

CITY OF APOPKA

Minutes of the regular City Council meeting held on August 21, 2013, at 8:00 p.m., in the City of Apopka Council Chambers.

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

PRESS PRESENT: John Peery - The Apopka Chief

Mayor Land called the meeting to Order and gave the invocation. He said 200 years ago, America was once again fighting King George, in the War of 1812. It went from 1812 through 1813, and then 1814, and ended in the first part of Dec, of January 1815. But on August the 24th of 1814, King George's troops took over Washington and burned the, burned the government buildings. They even burned the White House; James Madison was President and had to leave the City. That was a great tragedy for our young Country at that time, but those patriots at that time gathered and before the end of that year they had the, pretty much had the, the enemy on the run and, and preserved our Nation. He asked everyone to reflect on those early patriots as he led in the Pledge of Allegiance.

PRESENTATIONS

1. Florida League of Cities and Tri-County League of Cities recognition - Kathy Till - Mayor Land recognized former Commissioner Kathy Till.

Ms. Till said it was a pleasure to be at the meeting on behalf of the Florida League of Cities. She applauded the City Council on being very strong advocates for the City of Apopka, which is appreciated by the League. She announced she was present to recognize Commissioner Kilsheimer, who participated in a pilot project in the tri-county area which set up a regional team of advocates whose purpose was to be the core team that the League relied upon to advocate on behalf of their cities on Legislative issues, to build relationships with Legislators, to make phone calls, make appointments, and to respond to the League's call-to-action when issues arose during session. She said Commissioner Kilsheimer served, has served on our advocacy team over the past year and has been an integral part of making it successful. On behalf of the Florida League of Cities, Ms. Till presented Commissioner Kilsheimer with a plaque.

Commissioner Kilsheimer thanked Ms. Till for the opportunity to serve as advocate, and stressed the programs importance.

CONSENT AGENDA

1. Approve the Minutes of a Special Meeting of the Apopka City Council and the Tri-City Partnership Consultant, held on July 23, 2013, at 4:00 p.m.

2. Approve the Minutes of the Regular City Council Meeting and Budget Workshop held on August 7, 2013, at 1:30 p.m.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Kilsheimer, to approve the 2 items of the Consent Agenda. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, Kilsheimer voting aye.

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

ORDINANCES AND RESOLUTIONS

1. ORDINANCE NO. 2307 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN AMENDMENT - LARGE SCALE - FUTURE LAND USE - Orange County Board of County Commissioners - Lake Lucie - From Agricultural Homestead (1 du/10 ac) to Conservation (1 du/20 ac), for property located north of Boch Road, west side of Rainey Road, adjacent to Lake County Line. (Parcel ID No. 05-20-28-0000-00-003)

Mayor Land said Ordinance No. 2307 meets the requirements for adoption, having been duly advertised in The Apopka Chief on August the 9th, 2013.

The City Clerk read the title as follows:

ORDINANCE NO. 2307

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 AGRICULTURAL HOMESTEAD (1 DU/10 AC) TO CONSERVATION (1 DU/20 AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF BOCH ROAD, WEST SIDE OF RAINEY ROAD, ADJACENT TO LAKE COUNTY, COMPRISING 164.0 ACRES, MORE OR LESS AND OWNED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 Ordinance No. 2307. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, Kilsheimer voting aye.

2. EMERGENCY ORDINANCE NO. 2318 - SECOND READING - Amending Part II, Chapter 78, Article VIII, "The City of Apopka Traffic Light Safety Act," providing for a local hearing officer consistent with general law.

Mayor Land said Emergency Ordinance 2318 was duly advertised in The Apopka Chief on August the 9th, 2013, August the 16th, 2013, and will be held over for a Third Reading. The City Clerk read the title as follows:

EMERGENCY ORDINANCE NO. 2318

AN EMERGENCY ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING PART II, CHAPTER 78, ARTICLE VIII "THE CITY OF APOPKA TRAFFIC LIGHT SAFETY ACT"; PROVIDING FOR LOCAL HEARING OFFICER CONSISTENT WITH GENERAL LAW: 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 Dean, to accept the Second Reading of Emergency Ordinance No. 2318, and hold it over for a Third Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, Kilsheimer voting aye.

Mayor Land said Ordinance Nos. 2320 and 2321 do not meet the requirements for adoption and will be held over for a Second Reading.

3. ORDINANCE NO. 2320 - FIRST READING - VACATE - Property Industrial Enterprises, LLC, vacating a portion of the 2nd Street Right-of-Way located between South Bradshaw Road and South Hawthorne Avenue.

The City Clerk noted there was a scrivener's error whereby (West 2nd Street) was omitted from the title, but will be inserted prior to the Second Reading. She read the title, as follows:

ORDINANCE NO. 2320

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A PLATTED RIGHT-OF-WAY (WEST 2ND STREET) LOCATED BETWEEN SOUTH BRADSHAW ROAD AND SOUTH HAWTHORNE AVENUE; 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.

Commissioner Arrowsmith announced he would be abstaining from voting as the applicant is a client of the bank.

MOTION was made by Commissioner Kilsheimer, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2320, and hold it over for a Second Reading. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

4. ORDINANCE NO. 2321 - FIRST READING - VACATE - Property Industrial Enterprises, LLC, vacating a portion of the 3rd Street Right-of-Way located between South Bradshaw Road and South Hawthorne Avenue.

The City Clerk read the title, as follows:

ORDINANCE NO. 2321

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A PLATTED RIGHT-OF-WAY (WEST 3rd STREET) LOCATED BETWEEN SOUTH BRADSHAW ROAD AND SOUTH HAWTHORNE AVENUE; 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.

Commissioner Arrowsmith announced he also would be abstaining from voting in this matter as this is the applicant who is a client of the bank.

MOTION was made by Commissioner McQueen, and seconded by Commissioner Kilsheimer, to accept the First Reading of Ordinance No. 2321, and hold it over for a Second Reading. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

SITE APPROVALS - There were no site approvals to consider.

DEPARTMENT REPORTS AND BIDS - There were no department reports or bids.

MAYOR'S REPORT - Mayor Land reported the following:

- The latest population figures from April 2013, find the population of Apopka at 44,129, which is an increase of 2,587 over the 2010 Census.
- He has been talking with the attorneys on the Charter straw vote and hopes to provide a report to the Council by the next meeting.

OLD BUSINESS

1. Council - There was no old business from the City Council.

2. Public

Robert N. Webster, 237 W Ponkan Road spoke in opposition to the red light cameras, the parking ordinance, and in support of term limits.

Glen Chancey, 1936 Olivia Circle, spoke in opposition to the red light cameras.

Henry Bentley, 1503 Pine Street, spoke in opposition to the red light cameras.

David Leavitt, representing a company called Refresh Computers, doing business at 1100 Charles Street, Longwood, FL, spoke in opposition to the red light cameras, stating he will not allow any of his company employees to drive through Apopka, and will not service Apopka due to the red light cameras.

Ed Wagner, 1821 Dora Avenue, Tavares, FL, stated he was considering moving to Apopka but would not do so due to the red light cameras.

David Stull, 1056 Welch Hill Circle, played a video depicting the required need for moving their vehicles due to parking ordinance prohibiting parking in the street.

Christine Stull, 1056 Welch Hill Circle, expressed opposition to the hardship being caused by the parking ordinance.

Mike Cooper, 970 Ocoee Apopka Road, spoke in favor of the red light cameras, stating that it is the law and tickets will not be issued for those who obey the law.

Patricia Merriweather, 2339 Cerberus Drive, also spoke in support of the red light cameras; however mentioned the possible need for checking on the calibration for timing of the yellow lights.

Greg Phillips, 2272 Windsor Crest Loop, also questioned the need for the yellow light timing to be checked.

Commissioner Arrowsmith reminded everyone that the City only receives \$23.00 for every \$158.00 ticket issued, therefore it is not a big boost to the City revenues.

There was further discussion from the public and the City Council, regarding the red light cameras and the parking ordinance.

Dr. Akshay Kumar, 2937 Harbor Grace Cove, a native of India, said his reason for attending the meeting is to learn about how this self-governments and home rule works in America; to see how civic hall meetings are conducted. He said he liked the way it is organized, and thanked Mayor Land for giving him the opportunity to speak.

Allison Varble, 2467 Bent Way Court, spoke in opposition to the parking ordinance, citing how the parking ordinance is creating a hardship for city residents.

Discussion ensued between residents and the City Council regarding the red light cameras and the parking ordinance.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 9:31 p.m.

John H. Land, Mayor

ATTEST:

Janice G. Goebel, City Clerk