

CITY OF APOPKA

Minutes of the regular City Council meeting held on September 2, 2015, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Sam Ruth
Assistant City Attorney Drew Smith
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION – Commissioner Dean introduced Reverend Richard King of St. James AME Church who gave the invocation.

PLEDGE OF ALLEGIANCE – Mayor Kilsheimer said today is Apopka's birthday and we are 133 years old today. On September 2, 1882, the citizens of Apopka voted to incorporate as a municipality. The City limits were chartered one mile in each direction from the Orange Lodge, a historic site located just a few blocks to the east on Main Street in downtown Apopka. The borders included 26 voting citizens. He stated some notable things that occurred in 1882 include Chester Arthur was serving as the 21st President of the United States; Thomas Edison's new electric company lit up a square mile of lower Manhattan and served electricity to 200 customers; the outlaw Jesse James was killed in St. Louis, Missouri; and the New York, Chicago, and St. Louis railroads ran the first trains from Buffalo, New York to Chicago. He asked everyone to reflect upon the rich history of Apopka and the civic minded residents who helped make Apopka the great City it is today as he led in the Pledge of Allegiance.

Mayor Kilsheimer recognized Orange County Commissioner Bryan Nelson.

EMPLOYEE RECOGNITION

1. **Samuel Anderson – Public Services/Sanitation– Ten Year Service Award - Sanitation Equipment Operator** – Sam began working for the City on August 15, 2005, as a Solid Waste Worker II. On June 16, 2007, he was reclassified to a Sanitation Equipment Operator, which is his current position. Sam was not present and will be presented his award another time.
2. **Charles Rogers – Public Services/Sanitation – Ten Year Service Award - Sanitation Equipment Operator** – Charles started working for the City on August 22, 2005, as a Solid Waste Worker I. Charles was promoted to Sanitation Equipment Operator on December 12, 2013, which is his current position. Charles was not present and will be presented his award another time.

3. **Raymond Thompson – Fire Department/Fire Chief’s Office – Twenty Five Year Service Award - Deputy Fire Chief** – Ray began working for the City on August 6, 1990, as a Fire Fighter. On February 4, 1991, Ray was promoted to Fire Fighter First Class. He was promoted to Fire Lieutenant on December 9, 1999. On January 13, 2004, Ray was promoted to Fire Captain. He was promoted to Assistant Fire Chief on October 1, 2009, and on January 22, 2014, Ray was promoted to Deputy Fire Chief, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Ray on his years of service to the City.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting held on August 19, 2015, at 7:00 p.m.
2. Authorize the issuance of a Peddlers Permit to UScream Delights for operation of a Mobile Ice Cream Vendor Vehicle within the City of Apopka.
3. Renewal of the Interlocal Agreement for dispatching services between the City of Maitland and the City of Apopka, which is set to expire September 30th, 2015.
4. Award a contract in the amount of \$16,600 to Reiss Engineering, Inc. to perform a Fire and EMS Impact Fee Study.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to approve the four items of the Consent Agenda. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, and Velazquez voting aye.

LEGISLATIVE: ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2446 – THIRD READING & ADOPTION** – Deferred from previous City council meeting on August 19, 2015. Creation of a synthetic tax incremental financing district [STIF] within the Ocoee/Apopka Small Study Area. The City Clerk read the title as follows:

ORDINANCE NO. 2446

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING MARDEN ROAD INTERCHANGE TRUST FUND; PROVIDING FOR THE FUNDING OF THE MARDEN ROAD INTERCHANGE TRUST FUND; PROVIDING FOR ADMINISTRATION OF THE MARDEN ROAD INTERCHANGE TRUST FUND; DETERMINING THE TAX INCREMENT TO BE DEPOSITED INTO THE MARDEN ROAD INTERCHANGE TRUST FUND; ESTABLISHING THE BASE YEAR FOR DETERMINING ASSESSED VALUES RELATING TO PROPERTY LOCATED IN THE MARDEN ROAD INTERCHANGE PROJECT AREA FOR TAX INCREMENT PURPOSES; PROVIDING FOR ANNUAL APPROPRIATION OF THE TAX

INCREMENT; APPOINTING THE MAYOR OR HIS/HER DESIGNEE AS TRUSTEE OF THE MARDEN ROAD INTERCHANGE TRUST FUND; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mike Wright, developer, said he was asking the Council to affirm a 5-0 vote of the first reading held on this ordinance on August 5, 2015. He stated there has been a lot of discussion over the last month. He declared this is about economic growth stating this was a day wherein the decision made will dictate if the City will have economic growth and what it will look like. He reiterated a vote for this today will be a vote for economic growth, creating conditions the business community perceives this is a place they can get business done and have a helping hand.

Mayor Kilsheimer opened the meeting to a public hearing.

Tony McArthur spoke in opposition to the ordinance and the associated financial agreement for many reasons that he covered in a handout he provided and is on file in the Clerk's office. He stated he was not opposed to development.

Jeff Welch spoke in favor of the ordinance stating it was a win-win situation for the City and citizens, for southern Apopka and future generations.

Kevin Knudsen said, as a civil engineer and roadway engineer, this interchange is needed to provide access to that area of Apopka. He stated it will open access and connectivity for Apopka and in the future the interchange will help to not have to improve other roadways that now have to carry traffic in and out of that area.

Jennifer Wandersleben, Administrator and Vice President of Florida Hospital Apopka, said she wanted to share her support for this half interchange stating it will be a great benefit to the Apopka community. She stated while she did not anticipate it will directly impact the Hospital operations, it will definitely improve the access to that surrounding area and with improved access there is always value.

Pastor Richard King spoke in favor of the interchange stating it will directly impact economic development and opportunity for the entire City of Apopka and will immediately impact the south side of Apopka. He stated this interchange will provide more access to the new Florida Hospital being built, especially in the way of emergency access. He said he believes this interchange will breathe a new life into a blighted area of our City that needs support of the community leaders.

Suzanne Kidd spoke in support of this ordinance and agreement stating it is a great example of how a public/private partnership can create benefits that inure to both parties. She stated the developer clearly benefits, but the real beneficiary of this innovative agreement will be the City of Apopka. She said this was proactive in making sure commercial development that will occur has the road access needed to assure success. She declared the interchange was a win for all concerned.

Steven Ruoff said he was a senior advisor with Ruoff & Associates, stating they do market

research, feasibility studies, and he is a land broker. He affirmed he has been working in this corridor now for a year and a half and there were a number of property owners in the small area study that will be dramatically impacted by this new interchange, including the hospital. He spoke in favor of the Marden Road interchange and gave several examples of other areas that did not develop until having an interchange for access.

Rod Love said a delay would impact the City and its residents. He stated looking at the new Florida Hospital and the proposed downtown development taking place was adding to the progress for the City of Apopka. He spoke in support of the interchange and stated it would increase property values.

Sylvester Hall said as a citizen he was confused. He stated he did not debate the fact the exchange was needed and agreed it was needed. He said his focal point was whether it was being done in the best way for the citizens of Apopka.

Ray Shackelford said as a former city commissioner he loved tax increment districts and every opportunity there is to create one, we needed to do so. He supported this interchange being proposed, but suggested the numbers be revisited. He reiterated his support stating it was good economic growth.

Tony McArthur said he was not opposed to the interchange, but the problem he had was the payment structure of this interchange. He reiterated there were other stakeholders that could pay for this.

No one else wishing to speak, Mayor Kilsheimer closed the public hearing.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2446. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. **RESOLUTION NO. 2015-16** - To amend the budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015. The City Clerk read the title as follows:

RESOLUTION NO. 2015-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2015, PROVIDING FOR A BUDGET AMENDMENT.

Glenn Irby, City Administrator, said this process was established several months ago for budget amendments on a quarterly basis.

MOTION by Commissioner Velazquez, and seconded by Commissioner Ruth, to approve Resolution No. 2015-16. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

QUASI-JUDICIAL: ORDINANCES AND SITE APPROVALS

1. ORDINANCE NO. 2443 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE AMENDMENT – VSI Custom Homes, from “County” Low Density Residential (0-4 du/ac) to “City” Residential Low (0-5 du/ac), for property located south of East 6th Street, west of Orange Blossom Trail. (Parcel ID #s: 10-21- 28-8652-07-010 & 10-21-28-8652-08-060). The City Clerk read the title as follows:

ORDINANCE NO. 2443

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” LOW DENSITY RESIDENTIAL (0-4 DU/AC) TO “CITY” RESIDENTIAL LOW (0-5 DU/AC), FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF E 6TH STREET, WEST OF ORANGE BLOSSOM TRAIL, COMPRISING 3.6 ACRES MORE OR LESS, AND OWNED BY VSI CUSTOM HOMES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2443. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. ORDINANCE NO. 2444 -SECOND READING & ADOPTION - CHANGE OF ZONING – VSI Custom Homes, from “County” R-2 (ZIP) to “City” R-2, for property located south of East 6th Street, west of Orange Blossom Trail. (Parcel ID #s: 10-21-28-8652-07-010 & 10-21- 28-8652-08-060). The City Clerk read the title as follows:

ORDINANCE NO. 2444

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-2 (ZIP) (RESIDENTIAL) TO “CITY” PLANNED UNIT DEVELOPMENT (PUD/R-2/DOWNTOWN DEVELOPMENT OVERLAY DISTRICT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF EAST 6TH STREET, WEST OF ORANGE BLOSSOM TRAIL, COMPRISING 3.6 ACRES MORE OR LESS, AND OWNED BY VSI CUSTOM HOMES; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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 Arrowsmith, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2444. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

3. ORDINANCE NO. 2447 – SECOND READING & ADOPTION - CHANGE OF ZONING – Property Industrial Enterprises, LLC, c/o Michael R. Cooper, from I-1(Restricted) to Planned Unit Development (PUD/I-1), for property located North of Marshall Lake Road, west of South Bradshaw Road. (Parcel ID #s: 08-21-28-0000-00-029; 09-21-28-0000-00-011). The City Clerk read the title as follows:

ORDINANCE NO. 2447

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM I-1 TO PLANNED UNIT DEVELOPMENT (PUD/I-1) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF MARSHALL LAKE ROAD, WEST OF SOUTH BRADSHAW ROAD AND SOUTH OF CSX RAILROAD LINE, COMPRISING 35.59 ACRES MORE OR LESS, AND OWNED BY PROPERTY INDUSTRIAL ENTERPRISES, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the City Clerk.

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 Velazquez, to adopt Ordinance No. 2447. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

4. ORDINANCE NO. 2448 – SECOND READING & ADOPTION - CHANGE OF ZONING - D. Arthur Yergey Trust, from “County” A-1 (ZIP) (Agriculture) to “City” I-1 (Industrial), for property located at 203 and 215 West Keene Road. (Parcel ID #s: 21-21-28-0000-00-025; 21-21-28-0000-00-024). The City Clerk read the title as follows:

ORDINANCE NO. 2448

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 (ZIP) TO “CITY” I-1 (RESTRICTED) (0.6 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF WEST KEENE ROAD, SOUTH OF STATE ROAD 414, COMPRISING 50.77 ACRES MORE OR LESS, AND OWNED BY D. ARTHUR YERGEY TRUST; PROVIDING FOR

**DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR,
SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the City Clerk.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to adopt Ordinance No. 2448. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

5. ORDINANCE NO. 2449 – FIRST READING - CHANGE OF ZONING PUD MASTER PLAN – Third Amendment to the Mullinax Ford of Central Florida, Inc. Planned Unit Development Master Plan, for property located north of S.R. 436 (a.k.a. Semoran Boulevard) and east of Roger Williams Road. (Parcel ID #s: 24-21-28-0000-00-002; 24-21-28-0000-00-049; 24-21-28-0000-00-083; 24-21-28-0000-00-084) The City Clerk read the title as follows:

ORDINANCE NO. 2449

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, THIRD AMENDMENT TO THE ADOPTED “MULLINAX FORD PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN” FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF STATE ROAD 436 A.K.A. SEMORAN BOULEVARD AND EAST OF ROGER WILLIAMS ROAD COMPRISING 21.51 ACRES MORE OR LESS; OWNED BY MULLINAX FORD OF CENTRAL FLORIDA, INC.; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the City Clerk.

David Moon, Planning Manager, gave a brief lead in stating the request was to approve the amendment of an existing Plan Unit Development ordinance for Mullinax Ford. The applicant is requesting an amendment to be able to construct a truck display mountain, new service building, paved employee parking spaces, and a vehicle inventory storage area. The character of the area is commercial to the south, east, and west with residential to the north in unincorporated Orange County. He advised the Planning Commission recommends approval at their August 25, 2015 meeting, and the DRC committee also recommends approval.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to approve Ordinance No. 2449 at First Reading and carry it over for a Second Reading.

Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

6. REVISED FINAL DEVELOPMENT PLAN - Northwest Distribution Facility Building “C” Owned by Oakmont Apopka Road, LLC and located at 1349 Ocoee-Apopka Road (Between S.R. 451 and Ocoee-Apopka Road and east of Boy Scout Road). (PARCEL ID #: 17-21-28-5953-01-000)

Mr. Moon gave a brief lead in stating the proposal is to amend an existing Final Development Plan to include an industrial building on Lot 3 of the NW Distribution Center Plat. He said the new building will contain 149,000 square feet of which 5,000 will be office, and 144,000 will be warehousing. The building will be 40 feet high and the allowable height is 50 feet. It will provide employment for 90 employees. There are 150 parking spaces proposed to accommodate the employees as well as truck parking. The landscaping plan was submitted and found acceptable by staff. The Planning Commission met to address the site plan, as well as four waiver requests and they recommended approval of the Final Development Plan as well as the waivers.

Mayor Kilsheimer announced this was a quasi-judicial hearing and witnesses were sworn in by the City Clerk.

Mayor Kilsheimer opened the public hearing. No one else wishing to speak, he closed the public hearing.

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to approve the Revised Final Development Plan for the Northwest Distribution Facility Building “C.” Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

DEPARTMENT REPORTS, BIDS AND PROPOSED AGREEMENTS

1. Authorize the Mayor or his designee to execute the Marden Interchange Agreement to share in the cost of constructing a “half interchange” from the expressway [SR 414] that would connect with Marden Road.

Glenn Irby, City Administrator, said this agreement is for the Marden Road Interchange and if accepted it will enter the City into an agreement with MMI Homes to cost share in building the interchange. It is anticipated the total cost of the interchange will be roughly \$6.5 million. The agreement is set up whereby the City will share in that cost up to 90%. He explained how this will be paid over time once the interchange is complete. He stated this would sunset within 10 years as would the Synthetic Tax Increment ordinance.

Commissioner Arrowsmith said he appreciated this being tabled at the last meeting to provide more time to look into this matter. He stated this provided more time to meet with constituents and an opportunity to meet with the developer here at City Hall on an individual basis to go over some of the pluses and minuses of the deal. He said it is very apparent the area does need this interchange to succeed in the future. He declared he does have some concerns with

regards to how the agreement is spelled out and he did speak with the developer regarding this and his concern of the City writing a check for \$2.5 million upon completion of the interchange. He suggested this be spread out over a five year period and that would be including the impact fees received during that time. He stated he felt confident this area is going to grow and will be a big plus as a tax base. He said he would like the City to formally start the process now with the Expressway Authority to ask for funding for the other half of the interchange.

Commissioner Velazquez said even if paying \$500,000 for five years, the City would still have to put aside \$2.5 million that would be have to be encumbered. She stated she felt it benefited the residents and the City to pay the developer his onetime cost share when the interchange is complete.

Commissioner Dean said he was for the interchange, but he has not heard any comments with regards to improving roads to the interchange from Central Avenue to Michael Gladden Boulevard.

Mayor Kilsheimer said there were improvements within the Capital Improvement Plan (CIP) for the transportation improvements of Marden Road and a Harmon Road extension.

Angel de la Portilla said they did have a meeting with Commissioner Arrowsmith on Friday and after that meeting they ran some numbers and his proposal would cost an extra \$200,000 in interest for the project presuming a loan at 4%. He affirmed they would prefer the lump sum payment at the end of one year.

Mayor Kilsheimer opened the meeting to public input.

Tony McArthur said with regards to this agreement, he would recommend some amendments. First if it could be amended such that if the City were to approach the Expressway Authority and get approval for the Expressway Authority to contribute to the cost of this half interchange that that be allowable under the agreement and be counted toward the maximum liability the City has for reimbursing the developer. He also stated Florida Hospital should be allowed to contribute to the cost of this interchange and if the Hospital does pay, it be allowed to count toward the liability the City has. He stated the City will be providing service to this Synthetic Tax at a loss due to giving back incremental tax increases to the developer. He suggested that was not acceptable and the agreement should be amended to have a rebate over a 20 to 30 year period.

No one else wishing to speak, Mayor Kilsheimer closed the public input.

Commissioner Arrowsmith inquired if he was the only person the developer met with this past week regarding this matter.

Mr. de la Portilla disclosed they met with Commissioner Velazquez. Commissioner Dean was not available to meet with them and Commissioner Ruth also was not available. In response to whether they had met with anyone after meeting with Commissioner Arrowsmith, Mr. de la Portilla advised they had not.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to approve the agreement and authorize the Mayor to execute the Marden Road Interchange Agreement to share in the cost of constructing the half-interchange from 414 to connect with Marden Road.

Commissioner Arrowsmith said he would vote against the agreement just on the philosophical basis. He stated he was in favor of the interchange.

Motion carried by a 4-1 vote with Mayor Kilsheimer, and Commissioners Dean, Velazquez, and Ruth voting aye and Commissioner Arrowsmith voting nay.

The City Council recessed at 3:12 p.m. and reconvened at 3:19 p.m.

ITEMS NOT REQUIRING COUNCIL ACTION

1. Public Services (Utility Maintenance Division) – Resident commendation letter on water line repair.

Mayor Kilsheimer advised the City received a letter from Piedmont Lakes resident Tommy Harrison regarding the professionalism and courtesy offered him by members of our water department.

MAYOR'S REPORT

Mayor Kilsheimer reported the swearing in of our new Police Chief, Mike McKinley, will be held tomorrow at the Community Center at 4:00 p.m.

Mayor Kilsheimer reported the City has received a response to our Request for Proposal for the downtown development and staff is currently analyzing that response. He said there is a 30 day window for the staff to analyze this prior to it being released to the public. He stated the plan is to hold a workshop meeting on the proposal.

Mayor Kilsheimer said the National League of Cities conference is being held in Nashville and it begins November 4th, this being the first Wednesday in November. He inquired if Council desired to move the City Council meeting to Tuesday, November 3, 2015, in order to allow those who would like to attend the conference to be able to attend the Council meeting. He stated he would schedule this for discussion and vote at the next meeting.

Mayor Kilsheimer reported Visioning has a number of sessions scheduled this month. The mobile unit will be at Alonzo Williams Park on Saturday, September 5, 2015, from 10:00 a.m. to 2:00 pm.

Mayor Kilsheimer said the first Budget Hearing is scheduled for next Wednesday, September 9, 2015, at 7:00 p.m. to discuss the tentative millage rate and budget. The final Budget hearing is scheduled for Wednesday, September 23, 2015, at 7:00 p.m.

Mayor Kilsheimer said there has been some discussion in the community about the idea of statues for Mayor Land. He stated the statues were discussed at staff level prior to Mayor Land leaving office and an artist was commissioned who then came up with two statues: one of Mayor Land standing and the other of Mayor Land sitting on a park bench. The tentative plan was for the statue of Mayor Land standing to go on the grounds at City Hall and the statue of him sitting on a bench placed at Kit Land Nelson Park. The plan was initially discussed by the John Land Community Trust and this plan has not come forward. He affirmed the City will come in at the end of this Budget year with some funds that could be allocated for this. He stated in discussing this with Richard Anderson, the cost for the two statues is approximately \$80,000. He proposed the City allocate \$80,000 for the cost of these statues. He declared this would be a fitting tribute to Mayor Land. Any additional expense for preparing the grounds, Mr. Anderson will propose the Trust put forward this expense. He said he would like to put this on the table as something the Council considers and feels it amenable to hold over to the next meeting.

OLD BUSINESS

1. COUNCIL – There was no old business from the Council.
2. PUBLIC

Ray Shackelford said Mayor Land was a people person and he would hope his statue would be surrounded by some children. He stated during the past year the public has had access to a disbursement report and the City Council approved this report under the Consent Agenda. He also said in looking over the Old Florida Outdoor Festival report, he did not see any staff expenditures.

Mr. Irby advised the disbursement report was missed on the last agenda and there will be two reports on the next agenda. He also advised to his knowledge there was no overtime paid during the Old Florida Outdoor Festival. Staff's time was either flexed out or on duty personnel were utilized.

Dale Fenwick inquired if a revised budget document would be available prior to the next meeting, to which Mr. Irby responded in the affirmative.

Suzanne Kidd said if anyone received a postcard in the mail concerning the Visioning survey, they are part of the statistically significant survey part that the Visioning consultant will use to determine information about the City and what people desire. She encouraged everyone to go to the website and fill out the survey. She reviewed the Visioning meeting dates and times and advised this was also available online.

Tony McArthur said in follow up to what he brought up under new business at the last meeting, he would like documentation and a presentation to the citizens of Apopka at a future Council meeting on the investments the City has made on various projects, return on investments, loss of opportunity costs, and in particular the Highland Manor property. He said he would like a report of the fixed based airport operation, UCF Incubator, and Richard Anderson as a lobbyist/consultant.

Gregory Johnson said he recently quit his job at Disney and went into real estate. He said he was excited about what the City was doing and was proud of the Mayor and Council for taking the helm at a difficult transition and they were doing a fine job of making this transition to a big city. He stated he picked as his area to look at real estate the south side of the CRA stating the land was inexpensive there because there was a multitude of problems that were interlocking and keeping that area depressed financially. He stated he was creative and would like to look at solutions to this area and utilize the best use for this land. He shared his idea of building some historical monuments such as Fort Apopka and an Old Town area.

Mayor Kilsheimer suggested he put his ideas on paper and submit them to him.

NEW BUSINESS

1. COUNCIL
 - a. Pre-Agenda Workshop

Mr. Irby said this has been brought up by a couple of the Commissioners in the past about providing time where they can be brought together in a workshop to discuss items that will be on an agenda. He suggested due to convenience that they be held directly before the monthly meetings.

Following discussion, Mayor Kilsheimer suggested over the next two weeks coming up with a day that works with everyone's calendar.

Commissioner Dean inquired why a City Commissioner cannot discuss business with our lobbyist.

City Attorney Shepard advised that is part of the agreement with the lobbyist. The agreement does allow Commissioners to meet with him and the City Administrator.

In response to Commissioner Dean asking if the agreement could be changed, City Attorney Shepard said as long as Mr. Anderson would agree, as it is a two party agreement.

MOTION by Commissioner Dean, and seconded by Commissioner Arrowsmith, to bring before the Council for a vote amending the agreement with Mr. Anderson to allow Commissioners to contact him direct to discuss City business.

Mayor Kilsheimer said this was a unique situation and while he can appreciate Commissioner Dean's sentiment, the City has been working reasonably well under this agreement and Mr. Anderson has been very effective with matters he is working on. He advised he was in favor of leaving the agreement the way it is and would be voting no.

In response to Commissioner Arrowsmith inquiring how this is any different than other lobbyist, City Attorney Shepard advised Mr. Anderson was no different than other lobbyists, but he was also a consultant beyond just lobbying. The agreement covers both areas.

Commissioner Velazquez said they can talk with him through the City Administrator and she was comfortable with that.

Motion failed by a 2-3 vote with Commissioners Arrowsmith and Dean voting aye and Mayor Kilsheimer and Commissioners Velazquez and Ruth voting nay.

Commissioner Velazquez disclosed she met with Mr. Irby last evening and he was the only one she had discussed the payout for the STIF.

2. PUBLIC

Dale Fenwick said it was nice to see there will be a statistically significant survey for the Visioning project. He stated he liked the idea of the pre-agenda workshops and presumes they will be open to the public. He said the statue in honor of Mayor Land was a great idea, and he inquired if this wouldn't require sealed bids. He stated the comment on the process toward the end of the conversation on the STIF regarding elected officials having private meetings with developers who are asking the City to provide financing bothered him.

Tenita Reid said she was happy about the statutes of Mayor Land and stated she was on the Parks and Recreation Committee and part of their recommendations was to have sculptures in Kit Land Nelson Park.

ADJOURNMENT – There being no further discussion, the meeting adjourned at 4:16 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk