

## CITY OF APOPKA

---

**Minutes of the regular City Council meeting held on June 20, 2018, at 7:00 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor Bryan Nelson  
Commissioner Doug Bankson  
Commissioner Kyle Becker  
Commissioner Alice Nolan  
Commissioner Alexander Smith  
City Attorney Cliff Shepard  
City Administrator Edward Bass

**PRESS PRESENT:** John Peery - The Apopka Chief  
Reggie Connell, The Apopka Voice

**INVOCATION:** - Mayor Nelson called on Linda Laurendeau, resident of Apopka, who gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor Nelson introduced Lauri Milfort, eighth grader at Apopka Memorial Middle School, who led the Pledge of Allegiance. Lauri said in this day in history, the United States Army Air Corps (USAAC) was the aerial warfare service of the United States of America between 1926 and 1941. After World War I, as early aviation became an increasingly important part of modern warfare, a philosophical rift developed between more traditional ground-based army personnel and those who felt that aircraft were being underutilized and that air operations were being stifled for political reasons unrelated to their effectiveness. The USAAC was renamed from the earlier United States Army Air Service on July 2, 1926, and was part of the larger United States Army. The Air Corps became the United States Army Air Forces (USAAF) on June 20, 1941, giving it greater autonomy from the Army's middle-level command structure. During World War II, although not an administrative echelon, the Air Corps (AC) remained as one of the combat arms of the Army until 1947, when it was legally abolished by legislation establishing the Department of the Air Force.

### **APPROVAL OF MINUTES:**

1. City Council regular meeting June 6, 2018.

**MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve the minutes of June 6, 2018. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan and Smith voting aye.**

**AGENDA REVIEW** – City Administrator Bass advised there were no changes.

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

**Public Comment:** - There were no speakers.

**Presentations:**

1. Presentation on Form Base Code.

James Hitt, Community Development Director, provided a brief overview of the Form Base Code stating in 2009 the City of Apopka prepared the Wekiva Parkway Interchange Plan, required by the Wekiva Parkway and Protection Act. One of the major components of the Form Base Code and the Protection Act is that all of the properties east of Park Avenue and North of Welch Road are limited to one unit per acre, and everything north of Ponkan Road on the west side is limited to two units per acre. He stated that having the Parkway go through this refuge area and in an effort to help protect the environment and concentrate the growth in one area, they designated a one mile radius area from the Kelly Park Interchange. The Comprehensive Plan was amended to establish a mixed use Kelly Park Interchange District. The development of the Form Base Code was required to implement the standards. A copy of his presentation is on file in the Community Development Department.

2. Apopka City Center – Hilton Garden Inn Presentation.

Mr. Hitt said Taurus Southern is the developer for the City Center which is located on approximately 35 acres on the east side of downtown. He stated the City Center is the entranceway coming in from the east off of SR 441 and 436. He reviewed the overall plan advising that Taurus has purchased Highland Manor and the parking lot on the south side. They are in the process of purchasing the small building on the northwest side. He reported they are currently going through the approval process for the development of the Hilton Garden Inn. He advised the master plan had to change with the purchase of Highland Manor. He advised that square footage is usually not accurate on conceptual plans and this had to be changed. He reviewed the changes in the conceptual plans and advised the hotel is a four-story hotel and pointed out the new location for the hotel which will have the main entrance off of McGee and crosswalks going to Highland Manor. The hotel will have a restaurant and a pool. He affirmed that Hilton has their own requirements that are very stringent. Taurus staff is working with Hilton on the final design plans. He advised that Taurus has options for property on the west side of Main Street. He advised that in accordance with the Development Agreement, the Site Plan only requires city staff approval. He said the plans presented show the primary development process with the Hilton Garden Inn and the surrounding proposes uses and roadway improvements being reviewed by both FDOT and city staff. Once the final design is approved the DRC, the building permits can be applied for, with the purchase of the property. He affirmed all development is subject to the Development Agreement, design guidelines, and the sales and purchase agreement.

Craig Govan, Taurus Investment Holdings, said Mr. Hitt covered Highland Manor and the hotel. He advised they were acquiring the little building on Friday and they were also acquiring plus or minus one acre at McGee and Main Street for a future coffee shop. He pointed out another building that is for a retailer and deli, and he pointed out a lot that is for the absolute flagship restaurant not yet identified. He spoke of the roadway improvements and the importance of a traffic light that will get people in and out of the City Center. FDOT has advised their permits will be out in two to three weeks. He advised they have launched an

investigation to develop a planned multifamily development on 12-acres south of 6<sup>th</sup> Street that they intend to develop in-house. He said they have approximately 30,000 square feet planned for office and mixed use on the west side of McGee, and to the north side they have another 9-acres with the expectation of high profile restaurants. He said the retail uses will be compatible and needed in the city. He advised there has been significant property appreciation around City Center and activity by other developers.

Commissioner Becker pointed out the roof line of the design of the hotel does not match the roof style of the Highland Manor and pointed out there were varying roof lines of Hilton Garden Inns in other states. He asked why they could not have the roof line that is more in line with the Highland Manor.

Mr. Hitt said Taurus is working with Hilton on the design and unfortunately we do not have a lot of control over what Hilton will approve. He said they have sent a design with a pitched roof to Hilton to review.

Kim McCann said she did the original presentation and the design for the Apopka City Center. She stated from the design of the Hilton Garden Inn they have been working with them for approximately a year trying to develop this elevation to fit within the city standards and also with what their expectations were when they wrote the city standards. She advised that all Hilton brands have noticed that their brand image has been deteriorating over the years that they attribute to everyone trying to build their own design. This is a result of a reaction to that and getting design variations off of prototypes in the last two years has been extremely burdensome. She advised she lost count after 22 different designs and the design before Council tonight is now in submittal and they hope to find out from Hilton what their reaction will be to this design. She declared they want to deliver a very strong successful renown brand to the Apopka City Center.

In response to Commissioner Bankson regarding the timeline, Mr. Hitt advised the sales and purchase agreement and the development agreement show that within 18 months they were to purchase a parcel and within 48 months they were to purchase a second parcel. He advised they have purchased two parcels and they are in the process of purchasing two additional parcels. They are on track with regards to property purchase. He stated the development itself does not have to occur until the roads are completed.

## **CONSENT**

1. Authorize the disposal of surplus equipment/property.
2. Approve renewal of Lease Agreement, Aunt Gingibread's Bakery, LLC.
3. Approve a School Capacity Enhancement Agreement with San Sebastian Reserve.
4. Approve the purchase of two (2) utility carts from Cruise Car, Inc.
5. Award a contract for the construction of a Reclaim Water System Extension on Golden Gem Road.
6. Award a contract for the construction & deepening of Mount Plymouth Lakes Water Production Wells No. 1 & No. 4.
7. Approve an agreement for the receipt and processing of curbside recyclables collected by the City's Sanitation Division

**MOTION by Commissioner Nolan, and seconded by Commissioner Bankson, to approve seven items on the Consent Agenda. Motion carried unanimously with Mayor Nelson and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

## **BUSINESS**

1. Reject RFP #2018-01 Event Production & Management Services for Special Events at the Apopka Amphitheater.

Edward Bass, City Administrator, said on November 14, 2017, there was a bid opening for the Event Production & Management Services for Special Events. Three sealed bids were received. At this time staff is asking City Council to reject these bids due to the length of time that has transpired it is requested that these be rejected and they will rebid in the future.

In response to Commissioner Bankson regarding the restoring of the Amphitheater, Mr. Bass advised they have been in contact with FEMA and the insurance company. The insurance company may cover all but the deductible, and FEMA will cover what is not under the insurance in mitigation to strengthen this to a higher wind speed. He advised the award of this bid will be forthcoming.

**MOTION by Commissioner Bankson, and seconded by Commissioner Nolan, to reject RFP 2018-01 as presented. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

2. Reject ITB 2018-05 Construction of Kit Land Nelson Park Fitness Trails.

Mr. Bass reported Council is being asked to reject ITB 2018-05 for the construction of the Kit Land Nelson fitness trails. He advised a FRDAP grant in the amount of \$120,000 was received that requires a match of \$80,000. This has been included in the budget process. The review of the sealed bids has determined that qualifications have not been met or came in over budget. This will go out for a rebid process.

**MOTION by Commissioner Nolan, and seconded by Commissioner Becker, to reject ITB 2018-05 as presented. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

3. Final Development Plan – Wekiva Riverwalk Shopping Center. Project: Woolbright Wekiva. Location: 2121 East Semoran Boulevard.

Bobby Howell, Senior Planner, said this Final Development Plan proposes a 28,000 square foot grocery store in the northeast corner of the existing Wekiva Riverwalk Shopping Center building. He advised that 8,500 square feet of the building will be constructed in an area currently used for parking and a drive by that currently serves as access into the shopping center from Wekiva Springs Road. He stated the existing building will be demolished and it will be extended out into the parking area and a drive access road will be shifted to the south. Orange County has sent a letter approving the relocation of the relocation of the access road. The applicant submitted a parking statement prepared by a civil engineer that concludes there

will be sufficient parking provided in the shopping center with the removal of the parking spaces. Staff has accepted and is in agreement with this parking statement. DRC and Planning Commission recommend approval.

Julie Schrader, representing the applicant said they were in support of the staff recommendation and she was present to answer any questions.

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

**MOTION by Commissioner Smith, and seconded by Commissioner Bankson, to the Final Development Plan, Wekiva Riverwalk Shopping Center. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

## **PUBLIC HEARINGS/ORDINANCES/RESOLUTION**

- 1. Ordinance No. 2656 – Second Reading - Change of Zoning & Master Plan - Project: AHIFO-18, LLC ( follows:**

### **ORDINANCE NO. 2656**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” PLANNED DEVELOPMENT (PD/ZIP) TO “CITY” KELLY PARK INTERCHANGE MIXED-USE (KPI-MU), AND ASSIGNING A KELLY PARK CROSSING NEIGHBORHOOD OVERLAY DISTRICT, FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PLYMOUTH-SORRENTO ROAD AND EAST OF SR 429, APPROXIMATELY ONE-HALF MILE NORTH OF THE INTERSECTION OF KELLY PARK ROAD AND PLYMOUTH-SORRENTO ROAD, COMPRISING 51 ACRES MORE OR LESS, AND OWNED BY AHIFO-18, LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

David Moon, Planning Manager, advised City Council reviewed and accepted at first reading this ordinance addressing the assignment of zoning and the overlay district for the subject site located on the west side of Plymouth Sorrento, east of SR 429. Council is asked this evening to take three actions: adopt Ordinance 2656, approve the Bridle Path Master Plan, and approve the Bridle Path Development Agreement. He advised the Development Agreement is to ensure the project is constructed in a timely manner, including the infrastructure necessary to support the proposed development. The Development Agreement includes the extension of water, sewer, and reclaimed water lines to the Bridle Path community, including the oversizing of the lines for service to this development as well as others in the corridor and Form Base Code area. He advised there is a mechanism in the agreement to reimburse the developer to oversize the lines for water, reclaimed water, and sewer. The construction and completion schedule for recreation facilities, multiuse trails are also addressed in the

agreement. He advised City Council requested the minimum house size of 1,600 square feet be included and this is incorporated in the agreement. He affirmed the Development Agreement will be recorded and assigned to the property so that the conditions would pass on to any future landowner. The recommendation is to adopt Ordinance 2656, approve the Master Plan, and approve the Development Agreement.

Commissioner Becker inquired if staff feels this is compatible with the neighborhood overlay district perimeters.

Mr. Moon responded in the affirmative. He stated the Form Base Code strongly recommends garage entries from the rear, but it is not a requirement.

Jim Hall, applicant, said this is the first significant project in the Kelly Park Interchange that has gone through. He advised that they have one request, which is to allow the bathhouse and pool to be built by the 75<sup>th</sup> home being permitted, rather than the 50<sup>th</sup> house.

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

City Attorney Shepard advised there should be separate motions due to the different standards for each.

**MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to adopt Ordinance No. 2656. Motion carried unanimously with Mayor Nelson, and Commissioner Bankson, Becker, Nolan, and Smith voting aye.**

**MOTION by Commissioner Bankson, and seconded by Commissioner Becker to approve the Master Plan for Bridle Path Subdivision. Motion carried unanimously with Mayor Nelson, and Commissioner Bankson, Becker, Nolan, and Smith voting aye.**

**MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve the Development Agreement for Bridle Path Subdivision with the caveat that the pool is to be built by the 75<sup>th</sup> home being permitted. Motion carried unanimously with Mayor Nelson, and Commissioner Bankson, Becker, Nolan, and Smith voting aye.**

- 2. Preliminary Development Plan – Bridle Path Subdivision.** Project: AHIFO-18, LLC – Location: West of Plymouth-Sorrento Road and east of SR 429, approximately one-half mile north of the intersection of Kelly Park Road and Plymouth-Sorrento Road

Bobby Howell, Senior Planner, said the request is for approval of the Preliminary Development Plan for Bridle Path Subdivision. This is the image of the Master Plan just approved for 152 single family units. He advised DRC and Planning Commissioner recommend approval.

Mayor Nelson 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 Nolan, to approve the Preliminary Development Plan for Bridle Path Subdivision, subject to the recording of the Development Agreement. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

3. **Ordinance No. 2654 – First Reading - Change of Zoning.** Project: JTD Land at Rogers Road, LLC – Location: 1455 W. Lester Road. The City Clerk read the title as follows:

**ORDINANCE 2654**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1AA RESIDENTIAL SINGLE FAMILY DISTRICT TO R-1 RESIDENTIAL SINGLE FAMILY DISTRICT FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST PONKAN ROAD AND WEST OF HOME AGAIN ROAD, COMPRISING 5.75 ACRES MORE OR LESS, AND OWNED BY JTD LAND AT ROGERS ROAD LLC PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Phil Martinez, Planner, said the applicant is proposing rezoning from R-1AA to R-1 for 5.75 acres. He reviewed the area of the subject property and surrounding land uses. This subject property is planned to be Carriage Hill, Phase 2, with 15 single family lots. He advised the intent to rezoning is to match the zoning of Carriage Hill, Phase 1. He advised the eastern most plots are planned to be of a larger width compatible with the Oak Hill Reserve subdivision. The Planning Commission recommends approval.

Commissioner Becker inquired what the maximum number of homes would be if they kept the current R-1AA zoning.

Mr. Martinez advised the future land use isn't changing, therefore they have the same density which is up to 20 single family homes. He advised they are proposing 15 lots and the lots that go around the cul-de-sac in a pie shape formation will have larger lot widths.

Sarah Myer, representing the applicant, advised she had nothing to add to the staff presentation, but is present to answer any questions. She confirmed the overall lot size in the cul-de-sac lots will be wider to mirror Oak Hill Reserve.

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

**MOTION by Commissioner Nolan, and seconded by Commissioner Smith, to approve Ordinance No. 2654 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

4. **Ordinance No. 2659 – First Reading - Comp Plan – Large Scale – Reserve at Kelly Park**  
Project: Min Sun Cho, Hong Sik and Deok Hwa Kim – Location: 4068, 4046, & 4022  
Plymouth Sorrento Road. The City Clerk read the title as follows:

**ORDINANCE 2659**

**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 RESIDENTIAL VERY LOW SUBURBAN DISTRICT TO MIXED USE - INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF PLYMOUTH SORRENTO ROAD AND NORTH OF APPY LANE, OWNED BY MIN SUN CHO, HONG SIK & DEOK HWA KIM; COMPRISING 20 ACRES, MORE OR LESS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Martinez advised this is a proposed large scale future land use amendment from Residential very low suburban to Mixed-use Interchange for 20 acres. He reviewed the subject properties on a map and the surrounding land use. He advised S.R. 429 is to the west and Oak Ridge Phase II subdivision is to the east. City Policy 20.9 states that all development within the Wekiva Parkway Interchange shall have a future land use designation of Mixed-use Interchange. This subject property qualifies as being in the Wekiva Parkway Interchange plan area. He advised the Planning Commission found the future land use designation to be consistent with the Comprehensive Plan and recommended approval. The recommended motion is to accept at first reading and authorize transmittal to the Florida Department of Economic Opportunity.

Commissioner Becker inquired if they were going for maximum density on this property from a residential perspective.

Mr. Martinez said the zoning overlay of these properties, should they be adopted by City Council, will be the neighborhood overlay allowing a maximum density of 5DU/acre. Mr. Moon added that this was in the Form Base Code area and there is no minimum lot size. The concept plan shows lots that are 40 to 50 feet wide and rear entry garages.

Discussion ensued regarding lot widths and it was suggested the Form Base Code be reviewed regarding lot widths and green space requirements.

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

**MOTION by Commissioner Nolan, and seconded by Commissioner Becker, to approve Ordinance No. 2659 at first reading and authorize transmittal to the Florida Department of Equal Opportunity. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**



5. **Ordinance No. 2661 – First Reading - Comp Plan – Small Scale -** Project: 3255 Clarcona Road LLC (aka Randall Mechanical) – Location: 3307 Clarcona Road. The City Clerk read the title as follows:

**ORDINANCE 2661**

**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 AGRICULTURE (1 DU/ 5 AC) TO INDUSTRIAL (MAX F.A.R. 0.60) FOR CERTAIN REAL PROPERTY LOCATED EAST OF CLARCONA ROAD AND NORTH OF STONE ROAD, COMPRISING 4.75 ACRES MORE OR LESS, AND OWNED BY 3255 CLARCONA ROAD LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Martinez advised this is a proposed small scale future land use amendment from Agriculture to Industrial for 4.75 acres at 3801 Clarcona Road. He reviewed the subject property on a map and the surrounding properties with land use. The intent of this land use amendment is to accommodate uses that are ongoing on the property. He advised the next agenda item is to propose I-1 Industrial zoning for the same property. Staff finds this to be compatible with the surrounding uses and recommends approval. The Planning Commission recommends approval. He advised the recommendation is to accept at first reading and carry over for a second reading.

Sid Vihlen, applicant, said he was present to answer any questions.

Mayor Nelson 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 Smith, to approve Ordinance No. 2661 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

6. **Ordinance No. 2662 – First Reading - Change of Zoning -** Project: 3255 Clarcona Road LLC (aka Randall Mechanical) – Location: 3307 Clarcona Road. The City Clerk read the title as follows:

**ORDINANCE 2662**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM AGRICULTURE TO I-1 (RESTRICTED INDUSTRIAL DISTRICT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF CLARCONA ROAD AND NORTH OF STONE ROAD, COMPRISING 4.75 ACRES MORE OR LESS, AND**

**OWNED BY 3255 CLARCONA ROAD LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mr. Martinez advised this is for proposed rezoning from Agriculture to Industrial for 4.75 acres at the same property as the previous item. Staff carries the findings from the previous presentation to this agenda item. The Planning Commission recommends approval. The recommendation is to approve at first reading and carry over for a second reading.

Mayor Nelson 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 Nolan, to approve Ordinance No. 2662 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

- 7. Ordinance No. 2663 – First Reading – Change of Zoning - Project: SunTrust Bank – Location: 936 East Semoran Boulevard. The City Clerk read the title as follows:**

**ORDINANCE 2663**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO C-1 (COMMERCIAL RETAIL DISTRICT) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF EAST SEMORAN BOULEVARD AND EAST OF SHEELER AVENUE, COMPRISING 0.49 ACRES MORE OR LESS, AND OWNED BY SUNTRUST BANK; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mr. Martinez said the applicant is proposing a rezoning from C-2 General Commercial District to C-1 Commercial Retail District for .49 acres at 936 E Semoran Blvd. He reviewed the location on a map and the surrounding land uses. The intent is to incorporate with the two west adjacent parcels to build a Zaxby's Restaurant with a unified C-1 zoning designation. All surrounding parcels are commercial with a major road located adjacent. Staff supports the recommendation and Planning Commission recommends approval. The recommendation is to approve at first reading and carry over for a second reading.

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

**MOTION by Commissioner Smith, and seconded by Commissioner Bankson, to approve Ordinance No. 2663 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

8. **Ordinance No. 2664 – First Reading – Annexation – Cycle 3 - Stormwater Pond -**  
Project: City of Apopka – Location: 1680 South Lake Pleasant Road. The City Clerk read the title as follows:

**ORDINANCE NO. 2664**

**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, OWNED BY THE CITY OF APOPKA; LOCATED AT 1680 S LAKE PLEASANT ROAD, AND COMPRISED OF APPROXIMATELY 4.45 ACRES; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Pam Richmond, Senior Planner, advised this is the first reading for the annexation of 1680 South Lake Pleasant Road. The parcel is approximately 4.45 acres and is used for a stormwater pond. She advised Orange County transferred ownership of the pond to the City of Apopka and this annexation will bring the parcel within the jurisdictional boundaries of the city. She advised this satisfies requirements of Florida Statute Chapter 171.044 for annexation. The request is to approve at first reading and hold over for a second reading.

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

**MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to approve Ordinance No. 2664 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

9. **Ordinance No. 2665 – First Reading – Annexation – Cycle 3 – Road Right-of-Ways**  
Project: Orange County – Locations: Carnation Court; East Laurel Street; East Myrtle Street; West Myrtle Street; North Washington Avenue; North Central Avenue; and North Lake Avenue (North and South of West Myrtle Avenue)

**ORDINANCE NO. 2665**

**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 PUBLIC RIGHTS-OF-WAY KNOWN AS CARNATION COURT, EAST LAUREL STREET, EAST MYRTLE STREET, WEST MYRTLE STREET, NORTH WASHINGTON AVENUE, NORTH CENTRAL AVENUE, NORTH LAKE AVENUE (NORTH AND SOUTH OF WEST MYRTLE AVENUE), SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, LOCATED GENERALLY WEST OF NORTH PARK AVENUE, SOUTH**

**OF WEST SUMMIT STREET AND NORTH OF WEST OAK STREET, AND COMPRISED OF APPROXIMATELY 8.279 ACRES; OWNED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Ms. Richmond advised this is proposing the annexation in accordance with Orange County/City of Apopka Planning Agreement for the right-of-way of approximately 8.279 acres as shown on the map. This satisfies all requirements of Florida Statutes 171.044. The request is to approve at first reading and hold over for a second reading.

Mayor Nelson 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 Nolan, to approve Ordinance No. 2665 at first reading and carry it over for a second reading. Motion carried unanimously with Mayor Nelson, and Commissioners Bankson, Becker, Nolan, and Smith voting aye.**

- 10. Resolution No. 2018-08 – Vacate – Stanton Ridge - Project: Central Florida Expressway Authority – Location: West side of SR 429, west of the intersection of Belgian Street and Plymouth Sorrento Road. The City Clerk read the title as follows:**

**RESOLUTION NO. 2018-09**

**A RESOLUTION OF THE CITY OF APOPKA, FLORIDA ACCEPTING THE PROPOSAL OF ZB, N.A. TO PURCHASE THE CITY'S \$2,805,000 CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2018, TO FINANCE THE CITY'S COST OF ACQUIRING FIRE EQUIPMENT, POLICE VEHICLES AND A RECREATIONAL VEHICLE AND ASSOCIATED EQUIPMENT ALL FOR CITY PURPOSES; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH SAID BANK TO SECURE THE REPAYMENT OF THE 2018 NOTE; PROVIDING FOR THE PAYMENT OF THE 2018 NOTE FROM THE CITY'S COVENANT TO BUDGET AND APPROPRIATE NON AD VALOREM REVENUES, ALL AS PROVIDED IN THE LOAN AGREEMENT; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ANY OTHER ADDITIONAL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE EXECUTION OF THE LOAN AGREEMENT, THE 2018 NOTE, AND THE SECURITY THEREFORE; DESIGNATING THE 2018 NOTE AS "BANK QUALIFIED"; AUTHORIZING THE EXECUTION AND DELIVERY OF OTHER DOCUMENTS IN CONNECTION WITH THE 2018 NOTE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Edward Bass, City Administrator, advised at the last meeting the City Council awarded the financing for the various equipment and vehicles to Zion Bank. This resolution authorizes the execution of the loan agreement with Zion Bank for the Capital Revenue Note Series 2018. This provides a 7-year term with a fixed rate of 2.90%. Staff requests approval of Resolution 2018-09. He advised Angela Singleton, Financial Advisor with Hilltop Securities, was present.

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

**MOTION by Commissioner Smith, and seconded by Commissioner Nolan, to adopt Resolution No. 2018-09. Motion carried unanimously with Mayor Nelson, and Commissioner Bankson, Becker, Nolan, and Smith voting aye.**

## **CITY COUNCIL REPORTS**

Commissioner Bankson reported he did go to the FBO at the Airport and met with the Fire Department, and Building Safety Division. He advised that Mr. Marsh, Building Official, had sent a letter to the school trying to establish. He said there were some great recommendations and the building does need to be brought up to ADA compliance.

## **MAYOR'S REPORT**

### **1. Florida Fish & Wildlife (FWC) Conservation Commission Bear Cart Grant**

Mayor Nelson asked for direction from City Council regarding a grant opportunity with FWC for a matching grant for bear proof trash carts. He said the automated carts will open once it reaches a 270 degree tilt and works with the automated trucks. He advised that Orange County had purchased 918 carts at \$244.95 and the resident paid \$50 to obtain a bear proof cart. He reported the County has distributed approximately 300 to date. Mayor Nelson said the City would need an ordinance in place that lays out what the City will do to prevent bears other than trash cans. He stated if interested, the City can move forward to apply for the grant with August 1, 2018 the deadline for application. He reported that FWC would set boundaries where the discounted carts would be available. Other residents could purchase at full price.

The consensus was to move forward with applying for the Bear Cart Grant.

### **2. Interlocal Agreement with Orange County Fire Department**

Chief Carnesale reported the City of Apopka was approached by the Orange County Fire Chief with a proposal to take over fire and EMS services in Station 29 area which is the north end of Apopka. He stated if this agreement is still under review and if it goes through, Station 2 and Station 5 would cover providing assistance in this area. He advised we would be compensated for service and if approved, the agreement would start October 1, 2018.

**ADJOURNMENT** – There being no further business the meeting adjourned at 8:56 p.m.

\_\_\_\_\_/s/\_\_\_\_\_  
Bryan Nelson, Mayor

ATTEST;

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