

CITY OF APOPKA

Minutes of the City Council regular meeting held on October 4, 2017, at 1:30 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 Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Ben Bankson of Victory Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on October 2, 1967, that Thurgood Marshall was sworn in as the first African American Justice of the United States Supreme Court. Before his appointment, Thurgood Marshall served as the NAACP's Chief Counsel from 1938 to 1961, during which time he played a pivotal role in registering African American voters throughout the south and in Central Florida. As NAACP's Special Counsel, Marshall served as lead counsel for the defendants in the notorious *Groveland Four* case. Marshall also successfully argued the *Brown v. Topeka Board of Education* case in 1954, which ended segregation in public education. This victory gave strength to the Civil Rights Movement, eventually leading to the desegregation of public facilities and accommodations. He asked everyone to remember those men and women who, like Thurgood Marshall, dedicated their lives to our Civil Rights Movement he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

- 1. City Council workshop meeting July 20, 2017.**
- 2. City Council special meeting August 22, 2017.**
- 3. City Council regular meeting September 6, 2017.**
- 4. City Council special meeting September 13, 2017.**
- 5. City Council regular meeting September 20, 2017.**

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez to approve City Council minutes of July 20, 2017, August 22, 2017, September 6, 2017, September 13, 2017, and September 20, 2017 as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

AGENDA REVIEW

Proclamations:

- Mayor Kilsheimer read a proclamation recognizing and claiming October 24, 2017 as World Polio Day in the City of Apopka, and presented it to the Rotary Club of Apopka.

Christine Horvay, President of the Apopka Rotary Club, thanked the City of Apopka and Council for being involved in this, and asked they all join them in lighting up Apopka for World Polio Day.

Employee Recognition:

- Fifteen Year Service Award – Steven “Steve” Harmon – Police/Field Services. The Commissioners joined Mayor Kilsheimer in congratulating Steve for his years of service.
- Twenty Year Service Award – Carol McMaster – Police/Support Services. The Commissioners joined Mayor Kilsheimer in congratulating Carol for her years of service.
- Twenty-five Year Service Award – Stephan “Steve” Brick – Police/Support Services. Steve was not present and will be presented his award at another time.

Presentations:

1. Announcement of newly sworn in police officers.
Mayor Kilsheimer said it was his pleasure to introduced three newly sworn in police officers with the City of Apopka. He introduced the following new officers:
 - Officer Tavhani Quarterman
 - Officer Tyler Bauer
 - Officer Christopher Padilla
2. Standing Ovation Award for Erin VanNorstrand with Dispatch.
Mayor Kilsheimer recognized Erin VanNorstrand receiving the Standing Ovation Award. Erin received a 9-1-1 call from a mother requesting medical assistance for her child behaving oddly. Erin used her training and knowledge to question the mother to find they had no power in the house and determine the child was showing signs of carbon monoxide poisoning. Her quick thinking and action saved not only the child, but the rest of the family and the first responders responding to the scene.
3. Presentation on the Orange County Clerk of Courts Self Help Center launch.
Tiffany Moore Russell, Orange County Clerk of Courts, reviewed a video explaining their Self Help Center. She reviewed the services they offer to include marriage licenses, court filings, passports, traffic ticket payments, trial evidence, and dissolution of marriage just to name a few. The Clerk of Courts are the gateway to the courts and their duties are crucial to our justice system. There is an office in Apopka and on October 17, 2017, they will be launching the Apopka Self Help Center. This will provide legal assistance in Northwest Orange County for self-represented citizens who do not have an attorney. Ms. Russell said interested parties can go to their website at www.myorangeclerk.com/self-help to obtain more information.
4. West Orange Aviation Authority request for funding.
Jeff Welch, Chairman of West Orange Aviation Authority, said he was first appointed by Governor Crist, and reappointed by Governor Scott. He stated they are an Authority that does not have an airport, advising they were appointed by the State Legislature several decades ago. He said to provide some history, there was talk at one time about potentially not having Orlando Executive Airport anymore due to issues with the flight plan, which is no longer an issue. He stated approximately eight years ago the Legislature defined our overlay district which is the North Shore of Lake Apopka. This area includes several existing airports: Orlando Apopka Airport, Bob White Airport, and Loomis and Long Airport, all being privately owned. He said

the previous administration had hoped making an investment in general aviation would be beneficial, making an investment in the Orlando Apopka Airport by purchasing the FBO building with the hope to develop this area as an industrial park. He advised a feasibility study was done in 2000 and another one in 2008. He stated he is working with District 5 of the FDOT Aviation side and they are at a point where they feel to develop industrial would drive the demand for general aviation. He advised the WOAA has bonding capability, and condemnation ability, stating it is a great organization for the future. He said it took a lot to have WOAA formed and he did not want to see it go away during his administration. He stated expenses have been kept very low and advised they were running out of their funding. Funding is supposed to come from Orange County, State of Florida, City of Apopka, City of Ocoee, and City of Winter Garden. He said when the overlay district moved more into the Apopka area, both Ocoee and Winter Garden lost interest in this, and did not look at the big picture of this entire multi-model area. He declared it is time where he needs to go to all of the partners of the West Orange Aviation Authority and ask for some limited funding to keep the Authority alive and potentially do some studies for economic opportunity for this area. He said he was not here today to ask for money, but to provide information about WOAA. He stated he would like to meet with Mr. Irby and Mr. Hitt to discuss advantages they could offer the City of Apopka for future economic growth and discuss the potential of some funding from next year's budget.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment: There was no public comment.

CONSENT (Action Item)

1. Approve Alcohol Sales & Service for a BBQ event at the Northwest Recreation Complex.
2. Approve Alcohol Sales & Service for a fundraising and Police and Fire competition at the Northwest Recreation Complex.

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

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS (Action Item)

1. **Ordinance No. 2594 – Second Reading – Annexation** – Project: Curtis & Karen Pumphrey – Location: 251 W Lester Road. The City Clerk read the title as follows:

ORDINANCE NO. 2594

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 CURTIS AND KAREN PUMPHREY, LOCATED AT 251 WEST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

David Moon, Planning Manager, advised this and the next ordinance were presented on September 6, 2017 under First Reading, and the applicant requested to postpone the Second

Reading at the September 20, 2017 meeting to October 4, 2017.

Mayor Kilsheimer 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 Dean to adopt Ordinance No. 2594. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

2. **Ordinance No. 2595 – Second Reading – Annexation** – Project: A.D. Raulerson Sr. & A.D. Raulerson Jr. – Location: 213 W. Lester Road & 2122 Rock Springs Road. The City Clerk read the title as follows:

ORDINANCE NO. 2595

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 A.D. RAULERSON AND A.D. RAULERSON, JR., LOCATED AT 213 WEST LESTER ROAD AND 2122 ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, 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. 2595. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

3. **Ordinance No. 2603 – First Reading – Annexation** – Project: Irmalee Lane Right-of-Way, located north of McCormick Road and east of State Road 429. The City Clerk read the title as follows:

ORDINANCE NO. 2603

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 PUBLIC RIGHT-OF-WAY KNOWN AS IRMALEE LANE SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, LOCATED GENERALLY EAST OF STATE ROAD 429 AND NORTH OF MCCORMICK ROAD AND COMPRISED OF APPROXIMATELY 6.5 ACRES; OWNED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

David Moon gave a brief lead-in explaining this was related to the development application for PUD zoning on a project called Oak Point. He advised that during the review of a PUD rezoning application it was discovered a public roadway through the center of the project known as Irmalee Lane was under the ownership of the Orange County Board of County Commissioners. The road was not included in the legal descriptions of the properties comprising Oak Point. At this time the City of Apopka is initiating the annexation of a county road to bring it into the City of Apopka's jurisdiction. He advised upon annexation the City of Apopka will own the roadway and have complete control of both the ownership and maintenance/operation responsibilities for the roadway.

In response to who would be responsible to remove the cattle guard if it remains once the City takes this over, Mr. Irby advised the City would be responsible.

Mr. Moon advised staff will be coordinating with the property owner and the applicant of Oak Point to address the issue with the gate and cattle guard.

City Attorney Shepard advised the key to this was that it could not be a gated public road.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to approve Ordinance No. 2603 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

4. **Resolution No. 2017-19– Amending the budget for FY October 1, 2016 – September 30, 2017.** The City Clerk read the title as follows:

RESOLUTION NO. 2017-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, PROVIDING FOR A BUDGET AMENDMENT.

Pam Barclay, Director of Finance, said this was a resolution to amend last fiscal year budget. She advised this was the second budget amendment to include carry forward appropriations, funding from reserves that were previously approved by Council, and grant funds that were awarded through the year as well as contributions received from the State for Fire and Police Pensions.

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 Velazquez, to approve Resolution No. 2017-19. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS.

Commissioner Dean thanked Mr. Irby and Mr. Hitt for working diligently with Mr. Love in making the Gospel Fest a reality by finding a venue to hold this.

Commissioner Bankson said there is a ministry that has a cargo plane they are able to get into the much needed area of Puerto Rico. He said Victory Church's Spanish ministry has joined with them and the Chamber of Commerce is a drop off place through Thursday, October 5, 2017, 10:00 a.m.

Commissioner Bankson said with the debris removal, is there a possibility of self-removal and having credit through the utility bill, which would open funding rather than having it come from the general fund. Mr. Irby advised he could look into this and stated drop off locations were posted in an update recently.

In response to Commissioner Velazquez regarding how to get something done about a sinkhole in Rock Springs Ridge on property owned by the golf course, Mr. Irby suggested they contact Code Enforcement.

MAYOR'S REPORT

Mayor Kilsheimer said storm debris is the biggest topic on the minds of our residents, and he advised this morning we began collecting with three outside trucks and three city trucks picking up debris. The combined capacity of these trucks was approximately 2,500 cubic yards per day. He declared when this process began right after the storm there was an estimated 250,000 cubic yards of storm debris. He reported two additional trucks were scheduled to arrive in Apopka this afternoon and once they are FEMA-certified they will be placed in service. The contractor is also fabricating two new trucks in Missouri and these trucks will arrive later this week. He said with this the pace will be accelerated to pick up storm debris in the coming days. They are utilizing temporary debris sites in order to be close to the pickup areas and minimize time the trucks are away from the pickup areas.

Commissioner Bankson said he thought we were allowed to use someone based on an emergency basis and beyond that for the longer term we had to put this out to bid. He stated there were three local companies that do this type of work.

Mayor Kilsheimer said all of the guidance we have received is that you need to use people who are certified and accustomed to the requirements of FEMA in order to receive reimbursement. He stated the company the City contracted with CrowderGulf, a national company and very experienced in working with FEMA. He advised subcontractors would work through CrowderGulf.

City Attorney Shepard said he understood the City obtained three bids and chose from those. He said what Commissioner Bankson is referring to is if we hand pick a contractor based on that emergency, and he was right it is only for the exigent period.

Commissioner Bankson inquired if these local companies could operate as subcontractors.

Mayor Kilsheimer advised they could work through CrowderGulf., if they were willing to work for CrowderGulf's prices.

Commissioner Dean inquired if the appropriations request forms received from the lobbyist should be turned in to Mr. Irby. Mr. Irby responded in the affirmative.

NOT REQUIRING ACTION:

1. Appreciation email for Fire Chief Carnesale.
2. Thank you letter from Jack and Jill Cooper regarding Oaks at Wekiwa subdivision
3. Thank you letter from Hop Community Center.

ADJOURNMENT – There being no further business the meeting adjourned at 2:45 p.m.

ATTEST;

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk