

CITY OF APOPKA

Minutes of the regular City Council meeting held on August 19, 2015, at 7:00 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
Steve Hudak, Orlando Sentinel

INVOCATION – Commissioner Arrowsmith introduced Linda Laurendeau, who gave the invocation.

PLEDGE OF ALLEGIANCE – Mayor Kilsheimer said on August 11, 1954, Apopka High School Principal Roger Williams appealed to the Apopka City Council to help fund bleachers at Edwards Field to provide seating for fans to attend Blue Darter football games. The Council voted unanimously to contribute \$500 of the \$3,500 needed to add bleachers at Edwards Field to accommodate the growing crowds of Apopka football fans. The proud tradition of Apopka football continues this Friday as the number one ranked Blue Darters travel to Lake City to take on the Columbia High School Tigers in their first game of the season. He encouraged everyone who is able to come out and support the Blue Darters on the road. He asked all to reflect on the community bonds that are forged under Friday night lights and give thanks to the many coaches and mentors who make a difference in the lives of Apopka youth through sports as he led in the Pledge of Allegiance.

Mayor Kilsheimer recognized Orange County Commissioner Bryan Nelson.

PRESENTATIONS

1. The winner of the “2015 National American Miss Florida,” Rosemari Martinez, presented her involvement in the pageant and community stating she was currently a freshman at Apopka High School under the magnet program of medical careers. She currently volunteers at the St. Vincent Society where she helps organize the food pantry, clothes, and clean. Now that she has won the state title, she is on her way to compete for the National Junior Teen title in Anaheim, California on Thanksgiving weekend.
2. The National Director of Community Hazard Mitigation from Insurance Services Office (ISO), Thomas Weber to present on the Public Protection Classification for Apopka.

Thomas Weber gave a presentation on Apopka’s Fire Department’s ISO Class 1, the highest grade given in the insurance industry for fire protection. He reviewed the report and said our

Fire Department has experienced 12 years being Class 1, and their score was 101.69 out of 105.5, being the highest score he has seen in the past year.

CONSENT AGENDA

1. Approve the minutes from the City Council Budget Workshop held on July 20, 2015, at 1:30 p.m.
2. Approve the minutes from the City Council Budget Workshop held on July 21, 2015, at 1:30 p.m.
3. Approve the minutes from the City Council Budget Workshop meeting held on July 22, 2015, at 1:30 p.m.
4. Approve the minutes from the special City Council meeting held on July 22, 2015, immediately following the Budget Workshop.
5. Approve the minutes from the regular City Council meeting held on August 5, 2015, at 1:30 p.m.
6. Authorize the Police Department to present Retiring Police Chief Robert Manley with his service weapon in recognition of his 26 years of service to the City of Apopka. Presentation to be made at retirement ceremony.
7. Authorize the Mayor or his designee to execute the Sewer and Water Capacity Agreement for Rock Springs Estates (60 Lots).
8. Approve the extension request for the City and Florida Hospital to agree to which, if any, of the road-related projects outlined in Subparagraph 3(B)(I) of the Transportation Improvements Development Agreement until November 18, 2015.
9. Approve an amendment to the contract with Reiss Engineering, Inc., to perform a water, sanitary sewer, and reclaimed water impact fee and rate update study. Includes the preparation of a wastewater 201 facilities plan and an asset management plan for the state revolving fund loan requirements in the amount of \$156,692.00, with a contingency fund in the amount of \$15,600.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve the nine 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 – SECOND READING & ADOPTION – 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.

Glenn Irby, City Administrator, said this was the second reading and staff has no additional information, but they were available for questions. He advised Mike Wright and Angel de la Portilla were both present and may wish to speak or address Council.

Mayor Kilsheimer opened the meeting to a public hearing.

Barbara Zakszewski said she wanted to speak regarding the creation of this synthetic tax incremental financial taxing district, appropriately named STIF. She stated government entities use these STIFs as a public/private partnership tool to advance economic development goals and as an overall promise of no new taxes. She declared it was originally designed to revive blighted or depressed areas and more and more STIFs are used where development would happen anyway. She said the STIF on tonight's agenda seems to be a very complicated cost sharing agreement between the city and the developer that appears the initial funding would come from the city's transportation impact fee and a complicated series of credits. She stated her main concern is that the district has been drawn up where development would already be occurring thanks to construction of the new Florida Hospital. She said no new tax was a nice prospect, but side effects can include increased roads, sewer, schools, and other public costs due to the new developments that tax payers will be paying for many years down the road. She stated ten years was a long commitment.

Tony McArthur requested Council vote no on Ordinance No. 2446 stating the timing of this with the proposed half mill property tax rate increase makes a diversion of any category of tax payer funds inappropriate at this time. He suggested this ordinance could wait until the budgeting process for next fiscal year is finished. He stated there may be other stakeholders in this process that could help with an interchange if it is truly needed, such as the Expressway Authority and Orange County. He affirmed it was odd to him the City of Apopka was the only of what he perceives of many stakeholders being asked to help facilitate a for-profit developer to enhance the value of his entity. He questioned if this was the best and most appropriate deal that can be done for the citizens of Apopka.

Tenita Reid said she was not for or against this ordinance, but she felt it would benefit the developer more than anybody and she questioned why it was called synthetic and what the tax rate would be on this special district.

City Attorney Shepard explained synthetic is a term that has been used, as this was similar to CRAs, but the county was no longer doing CRAs. The portion being talked about is the

portion that we already receive from the county and how it will be allocated internally. He further stated there was a maximum number the city was willing to contribute up to and there were several vehicles in order to get to that amount sooner. This STIF method has to be created through an ordinance and the others could be done just through the agreement. He affirmed STIF in itself is not an increase on taxes it is only going to be there if the improvements come and cause the taxes already in place to go up.

Michael Wright said he would like to clarify a few facts stating there was an assumption that development will happen in this area whether there is a ramp or not. He stated the development that will probably occur is what is already there, residential development, and the area needs commercial services. The commercial services will not come to the area without accessibility. He advised no money from the City of Apopka will go into this until he has completed it in full, it is operational and has been signed off on. Only at that point, the money getting cost shared back to him is a contribution of up to 40% of the amount which is a payment out of the impact fee trust fund. He declared this is a very important transportation related project that will serve and benefit the city.

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

Mayor Kilsheimer said from his perspective Mr. Wright is making a significant commitment to the City of Apopka with all of the development he is planning on his property. If his projects are not successful, he will not get paid back, therefore, the obligation is on him to make these projects successful. There is an incentive for him to make this project successful so that he does get paid back and there will be increased access to all of the area.

Commissioner Arrowsmith said he spoke with several citizens who had some interesting points. He stated he was convinced there was a need there for a ramp to have access to that area. He suggested if it is such a good deal, why doesn't the city do this and take advantage of the impact fee credits.

Mayor Kilsheimer said if the city did this, they would deplete that fund unless they borrowed the money.

Commissioner Arrowsmith reiterated there was a need for the access, but he would like to look into it further and suggested it be postponed to the next meeting. He inquired if they shouldn't get 50% credit on the Marden Ridge impact fee.

Mr. Irby said the only component that is shared at 50% is the STIF. The way the agreement is written, the impact fees in the study area are at 100%, except for the hospital.

Angel de la Portilla said the developer is dedicating and donating the right of way to be able to construct the interchange. He affirmed the developer is absorbing all of the costs to design, permit, finance and construct the interchange. He explained there was a portion of right-of-way on the east bound ramp that the Expressway Authority was donating for the project.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to table Ordinance No. 2446 to the September 2, 2015 meeting. Motion carried

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

QUASI-JUDICIAL: ORDINANCES AND SITE APPROVALS

1. ORDINANCE NO. 2442 - SECOND READING & ADOPTION - CHANGE OF ZONING – Ponkin Road Properties, LLC, from “County” A-1 (ZIP) (Agriculture) to “City” AG-E (Agricultural Estates), for property located south of West Ponkan Road, west of Plymouth Sorrento Road. (Parcel ID #: 25-20-27-0000-00-0030 The City Clerk read the title as follows:

ORDINANCE NO. 2442

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” AG-E FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST PONKAN ROAD, WEST OF PLYMOUTH SORRENTO ROAD, COMPRISING 7.28 ACRES MORE OR LESS, AND OWNED BY PONKIN ROAD PROPERTIES, 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 Ruth, and seconded by Commissioner Arrowsmith, to adopt Ordinance No. 2442. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. ORDINANCE NO. 2443 - FIRST READING - 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 #: 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.**

David Moon, Planning Manager, advised Ordinance No. 2443 and Ordinance No. 2444 apply to the same property. Ordinance No. 2443 is a land-use amendment and treated as a legislative process. Ordinance No. 2444 is re-zoning and processed as quasi-judicial.

Mayor Kilsheimer opened the meeting to a public hearing.

Jim Hall advised he was representing the property owner who has a county future land-use designation that allows up to 4 units per acre and they requested the city's same general future land-use designation which allows up to 5 units per acre. There was some concern at the Planning Commission which is why their zoning is now PUD and they are limiting themselves with regards to the zoning to only 4 units per acre on this property because of neighborhood concerns.

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

MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to approve Ordinance No. 2443 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.

3. ORDINANCE NO. 2444 -FIRST READING - 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 announced this was a quasi-judicial hearing and witnesses were sworn in by the City Clerk.

Jim Hall said this was the zoning portion for this property and where they are regulating themselves down from 5 units per acre to 4 units per acre.

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 Arrowsmith, to approve Ordinance No. 2444 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.

4. ORDINANCE NO. 2447 – FIRST READING - 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.

David Moon said the purpose of the rezoning request is to accommodate building height up to 50 feet, stating the Land Development Code only allows for a maximum of 35 feet. The only way to address that change in regulation is through a zoning change. Therefore, the sole purpose for this rezoning is for establishing the building height up to 50 feet for future industrial use. He affirmed the only additional condition set forth in the PUD ordinance is that the buildings have to be a minimum of 20 feet distance from each other or further if the building height increases, and the uses on this property remain at I-1 Industrial.

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 approve Ordinance No. 2447 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.

5. ORDINANCE NO. 2448 – FIRST READING - 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 #: 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.

David Moon said this property is north of Keene Road and south of State Road 414 has a current land use designation of Industrial. This is a (ZIP) Zoning in Progress property where zoning has never been assigned. The property owner is requesting an Industrial zoning category, I-1, which is the least intensive of the two industrial zoning categories. DRC and the Planning Commission both recommend approval.

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

MOTION by Commissioner Ruth, and seconded by Commissioner Arrowsmith, to approve Ordinance No. 2448 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. PLAT – Marden Ridge Apartments – owned by Emerson Point Associates, LLLP; Applicant MMI Development, Inc., c/o Michael E. Wright, Esq.; Engineer GAI Consultants, Inc., c/o Anthony Call, P.E., property located Between S.R. 451 and Marden Road, south of Ocoee Apopka Road, and north of the Apopka Expressway. (Parcel ID No.: 17-21-28-0000-00-029)

David Moon said the Plat is for the property known as Marden Ridge Apartments and the applicant has requested subdivision of the property in to four lots. The Plat is consistent with the Master Plan that was previously approved. He advised DRC and Planning Commission recommend 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 Dean, to approve the Plat for Marden Ridge Apartments. Motion carried unanimously with

Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

7. FINAL DEVELOPMENT PLAN – CELL TOWER - Ponkin Road Properties, LLC, c/o James L. Gissy, for property located south of West Ponkan Road, west of Plymouth Sorrento Road. (Parcel ID #: 25-20-27-0000-00-003)

David Moon said the application was for a Final Development Plan for a 150 foot high cell tower located on a 7.28 acre parcel located south of West Ponkan Road and west of Plymouth Sorrento Road. The location is at the southwest corner of the property and only uses 1.4 acres of the property. He advised this was before the Planning Commission on August 11, 2015, with a special exception permit to determine if this use was acceptable for a cell tower. The Planning Commission approved the special exception. He affirmed before Council is a Final Development Plan and a request for a waiver for the landscaping around the fence of the cell tower site. Planning Commission recommended denying the waiver stating they felt there was a need for the landscape buffer surrounding the fence and the cell tower. This property is located to the west of the Wekiva Parkway and to the south of what will be a retention pond for the Wekiva Parkway. He advised DRC supports the waiver because of the distance to reclaimed water lines for irrigation.

Mayor Kilsheimer opened the public hearing.

Don Beager, representing the applicant, said the location has a density of trees around the site. He stated getting water to the site would be very challenging and no other utilities are needed on the site for the cell tower. He pointed out another cell tower south of State Road 414 and 429 that has no fencing or landscaping.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to approve the Final Development Plan for the cell tower with approval of the waiver request as recommended by staff. 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.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to table the Marden Interchange Agreement to the September 2, 2015 meeting. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. Administrative Report – Glenn Irby, City Administrator, said the report was in the packet and

he would answer any questions.

MAYOR'S REPORT

1. Appointment of Recreation Director – Mayor Kilsheimer said David Burgoon was the Recreation Manager for the City of Oviedo and reviewed his qualifications. He requested Council to ratify Mr. Burgoon's appointment.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to ratify the appointment of David Burgoon as Recreation Director. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. Appointment of Police Chief – Mayor Kilsheimer said Chief Manley has informed him of his desire to retire effective August 21, 2015. He stated Chief Manley has served the City with distinction and honor for the past 26 years and said he was very appreciative of how Chief Manley has handled the Department since he took office. He wished Chief Manley well. He declared when Chief Manley first brought this up, it was incumbent upon him to look for a new Chief. He said he has been consulting with senior law enforcement officers in Central Florida within Seminole, Orange and Lake Counties. As a result of these discussions they came across the name of Mike McKinley who is an Apopka resident who is deeply familiar with the community. He stated Mike has a long history and resume in law enforcement and he reviewed his biography stating he worked his way through the ranks of the Orange County Sheriff's Department to become Chief Deputy. He recommended Mike McKinley for confirmation as the next Police Chief for the City of Apopka.

Commissioner Arrowsmith said his entire career with the City he has always heard of upward mobility and taken pride in the longevity of employees. He stated while he had nothing against Mr. McKinley, he is bothered that we would go outside the City to find someone. He declared he was also surprised when he learned Chief Manley had retired, and more astounded when he learned someone had been chosen to fill the position. He said he respects Mr. McKinley's resume, but out of principle he will not vote for this appointment.

Commissioner Dean said he was impressed with what Mayor Kilsheimer has done by going out of the box in getting someone to lead this City in the law enforcement department. He stated with the new Chief he can bring changes to make this City more compatible and in line with other cities.

Mayor Kilsheimer opened the meeting to public comment.

Ray Shackelford said he strongly echoed the sentiments of Commissioner Arrowsmith and stated we have qualified people in the Apopka Police Department and we needed to give people hope for upward mobility. He stated he was surprised with this appointment. He expressed a concern with the lack of diversity within City government.

Pastor Hezekiah Bradford said he echoed the same as he heard from Mr. Shackelford and Commissioner Arrowsmith. He applauded the job Chief Manley has done from the standpoint

of human relations with the citizens in Apopka as well as the Pastors and other leaders within the confines of the Apopka community. He stated he was troubled again by the diversity when there was an opportunity to bring forward two staff members.

Ortenzio “Artie” Vecchio said he has been here 34 years and has seen most of the policemen and firemen stating there are a lot of good people behind Chief Manley that would have done a good job for the City.

Sylvester Hall echoed the sentiments for Chief Manley and thanked him for the short time he has known him personally. He said as a citizen and veteran the only thing required from our leaders is to be open, honest, and fair. He stated he was impressed by the new Chief’s resume, but this puts him in a bittersweet position coming in.

MOTION by Commissioner Ruth, and seconded by Commissioner Dean to ratify the appointment of Mike McKinley as the next Police Chief for the City of Apopka. Motion carried by a 4-1 vote with Mayor Kilsheimer, and Commissioners Dean, Velazquez, and Ruth voting aye and Commissioner Arrowsmith voting nay.

Mayor Kilsheimer announced Chief Manley’s last day is this Friday and there will be a ceremony tomorrow at 12:30 p.m. to present Chief Manley with his service weapon. Mike McKinley will start with the City of Apopka on August 31, 2015 and the Interim Chief of Police will be Eric Fortinberry who is a Senior Commander in the Orange County Sheriff’s office.

OLD BUSINESS

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

Suzanne Kidd provided a short synopsis of the Community Wide Visioning process. She encouraged everyone to go to the website at visioningapopka.net and fill out the survey. She advised Keith and Schnars will be holding community forums on September 15, 2015 at the VFW/Community Center; September 17, 2015 at Apopka High School; September 22, 2015 at University of Florida IFAS; and September 26, 2015 at Wolf Lake Middle School. In addition on September 29, 2015 there will be a business forum at the VFW/Community Center and the Mobile unit will be at Alonzo Williams Park on September 5, 2015, and the Northwest Recreation Complex on September 12, 2015.

NEW BUSINESS

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

Tony McArthur said he didn’t hear feedback on some of the comments he made on the STIF

ordinance and would like to have some feedback from the City Administrator or Council. He raised the question about other stakeholders that would benefit from this interchange that could help pay for this. He stated on a separate topic, the stewardship of City Council with regards to taxpayer money, there were opportunities for improvement and over the years there have been unnecessary spending approved by Council and Council should request a return on the investment analysis for all of the money spent on these projects that are not typically part of a City's charter and fall out of scope of services.

Pastor Hezekiah Bradford and Pastor Richard King spoke with regards to providing citizen input regarding advocacy for affordable housing resources for the south side of Apopka. He stated there has been a discussion with regards to a \$2 million request for redevelopment efforts for the south side of Apopka. He said they want to be good stewards of our taxpayer's dollars and also considered good partners with the City of Apopka, so they have decided against requesting any taxpayer dollars from the City to accomplish the goal of developing affordable multifamily housing. They are requesting support from the City to donate \$150,000 of city owned property based on the assessed value to be adopted into the 2015/16 fiscal year's budget and the planned development for affordable multifamily housing located on the south side of Apopka.

Mayor Kilsheimer said there was a Budget Workshop scheduled next Wednesday and the Budget Hearings are in September. He advised the revenue forecast from the State has come back far more optimistic that they knew about in early July and staff is working on readjusting the Budget and looking at all requests. He stated he thinks they are asking to incorporate this study that has to be undertaken into the work plan of the City of Apopka for fiscal year 2016/17. He advised the statute is very clear, if the city is going to declare land surplus for the purposes of being donated for affordable housing development, the city has to conduct an inventory and go through a public hearing process and chose parcels to declare as surplus and it would be made available through a public process.

Ray Shackelford said every opportunity we have to engage the entire Apopka community in the economic development process, we need to do so. He called upon the Council and said he would appreciate their support of the proposal that was just presented. He asked how the city addressed the deficit of the Old Florida Outdoor Festival, to which Mayor Kilsheimer explained the city budgets for the festival and this past year's deficit has been the smallest since it started. The plan going forward is to increase revenue from sponsorships, ticket sales, and additional exhibits.

Francina Boykin inquired if those living in unincorporated Apopka would be allowed and encouraged to participate in the visioning survey.

Mayor Kilsheimer responded in the affirmative.

Ms. Boykin said she keeps hearing south Apopka and gave history of how south Apopka has been defined in various ways. She suggested if dedicating this area that it be done officially.

Michael Wright said he was a land owner and taxpayer in south Apopka and he hopes to move forward in a positive way, stating he will discuss development with Pastors Bradford

and King. He also stated with regards to the proposed interchange, he did hold a stakeholders meeting with regards to transportation needs in that area. He invited Mr. McArthur to contact him following the meeting as he did a financial analysis.

David Hoffman said he lives in Rock Springs Ridge and he asked the Mayor or Commissioners to address the protocol and legal framework for reopening a PUD and asked if the residents are to be notified that such petition has been served.

City Attorney Shepard advised a PUD was just a zoning category assigned and it is a contract with the city where they come to agreement on development. If asking to amend a PUD, there are a series of hearings and notices they would be required to go through.

Mayor Kilsheimer suggested Mr. Hoffman address this procedure with the City Attorney following the meeting and said he would be glad to meet with him following the meeting.

Michael Cooper welcomed Chief McKinley and thanked Chief Manley for what he has done.

ADJOURNMENT – There being no further discussion, the meeting adjourned at 9:39 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk