dedications of right-of-way from three entities to date and this is the fourth. He affirmed this resolution accepts that donation of right-of-way.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to approve Resolution No. 2016-32. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

MAYOR'S REPORT

Commissioner Dean commented on Pastor Bradford's presentation of a Gospel Fest and conveyed his gratitude to move forward in holding this event.

1. Appointment of Director James Hitt to the MetroPlan Orlando Technical Advisory Committee (TAC).

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez to appoint Community Development Director James Hitt to the MetroPlan Orlando Technical Advisory Committee. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

ADJOURNMENT – There being no further business the meeting adjourned at 7:43 p.m.

ATTEST;

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk