CITY OF APOPKA

Minutes of the regular City Council meeting held on October 17, 2012, at 8:00 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 on October 19, 1881, the last battle of the Revolutionary War ended, that being the Battle at Yorktown. He said it started on the 6th of October and on the 19th, Lord Cornwallis surrendered to George Washington, ending the war that started 6 years before at Lexington and Concord, bringing about the freedom and liberty that we have today. He asked everyone to reflect on that great event in the life of our Nation, as he led in the Pledge of Allegiance.

PRESENTATIONS

1. **State of Education in Orange County - Christine Moore** - School Board Member Christine Moore gave an update on the current status of the Apopka area schools, including construction and programs.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting held on October 3, 2012, at 1:30 p.m.
2. Authorize the expenditure of $10,000.00 from the Federal Law Enforcement Trust Fund, in increments of $2,500.00 over the next fiscal year, to conduct investigative drug buys and other associated undercover operations.
3. Authorize the expenditure of $9,030.00 from the Federal Law Enforcement Trust Fund, to equip an existing vehicle with in-car video and audio systems, and RADAR to improve evidence collection and enforcement of traffic laws.

MOTION was made by Commissioner McQueen, and seconded by Commissioner Kilsheimer, to approve the three (3) items of the Consent Agenda. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

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

ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2272 - FIRST READING -** 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 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. 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 Arrowsmith, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2272, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

SITE APPROVALS

1. **FINAL DEVELOPMENT PLAN - ERROL CLUBHOUSE VILLAS** - Property located south of Golf Course Drive and east of Errol Parkway.

Community Development Director Jay Davoll gave an overview of the project and answered questions from the Council. (The staff report is incorporated into and made a part of these meeting minutes.)

Mayor Land opened the meeting for a public hearing.

Jay Klima, Klima Weeks Civil Engineering, Inc., representing the owners, said he was available to address any questions of the City Council. He added that staff has been superb to work with during the process.

MOTION was made by Commissioner Dean, and seconded by Commissioner McQueen, to approve the Final Development Plan for Errol Clubhouse Villas, subject to approval of the vacation of the utility easement, submittal of a signed school mitigation agreement from OCPS,

and the findings of the staff report. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer voting aye.

DEPARTMENT REPORTS AND BIDS

1. **Administrative Report** - Richard D. Anderson - Chief Administrative Officer, announced the report had been distributed and he was available for questions. None were asked.

He gave an update on the Solid Waste Committee meetings which Orange County Mayor Teresa Jacobs and Mayor Land Co-Chair. The meetings have primarily been presentations by Orange County on where we presently are and what their costs are as it relates to other areas of the State. The next few meetings should be more informative.

CAO Anderson also reported a meeting on November 1st in Marion County. Marion County entered into an agreement to provide a landfill in Sumter County with a tipping fee of about $8.00 per yard. He said they are trying to push the opportunity to some of the other communities in the area. He reported staff will be attending the meeting to see what they have to offer. He said more information should be available by the first of the year.

MAYOR'S REPORT - Mayor Land reported the following:

- The City received a card from Norman and Sharon Ustler, representing the Ustler Family, thanking the City for the Proclamation recognizing the family's 100th year in Apopka and bringing the Boston Fern to Apopka and the indoor foliage that we enjoy so much in our community. Commissioner McQueen also expressed her sincere appreciation, on behalf of the Ustler Family, for the wonderful reception the City provided on Friday, October 5th.

- Announced that the second meeting in November falls on the eve of Thanksgiving and asked for a vote of the Council regarding holding or postponing the meeting. CAO Anderson suggested the meeting on November 21st be postponed to November 28, and cancel the December 5th meeting, combining the two meetings to the **November 28th** date. The City Council unanimously agreed to the suggestion of CAO Anderson.

- The Community Meeting for Charter Study will take place Thursday, October 18th, at the VFW, at 6:00 p.m. He invited everyone to attend.

- Orange County Household Hazardous Waste and Electronic Waste Community Collection Event is scheduled for this Saturday, October 20th, 8:00 a.m. to 3:00 p.m., at the Orange County Services Building on Rock Springs Road.

- The Florida League of Cities is opposing Amendment 4 on the November ballot. Mayor Land gave a bit of history and outline of the impacts to cities by this Florida Constitutional Amendment.

- At a meeting of the East Central Florida Regional Planning Committee, the proposal for the landfill on Golden Gem Road was discussed. Mayor Land said he will monitor the activity and report back to the City Council. CAO Anderson said the City will have staff at the upcoming meetings about the proposal for the landfill.

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 8:38 p.m.

ATTEST: _____
John H. Land, Mayor

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Janice G. Goebel, City Clerk