

## CITY OF APOPKA

---

**Minutes of the regular City Council meeting held on October 5, 2016, 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 Drew Smith  
City Administrator Glenn Irby

**PRESS PRESENT:** Teresa Sargeant - The Apopka Chief  
Bethany Rodgers, Orlando Sentinel  
Reggie Connell, The Apopka Voice

**INVOCATION:** Mayor Kilsheimer introduced Mr. James Delgado of Apopka High School, who gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Kilsheimer said on October 2, 1961, that Thurgood Marshall was sworn in as the first African American Justice of the United States Supreme Court. Before his appointment, Thurgood Marshall served as the NAACP's Chief Counsel from 1938 to 1961, during which time he played a pivotal role in registering African American voters throughout the south and in Central Florida. As NAACP's Special Counsel, Marshall served as lead counsel for the defendant in the notorious *Groveland Four* case. Marshall also successfully argued the *Brown v. Topeka Board of Education* case in 1954, which ended segregation in public education. This victory gave strength to the Civil Rights Movement, eventually leading to the desegregation of public facilities and accommodations. He asked everyone to remember those men and women who, like Thurgood Marshall, dedicated their lives to our Civil Rights Movement as he led in the Pledge of Allegiance.

### **APPROVAL OF MINUTES:**

1. City Council workshop July 26, 2016.
2. City Council workshop August 16, 2016.
3. City Council Special meeting August 23, 2016.
4. City Council meeting September 21, 2016.

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve the minutes of July 26, 2016, August 16, 2016, August 23, 2016, and September 21, 2016. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Bankson and Becker voting aye.**

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

#### **Employee Recognition:**

**Five Year Service Award** – Elmer “Pete” Baker III – Police/Support Services - Pete began working for the City on September 20, 2011, as a Police Officer. From January 27, 2013, through September 10, 2016, he served a temporary assignment as a Lead Police Officer. On

September 11, 2016, he returned to Police Officer in the K-9 unit, which is his current position. Officer Baker was not present and his award will be presented to him at a later time.

**Ten Year Service Award – Elizabeth Hyatt – Public Services/Director’s Office** - Elizabeth began working for the City on September 5, 2006, as an Administrative Assistant, which is her current position. The Commissioners joined Mayor Kilsheimer in congratulating Elizabeth on her years of service.

**Ten Year Service Award – Stephen Tapscott – Police/Field Services** - Stephen began working for the City on September 25, 2006, as a Police Officer. On September 11, 2016, he was promoted to Police Sergeant, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Sergeant Tapscott for his years of service.

**Fifteen Year Service Award – Carolyn Rogers – Community Development/Building** - Carolyn began working for the City on September 25, 2001, as a Secretary I. On April 9, 2015, her title was changed to Permit Clerk, which is her current position. The Commissioners joined Mayor Kilsheimer in congratulating Carolyn for her years of service.

**Twenty Year Service Award – Jerome Miller – Police/Field Services** - Jerome began working for the City on September 4, 1996, as a Police Officer. On April 19, 2005, he was promoted to Police Sergeant and on July 3, 2007, he was promoted to Police Commander, which became titled Police Lieutenant in October of 2009. January 1, 2011, he was promoted to Police Captain, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Captain Miller for his years of service.

**Twenty Year Service Award – Stacey “Matt” Roney – Fire/Suppression** - Matt began with the City as a Volunteer Fire Fighter. On September 24, 1996, he was hired as a Fire Fighter, which became titled Fire Fighter 1<sup>st</sup> Class later that year. On October 6, 2003, he was promoted to Fire Engineer, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Matt for his years of service.

**Presentations:**

1. Presentation of a check to Apopka High School to promote & support the Academic Consortium of Scholars.  
Chief McKinley presented a check in the amount of \$1,500 to Apopka High School’s Academic Consortium of Scholars. Mr. Delgado thanked the City of Apopka for their support and explained that this program recognizes students academically in the same manner athletes are recognized by providing students with apparel based upon their GPA.
2. Apopka Police Department Promotions to Lieutenant.  
Chief McKinley said both Lieutenants were out and making preparations for the hurricane.
3. Apopka Police Department Promotions to Sergeant.  
Chief McKinley commended all who were promoted to Sergeant and said these individuals went through a written exam, a full review board that was very competitive. He recognized Sergeant Stephen Tapscott, Sergeant Dan Hall, and Sergeant Cindy Hall.

**Public Comment Period:**

John Crosby said he was a long time resident of Apopka and owner of the Crosby Motor Inn. He expressed concerns regarding the lighting along Errol Parkway and Lake Francis Drive and the age of the lighting along those roads. He asked that the use of golf carts and the misuse of the golf carts be addressed. He spoke about resort tax collection and said the City of Apopka should get involved in the resort tax collection to benefit the City, stating that Apopka has six hotels. He left news articles with the clerk regarding resort tax.

Ray Shackelford said he wanted to correct something he previously stated and said when he made reference to 16% increase in regular salaries for the Mayor's office saying that should have been for 2014 through 2015. He inquired if RFP's were issued for Consent Agenda Items 5, 6, and 7 for these services and asked what the amount was for Item 5. He said at the last Council meeting there were cities mentioned as having higher millage rates than Apopka and he stated according to the websites of Altamonte Springs and Winter Springs show lower millage rates than Apopka. He stated the City of Apopka's budget was higher than three cities with similar population that have higher millage rates. He said a low millage rate does not guarantee fiscal integrity and respect for spending tax money. He asked how many on Council would like for citizens to include their name in comments and not be given the opportunity to respond. He applauded both Commissioners Dean and Bankson for voting against the tax increase stating this was a sign of respect for the tax money and citizens of Apopka.

Rod Love said he was a seven year resident of Apopka and his wife was born and raised in Apopka. He stated he got involved in working with the community through his father-in-law. He said in looking at the process in the City as it relates to the equitability of spreading the resources and no bid contracts, as well as the issue of women, veteran, and minority businesses in Apopka being able to participate in the process. He said he has had conversations with all the Commissioners relative to them representing all of Apopka and would like to see them speak up regarding the \$25,000 maximum process on no bid contracts. He stated he supports law enforcement and the increase to support them, but there was no excuse for this contract issue.

Isadora Dean said she has been a resident for 36 years, and her issue was different, stating she recently went through a humiliating experience during her campaign recently. She stated while she was out campaigning she was standing in front of Wolf Lake Middle or Elementary School and was waiving her campaign sign when she was approached by the Police Chief who asked her to get off the grass and stand on the sidewalk so not to be on school property. She said they have to follow rules and laws but said he was only doing this after receiving a call from the Mayor. She said everyone should be treated with integrity, and police officers should protect the citizens.

Mayor Kilsheimer declared he heard about this matter after the fact.

Jim Sursely said he was here on behalf of the National Wild Turkey Federation and a group called *Wheelin' Sportsmen*. He stated they have had the honor in using City property off of Marshall Lake in the past for a dove hunt which is used to support this organization to encourage disabled and handicapped individuals to get out in the woods and be involved in activities encouraging a greater lifestyle and participation in the outdoors. He asked Council to consider renewing that approval to utilize this property.

Commissioner Dean inquired if bids were solicited for the Consent Items 5, 6, and 7 for these contracts.

Mr. Irby advised they were not. He stated that Item 5 was a continuation of a contract that we already have with this company. Items 6 and 7 are specifically excluded by Florida Statute from having the bid process because they are entertainers.

Commissioner Dean inquired if the group getting the \$125,000 was excluded by the Statute.

Mr. Irby advised this was the Birchmore Group and it was nonspecific as to money, stating the Statute does not speak to the dollar amount.

### **CONSENT (Action Item)**

1. Approve the Disbursement Report for the month of August, 2016.
2. Approve an annual maintenance agreement with Motorola.
3. Authorize a contract with the Department of Corrections for an inmate work squad.
4. Award a contract for lobbyist services to Gray Robinson.
5. Approval to extend an agreement with Shepherd and Wolfe Marketing Associates for event coordination.
6. Approval to enter into an event service agreement with Roar Music, LLC.
7. Approval to enter into an event service agreement with Birchmore Group, Inc.

Item six was pulled for discussion. Mayor Kilsheimer advised this was for Gospel Fest and the budgetary authority was not in place until after October 1, 2016. He affirmed the planning has been in place for some time.

David Burgoon, Recreation Director, said they have been planning Gospel Fest and working with this group for the past few months waiting for the budget to be approved. Once the budget was approved, they brought this forward to secure the entertainment. If approved today, they can move forward with making the announcements for the entertainment and advertising. He advised there were professional gospel groups that cannot be announced until approval.

Following discussion and due to concerns of the timeframe, Item 6 was pulled.

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

### **BUSINESS**

Mayor Kilsheimer advised Items 1 and 2 were quasi-judicial hearings. The witnesses were sworn in by the clerk.

#### **1. Preliminary Development Plan – Wekiva Parkway Industrial Park**

David Moon, Planning Manager, stated this item and the next item address the Preliminary Development Plan, Mass Grading Plan, as well as the Developer's Agreement for Wekiva Parkway Industrial Park, located south of General Electric Roadway, south of U.S. 441,

directly to the east of Hermit Smith Road and running along S.R. 429. The site contains approximately 140 acres, the owner is Mid Florida Freezer, the applicant and engineer is June Engineering. In general, the applicant is requesting a seven lot industrial park that will have first access off of General Electric as they will see in the proposed subdivision plan. To create this plan, there is an existing un-named, undeveloped public right-of-way under the maintenance of the City of Apopka. The applicant is requesting agreement that this be vacated at a future time and in exchange the applicant will dedicate land to the City as right-of-way for future connection to Peterson Road to the east. He advised the surrounding property is consistent with the zoning of the property. He stated part of the Final Development Plan is a Mass Grading Plan that allows the applicant to remove fill from the site and sale the dirt, dropping the grade six to eight feet. He advised in exchange for removing fill from these areas, the City will receive 10% of the revenues the property owner receives for that fill. He advised the Planning Commission held a special meeting May 24, 2016 and recommended approval with conditions. DRC recommends approval subject to the findings of staff and conditions of approval. He advised the site will be excavated in phases and each phase will have reclamation with sod.

Randy June of June Engineering, was present to answer questions. In response to Commissioner Velazquez, he advised after the grading they will need to get the property prepared and put the roads in, then market it to users.

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 Bankson, to approve the Preliminary Development Plan for Wekiva Parkway Industrial Park, as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**2. Mass Grading Plan/Developers Agreement – Wekiva Parkway Industrial Park**

Mr. Moon advised the applicant will still need to submit the Final Development Plan for the Industrial Park, therefore, the City will see this site again through another application.

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 Bankson, to approve the Mass Grading Plan and Developers Agreement for Wekiva Parkway Industrial Park. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**3. Approve the second amendment to the Marden Road interchange Cost Sharing Agreement.**

Glenn Irby, City Administrator, this was the second amendment to the Cost Share Agreement with MMI Development for the construction of a half interchange connecting S.R. 414 to Marden Road.

Michael Wright, thanked Council for all of their work in the past and said he was looking forward to delivering something unique to the City of Apopka. He said with the addition of the roundabouts it will make this something the City can be very proud about. He reviewed a PowerPoint presentation and reviewed the area on a map pointing out S.R. 414 connecting to S.R. 429, pointing out the hospital complex and the distribution center in this area, as well as the apartments currently under construction. He stated last year they had a conceptual alignment and pointed out how this alignment has changed with the roundabouts. The two intersections to be created along Marden Road by the new interchange will require either signalization or other traffic control devices and roundabouts are the staff choice as they keep traffic moving and they are less costly to construct and maintain.

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

**MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve the second amendment to the Marden Road interchange Cost Sharing Agreement. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**4. Approve the use of property for the purpose of a charity dove hunt.**

Mayor Kilsheimer said this idea was brought to the City by Lou Haubner and this dove hunt has been done in partnership with the City for many years in the past. Mr. Haubner worked with the City Attorney to negotiate an agreement. He recommended approval.

**MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez to approve the use of city property for a Charity Dove Hunt. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**PUBLIC HEARINGS/ORDINANCES/RESOLUTION**

**1. Ordinance No. 2510 – Second Reading – Code of Ordinances, “Business Tax Receipts”**  
Postponed to November 2, 2016.

**ORDINANCE NO. 2510**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 74, ARTICLE IV, SECTION 74-104 OF THE CITY OF APOPKA CODE OF ORDINANCES PERTAINING TO “VEHICLES FOR HIRE” BY REMOVING LANGUAGE INDICATING THAT CITY COUNCIL APPROVAL IS REQUIRED FOR DRIVERS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**2. Ordinance No. 2511 – First Reading – Code of Ordinances, “Vehicles for Hire”**  
Postponed to November 2, 2016.

**ORDINANCE NO. 2511**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, VACATING AND DELETING THE PROVISIONS OF CHAPTER 86 OF THE CITY CODE OF ORDINANCES AS CURRENTLY WRITTEN, ADOPTING NEW PROVISIONS IN SAID CHAPTER AMENDING THE PERMITTING AND REGULATIONS OF TAXICABS AND CREATING REGULATIONS FOR TRANSPORTATION SERVICES AND TRANSPORTATION NETWORK APPLICATION COMPANIES AND OPERATORS; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

**MOTION by Commissioner Becker and seconded by Commissioner Velazquez to postpone Ordinance No. 2510 and Ordinance No. 2511 to the City Council meeting on November 2, 2016 at 1:30 p.m. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**3. Ordinance No. 2518 – Second Reading – PUD Master Plan/Preliminary Development Plan.**

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk. The City Clerk read the title as follows:

**ORDINANCE NO. 2518**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING ORDINANCE NUMBER 2355, CHANGING MAXIMUM FLOOR AREA RATIO FROM 0.25 TO 0.30 AND AMENDING THE APPROVED MASTER PLAN\PRELIMINARY DEVELOPMENT PLAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF OLD DIXIE HIGHWAY, EAST OF RICHARD L. MARK DRIVE, AND SOUTH OF ERROL PARKWAY, COMPRISING 6.99 ACRES MORE OR LESS, AND OWNED BY ROBERT K. DUNN ET. AL.; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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 Bankson, and seconded by Commissioner Dean, to adopt Ordinance No. 2518. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**4. Ordinance No. 2519 – First Reading – Master Plan/Preliminary Development Plan. The City Clerk read the title as follows:**

**ORDINANCE NO. 2519**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING ORDINANCE NUMBER 2170, CHANGING THE ASSIGNMENT OF OWNERSHIP FOR TRACT “B” AND “F” AND AMENDING THE**

**APPROVED ORCHID ESTATES MASTER PLAN\PRELIMINARY DEVELOPMENT PLAN FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF JASON DWELLEY PARKWAY AND NORTH OF APPY LANE, AND OWNED BY JTD LAND AT ORCHID ESTATES, LLC., PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

David Moon, Planning Manager, gave a brief lead-in on this ordinance, stating Orchid Estates is an existing approved residential subdivision with 112 lots located on the west side of Jason Dwelley Parkway, north of Appy Lane. City Council approved this residential subdivision in 2006 and as part of the conditions of the PUD, the developer/property owner, was to dedicate two acres to the City of Apopka for a fire station and to preserve approximately 15 acres of trees and open space that also is to be dedicated to the City of Apopka. The City and Fire Department found a more strategic location for a fire station site along Jason Dwelley and the City staff does not feel it necessary for the City to maintain 15 acres of open space that primarily serves and benefits the future homeowners within Orchid Estates. The amendment to the PUD is solely to change the future ownership of Tract "B" and Tract "F" from the City of Apopka to the Orchid Estates Homeowners Association. He advised staff initiated this change with the property owner and they agreed to make that change.

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 Velazquez, to approve Ordinance No. 2519 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

5. **Ordinance No. 2520 – First Reading – Small Scale Future Land Use Amendment.** The City Clerk read the title as follows:

**ORDINANCE NO. 2520**

**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" RURAL (1 DU/ 10 AC) TO "CITY" MIXED USE, FOR CERTAIN REAL PROPERTY LOCATED AT 1850 S. BINION RD., COMPRISING 5.6 ACRES MORE OR LESS, AND OWNED BY EQUITY WATERS EDGE LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Witnesses were sworn in by the clerk for Ordinance 2520 and Ordinance 2521.

Kyle Wilkes, Planner, said this was a small-scale, future land use amendment for a 5.6 acre piece of property that was annexed into the City and has not been assigned future land use designation, nor a city zoning classification. This property is owned by Equity Waters Edge, LLC, as well as two properties to the south of this site. They intend to incorporate this into the



southern tracts for approximately a 75 acre single family residential development. The City has received a Preliminary Development Plan from the applicant which is currently under review by DRC. The applicant is requesting to change the future land use to City Mixed Use. The properties to the south and to the north of this property has a Mixed Use future land use designation. DRC recommends approval.

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

**MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to approve Ordinance No. 2520 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

6. **Ordinance No. 2521 – First Reading – Change of Zoning.** The City Clerk read the title as follows:

**ORDINANCE NO. 2521**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” MIXED-EC FOR CERTAIN REAL PROPERTY GENERALLY LOCATED AT 1850 S. BINION RD., COMPRISING 5.6 ACRES MORE OR LESS, AND OWNED BY EQUITY WATERS EDGE LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mr. Wilkes said this was the same lead-in as the previous ordinance. The requested zoning classification of City Mixed-EC is consistent with the surrounding area and compatible with the mixed use future land use designation.

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 Bankson, to approve Ordinance No. 2521 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

7. **Ordinance No. 2522 – First Reading – Vacate – Right-of-Way.** The City Clerk read the title as follows:

**ORDINANCE NO. 2522**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF RIGHT-OF-WAY(ALLEYWAY); LOCATED SOUTH OF EAST 6TH STREET AND WEST OF SOUTH HIGHLAND AVENUE; IN SECTION 09, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY,**

**FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE**

Rogers Beckett, Senior Project Coordinator, said this Ordinance is requesting the vacate of an unimproved alleyway located south of east Sixth Street, west of South Highland Avenue, and north of East Seventh Street. This request is to accommodate redevelopment of the site. This does not affect any abutting property owners. DRC has reviewed and recommends approval.

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 Velazquez, to approve Ordinance No. 2522 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

8. **Ordinance No. 2523 – First Reading – Vacate – Right-of-Way.** The City Clerk read the title as follows:

**ORDINANCE NO. 2523**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF JOHNS ROAD RIGHT-OF-WAY; LOCATED EAST OF BINION ROAD AND SOUTH OF BEARDSLEY DRIVE; IN SECTION 07, TOWNSHIP 21, RANGE 28 OF ORANGE COUNTY, FLORIDA; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR CONFLICTS, AND AN EFFECTIVE DATE**

Mr. Beckett this request is for vacating a portion of Johns Road right-of-way. All property owners have been notified. DRC has reviewed and recommends approval.

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 Bankson, to approve Ordinance No. 2523 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

9. **Resolution 2016-31 – Amend Capital Improvement Plan reflecting improvements to Apopka Athletic Complex.** The City Clerk read the title as follows:

**RESOLUTION NO. 2016-31**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT**

**OF ENVIRONMENTAL PROTECTION FOR FEDERAL FISCAL YEAR  
2017-2018.**

David Fox, Fox Enterprises, said the City was eligible to apply for a 2017-2018 FRDAP grant that is funded through environmental protection. The grant highlights for a Florida Recreation Development Assistance Program grant up to \$50,000. At least 50% of the project must be active recreation and there is a deadline of October 28, 2016. He advised this is a competitive program, even though they funded all \$50,000 projects last year. The proposed scope of work is for the Apopka Athletic Complex and he reviewed proposed estimated costs for improvements. He advised thirty points would be the maximum score for categories.

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

**MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to approve Resolution No. 2016-31. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.**

**MAYOR'S REPORT**

Mayor Kilsheimer said Pastor Todd Lamphere was present and he has been working on Gospel Fest with staff. He asked Pastor Todd to provide his perspective on Gospel Fest with regards of what has been done so far.

Pastor Lamphere said several months ago the Mayor had sent out an invitation to a group of pastors to talk about the possibility of putting together a Gospel Fest. He stated they began to work with Leah Shepherd on this. He had Anthony and Brittany Shepherd, who are worship Pastors for New Destiny Christian Center, work on this with staff, and they have a company, Roar Music, which is a production company. They were asked to secure national talent. He affirmed this is a project that has been in motion for several months now, just trying to secure talent. He advised they have been able to secure some very well-known acts, stating Tye Tribbett has been secured, Bianca, who is Christian R&B and well known has been secured. They have secured Entertainment Arts as the production company to be part of this. He stated they have gone forward and worked with the team and said he believes this to be an event that will bring our City together, uplift, inspire, and encourage as a positive event. He said this is an event that will become nationally known.

Mayor Kilsheimer said Item 6 had been pulled from the Consent Agenda and said if we lose out on Gospel Fest this year, we will be a year behind in trying to bring an event like this to the City.

Pastor Lamphere said he believed this event will bring in a tremendous amount of people here and they have also asked local talent to participate. When asked if he believed they can pull in that amount of people together by November 12<sup>th</sup>, Pastor Lamphere responded in the affirmative.

In response to Commissioner Dean asking why Council did not know about this if it has been in the works for several months, Mr. Irby advised that staff has conversations on a daily/monthly basis on projects or events that are not brought to Council until the timing is right.

Mayor Kilsheimer affirmed this was brought to Council at the earliest possible moment, given the spending authority, and ability to make things clear. He said, according to the Charter, you cannot involve Commissioners in the daily business of the city on these negotiation aspects. He stated staff was doing the best they can to put the City's best foot forward.

Mr. Burgoon advised the \$60,000 was not just for entertainment. It is for lighting, sound, backline, etc. He stated it was in the budget separated out by line items. It is combined here due to using one company for all of these items.

Robert Sargent, Public Information Officer, spoke regarding advertising concerns stating they would advertise in the Orlando Sentinel to reach a broader base. They plan to post signage in strategic areas, print fliers and distribute them to local churches, advertise in magazines, utilize the City's website, a website set up for Gospel Fest Apopka, social media, and advertise on radio stations.

Mr. Burgoon affirmed there were no contracts signed by the City with anyone and Roar Music is under the understanding, in order to move forward, this has to be approved by the Council.

Pastor Lamphere said he believes this can be a successful first time event that will be a building block to take this to a whole other level.

Mayor Kilsheimer said if this is not approved today, there will not be a Gospel Fest. He asked for Council's support. He called for a motion.

There was no motion made.

1. Letter from the Family of Mayor John H. Land regarding the proposed statue for City Hall.  
Mayor Kilsheimer reported they have received a letter from the John H. Land family giving final approval for the life size statue of Mayor Land on the City Hall property.

**ADJOURNMENT** – There being no further business the meeting adjourned at 4:36 p.m.

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

ATTEST;

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