CITY OF APOPKA

Minutes of the regular City Council meeting held on August 17, 2016, at 7:00 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: John Peery - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Harvey Carpenter, of Journey Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on August 26, 1920, the Nineteenth Amendment was formally adopted guaranteeing women the right to vote. The journey began more than 70 years before at the Seneca Falls Convention organized by Elizabeth Cady Stanton and Lucretia Mott to discuss women's rights. The convention ended with the passage of a resolution declaring the duty of women to secure the sacred right of voting. Suffragettes worked tirelessly, first winning the right to vote in individual states. When America entered World War I in 1917, women aided the war effort breaking down the remaining opposition to suffrage. By 1918 both the Republican and Democratic parties endorsed women's suffrage which led the way to the passage of the Nineteenth Amendment. He asked everyone to remember the sacrifice and courage of those who fought for the right of each and every one of us to vote as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

1. City Council workshop July 13, 2016.
2. City Council special meeting July 26, 2016.
   Commissioner Bankson said he felt compelled to comment at the end of the special meeting, those comments were left out and he wanted those comments noted. He reiterated that we were forced to have to make a move for our taxes to give time to finish the budget. He wanted it noted that he did address this stating that our taxes are just a small portion of the total revenues to run the city. He said Commissioners were challenged on the courage of their convictions. His conviction was to say no, we were not simply going to do that to try and solve the problems, because there is no way to solve all the problems.

3. City Council meeting August 3, 2016.

   MOTION by Commissioner Becker and seconded by Commissioner Dean, to approve the July 13, 2016 workshop, July 26, 2016 special meeting as amended, and August 3, 2016 City Council minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. Apopka High School Bowling Team Proclamation.
   Mayor Kilsheimer read the proclamation recognizing the success of the Apopka High School Bowling team and team members, and claimed August 17, 2016 to be Apopka High School Bowling Team Day in the City of Apopka. He presented each member with a copy of the proclamation.

Public Comment Period:

Mayor Kilsheimer said before starting with public comment he would like to provide an update regarding the vote taken at the last meeting on the issue of Edwards Field. He advised the action taken two weeks ago to hire an engineering firm to draw up a master plan is very preliminary in terms of developing potential concepts for Edwards Field. In the preliminary meeting with this firm, they were advised that this is where the Foliage Festival, and the Apopka Fair are held and that we have to continue to incorporate those events. He affirmed it was not his intention to take Edward Fields away from the groups that use it, or Kit Land Nelson Park. He advised when the new hospital opens, the existing hospital campus will be redeveloped into a community of several hundred residences for active seniors. He said there was a lot of land behind Fran Carlton and in that vicinity that could be repurposed from what it is today into a more active or larger recreational type complex. He stated CPH has been asked to dream up what a plan might be and what could happen, realizing the uses that already exist. He reiterated they were not doing away with any of the facilities that any of the groups in Apopka have relied upon for years and the engineers have been instructed to take that into consideration.

Pastor Richard King said during the 2014 City Election he voted for change that he believed would include him and his community. He expressed concern regarding issues of lack of communication and the appearance of disrespect from City Hall. He spoke of a sign that was posted in his community for a public hearing on zoning that was lying on the ground. He stated they met with the developer that was proposing light manufacturing in that area and said they voiced support at meetings for the rezoning due to the creation of jobs and this direction. He said they understand now that the plant will not be built in that location and said they deserved to know this would not happen. He asked the Commission if they respect and support his community.

Mayor Kilsheimer advised he has not heard that and no one has communicated to the city that they were not going to come. He said initially there was going to be one piece of property traded for another and they could not get to that point until the rezoning was held. Once the rezoning was done, the values of the property were looked at and their property is valued higher, so it cannot be an even trade. He affirmed that the city has not heard from the owner of the company for more than two months.

Rod Love spoke about what he called a reoccurring theme that takes place of no inclusion and lack of cooperation and transparency. He stated as the city is set to proceed forward with the recommended budget items, the Commission was obligated to have that exchange with the

citizens that attend meetings. He stated one of those items was the submitted grant for Alonzo Williams Park. He said he supports schools, but the $35,000 in the budget was a core school board item. He suggested this amount be used to waive the fees for Pop Warner and other sports clubs so they can use the fields without paying for the use, or fund midnight basketball on Friday and Saturday nights which is a proven crime prevention program. He asked for more transparency and fairness in the process.

Commissioner Dean said he agreed that the $35,000 should be used to defray fees for the sports programs on the city owned fields, stating that we pay school taxes.

Commissioner Becker said he welcomed this point, but that he felt the funds spent on the Apopka Youth program and the money spent on schools was an investment in our youth and a good investment. He said in the grand scheme, $35,000 was fairly immaterial to our overall budget. He said he valued the feedback and did take it into consideration.

Commissioner Bankson said there were several items that were earmarked to go back to and that item was not a decided issue, advising we were still processing the budget.

Jon DeClue, Immediate Past President of the Rotary Club of Apopka, read a prepared statement regarding the desire to construct a splash pad, skate park, gym, and swimming pool on the property known as Edwards Field. He said while these amenities might hold value for our city, it was disappointing to know there has been no public discussion on this project or the impact it might have on the Rotary Club of Apopka or the Apopka Woman's Club, stating it was surprising and equally disappointing. A copy of his prepared statement is on file in the Clerk's office.

Lori Mountcastle Schweitzer, President of the Apopka Woman's Club, read a prepared statement, stating their club has been an active part of this city for 59 years and during that time they have donated more than a million dollars to Apopka charities and organizations, supporting the community. She spoke of the Apopka Art and Foliage Festival and affirmed that one hundred percent of their net proceeds flow back into the community. She stated they found it discouraging and expressed concern that they were not given the opportunity to offer input about the proposed use of Edwards Field. A copy of her prepared statement is on file in the Clerk's office.

Lowell Swanberg spoke regarding concerns of the future use of Edwards Field. He said October 2001 through 2002 Apopka celebrated becoming 120 years old with yearlong festivities. He stated the Rotary Club of Apopka, founded in 1927, was one of the premier sponsors of the celebration, hosing the first ever Apopka's Old Fashion Country Fair in 2002 at Kit Land Nelson Park and Edwards Field. He spoke of the hard work of Rotarians and their contributions for the betterment of the Apopka community. He said without the use of Edwards Field for the Apopka Fair and Fall Family Festival, these dollars for contributions would no longer be available. He said Rotary appreciates the partnership with the City of Apopka and thanked the Council for reconsidering the use of Edwards Field for such programs.

Stella Swanberg said her family moved to Apopka 43 years ago and she has been a member of the Apopka Woman's Club for 42 years. She spoke of improvements the Apopka Woman's Club helped to make to Kit Land Nelson Park, including the Gazebo in the middle of the park. She reviewed a picture board that she brought of how the idea took shape. She stated that because of

the Art and Foliage Festival, the Apopka Woman's Club has been able to make upgrades to the park to include water pipes, a speaker system, and trees that have been planted. She affirmed that 2017 will be the 56th Annual Apopka Art and Foliage Festival and asked that they be allowed to keep this going for all to enjoy.

Alice Nolan said she knows this is a preliminary plan and there is nothing set in stone at this time, but as reviewing everything she prepared a letter regarding all of the history and wonderful things these clubs have done for the whole community. She decided that should be heard from the women that have been involved and stated she has been a member of the Apopka Woman's Club for a year. She spoke of the other properties in that area, but the plan spoke of Edwards Field. She said overflow parking will go into the neighborhoods and will become hazardous. She suggested the athletic field by the Ninth Grade Center be considered for this use, as it needs a facelift and there is plenty of room there for a splash pad and skate park. She said this area already has restrooms and a place that concessions can be sold from.

Tenita Reid spoke of concerns regarding Item three on the consent agenda concerning a request to allow alcohol to be consumed at City Hall for an event that is already scheduled for September 15, 2016. She stated this was not an appropriate venue to be serving alcohol at City Hall. She suggested the city is slowly losing its family friendly environment and promoting alcohol in venues that are inappropriate in her opinion.

Young Kim requested Council delay the CRA appointment. He said under Florida Law, Chapter 163, and Part 3, local governments designate certain areas which need improvements. He stated the CRA designated an area that can be found in the City records He suggested the CRA has misallocated funds which straight from its purposes of improving blighted areas within CRA zones, stating the UCF Incubator was one of those. He requested Ms. Williams appointment be delayed and they find a person who truly represents the interests within the designated zone. He said he was fully qualified with a law degree and acquainted with many business owners and property owners within the CRA area. He again asked the Council to delay this appointment and find the best qualified person.

Ray Shackelford said with respect to City Council, it was Commissioner Dean and Commissioner Arrowsmith that promoted the summer job youth program prior to final approval. He stated as an educator, and a concerned citizen, he applauded any effort to support programs that serves in education with fiscal integrity. He asked if the public could obtain a detailed finance report of the $20,000 for the Apopka Begins and Ends with an "A" program and asked how this program was being assessed to determine the impact of student learning, student success, and student retention. He said he also echoed what Mr. Love said with regards to using the money to weigh recreation fees for our young people. He stated with regards to the splash pad and skate park, he welcomed any centralized downtown location that does not impact current programs and services, and said the planning needs to involve citizens. He asked if they could get a diverse group of citizens, including a local high school student to plan the Old Florida Outdoor Festival and inquired what the criteria would be for a volunteer stating he would like to render his services as a volunteer for this festival. He declared sending the Chief of Police five miles to remove a law abiding citizen from under a tree to a sidewalk while an officer was on site was a waste of tax payers' money.

Pastor Hezekiah Bradford, Jr. said he represented the South Apopka Ministerial Alliance and the

Apopka Christian Ministerial Alliance. He stated he has been trying to get on the agenda, not just four minutes of comment, regarding single member districts. He said they had a march and there was not a restroom open at Alonzo Williams Park, simply because there is no representation. He stated they want someone they can hold accountable and someone that will represent that community. He said he was going to hold each of the Commissioners accountable as he has asked multiple times to ask to get on the agenda. He stated it wasn't fair that the Rotary Club got on the agenda. He said they need to look at this situation and make it a forum by which he is heard and the community is heard.

Mayor Kilsheimer said this has been talked about enough to the extent that it is clear in his mind that the community does not want to have a discussion on single member districts. He pointed out that the Rotary Club and the Woman's Club were not on the agenda, but came here for public comment just like Pastor Bradford did.

Pastor Bradford asked if since March they had been back to the south side.

Commissioner Bankson responded in the affirmative. He said they did meet and he came back to the City and met with Mr. Irby who said he would like to meet. He stated the biggest issue at this time and consuming time is the budget He said there is a desire to meet and he has been back in South Apopka on multiple times. He stated there were grants in the works and this is being discussed in the budget meetings.

Commissioner Becker said he was not in favor of single member districts, but said he would be in favor of an overall comprehensive Charter review. He stated he has proven that he is willing to go above and beyond in serving the entire community.

Pastor Bradford said there should be money in the budget for Alonzo Williams Park, as a grant is never a guarantee. Mayor Kilsheimer offered to meet with Pastor Bradford to discuss these matters.

Demarkus Johnson said he held the march at Alonzo Williams Park and said he was here for something else wherein they would like to get the community together for a BBQ at Alonzo Williams Park. He said we have a great Police Department and thanked them for their support and help. He stated he was looking for support and funding for the All Lives Matter Community BBQ.

CONSENT (Action Item)

1. Approve the Disbursement Report for the month of July, 2016
2. Authorize the Sewer and Water Capacity Agreement for Rock Springs Ridge, Phase VII-B
3. Approve the serving of Wine at An Evening with the Artists event
4. Approve appointment of Chenicqua T. Williams to the Community Redevelopment Agency
5. Accept a scoreboard sponsorship from The John Land Community Trust Inc.

Commissioner Becker said his concern with the CRA is having representation of people that reside within the District and know what is good for the area to make it thrive again. He said the Community Redevelopment Agency Act under Section B-3, does dictate that the agency may create whatever subcommittees it deems appropriate. He recommended subcommittees be created that are targeted in the focus for the CRA.

Mayor Kilsheimer advised that Mark Reggentin, Community Development Director is working on the CRA Plan to bring before the CRA Board and City Council. He said the CRA has not been very active in the past.

City Attorney Shepard advised that as a CRA Board, they can set whatever committees they wish. He said most CRAs that he represents have their own advisory committees. He stated he feels there is a failure of understanding since it has been so long since the CRA has operated properly. Once this is fully understood, the key to doing what Mr. Kim is requesting is in the plan. He affirmed the plan needs to be reviewed, receive comment from the public as to what kind of projects and improvements they want to see and where the TIF funds should be spent. He reiterated the plan is the issue.

Commissioner Bankson inquired about Item three and the location of churches and schools, to which Mayor Kilsheimer advised the alcohol ordinance was amended a few years ago that addressed these matters and any event on city owned facilities needs to be approved by City Council.

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

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. **Ordinance No. 2512 – Second Reading – Vacate – Harmon Road Right of Way –** The City Clerk read the title as follows:

ORDINANCE NO. 2512

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF HARMON ROAD RIGHT OF WAY; LOCATED WEST OF BINION ROAD; AND IN SECTION 19, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. 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 Becker and seconded by Commissioner Bankson to adopt Ordinance No. 2512. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS

Commissioner Becker said he attended the Travis Tritt concert at the amphitheater this past Saturday evening. He reported September 28, 2016, is the target date for the Task Force basketball game community event at Cooper Sportsplex.

Commissioner Velazquez said she attended the Pokeman Go event at the Northwest complex and they had a large crowd in attendance.

Commissioner Becker thanked Chief Carnesale for the tour of Station 1 of the Chinese exchange students.

MAYOR'S REPORT – No report.

NOT REQUIRING ACTION

1. Letter from the Florida Department of Health, reporting recent water testing results in Parkview at Wekiva subdivision.
2. Thank you letter from Sheller Oaks Community Association.

ADJOURNMENT – There being no further business the meeting adjourned at 8:36 p.m.

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Joseph E. Kilsheimer, Mayor

ATTEST;

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Linda F. Goff, City Clerk