

## CITY OF APOPKA

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### **Minutes of the City Council regular meeting held on July 5, 2017, at 1:30 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 Patrick Brackins  
City Administrator Glenn Irby

**PRESS PRESENT:** John Peery - The Apopka Chief  
Steve Hudak, Orlando Sentinel  
Reggie Connell, The Apopka Voice

**INVOCATION:** Mayor Kilsheimer introduced Reverend Laura Viau, First Presbyterian Church of Apopka, who gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer said on July 4, 1776, the Continental Congress formally adopted the Declaration of Independence, which proclaimed the independence of the newly formed United States from Great Britain and its King. The Declaration came just more than a year after the first shots were fired at Concord signaling the start of the Revolutionary War. The War would last five years until the American victory at Yorktown. In 1783, the United States became a free and independent Nation with the signing of the Treaty of Paris. He asked everyone to remember the many sacrifices of our Founding Fathers and the great patriots who fought to establish our great nation as he led in the Pledge of Allegiance.

#### **APPROVAL OF MINUTES:**

- 1. City Council/Planning Commission joint workshop meeting May 25, 2017.**
- 2. City Council regular meeting June 7, 2017.**

**MOTION by Commissioner Bankson, and seconded by Commissioner Becker to approve City Council minutes of May 25, 2017, and June 7, 2017. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Velazquez, Becker, and Bankson voting aye.**

**AGENDA REVIEW:** Mr. Irby announced there were no changes.

#### **PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT**

##### **Public Comment:**

Ray Shackelford said each of the council members was elected to serve the people of Apopka, however, their service does not give them the right to ignore the will of the people. He stated at the end of the day the City of Apopka and the tax money belongs to all communities and people. He saluted the willingness of Vice Mayor Dean and Commissioner Becker for standing with the people

as it relates to the red light cameras. He said after reflecting on some previous council meetings and conversations with citizens, he can recall at least six African-Americans, including himself and Vice Mayor Dean being cut off from speaking while others were not. He said he could recall the lack of support for projects presented by African-Americans, including the "One Apopka for Progress" resolution. He recalled credit being taken by the Mayor for the summer jobs program that was promoted by African-Americans. Although he applauded the grant for Alonzo Williams Park, he declared the project was initiated and promoted by African-Americans. He inquired how many African-Americans reported directly to the Mayor and how many African-Americans work in management positions within City Hall. He asked how many minority, women, and veteran contractors received contracts from the City of Apopka over the past three years, stating he only wants all communities and people to be involved in the economic development process with respect, fairness, and fiscal integrity. He spoke of a document being distributed to the Council and the public with comments on his statements before the City Council with no opportunity for feedback. He said he did not appreciate disrespect for his first amendment rights, especially when slavery is over. He said he further did not solute the willingness of the City Attorney, who on May 17, 2017, misled and misinformed the public of his opposition to a marketing firm receiving our tax money without a proper bidding process. He asked how many bids were received for the \$1.6 million project for Fire Station 5, and asked if the additional money will come from impact fees, general fund, or both. He stated he appreciated Council's service and all he is seeking is fairness, respect, and fiscal integrity.

Christine Moore said a lot has transpired over the past year that the City of Apopka and Orange County Public Schools have had the opportunity to partner together. She came to say thank you for a number of things. The Jazz Festival was the first of April and the amphitheater was completely filled for this. She thanked city staff for everything they did to make this event successful. In May they began an inaugural Apopka History field trip of the entire fourth grade of Apopka Elementary School, and several of the Council members were involved. The students held a mock council meeting while here with the agenda being the splash pad. She stated when the City has the grand opening of the splash pad there are several principals and schools that would love to be a part of this celebration. She said it has been a joy to teach the students the history of this wonderful community and she looks forward to many more opportunities to work together.

Suzanne Kidd said she wanted to address Item 3 under Business, which is with regards to design Apopka entrance signs. She stated there was a picture in the agenda packet of the entrance sign designed as a possibility during the visioning process. She attended all of the visioning meetings and was on the steering committee, stating this design was presented as a possibility and not necessarily etched in stone. Her concern was that this particular contract they are considering today talks about the architectural services, including design development, construction documents, landscaping design, irrigation design, and civil design, which are typically are done once a design direction is set in stone. She asked what kind of latitude this company will have, should they see the possibility of implementing the visioning statements in a different way. She said her other concern is when looking at the visioning documents and timeline, especially under the first of five pillars, economic development, the City was scheduled to go through branding and marketing exercise in 2017. She questioned if they were sure of what direction they were heading, or still figuring out where we are headed as a City with regards to what the image is. She stated a sign like this will be extremely visible to all entering the City. She inquired if this was using tax dollars too prematurely and perhaps a step back be taken to think about doing this branding and marketing exercise prior to

committing to a sign that will reflect this.

**Employee Recognition:**

**Five Year Service Award – Earl Hines – Fire/Suppression** – The Commissioners joined with Mayor Kilsheimer in congratulating Earl for his years of service.

**Ten Year Service Award – Eric Howard – Fire/Suppression.** The Commissioners joined with Mayor Kilsheimer in congratulating Eric for his years of service.

**Ten Year Service Award – Jerold "Jerry" Maynard – Fire/EMS.** The Commissioners joined with Mayor Kilsheimer in congratulating Jerry for his years of service.

**Thirty Year Service Award – William “Bill” Stokes – Fire/EMS.** The Commissioners joined with Mayor Kilsheimer in congratulating Bill for his years of service.

**Thirty Year Service Award – Todd Bengtson – Fire/EMS.** The Commissioners joined with Mayor Kilsheimer in congratulating Todd for his years of service.

**Presentations:**

1. Mayor Kilsheimer presented Commissioner Bankson with his certificate of completion from the 2017 Advanced Institute for Elected Municipal Officials.

**CONSENT (Action Item)**

1. Approve updates to the Water Conservation Incentive Program.

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

**BUSINESS**

1. **Approve the construction contract with Miller Construction Management, Inc. for Fire Station 5.**

Chief Carnesale said we are at the point to request approval of the construction contract for Fire Station 5. He provided a chronological history leading up to this construction contract stating in October 2016, through the RFQ process Miller Construction was chosen as the construction manager and pre-construction services. The remaining amount for Fire Station 5 will be budgeted in the upcoming Fiscal Year budget. Chief Carnesale said with Council’s approval of this contract, ground breaking will occur within the next ten to twenty days with a completion date of January or before.

In response to Commissioner Dean’s inquiry, Todd Miller of Miller Construction, advised the landscape amount is an allowance based on a contingency and includes all irrigation and sod.

**MOTION by Commissioner Becker, and seconded by Commissioner Velazquez to approve the construction contract with Miller Construction Management, Inc. for Fire Station 5. Motion carried unanimously with Mayor Kilsheimer, and Commissioners**

**Dean, Velazquez, Becker, and Bankson voting aye.**

**2. Stutzman Court Utility Licensing Agreement with Orange County.**

Mr. Irby reported last fiscal year Orange County was successful in a bid for a state appropriation of \$250,000. He advised there is an area close to the Vista Landfill that are on domestic supply wells. Evidently there is some contamination from the landfill affecting these wells. This area is outside the corporate city limits of Apopka, but it is within our territorial rights for service of utilities. Orange County has requested the City of Apopka to service the area and use the \$250,000 appropriation for this purpose. One way to accomplish this is through a licensing agreement and this is Orange County's preference. The other method would be for an easement. The agreement is for 75 years with 10 year renewals. The City will provide the line and meter and the resident will be responsible to provide hookup to the system. Orange County will; not allow the meters to be installed in the right-of-way, therefore, the resident will need to provide an easement to service the line. Staff recommends approval.

**MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez to approve the Stutzman Court Utility Licensing Agreement with Orange County as submitted. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**3. Authorize an agreement for professional services to design Apopka entrance signs.**

Jay Davoll, Public Services Director, this item is authorizing an agreement for professional services to design Apopka welcome entrance signs. A contract has been negotiated with CPH Inc. to provide site, boundary, and topo survey, architectural drawings, foundation, plumbing, and mechanical drawings, electrical drawings, structural design, landscape drawings and irrigation plans. The location has been determined to be at the intersection of Vick Road and Old Dixie Highway in the north east corner.

In response to Commissioner Dean inquiring if this went through the bid process, Mr. Davoll advised it was negotiated through the CCNA process with one of our architectural firms we have on standby. He advised we have evaluated firms that submitted during the RFP process and there are three firms on standby the City can negotiate a contract with.

Mr. Irby advised this was only for design. Once the design is done, then the brick and mortar will be bid.

Commissioner Dean said once this is ready to be bid, he would like the bid to be advertised in an African-American newspaper in addition to the Orlando Sentinel or The Apopka Chief.

Commissioner Becker inquired how this location was chosen and stated the design would be site specific.

Mr. Davoll said the design would be site specific, but the general part of the design could be carried over to other sites. He advised this area has water and electricity readily available. This is the area the city already owns where the road was prior to the realignment of Vick Road. He advised the guidelines for placing of signs in FDOT right-of-way are more difficult and would require a lot of negotiations with FDOT.

**MOTION by Commissioner Velazquez, and seconded by Mayor Kilsheimer to approve an agreement with CPH, Inc. for professional services to design Apopka entrance signs. Motion failed with a 2-3 vote with Mayor Kilsheimer and Commissioner Velazquez voting aye and Commissioner Dean, Becker, and Bankson voting nay.**

**4. Approve funding for the purchase and installation of a reclaimed water irrigation pump station.**

Mr. Davoll said during the summer last year the pump at the Northwest Recreation Facility went down for several weeks. This provides a backup system in the event of a failure. Staff requests approval of funding for this project in the amount of \$235,000 plus a 10% contingency fund of \$23,500. Funding will be from the reclaimed water impact fees.

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean to approve the funding for the purchase and installation of a reclaimed water irrigation pump station at the Northwest Recreation Facility. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**CITY COUNCIL REPORTS** – There were no reports.

**MAYOR’S REPORT** – Mayor Kilsheimer said there was a great time at the Fourth of July fireworks last evening. He said city staff did a great job and thanked everyone involved.

**ITEMS NOT REQUIRING ACTION**

1. Thank you email from Tiny Tots Early Learning Center to the Public Services, Utility Division.
2. Thank you email from resident to the Utility Billing and Public Services, Utility Construction & Maintenance Division.

**ADJOURNMENT** – There being no further business the meeting adjourned at 2:42 p.m.

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

ATTEST:

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