

CITY OF APOPKA

Minutes of the regular City Council meeting held on April 6, 2016, 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
City Attorney Cliff Shepard
City Administrator Glenn Irby

PRESS PRESENT: Theresa Sargeant - The Apopka Chief
Bethany Rodgers, Orlando Sentinel
Dale Fenwick, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Reverend John Fisher, First United Methodist Church of Apopka, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on April 12, 1513, near present day St. Augustine, Spanish explorer Juan Ponce de Leon, made landfall on the Florida coast and claimed the territory for the Spanish crown. He named the new land, which he believed to be an island, La Florida because the discovery came during the time of the Easter feast. Ponce de Leon returned seven years later to establish a colony, but retreated to Cuba when his expedition was attacked by Native Americans. A successful Spanish colony was not established until some 44 years later in 1565, and in 1819 the territory passed to the United States as part of the Florida purchase treaty between Spain and the United States. He asked everyone to reflect upon the bravery and pioneering spirit of our early explorers and settlers as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

1. City Council Regular meeting March 16, 2016.

MOTION by Commissioner Ruth, and seconded by Commissioner Arrowsmith, to approve the March 16, 2016 City Council minutes. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

PUBLIC/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Proclamations:

1. National Telecommunicator Week – Mayor Kilsheimer read a proclamation acknowledging National Telecommunicator Week, and presented it to Donna Saladin, Director, and to the Communications Center staff.

Employee Recognition:

1. **Ten Year Service Award – William “Billy” Bakle – Public Services/Waste Water Plants Plant Mechanic** – Billy began working for the City on March 13, 2006, as Plant Mechanic, which is his current position. Billy was not present and his award will be presented to him at

another time.

2. **Ten Year Service Award – Thomas “Tom” Muchow – Public Services/Waste Water Plants Instrumentation Technician** –Tom started working for the City on March 13, 2006, as Instrumentation Technician, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Tom for his years of service to the City.
3. **Ten Year Service Award – Steven “Steve” Williams – Community Development/Building Multiple Code Inspector** – Steve began working for the City on March 13, 2006, as a Utilities Electrician for the Waste Water Plant. On October 7, 2015, he was transferred to the Building division and his title changed to Multiple Code Inspector, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Steve for his years of service to the City.
4. **Ten Year Service Award – Sandra “Sandy” Kerrigan – Police/Support Services** Sandy started working for the City on March 20, 2006, as Secretary I for the Fire Chief’s Office. On May 29, 2007, Sandy was reclassified to Secretary II. She was reclassified and transferred on October 1, 2007, to Mayor’s Secretary. In June 2014, Sandy transferred to the Police Department as Code Enforcement Secretary, which is her current position. The Commissioners jointed Sandy in congratulating her for her years of service to the City.
5. **Fifteen Year Service Award – Darryl Wesson – Public Services/Utility Construction Utility Service Worker II** – Darryl began working for the City on March 5, 2001, as a Utility Service Worker I. On March 11, 2002, he was reclassified to Utility Service Worker II, which is his current position. The Commissioners joined Mayor Kilsheimer in congratulating Darryl for his years of service to the City.

Presentation:

1. Evaluation of existing stop signs and speed limit signs

Jay Davoll, Public Services Director, gave a presentation of existing stop signs and speed limit signs in the area west of Park Avenue, south of Myrtle Street, east of Hawthorne Avenue, and north of Main Street/US 441. He advised there were a total of twenty-one intersections in this area, and ten are currently “all stop” intersections. He stated the request was to evaluate what would be required to make all intersections four-way stops. He said this would require twenty-two new stop signs to be installed to accomplish this at a cost of \$4,400.

In response to Commissioner Dean inquiring about a stop sign where Michael Gladden Boulevard intersects with Park Avenue (435), Mr. Davoll said to accommodate that it would require an engineering study. He advised the Manual of Uniform Traffic Control Devices (UMTCD) guidelines need to be followed to set up multiple stops. He stated that Park Avenue is an arterial road and would require an Orange County study. Commissioner Dean also questioned a traffic signal at the intersection of Michael Gladden Boulevard and Central Avenue to which Mr. Davoll advised this would also take a study and he would place it on a list to evaluate this intersection.

Mr. Davoll said for the requested area, he has traffic counts back for twenty-three years and they have not changed significantly and are almost identical. He went on to report on speed limit signs for the area requested to evaluate. He advised there are a total of twenty-eight speed

limit signs in this area, thirteen are 30 mph signs, and fifteen are 25 mph signs. He proposed removing all twenty-eight signs and replace them with thirteen new 25 mph signs and reviewed a map for the proposed locations. He pointed out it is highly emphasized in the MUTCD that stop signs are not intended for speed control. Also, to install stop signs, there should be an engineering study done.

Commissioner Ruth suggested increasing the speed limit signs to eighteen signs, including signs where the traffic turns off of SR 441.

Mr. Davoll said to clarify, the speed limit signs will be moved forward on as the budget allows. However, the stop signs were for informational purposes only and there is no plan to move forward with that at this time.

Mr. Irby advised it would take a budget revision to cover the cost of signage. Staff was requested to do an inventory and not necessarily make a recommendation. He has completed the inventory and has indicated that the traffic code emphasizes you are not supposed to use stop signs to regulate the speed of traffic. However, these are local streets that belong to the city and Council can dictate and vote that stop signs be placed there if desired.

Dennis New expressed concern regarding the high speed traffic that travels in this area. He said stop signs were not for speed control, but they were a deterrent for people not to use the neighborhood's street. He stated there were no sidewalks in the area and this was a safety issue with children walking to school.

Commissioner Arrowsmith said there were some clear priorities, such as Lake Street and Orange Street. He suggested they start out with five intersections and prioritize those.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez to approve a \$4,400 expenditure to put up stop signs as laid out in the proposal. Motion carried unanimously with Mayor Kilsheimer and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

CONSENT (Action Item)

1. Authorize the Sewer and Water Capacity Agreement for Hilltop Reserve, Phase 3.
2. Authorize the Sewer and Water Capacity Agreement for Orchid Estates.
3. Approval for the sale of alcohol at the Food Truck Round Up through December 2016.
4. Approve the upgrade to the Sensus Automated Meter Reading System.
5. Authorize the purchase of an Asphalt Roller.
6. Authorize the purchase of Data Backup Appliances.
7. Approve the purchase of a replacement patrol vehicle for the police traffic unit.

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

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

Mayor Kilsheimer said the first seven ordinances were Administrative Rezoning and quasi-judicial. Witnesses were sworn in by the clerk for these ordinances.

1. Ordinance No. 2476 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

David Moon, Planning Manager, gave a lead-in for the first seven ordinances to address Administrative Rezoning. He explained Administrative Rezoning is one where the City is the applicant to assign a zoning category for a property that has annexed into the city's jurisdiction within past years. This is being done to come into compliance with the state statutes and city code. In addition, the City has an interlocal agreement with Orange County addressing annexation of lands and one of those conditions is that within a certain time period after the property is annexed, a future land use designation and zoning will be assigned to the property. He advised each property owner was sent a letter of notification. Both the DRC and Planning Commissioner recommend approval.

ORDINANCE NO. 2476

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 6.14 ACRES, MORE OR LESS, AND OWNED BY DONALD S. & KATHLEEN V. SMITHERS; 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 Arrowsmith, and seconded by Commissioner Ruth, to approve Ordinance No. 2476 at First Reading and carry if over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

2. Ordinance No. 2477 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2477

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 AND A-2 (ZIP) TO "CITY" AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 13.32 ACRES, MORE OR LESS, AND OWNED BY ROBERT AND

JOYCE AYERS; JAMES AND PAMELIA WRIGHT; AND MICHAEL AND MELESSA HANDY; 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 Ruth, and seconded by Commissioner Velazquez, to approve Ordinance No. 2477 at First Reading and carry if over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

3. Ordinance No. 2478 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2478

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-1 (ZIP) AND A-1 (ZIP) TO “CITY” PO/I (PROFESSIONAL OFFICE/INSTITUTION) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 19.35 ACRES, MORE OR LESS, AND OWNED BY TRINITY BAPTIST CHURCH OF APOPKA; 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 Dean, and seconded by Commissioner Arrowsmith, to approve Ordinance No. 2478 at First Reading and carry if over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

4. Ordinance No. 2479 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2479

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-3 (ZIP) TO “CITY” C-1 (RETAIL COMMERCIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 3.32 ACRES, MORE OR LESS, AND OWNED BY NORMAN E. SAWYER; AND IGLESIA EL GETSEMANI, INC.; 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 Arrowsmith, and seconded by Commissioner Dean, to approve Ordinance No. 2479 at First Reading and carry if over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

5. Ordinance No. 2480 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2480

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” C-1 (ZIP) TO “CITY” C-2 (GENERAL COMMERCIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 3.2 ACRES, MORE OR LESS, AND OWNED BY 7-ELEVEN, INC.; ACTION GATOR TIRE; AND RACETRAC PETROLEUM, INC.; 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 Ruth, and seconded by Commissioner Velazquez, to approve Ordinance No. 2480 at First Reading and carry if over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

6. Ordinance No. 2481 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2481

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” I-2 (ZIP) AND I-4 (ZIP) TO “CITY” I-1 (GENERAL COMMERCIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 10.54 ACRES, MORE OR LESS, AND OWNED BY DAVID L. POTOPAS; MARILYN BOUGHAN TRUST; PATRICIA & IRVIN LEADERS TRUST; AND LTR PROPERTIES, INC.; 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 Ruth, and seconded by Commissioner Velazquez, to approve Ordinance No. 2481 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

7. Ordinance No. 2482 – First Reading – 2016-1 Administrative Rezoning. The City Clerk read the title as follows:

ORDINANCE NO. 2482

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” R-1 (ZIP) TO “CITY” R-1 (RESIDENTIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 3.16 ACRES, MORE OR LESS, AND OWNED BY BRIAN AND CHRISTIAN ANDERSON; 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 Arrowsmith, and seconded by Commissioner Dean, to approve Ordinance No. 2482 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

8. Ordinance No. 2492 – First Reading – Amending the Apopka Land Development Code and update the Utilities Design and Construction Standards Manual. The City Clerk read the title as follows:

ORDINANCE NO. 2492

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, UPDATE OF THE UTILITIES DESIGN AND CONSTRUCTION STANDARDS MANUAL, 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.

MOTION by Commissioner Ruth, and seconded by Commissioner Arrowsmith to

approve Ordinance No. 2492 at First Reading and carry it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

9. Resolution 2016-10 – Issuance and execution of a \$1,825,000 Capital Improvement Revenue Note. The City Clerk read the title as follows:

RESOLUTION NO. 2016-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA ACCEPTING A PROPOSAL OF WHITNEY BANK, d/b/a HANCOCK BANK TO PROVIDE THE CITY WITH A LOAN IN ORDER TO FINANCE THE ACQUISITION OF VARIOUS PUBLIC SAFETY VEHICLES AND OTHER CAPITAL IMPROVEMENTS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE PURSUANT TO SUCH LOAN AGREEMENT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,825,000 IN ORDER TO EVIDENCE SUCH LOAN; AUTHORIZING THE REPAYMENT OF SUCH NOTE FROM A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON - AD VALOREM REVENUES; DELEGATING CERTAIN AUTHORITY TO THE MAYOR, CITY CLERK AND OTHER OFFICERS OF THE CITY FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF THE NOTE AND VARIOUS OTHER DOCUMENTS WITH RESPECT THERETO; DESIGNATING THE NOTE AS A QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF SECTION 265(B)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; AND PROVIDING FOR AN EFFECTIVE DATE.

Mark Galvin, First Southwest Company, said this resolution authorizes the issuance of \$1,825,000 worth of promissory notes to Hancock Whitney. On February 5, 2016, an RFP was issued to solicit banks and on March 7, 2016, there were eight responses received. The lowest was Hancock Bank at 1.39%. He advised Hancock Bank currently holds two other loans by the City. He advised the City has the ability to pre-pay at any time. He stated this is a great rate and as the Financial Advisor, they recommend moving forward and adopting this resolution.

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 Resolution No. 2016-10. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

10. Resolution 2016-13 – Grow Apopka 20205 Vision Plan 2016-2025. The City Clerk read the title as follows:

RESOLUTION NO. 2016-13

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, PROVIDING FOR THE APPROVAL AND ADOPTION OF THE STRATEGIC “GROW APOPKA 2016-2025 VISION PLAN”.

Mr. Irby said three weeks ago, staff brought to Council the Vision Plan, which was a result of many months of work by both staff and elected officials. At that time the Council was asked to review this plan and if there were any changes to be made, to let staff know. All changes have been incorporated into the final document which is presented today along with a Resolution for the acceptance of the Vision Plan. He advised staff recommends approval and said Bob Cambric with Keith and Schnars, is present to answer any questions.

Mayor Kilsheimer opened the meeting to a public hearing.

David Emmel spoke regarding concerns of the Northwest Hub and form-based code. He said the form-based code is dated October, 2011, and stated this went through three months of agenda meetings. He said he was not against the total form-based code and said it is needed for Kelly Park Crossings and is needed for a DRI. He stated his problem is with the lot standards and how it is broken up into blocks with no transition or compatibility.

City Attorney Shepard advised the form-based code has to be adopted by ordinance. He stated this is not an ordinance and is simply accepting a planning document that provides a vision for Apopka. He further advised the document Mr. Emmel has from 2011 is a draft document by a planner for what a form-based code might look like for the city and it has never been adopted.

Suzanne Kidd said she had the privilege of serving as the Chair for the Visioning Steering Committee since its inception last July. She had the opportunity to listen to the citizens of Apopka in community forums and the business forum. She stated the document before Council is a true representation of what the citizens who attended those forums have expressed that they want to see. She asked Council to move ahead approving this document and utilize it in the upcoming budgeting season to begin to establish priorities for how to accomplish what is contained in this strategic plan.

Ray Shackelford said he applauded strategic planning and it was a step in the right direction. He expressed two concerns, one being the branding name for the vision process and how it resembles the Mayor's campaign. Again, he applauded the efforts of the Steering Committee, the consultant, and Council's efforts in heading toward a strategic plan. He questioned the additional funding of \$16,000 received by the consultant and when it was approved by Council.

Mr. Irby advised this funding fell under the Mayor's purview to approve.

Mayor Kilsheimer explained that based on feedback expressed by several Apopka residents, and his desire to ensure that this process reached as many residents as we could, it was decided to approve this funding for that purpose.

Dr. Shackelford suggested the threshold be reduced from \$25,000 to \$10,000.

MOTION by Commissioner Dean to reduce the authority of the Mayor's approval authority from \$25,000 to \$10,000 failed due to lack of a second.

Marcia King said she was a fifth generation resident and stated not all the citizens wanted to see this type of growth in Apopka.

Isadora Dean said we cannot go back and undo this, but she felt a group of citizens could have probably done what the visioning committee was paid to do. She stated they need to stop wasting the taxpayers' money by paying consultants.

Pastor Hezekiah Bradford commended the Visioning Committee and said he had the opportunity to serve on the committee. However, his issue was with the planning times of the meetings and the community's ability to attend.

Young Kim said the visioning process brought out many good ideas, but we must remember good fiscal responsibility and concentrate on the most valuable things we need in the city such as deteriorating infrastructure. He proposed that festivals not be paid with taxpayer's money and these events be put on by the private sector.

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

Mayor Kilsheimer said the idea of doing visioning was not unique to the City of Apopka. He stated visioning is an exercise many communities across the United States undertake as a way of trying to build public consensus into the future of their communities. He declared every effort was made to include every different perspective of the public, holding nine community meetings, a survey with more than 1,200 responses, a visioning website that generated almost 10,000 visits, making every effort to open input from Apopka residents. He said growth is inevitable and he thanked the Steering Committee and staff for their work in pursuing this project.

MOTION by Commissioner Ruth, and seconded by Commissioner Velazquez, to approve Resolution No. 2016-13.

Commissioner Arrowsmith pointed out that based upon the sign in sheet that the attendance was low for the two additional meetings. He stated this was a long process and there were plenty of meetings that were well advertised providing the opportunity for attendance.

Mayor Kilsheimer reiterated that every possible effort was made to solicit input from the community.

Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

Council recessed at 3:12 p.m. and reconvened at 3:18 p.m.

11. Resolution 2016-14 – Amending the budget for FY October 1, 2015 – September 30, 2016. The City Clerk read the title as follows:

RESOLUTION NO. 2016-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016, PROVIDING FOR A BUDGET AMENDMENT.

Pam Barclay, Finance Director, said this is the second quarter budget amendment for Fiscal Year 2016. She stated the budget is being increased to account for carry forward appropriations, use of reserves, and additional grant funding. Staff requests approval of the resolution as presented.

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 Resolution No. 2016-14. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

12. Resolution 2-16-15 – Wastewater Facilities Plan (WFP) update. The City Clerk read the title as follows:

RESOLUTION NO 2016-15

A RESOLUTION OF CITY OF APOPKA, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; ADOPTING THE WASTEWATER FACILITIES PLAN UPDATE; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

Kevin Burgess, Assistant Public Services Director, said the Wastewater Facilities Plant update is a requirement of the State Revolving Loan Program and this resolution completes the component of the loan program.

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 Arrowsmith, to approve Resolution No. 2016-15. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

BUSINESS

1. Council

In response to Commissioner Dean inquiring about the City's participation in the Golden Eagle Luncheon held yesterday, Mayor Kilsheimer advised the Police Department was in attendance and made a contribution.

2. Public

John Hightower said his problem was with the lack of programs at Alonzo Williams Park. He stated a lot of the programs were moved to the northwest facility. He spoke about meeting with the prior administration on a proposal for him to run programs at Alonzo Williams Park. He has since met with the current City Administrator. He stated this was a chance to work with the children in the community and provide them a place to play and obtain life skills. He asked that this be worked out and give him an opportunity to work on programs there.

Gene Knight expressed concern regarding a few issues on Christiana towards Votaw. He said there were sidewalks on one side and only partial sidewalks on the other side, with this being an area with high traffic. He asked for a three-way stop at Christiana and Monroe as well as having a street light placed in this area.

William Gusler spoke of an incident where he witnessed a drunk driver and called 911 to which the Apopka police did respond very quickly. He stated this gentleman was given a sobriety test and allowed to call his wife to go home. He declared this was problematic to him.

Chief McKinley said he responded to this in the Apopka Chief and The Apopka Voice, stating that everybody who violates the law will not necessarily go to jail. He stated he was not on the scene and matters such as this are the judgment and discretion of the officer. He advised it has been addressed with staff to evaluate and discussed as a learning experience.

Ray Shackelford said he would applaud Mr. Hightower for working with the young people of Apopka and we need to support our young people in a consistent manner. He inquired when the public would have access to the 2016 Old Florida Outdoor Festival finance report. He pointed out that he had been given permission to attend the Old Florida Outdoor Festival committee meeting and make comments. He stated he obtained a second confirmation and documentation regarding the cost of the splash pad in Winter Garden. He further discussed and expressed concern regarding Lake Apopka Natural Gas and stated he attended one of their meetings to obtain information. He advised, based on that meeting, the cities of Ocoee and Winter Garden have no desire to sell the District. He submitted a document to the Clerk wherein he is requesting information as a public records request.

Pastor Bradford said he appreciates how the city works with the Ministerial Alliance, and spoke about the cost of rental of the Apopka Community Center, requesting that Mr. Irby discuss with the Orange City Attorney regarding how they might be able to partner with them and have costs waived.

Mr. Irby advised the City Attorney had opined in previous meetings that the City cannot

waive fees. He stated they had met with the Ministerial Alliance and provided them with the lowest possible rate.

Tenita Reid said that Christine Moore, School Board Member, had an Art and Jazz Festival scheduled at the amphitheater and inquired about the rent for that event.

Mayor Kilsheimer advised the event had to be moved due to weather. They had rented the facility for \$1,600 and received a refund, per policy, of \$1,400.

MAYOR'S REPORT – No report.

NOT REQUIRING ACTION

1. Thank you letter to the City of Apopka Recreation Department from resident.

ADJOURNMENT – There being no further business the meeting adjourned at 3:58 p.m.

_____/s/_____
Joseph E. Kilsheimer, Mayor

ATTEST:

_____/s/_____
Linda F. Goff, City Clerk