

## CITY OF APOPKA

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**Minutes of the regular City Council meeting held on May 6, 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  
Attorney Cliff Shepard  
City Administrator Glenn Irby

**PRESS PRESENT:** John Peery - The Apopka Chief; Jeff Allen – News 13

**INVOCATION** – Commissioner Ruth introduced Pastor Zack Stoner, Grace Pointe Church, who gave the invocation.

**PLEDGE OF ALLEGIANCE** – Mayor Kilsheimer said on May 9, 1914, President Woodrow Wilson issued a Presidential Proclamation establishing the second Sunday of May as the National Mother’s Day holiday to celebrate America’s mothers. In his Mother’s Day Proclamation, President Wilson said the holiday gives us the opportunity to publicly express our love and reverence for the mothers of our country. Indeed, past president John Quincy Adams paid tribute to his mother when he stated *“All that I am, my mother made me.”* Mayor Kilsheimer asked everyone to reflect on the unconditional love of our own mothers and the role mothers have played in shaping our great Nation as he led in the Pledge of Allegiance.

Mayor Kilsheimer recognized students in the audience from Orangewood School who are here to observe our City Council meeting as part of a class they are taking.

### **EMPLOYEE RECOGNITION**

1. **James “Jim” Graber – Police Department/Support Services – Ten Year Service Award Police Officer** – Jim began working for the City on April 18, 2005, as a Police Officer, which is his current position. James was not present and his award will be presented another time.
2. **Nils Sturm – Fire Department/Suppression – Ten Year Service Award - Fire Fighter First Class** – Nils started working for the City on April 19, 2005, as a Firefighter First Class, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Nils on his years of service to the City.
3. **Marlin Harris – Public Services/Water Distribution Maintenance – Ten Year Service Award - Utility Service Worker II** – Marlin began working for the City on April 25, 2005, as a Utility Service Worker II, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Marlin on his years of service to the City.

4. **Joseph “Joe” Saras – Information Technology – Fifteen Year Service Award - Computer Support Specialist** - Joe started working for the City on April 13, 2000, as a Computer Support Specialist, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Joe on his years of service to the City.
5. **Gerardo “Gerry” Munoz – Public Services/Sanitation – Twenty Year Service Award - Solid Waste Technician** – Gerry began working for the City on April 19, 1995, as a Driver/Collector. On October 24, 1999, his title changed to Solid Waste Worker II. On December 13, 2004, his title changed to Solid Waste Technician, which is his current position. Gerry was not present and will be presented his award at another time.
6. **Raymond “Ray” Marsh – Community Development/Building – Twenty Year Service Award - Building Official** – Ray started working for the City on April 26, 1995, as a Multiple Code Inspector. Ray was promoted to Building Official on February 13, 2006, which is his current position. The City Council joined Mayor Kilsheimer on his years of service to the City.
7. **David Pace – Public Services/Grounds – Twenty Year Service Award - Grounds Specialist – DOE 04/26/1995** - David began working for the City on April 26, 1995, as a Maintenance Worker I. He was promoted on April 26, 1997, to Maintenance Worker II. On April 8, 2001, he was reclassified to Lead Maintenance Worker II. David was reclassified to Grounds Specialist on April 15, 2003, which is his current position. The City Council joined Mayor Kilsheimer in congratulating David on his years of service to the City.
8. **Scott Pensala – Public Services/Water Distribution Maintenance – Twenty Five Year Service Award - Utility Service Worker II** – Scott started working for the City on April 11, 1990, as a Laborer I. On January 8, 1992, he was reclassified to Laborer II. Scott’s title changed to Utility Service Worker II on October 7, 1993. On August 23, 1995, Scott was promoted to Utility Foreman. Scott’s title changed to Utility Service Worker II on April 25, 1999, which is his current position. Scott was not present and will be presented his award at another time.

## PRESENTATIONS

1. National Police Week Proclamation - Presented to Chief Manley

Mayor Kilsheimer read the proclamation for National Police Week and presented it to Chief Manley. He asked Chief Manley to say a few words with regards to their trip to Tallahassee this past week.

Chief Manley said they made the trip to Tallahassee and this year seven names of fallen officers were added to the memorial. He stated tomorrow evening Orange County will hold a memorial at the Court House with a parade of law enforcement officers and a ceremony honoring fallen officers.

2. Glenn Pressimone, Director of Engineering, Central Florida Expressway Authority (CFX), gave a Power Point presentation and update on the master plan process. He advised that three major elements changed with the legislation changing the Expressway Authority to the CFX. They went from a five member board, one of which was an elected official, to a nine member board, six of which are elected officials and three are Governor appointees. Where before they were just Orange County, it now incorporates Orange, Seminole, Osceola, and Lake Counties. A copy of the Power Point presentation is on file in the Clerk's office.

3. Pre-Budget Presentation - Presented by Chief Manley

Chief Manley gave an overview of his upcoming budget requests for FY 2016 with regards to staffing in the Police Department. He reviewed the history of their staffing levels and future needs. He stated from 2009 through 2013 they have maintained 91 sworn positions without any increase. He advised in 2014 they had the need to hire a Director of Communication Services which took one of their sworn positions and dropped them to 90 positions which is their current staffing level. He reviewed the population levels, with our current population being 45,669. He reviewed the officer/population ratio which is calculated by 1 officer per 1,000 residents and pointed out there has been a steady decline in the officer/population ratio. He declared with the decline in our economy, they took on the challenge knowing they had to work more with less. He said they came up with their own projections in regards to where we are heading in the City and they project by 2020 there will be 51,000 population within our jurisdiction. He affirmed they are proposing the allocation of 10 new sworn positions for the APD, and over the next 5 years to allow them to hire 12 more officers which will keep them at the 2.19 ratio. He said to save money they came up with a plan, asking to purchase the patrol cars and all of the equipment the first quarter of the budget for the officers. The second quarter they propose hiring 3 officers, the third quarter hiring of 3 officers, and the fourth quarter hire 4 officers. By portioning out in that manner it will save approximately \$400,000.

## CONSENT AGENDA

1. Approve the minutes of the Administrative Bid Opening No. 2015-04 for Apopka Northwest Recreation Complex Aquifer Recharge Storage - Phase 4A held on April 14, 2015, at 10:15 a.m.
2. Authorize the disposal of surplus equipment/property and removal from the fixed asset list.
3. Approve the appointment of the Florida Small Cities Community Development Block Grant (CDBG) Citizens Advisory Task Force.
4. Direct the City Administrator to investigate alternate ways to comply with the Florida Department of Environmental Protection (FDEP) current nitrogen limits.
5. Approve the Disbursement Report for the month of April, 2015.

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

## REGULAR AGENDA

1. Award the contract, in the amount of 1,587,000.00, to Collage Construction for construction of the NWRC Aquifer Recharge Storage Phase 4A; and additional funds for soil testing and a contingency fund, in the amount of \$100,000.00.

Jean Jreij, Public Services Director, gave a brief overview stating this was for the construction of a pond and access roadway, and stormwater pipe. He pointed out on a map the area for the pond, as well as the area for the BBQ competition during the Old Florida Outdoor Festival. He advised the bids were received on April 15, 2015 and the low bid was for \$1,587,000 from Collage Construction. The project is scheduled to start in June and it should take approximately 6 months for completion.

**MOTION by Commissioner Ruth, and seconded by Commissioner Dean to approve awarding of the contract in the amount of \$1,587,000 to Collage Construction and additional funds in the amount up to \$100,000 for soil testing and a contingency fund. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

**SPECIAL REPORTS AND PUBLIC HEARINGS** – No Special Reports or Public Hearings.

## ORDINANCES AND RESOLUTIONS

Mayor Kilsheimer advised staff was withdrawing Ordinance No. 2425. Also, Ordinance No. 2416 does not meet the requirements for adoption and it will be carried over to a Third Reading.

1. ORDINANCE NO. 2388 – THIRD READING & ADOPTION - Amending the City of Apopka, Code of Ordinances, Part III, Land Development Code, Section III – Overlay Zones - To create a new Section 3.05 entitled “Designated Grow Area Overlay District.” [Ordinance No. 2388 meets the requirements for adoption having been advertised in The Apopka Chief on April 3, 2015.] The City Clerk read the title as follows:

### ORDINANCE NO. 2388

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AFFECTING THE USE OF LAND IN THE CITY OF APOPKA, AMENDING ARTICLE III OF THE LAND DEVELOPMENT CODE TO INCLUDE A NEW SECTION 3.05 TITLED “DESIGNATED GROW AREA OVERLAY DISTRICT”, PROVIDING THAT CANNABIS CULTIVATION AND PROCESSING AND MARIJUANA DISPENSARIES/MEDICAL TREATMENT CENTERS ARE SPECIAL EXCEPTION USES WITHIN A “DESIGNATED GROW AREA OVERLAY DISTRICT” AND PROHIBITING SUCH USES WITHIN ANY OTHER ZONING DISTRICT OR LOCATIONS WITHIN THE JURISDICTION OF APOPKA; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATION FOR**

**APPROVAL OF A SPECIAL EXCEPTION FOR CANNABIS CULTIVATION OR PROCESSING OR MARIJUANA DISPENSARY/MEDICAL MARIJUANA TREATMENT CENTER; PROVIDING DEFINITIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CONDITIONS; AND SETTING 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 Dean, to adopt Ordinance No. 2388. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

2. ORDINANCE NO. 2416 – SECOND READING - Moratorium – To establish a moratorium on the issuance of building permit and/or the receipt of preliminary or final development plan submittals for restaurants or food service operations with drive through lanes or drive-in service, such moratorium to extend until January 7, 2016. The City Clerk read the title as follows:

**ORDINANCE NO. 2416**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING A MORATORIUM UNTIL JANUARY 7, 2016 ON ACCEPTANCE, REVIEW, PROCESSING, OR APPROVAL OF APPLICATIONS FOR DEVELOPMENT, BUILDING, PERMITS, SITE PLANS, DEVELOPMENT ORDERS, AND LAND USE ACTIVITIES WHICH WOULD ALLOW OR PERMIT CONSTRUCTION OF DRIVE-THROUGH OR DRIVE-IN RESTAURANT FACILITIES WITHIN THE CITY OF APOPKA DURING THE COURSE OF COMPLETION OF A STUDY AND POTENTIAL ADOPTION OF AMENDMENTS TO THE LAND DEVELOPMENT CODE AND DEVELOPMENT DESIGN GUIDELINES; PROVIDING EXEMPTIONS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR POSSIBLE EXTENSION OF THIS ORDINANCE; PROVIDING FOR ADMINISTRATIVE/QUASI-JUDICIAL VESTED RIGHTS REVIEW PROCEDURES; PROVIDING FOR 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.

Commissioner Ruth said he would like to move this ordinance to the next available date until the information he requested earlier in the week is obtained.

Mayor Kilsheimer pointed out the ordinance, if approved today, will be brought back at the next meeting for a Third Reading. If the ordinance is tabled, it will require another two

hearings, or if not approved today it is considered denied and will not be brought back.

Commissioner Ruth said he was very specific with the information he requested and stated that tabling it or moving it would be in the best interest of the Council and would allow him to make an informed decision in moving this forward. He expressed concerns regarding property rights and said he never had any concept that safety was an issue.

Mayor Kilsheimer reiterated the ordinance has to go to a Third Reading and any questions can be answered between now and then. He stated the moratorium is a temporary hold that allows for the visioning process. He said public safety was mentioned by the Planning Manager due to the high volume of traffic in the drive through and as one reason why a moratorium is reasonable for consideration.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Ruth to approve Ordinance No. 2416 at Second Reading and hold it over for a Third Reading. Motion carried by a 3-2 vote with Mayor Kilsheimer, and Commissioners Velazquez, and Ruth voting aye and Commissioners Arrowsmith and Dean voting nay.**

3. ORDINANCE NO. 2417 – FIRST READING - ANNEXATION – Diana Donohoe Life Estate, property located at 4664 Plymouth Sorrento Road (Parcel ID # 13-20-27-0000-00-043) (4.85 +/- acres); and Debra Reid Wilbarger, property located at 4646 Plymouth Sorrento Road. (Parcel ID # 13-20-27-0000-00-042) (1.33 +/- acres). (Combined acreage 6.18 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2417**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DIANE DONOHOE LIFE ESTATE AND DEBRA REID WILBARGER, LOCATED AT 4664 AND 4646 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Arrowsmith, and seconded by Commissioner Ruth to approve Ordinance No. 2417 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

4. ORDINANCE NO. 2418 – FIRST READING - ANNEXATION – Diane Reid-Goolsby, properties located at 4668 Plymouth Sorrento Road (Parcel ID # 13-20-27-0000-00-049) (1.76 +/- acres); and 4672 Plymouth Sorrento Road. (Parcel ID # 13-20-27-0000- 00-044) (1.72 +/- acres) (Combined acreage 3.48 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2418**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DIANE REID-GOOLSBY, LOCATED AT 4668 AND 4672 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve Ordinance No. 2418 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

5. ORDINANCE NO. 2419 – FIRST READING - ANNEXATION – Diane Reid-Goolsby and Debra Reid Wilbarger, property located at 4680 Plymouth Sorrento Road. (Parcel I.D. # 13-20-27-0000-00-010) (21.36 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2419**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DIANE REID-GOOLSBY AND DEBRA REID WILBARGER, LOCATED AT 4680 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Velazquez, and seconded by Commissioner Arrowsmith to approve Ordinance No. 2419 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

6. ORDINANCE NO. 2420 – FIRST READING - ANNEXATION – Diane Reid-Goolsby, property located at 4622 Plymouth Sorrento Road. (Parcel I.D. # 13-20-27-0000-00- 041) (2.88 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2420**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DIANE REID-GOOLSBY, LOCATED AT 4622 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve Ordinance No. 2420 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

7. ORDINANCE NO. 2421 – FIRST READING - ANNEXATION – Diana Donohoe Life Estate and Debra Reid Wilbarger, property located at 4634 Plymouth Sorrento Road. (Parcel I.D. # 13-20-27-0000-00-039) (2.50 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2421**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DIANA DONOHOE LIFE ESTATE AND DEBRA REID WILBARGER, LOCATED AT 4634 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Arrowsmith, and seconded by Commissioner Velazquez to approve Ordinance No. 2421 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**



8. ORDINANCE NO. 2422 – FIRST READING - ANNEXATION – Daniel Joshua Reid Life Estate and David Dwayne Reid, property located at 4640 Plymouth Sorrento Road. (Parcel I.D. # 13-20-27-0000-00-031) (2.50 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2422**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DANIEL JOSHUA REID LIFE ESTATE AND DAVID DWAYNE REID, LOCATED AT 4640 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Dean, and seconded by Commissioner Ruth to approve Ordinance No. 2422 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

9. ORDINANCE NO. 2423 – FIRST READING - ANNEXATION – Debra Reid Wilbarger Life Estate, Diana Nichole Ried-McClure, and Dwana Michelle Reid-McClure, property located at 4528 Plymouth Sorrento Road. (Parcel I.D. # 13-20-27-0000-00-040) (2.49+/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2423**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DEBRA REID WILBARGER LIFE ESTATE; DIANA NICHOLE RIED-MCCLURE; AND DWANA MICHELLE RIED-MCCLURE, LOCATED AT 4528 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Velazquez, and seconded by Commissioner Ruth to approve Ordinance No. 2423 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

10. ORDINANCE NO. 2424 – FIRST READING - ANNEXATION – Crossroads Church of Orlando, property located at 320 East Welch Road. (Parcel I.D. # 34-20-28-9550-00- 261) (1.85 +/- acres) The City Clerk read the title as follows:

**ORDINANCE NO. 2424**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CROSSROADS CHURCH OF ORLANDO, INC., LOCATED AT 320 EAST WELCH ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve Ordinance No. 2424 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

11. ORDINANCE NO. 2425 – FIRST READING - ANNEXATION – Michael D. & Christine J. Maxwell, property located at 374 East Welch Road. (Parcel I.D. # 34-20-28-9550-00- 240) (2.44 +/- acres)

Mayor Kilsheimer advised this ordinance was withdrawn by staff.

12. ORDINANCE NO. 2426 – FIRST READING - ANNEXATION – Donald Lee Boughan, property located at 404 East Welch Road. (Parcel I.D. # 34-20-28-9550-00-232) (1.00+/- acre) The City Clerk read the title as follows:

**ORDINANCE NO. 2426**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY DONALD LEE BOUGHAN, LOCATED AT 404 EAST WELCH ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

**MOTION by Commissioner Dean, and seconded by Commissioner Velazquez to approve Ordinance No. 2426 at First Reading and carry it over for a Second reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

## **SITE APPROVALS**

1. FINAL DEVELOPMENT PLAN - Adventist Health System/Sunbelt, Inc. DBA Florida Hospital Apopka, c/o Raymond Moe, for property located south of Harmon Road, west of Ocoee Apopka Road, and east of S.R. 429. (Parcel ID #: 20-21-28-0000-00-007)

Jay Davoll, Community Development Director provided a brief overview of the Final Development Plan. He advised there were five different projects and the Hospital and City have agreed to choose one to partner on and work on jointly. This project has not yet been determined and the agreement will be brought to Council for approval on August 19, 2015.

Jennifer Wandersleben, Administrator, Florida Hospital – Apopka, said a few weeks ago the celebration of the Groundmaking of the new hospital was held. She said she was humbled by the outpouring support of the community. She stated they were looking forward to growing the hospital and providing more health care services for the community.

Mayor Kilsheimer opened the meeting to a public hearing.

Fraser Gunter suggested it would be more feasible to build an entrance from SR 429.

Mr. Davoll explained there are strict guidelines and with 414 and 429 coming together in this area, there was little opportunity to have an entrance/exit at this location.

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

**MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve the Final Development Plan for Adventist Health System/Sunbelt, Inc. DBA Florida Hospital Apopka, as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

The Council recessed at 3:07 p.m. and reconvened at 3:15 p.m.

## **DEPARTMENT REPORTS AND BIDS**

1. Community-Wide Visioning Process Consultant - Authorize negotiation of a professional services agreement and scope of services with the firm ranked first by the selection committee as the Community-Wide Visioning Process Consultant.

David Moon, Planning Manager, reported the City Council appointed a Selection Committee to review the proposals received on the Community-Wide Visioning Process. There were six responses received and these were reviewed by the Selection Committee and the proposals were scored. The top three firms were invited to interviews that were conducted last week. Based on those interviews, the Selection Committee ranked the firms and recommends Council authorize the City Administrator to negotiate and execute an agreement with the firm of Keith & Schnars.

Commissioner Dean suggested a youth focus group, a business focus group of a business with less than 100 employees, and a staff focus group minus the administrator be incorporated in the process.

Mayor Kilsheimer opened the floor for public comment.

Ray Shackelford said they need to talk with the youth of Apopka. Overall, he said he concurred this was a step in the right direction and encouraged approval.

David Moon said Suzanne Kidd could not be here today, but she prepared a letter in support of the study and the letter was read into the record by Mayor Kilsheimer. The letter will be filed with the minutes.

Debbie Love, Director of Planning, Public Relations, and Outreach, said she would be serving as the project manager for this project and thanked the City for this potential. She introduced the Deputy Project Manager, Bob Cambric, who will be here on a day to day basis and he is also a resident of Apopka.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Ruth, to authorize negotiation of a professional services agreement and scope of services with Keith & Schnars for the Community-Wide Visioning Process. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

**MAYOR'S REPORT** – Mayor Kilsheimer reported the May 20<sup>th</sup> meeting will convene at 5:30 p.m. to allow time for the auditor to present the annual financial report for the City.

Mayor Kilsheimer said the City Clerk recently attended a meeting at the Supervisor of Elections office and asked for an update on timing of the next election.

Linda Goff, City Clerk, said the next Presidential Primary Preference election will be on March 15, 2016 and the Supervisor of Elections office is asking the cities to hold their election in conjunction with that election. This will constitute moving the City election forward one week. An ordinance will be brought forward in June for moving our election and qualifying.

Mayor Kilsheimer said the Fire Department's Annual Awards Banquet was held last evening and it was a special event, stating we have a remarkable organization serving as our first responders. He thanked Chief Bronson for this event.

## **OLD BUSINESS**

### **COUNCIL**

Commissioner Ruth said at the last Council meeting he discussed the incentive on local business preference for any bids moving forward. He inquired if the study had been conducted.

Mr. Irby advised the study has been completed and it is permissible to set the preference at any percentage. He stated the City Clerk will be writing a Resolution to amend this to be presented at a future meeting.

### **PUBLIC**

Isadora Dean said at a previous meeting the subject of minority businesses and hiring practices came up and she was wondering if there was a statement with regards to minority hiring and contract policies.

Mayor Kilsheimer said the discussion he recalled was if we were going to move forward on a minority hiring ordinance that we would first need to conduct a minority disparity study. He advised the City of Orlando, Orange County, Orlando Airport Authority, Orange County Public Schools, and the University of Central Florida are all jointly engaged in a two million dollar minority disparity study. He declared the City of Apopka asked to join in on that study and we were denied.

Ms. Dean thanked the City for the summer youth jobs program, but stated she did not like all of the restrictions placed on this program. In response, Mayor Kilsheimer advised the restrictions were only applied to the 20 positions through Career Source and were not applied to the 12 positions the City was funding.

Fraser Gunter said he moved to Rock Springs Ridge in 2002 and the area was very manicured at that time and over the years it has deteriorated. The golf course is now gone and the property is very distressed. He stated no one has taken the initiative to get this mowed and has been abandoned in all aspects. He said they need the City to be proactive with the management and requested Code Enforcement do something about this on a daily basis.

Mayor Kilsheimer advised our Code Enforcement Captain has already initiated Code Enforcement proceedings on the Rock Springs Ridge Golf Course.

## **NEW BUSINESS**

### **COUNCIL**

Commissioner Dean commented on and thanked Mr. Jreij for the beautiful landscaping at Central Avenue and SR 441.

Commissioner Ruth said there were multiple football leagues in Apopka and asked Mr. Irby to look into providing available property for practice for the Central Florida Youth Football League (CFYFL).

## PUBLIC

Samuel Cadet said he was here representing Altamonte Student Government Association and one of his visions is to work with the communities and asked if the City needed any help from the State Student Government Association or their volunteer association in Altamonte Springs to please let them know. He would like to have some of their students working with local businesses and internships for students within government facilities.

Ray Shackelford said he supported Chief Manley and the Police Department and Council should consider providing 20 officers in the next FY Budget. He suggested as they move forward in the budgetary process to consider setting aside \$150,000 for next year's summer youth program and establish the Apopka Youth Council. He further suggested the minimum wage be set at \$15.00 per hour for city employees.

Tenita Reid said Florida Blue Health Insurance and Florida Hospital were at odds over their contract and if they did not reach an agreement how this would affect employees and retirees. She inquired if the doctors at the CareHere were affiliated with Florida Hospital.

Stanley Pearce spoke on the Community Garden on Park Avenue and said they need more space, to which Mayor Kilsheimer advised the City was working on an idea for another community garden.

Mayor Kilsheimer said there has been interest expressed in a splash pad and if the City has a splash pad it should not be a destination in itself, but part of another development area in order to be successful.

Ray Shackelford said the splash pad needs to be more accessible to the community as a whole and should be in the downtown area. He stated the issue of minority hiring and the disparity report was brought up approximately 10 months ago and hoped we did not lose sight of that matter. He applauded Commissioner Ruth's efforts on preference to local businesses.

Faiza Steiner said she also lives in Rock Springs Ridge and she supports Mr. Gunter's concerns about Rock Springs Ridge Golf Course.

Sylvester Hall said he also lives in Rock Springs Ridge and approximately 2-3 months ago he came to a Council meeting and spoke emotionally on poverty. He stated with the outlook of Apopka it is a shame that we have so much poverty. He said if we do the right thing by all people, then Apopka will be great.

Robert Labelle also lives in Rock Springs Ridge and said he had one of the former nicest views of the golf course and asked why this property was not a public nuisance.

City Attorney Shepard said if the property meets the definition under the code, it is a code enforcement issue, and as Mayor Kilsheimer has stated, code enforcement is a separate process and if it meets the definition it will go through that process. If they correct the nuisance then the problem goes away and if they don't, it is subject to fines of up to \$200 per day. He explained the fine has nothing to do with the size of the property, it is a violation and the fine is per violation.

**ADJOURNMENT** – There being no further discussion, the meeting adjourned at 4:24 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
Joseph E. Kilsheimer, Mayor

ATTEST:

\_\_\_\_\_/s/\_\_\_\_\_  
Linda F. Goff, City Clerk