



APOPKA CITY COUNCIL AGENDA
October 04, 2017 1:30 PM
APOPKA CITY HALL COUNCIL CHAMBERS
Agendas are subject to amendment through
5:00pm on the day prior to City Council Meetings

CALL TO ORDER
INVOCATION - Pastor Ben Bankson of Victory Church
PLEDGE

APPROVAL OF MINUTES:

1. City Council workshop meeting July 20, 2017
2. City Council special meeting August 22, 2017.
3. City Council regular meeting September 6, 2017.
4. City Council special meeting September 13, 2017.
5. City Council regular meeting September 20, 2017.

AGENDA REVIEW:

Proclamations

1. World Polio Day Proclamation.

Mayor Kilsheimer

Employee Recognition:

- ❖ Fifteen Year Service Award – Steven “Steve” Harmon – Police/Field Services
- ❖ Twenty Year Service Award – Carol McMaster – Police/Support Services
- ❖ Twenty-five Year Service Award – Stephan “Steve” Brick – Police/Support Services

Presentations:

1. Announcement of newly sworn in police officers.
2. Standing Ovation Award for Erin VanNorstrand with Dispatch.
3. Presentation on the Orange County Clerk of Courts Self Help Center launch.
4. West Orange Airport Authority request for funding.

Mayor Kilsheimer
 Mayor Kilsheimer
 Tiffany Moore Russell
 Jeff Welch

PUBLIC COMMENT; STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment Period:

The Public Comment Period is for City-related issues that may or may not be on today’s Agenda. If you are here for a matter that requires a public hearing, please wait for that item to come up on the agenda. If you wish to address the Council, you must fill out an Intent to Speak form and provide it to the City Clerk prior to the start of the meeting. If you wish to speak during the Public Comment Period, please fill out a green-colored Intent-to-Speak form. If you wish to speak on a matter that requires a public hearing, please fill out a white-colored Intent-to-Speak form. Speaker forms may be completed up to 48 hours in advance of the Council meeting. Each speaker will have four minutes to give remarks, regardless of the number of items addressed. Please refer to Resolution No. 2016-16 for further information regarding our Public Participation Policy & Procedures for addressing the City Council.

CONSENT (Action Item)

1. Approve Alcohol Sales & Service for a BBQ event at the Northwest Recreation Complex.
2. Approve Alcohol Sales & Service for a fundraising and Police & Fire competition at the Northwest Recreation Complex.

PUBLIC HEARINGS/ORDINANCES/RESOLUTION (Action Item)

1. Ordinance No. 2594 – Second Reading – Annexation – Legislative
 Project: Curtis & Karen Pumphrey – Location: 251 W Lester Road David Moon
2. Ordinance No. 2595 – Second Reading – Annexation – Legislative
 Project: A.D. Raulerson Sr. & A.D. Raulerson Jr. – Location: 213 W. Lester Road & 2122 Rock Springs Road David Moon
3. Ordinance No. 2603 – First Reading – Annexation – Legislative
 Project: Irmalee Lane Right-of-Way, located north of McCormick Road and east of State Road 429 David Moon
4. Resolution 2017-19 – Amending the budget for FY October 1, 2016 – September 30, 2017. Pam Barclay

CITY COUNCIL REPORTS

MAYOR'S REPORT

NOT REQUIRING ACTION

1. Appreciation email for Fire Chief Carnesale.
2. Thank you letter from Jack and Jill Cooper regarding Oaks at Wekiwa subdivision.
3. Thank you letter from Hope Community Center.

ADJOURNMENT

MEETINGS AND UPCOMING EVENTS

DATE	TIME	EVENT
October 5, 2017	5:30pm – 9:00pm	Food Truck Round Up
October 9, 2017	6:30pm –	CONA Meeting – UCF Apopka Business Incubator
October 10, 2017	5:30pm –	Planning Commission Meeting
October 18, 2017	7:00pm –	Council Meeting
October 23, 2017	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden
October 28, 2017	5:00pm – 9:00pm	Hometown Halloween in the Park – Kit Land Nelson Park
November 1, 2017	1:30pm –	City Council Meeting
November 2, 2017	6:30pm – 8:30pm	Legal Matters Forum presented by the Orange County Clerk of Courts, Tiffany Moore Russell - Apopka Community Center
November 10, 2017	-	Veterans Day – City Offices Closed
November 13, 2017	6:30pm –	CONA Meeting – UCF Apopka Business Incubator
November 14, 2017	5:30pm –	Planning Commission Meeting
November 15, 2017	7:00pm –	Council Meeting
November 16, 2017	1:30pm –	Pension Board Meeting
November 21, 2017	6:00pm –	Code Enforcement Hearing
November 24, 2017	-	Thanksgiving Holiday – City Offices Closed
November 25, 2017	-	Thanksgiving Holiday – City Offices Closed
November 27, 2017	10:00am – 11:00am	Lake Apopka Natural Gas District Board Meeting: Winter Garden

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

Backup material for agenda item:

1. City Council workshop meeting July 20, 2017

CITY OF APOPKA

Minutes of a City Council Budget Workshop held on July 20, 2017, at 3:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Kyle Becker
Commissioner Doug Bankson
Glenn Irby, City Administrator
Pam Barclay, Finance Director

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

CALL TO ORDER/PLEDGE OF ALLEGIANCE - Mayor Kilsheimer called the Budget Workshop to order at 3:00 p.m. and led in the Pledge of Allegiance.

BUSINESS

FIRE DEPARTMENT

The budget for the Fire Department was reviewed and discussed.

Chief Carnesale said he had Deputy Chief Thompson, Assistant Chief Bowman, Assistant Chief Wylam, Captain Sanchez, and Lieutenant Holderfield with him for the budget presentation.

Chief Carnesale said a lot of items were cut from their initial budget submittal. He will be reviewing what they feel are “must haves” or critical items. He said their goal is to continue to provide rapid responses to all emergencies consistent with established ISO standards and the community’s needs. The first-due apparatus to arrive within 5.5 minutes to 90% of confirmed working fires and the second-due apparatus to arrive within the established ISO standard of 9.5 minutes to 90% of confirmed working fires. They continue to improve the safety and welfare of the community by offering a safe environment in our community and continue to provide education to the public on fire safety, CPR, and other safety related topics. He reviewed the number of calls for service, stating there is a 20% increase from 2016. He went on to review their response times per station, stating that once Station 5 opens, response times in that area will drastically improve. He advised the Apopka Fire Department obtained their ISO-1 rating in 2004 and they were the only Fire Department in Central Florida to have this rating. There are only 26 Fire Departments in the State of Florida with ISO-1 ratings.

Chief Carnesale proposed a Temporary Station 6 which is in the new Florida Hospital area and reviewed the response area this station would cover. Florida Hospital Apopka is willing to utilize a construction trailer on site to be turned into a temporary fire station. There would be a fire truck and three firefighters on duty at all times. The Hospital will provide a concrete slab parking area with a metal building for fire truck shelter, and a temporary access road. This would mean 9

firefighters to cover three shifts. The City of Apopka would provide the 9 firefighters with gear, provide the fire truck, build-out the existing construction trailer interior changes for fire station use, and pay a monthly rental of \$1,550.

Chief Carnesale said they propose for the FY 18 Budget the following:

- 9 personnel (3 per shift, stationed at the Hospital station)
- Fire Engine 6 (Quint with 78' ladder) \$807,000 with \$132,000 required equipment

He advised the new Quint would take 8-12 months to build. They have a reserve truck to utilize at Station 6. He stated ISO will be evaluating the area of the new Hospital and apartments as this is all new since the last evaluation. He stated during an evaluation if we drop below a 90 rating, we become an ISO-2. He stressed the importance of getting the ladder truck for this area, but it was not needed to open the temporary station.

Chief Carnesale spoke of the American Heart Guidelines and how important it is to respond in a timely manner for a cardiac arrest. He stated the City of Apopka had 45 patients with cardiac arrest from June 2016 to current date. He reviewed and advised of the equipment included in this budget for Station 5. They have requested a Second District Chief with a command vehicle. Chief Carnesale said many departments are issuing a second set of bunker gear to all firefighters to help reduce the chance of cancer. He said they were requesting to purchase 25 sets of bunker gear over the next four years to accomplish this. The cost for the new bunker gear would be \$47,000 for 25 sets or 93 sets now for \$174,763.74 through a finance plan option.

Chief Carnesale reviewed the Fire Department critical needs to include:

- \$ 74,500 required rescue equipment for Squad 5 and Engine 5, 8 SCBA air packs, ventilation fan for the station bay
- \$ 49,500 SCBA bottle replacement must replace 45 bottles
- \$ 9,968 high temperature SCBA mask to be compliant with NFPA
- \$ 33,600 Station 6 interior build out and monthly rent
- \$594,000 for 9 additional firefighters for Station 6
- \$ 35,000 Station 6 furniture, bunker gear for 9 firefighters
- \$ 14,000 back into 4600 negative in budget at this time
- \$ 14,000 back into 4650 negative in budget at this time
- \$ 3,000 back into 5200 negative in budget at this time

The total for critical needs is \$827,568 plus an additional \$939,000 for a Quint fire truck.

Chief Carnesale advised they have applied for a FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant. He discussed the four on-duty firefighters, stating Station 1, Station 2, Station 3, and Station 4 currently do not meet this standard. He explained there is \$300,000,000 available through FEMA. He said with Dr. Jackson's help staff has applied for this grant and the award period is July – September for 24 firefighters. If awarded, they have 30 days to accept or deny the grant, and if accepted, they have 180 days to recruit and hire. FEMA will assist with the salary and benefits over the 3-year period of performance. The City of Apopka match for year-one is 25% (\$415,404), year-two 25% (\$415,404), and year-three 65% (\$1,080,051). He advised over the three year grant period FEMA would be providing a total of \$3,073,989.

Emergency Medical Services:

Chief Carnesale reviewed a PowerPoint presentation for items being requested by EMS.

EMS Critical needs include:

- Biohazardous waste \$48,000
- Vehicle Maintenance \$29,000
- EMS Operating Supplies \$185,000
- 3 Replacement Ambulances \$450,000
- 3 Fire Communication Sets \$15,000
- 3 Stryker Powerload & Stretcher Systems \$133,000
- 4 Lifepak 15 monitors \$156,000
- 3 Lifepak 1000's AED's \$9,000
- 22 Lifepak CR10 AED's \$34,000
- 3 LUCAS Chest Compression Devices \$45,000

He advised the total critical needs for EMS was \$885,000, of which \$377,000 could be financed with \$76,000 payment over 5-years at 0% interest.

Chief Carnesale said with regards to facility needs, the Fire Department supports a joint project with the Police Department for a Public Safety facility

Commissioner Becker said if they added in all critical need requests it comes to \$1.7 million and factoring in the ladder truck and ambulances it is \$3.1 million. He said our current debt ratio was 7.6%.

Discussion ensued regarding impact fees.

Ms. Barclay said to address questions regarding debt service, the City currently has fifteen loans and our debt service is 3.4. In Fiscal Year 19, five loans will be paid off and in Fiscal Year 21, two additional loans will be paid off and the debt service will be 2.4.

Commissioner Bankson said we now have impact fees that we did not have before, so this is one projection they can look at and determine where the impact fees should be spent.

Mayor Kilsheimer said another scenario for the Public Safety Complex, as Mr. Irby has mentioned is to go to referendum for the public safety needs. He stated we were not ready for this now, but it was a viable plan.

Mr. Irby said at this time we only have two months of impact fees which is not enough to make any determinations.

Mayor Kilsheimer said to break this issue apart and determine how they can do Station 6 for the smallest amount possible. Station 6 will require 9 firefighters plus bunker gear, and build out of the interior.

Chief Carnesale said \$662,600 was the minimum needed for Station 6.

Discussion ensued regarding the need for Station 6 as well as the tower truck.

Commissioner Becker said when you look at it from a millage perspective, we are much lower than other local municipalities. He also mentioned the potential of additional homestead exemptions. He said the fact was that they are going to need to find some funding for items whether it is the reserves, raising the millage or cut items that are obviously needed.

Commissioner Bankson said they need to look at areas they can pare back. He reiterated they need to increase the reserves.

It was the consensus to fund the nine firefighters for temporary Station 6 at \$662,000, Station 5 equipment at \$827,568, and finance the Quint engine at \$939,000. EMS critical needs to remove two ambulances and AED heart monitor bringing the critical needs to \$446,000 and of this amount \$288,000 could be financed.

Commissioner Bankson said the Quint falls under a good category for financing and it is needed for the multi-story buildings.

Council recessed at 5:11 p.m. and reconvened at 5:22 p.m.

Commissioner Becker said for the record, when he was discussing Altamonte Springs millage rate, they do not have their own fire department and he was providing the total rate of 5.42 inclusive of what they pay Seminole County for fire service. Apopka's rate of 3.78 includes all services.

Commissioner Bankson provided a PowerPoint presentation on City of Apopka Budget Reserve Proposal. He reviewed the budget trend, which is increasing and compared this to population growth. He stated this was unsustainable without making some kind of change. He discussed the debt ratio and stated using debt as a tool creates a cycle that is hard to break. He recommended a 25% reserve balance as a safe balance to maintain, stating the GFOA base minimum is 16.7% plus contingencies. He said the GFOA recommends that governments establish a formal policy on the level of unrestricted fund balance and he distributed a proposed policy. A copy of this proposal is on file in the City Clerk's office.

Mayor Kilsheimer thanked Commissioner Bankson for his presentation and the work he put into this. He discussed some to the areas where the routine maintenance was not done and is now creating issues for the City, such as the new roof on City Hall and the roof at the Fire Administration building.

Commissioner Becker said he didn't disagree, but how does he propose we get there. Proposed for FY 2018 is 21.8%, so do we not touch it and tell all departments, we are sorry, but we cannot add anything in. He inquired how we remotely come up with the idea of putting dollars in reserves with all the capital expenditures that are mission critical.

Commissioner Bankson said he was asking that this be looked into with staff and workout how we get there, reiterating we are unsustainable where we are.

It was the consensus to cut the two police officers and equipment at \$254,000, one clerk from Human Resources at \$43,875, and \$60,000 Audio/Visual equipment Council Chamber.

Summary:

Ms. Barclay summarized the following to be additions::

\$ 200,000 – HR insurance deductibles
\$ 5,000 – HR Verify Driver License
\$ 5,000 – HR Badge System
\$ 43,875 – HR Clerk
\$ 18,000 – Cemetery Software (possibly offset by \$13,000)
\$ 13,000 – Golf Cart Recreation
\$ 7,000 – Freon replacement Fleet
\$ 6,000 – Transmission flush machine Fleet
\$ 12,500 – Tree Removal, Cemetery
\$ 25,000 – Tasers – 5 year program
\$ 65,000 – Ballistic Vests & Helmets
\$ 468,000 – Police Vehicles for Field Services
\$ 202,000 – Police Vehicles for Support Services
\$ 662,600 – Fire Station 6
\$ 164,968 – Fire Suppression critical needs
\$ 939,000 – Quint Engine
\$ 485,000 – EMS additional critical needs
\$3,321,943 – Total additional expenditures

Ms. Barclay advised expenditures have been reduced \$87,225 for OFOF going to a one day event, and \$50,000 due to the estimation of communication service tax. Additional revenues of financing of the EMS critical needs, Quint, and Police vehicles of \$1,957,000. She advised this provided a total of additional revenues needed of \$1,237,718. This will be taken from reserves leaving a General Fund reserve balance of 19%.

ADJOURNMENT - There being no further discussion, the workshop adjourned at 5:49 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST;

Linda F. Goff, City Clerk

Backup material for agenda item:

2. City Council special meeting August 22, 2017.

CITY OF APOPKA

Minutes of the City Council special meeting held on August 22, 2017, at 5:30 p.m., at the Apopka Community Center.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Andrew Hand
City Administrator Glenn Irby

PRESS PRESENT: John Peery - The Apopka Chief
Teresa Sargeant – The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Linda Laurendeau, Apopka resident, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer led in the Pledge of Allegiance.

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS

1. Ordinance No. 2581 – First Reading – Comprehensive Plan – Large Scale Future Land Use Amendment.

Jim Hitt, Community Development Director, said this was a recommended Comprehensive Plan, Large Scale Future Land Use Amendment from applicant Signature H Property Group and the consulting planner is GAI Consultants. The property owners are Errol Club Villas Condo Association, Inc.; 5th Hole Investments; Errol Estate Country Club LTD; Errol Estate Management; Lexington Homes, and City of Apopka. This is for a Large Scale Future Land-Use Amendment and to authorize transmittal to the Department of Economic Opportunity (DEO). The existing use is a Golf Course and Club House with current zoning of Park and Recreation. He reviewed the proposed development with a total of 79.09 +/- acres with the proposed use up to 400 dwelling units (67 single family, 194 townhome and 139 multi-family), commercial amenity complex with hotel, restaurant, aquatic park, and recreation facilities; and 240 bed assisted living facility. A copy of the staff report is on file in the Clerk's office. The Planning Commission, at its meeting on July 25, 2017, recommended approval of the Large Scale Future Land Use Amendment with a proposed zoning of PUD (Planned Unit Development). The recommendation by staff is to approve Ordinance No. 2581 at first reading and transmit to DEO. The second recommendation is that a development agreement must demonstrate that each of the proposed FLUM amendments are compatible with surrounding and abutting residential uses through appropriate buffer and screen techniques, height restrictions, other applicable and appropriate performance standards, and management of compatible and complementary land uses allowed or prohibited within each "Neighborhood" zone.

The City Clerk read the title as follows:

ORDINANCE NO. 2581

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 PARKS AND RECREATION TO RESIDENTIAL MEDIUM LOW (0-7.5 DU/AC), RESIDENTIAL LOW (0-5 DU/AC), RESIDENTIAL LOW SUBURBAN (0-3.5 DU/AC), COMMERCIAL (MAXIMUM 0.25 FAR) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF VICK ROAD, SOUTH OF WEST LESTER ROAD, AND NORTH OF OLD DIXIE HIGHWAY, COMPRISING APPROXIMATELY 75.06 +/- ACRES, MORE OR LESS AND OWNED BY 5TH HOLE INVESTMENTS LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Kilsheimer noted for the record that each Council member has had individual meetings with staff to be briefed on this proposal and have had the opportunity to ask questions at that time. He also noted that each member has had an opportunity to meet with the applicant and ask questions at those meetings.

Blake Drury, GAI Consultants, Inc., said this is a plan that has evolved over the past year as they have learned more about the site physically, different residential types, and as they have had in-depth and detailed conversations with the neighbors. He said they concur with staff and Planning Commission recommendations. He stated that Helmuth Wyzisk, III, will be presenting the details of the project.

Helmuth Wyzisk, III, of Signature H Property Group, reviewed the proposed plan and details of the project. He stated the 6, 7, 8, and 9th holes have the ability to be developed in the flood plain. He reviewed a video that showed the virtual proposed project. He stated they planned to develop the amenities first to include the redevelopment of the golf course.

In response to Commissioner Bankson asking if they have had experience in developing a golf course or waterpark, Mr. Wyzisk, III, stated they have had no experience, but that was why they were hiring professionals with expertise in these areas. In addition, Commissioner Bankson said this was a great risk on everyone's part and they had stated they would start with the amenities first. He asked how soon after closing the golf course would they begin, to which Mr. Wyzisk, III, said almost immediately.

In response to Commissioner Dean asking who was backing their plan, Mr. Wyzisk, Jr., stated that has not yet been announced. Commissioner Dean also asked if the waterpark was going to be opened to the public to which Mr. Wyzisk, III, said they would offer social memberships first, and if not exclusive to social memberships, it would then be opened to a day pass. Commissioner Dean also expressed concern regarding a 3-story townhomes taking the view from residents that have resided there for years. Mr. Wyzisk, III, said there were no 3-story buildings to the back of existing homes; they would be by the clubhouse. He added they have taken care to create buffer zones.

Commissioner Velazquez said they have done something that no other developer has been able to do, which is going out to the community and win the largest community over. She stated some of

the concerns she is hearing regards traffic studies and environmental testing of the soil. In response, Mr. Moon advised as getting into the development review, staff will request more detailed information with regards to traffic studies and environmental impact of soil tests.

In response to Commissioner Becker inquiring if the traffic study was accepted by the city, Mr. Moon advised that based on the initial review it was found to be consistent for a comprehensive plan amendment analysis and they are looking at the larger daily traffic considerations and how it meets the flow of local roads. They will likely ask for additional information and will look at specific impacts within intersections of the Master Plan area.

Council recessed at 7:25 p.m. and reconvened at 7:33 p.m.

Mayor Kilsheimer opened the meeting to a public hearing.

Isabelle Beaux spoke in opposition to the proposed land use change and development. She expressed concerns regarding Signature H Property Group and what experience they have with large developments.

Lewis Smith, President of Errol Estate Property Owners Association (EEPOA), and Bob Goff, Vice President of EEPOA, said they had submitted a letter during the Planning Commission meeting and read the letter into the record, stating staff had responded to their questions. Mr. Smith said he supports a successful completion of the development, however, they have a fiduciary responsibility to the current EEPOA membership.

Frank Maxwell said it has been established that this is the first large project for this company and it would be nice to have a resume of past projects. He voiced concerns with a traffic analysis, as well as a soil analysis and possible contamination in the area of the golf course. He also said there were two and three story homes being proposed, stating this did not seem to be aesthetically pleasing with the surrounding properties.

Parris Gunn said his wife could not be present and he read a letter she wrote stating they were pleased the golf course and amenities will be redeveloped so that when they have company they can stay in the area rather than having to travel to other areas.

Sheryl Manche spoke in favor of the future land use amendment and the project, stating this will restore property values. She requested approval of the proposal.

Tom Neimic said he lives on Crepe Myrtle Circle and expressed concerns that the plan states three story homes will be built. He showed photos of the high windows in the homes on Crepe Myrtle Circle stating the multi-story homes will be able to look directly into their homes, stating they were worried of losing their privacy. He asked that they be sensitive to this and increase the buffer.

Angela Rubright said she has been a resident of Errol for over 16 years and she appreciated living in this community. She stated she appreciated the meetings the developer has held to answer questions and concerns of the residents and she was excited to see the future of Errol.

Mr. Beaux expressed concerns regarding this project and said it was a choice of what is best for Errol and the residents. He thanked Commissioner Becker for his questions.

Roger Miller said he lives in the Vistas and he commended the City Council on some of the questions asked. He stated he was confident that Signature H Property Group listened and will come up with adequate answers. He said Orange County was a tourist destination and they cannot underestimate what this development would have to draw people here.

Jose Molina questioned security in the neighborhood with it being an open community. He expressed concerns regarding the golf course possibly later being sold and changing hands. Mr. Molina also said rentals was a concern and requested this be addressed in HOA guidelines.

Mayor Kilsheimer read three letters into the record from Sarah Henson, Larry and Victoria Davies, and Patricia Tusing, all being in favor of the project.

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

Helmuth Wyzisk, Jr. said all concerns raised were valid and they will be dealt with at the next level. He stated they were very aware of all the issues brought up and were in the process of going through these issues.

Commissioner Bankson said Council needed to be very responsible on their part and he expressed concerns regarding financing and spoke of recent drops in property values. He spoke of Signature H Property Group not having experience in a project of this magnitude and said it does require trust. He inquired how soon after closing the course would they begin with the amenities to which Mr. Wyzisk, III, said almost immediately on the current holes that are not being developed, expressing the short time frame they would have to work on the course. He added that starting with the amenities first was proof of their testament to the community. When Commissioner Bankson inquired if they had done an economic study and how much traffic it would create, Mr. Wyzisk, Jr., responded in the affirmative.

In response to Commissioner Dean's concerns of environment protection with regards to the lakes or ponds overgrowth being cleaned out, Mr. Drury advised this would be permitted as the project goes to construction and it would go with the aesthetics and design of the course and would help the environment.

Commissioner Velazquez said concerns she was hearing was regarding stormwater runoff and HOA fees. Mr. Wyzisk, III, said they would be required through the development plan to handle the stormwater properly by the code. He stated the neighborhood HOA's and the EEOPA would not be affected by the New Errol.

Commissioner Becker said the presentation is nice and he loves the idea of what it does for the community, however, what the presentation lacks is who they are as Signature H Property Group and the fact that they have not done a project like this in scope or scale. In response to asking what they have done, Mr. Wyzisk, III, said this was new for them and a business model and said they were required to bring in consultants and professionals that individually has their own experience. Commissioner Becker expressed concerns regarding how Signature H Property Group plans to finance or fund this project and concerns of supporting this project based on property values. He also inquired about traffic studies and soil testing.

Mayor Kilsheimer said all the City Council will have three more opportunities to visit this. He said

this step tonight is necessary in terms of putting questions on the table the community needs addressed. He advised staff's recommendation is to approve Ordinance 2581 at first reading and transmit to the Florida Department of Economic Opportunity. The second recommendation includes demonstrating that each of the proposed future land use amendments are compatible with surrounding and abutting residential uses.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to accept Ordinance No. 2581 at First Reading and transmit to the Florida Department of Economic Opportunity. Motion carried 4-1 with Mayor Kilsheimer, and Commissioner Dean, Velazquez, and Bankson voting aye, and Commissioner Becker voting nay.

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, that prior to the adoption hearing for Ordinance No. 2581, a master plan under PUD zoning and a development agreement must demonstrate that each of the proposed FLUM amendments are compatible with surrounding and abutting residential uses through appropriate buffer and screen techniques, height restrictions, other applicable and appropriate performance standards, and management of compatible and complementary land uses allowed or prohibited within each "Neighborhood" zone. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

ADJOURNMENT – There being no further business the meeting adjourned at 8:41 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

3. City Council regular meeting September 6, 2017.

CITY OF APOPKA

Minutes of the City Council regular meeting held on September 6, 2017, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Doug Bankson
Commissioner Kyle Becker
City Attorney Cliff Shepard
City Administrator Glenn Irby

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

INVOCATION: Mayor Kilsheimer introduced Executive Pastor Kevin Willis of Grace Pointe Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said this past Sunday marked Apopka's 135th Anniversary. Citizens in this area voted on September 2, 1882, to incorporate as a municipality. The city limits were charted one mile in each direction from the Orange Lodge, a historic site now located on U.S. Highway 441 in downtown Apopka. The borders at that time included 26 voting citizens. He gave some references to that year to include: the President of the United States was Chester Arthur; Thomas Edison's new electric company lit up a square mile of lower Manhattan, and served electricity to 200 customers; the old west outlaw Jessie James was killed in St. Joseph, Missouri; and the New York, Chicago, and St. Louis railroads ran the first trains from Buffalo, New York to Chicago. He asked everyone to reflect upon the events that transpired in the founding of our great City as he led in the Pledge of Allegiance.

APPROVAL OF MINUTES:

- 1. City Council workshop meeting July 13, 2017.**
- 2. City Council workshop meeting July 17, 2017.**
- 3. City Council workshop meeting July 18, 2017.**
- 4. City Council regular meeting August 16, 2017.**

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to approve City Council minutes of July 13, 2017, July 17, 2017, July 18, 2017 and August 16, 2017 as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

AGENDA REVIEW: Glenn Irby, City Administrator, announced there was a change with Item 6 on the Consent Agenda and a new staff report has been handed out that includes additional street repaving. Mayor Kilsheimer also noted that the applicant under Ordinance No. 2565 has requested a continuance.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment: There was no public comment.

Employee Recognition:

1. Ten Year Service Award – Khadine Shah Davis – Police/Field Services – The Commissioners joined Mayor Kilsheimer in congratulating Khadine on her years of service.
2. Fifteen Year Service Award – Edith Torres – Community Development/Planning - The Commissioners joined Mayor Kilsheimer in congratulating Edith on her years of service.

CONSENT (Action Item)

1. Authorize the disposal of surplus equipment/property.
2. Authorize a \$1,500 donation from Law Enforcement Trust Funds to Apopka High School.
3. Approve a street light agreement for Poe Reserve homeowner's association.
4. Approve a street light agreement for Hillside at Wekiva homeowner's association.
5. Approve a street light agreement for Rock Springs Estates homeowner's association.
6. Authorize a piggyback contract with Middlesex Corporation for street resurfacing.
7. Authorize an Interlocal Agreement with Orange County for the transfer of jurisdiction of East Sandpiper Street.
8. Authorize a utility service area territorial boundary agreement between the City and Orange County.
9. Award a bid to MGT Consulting Group for a classification and compensation study.

Jay Davoll, Public Services Director, explained that the new staff report provided for Item 6 shows the addition of Nancy Lee Lane to the resurfacing list.

Discussion was held on Items 1, 6, 7, and 9.

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

BUSINESS

1. **Authorize Sensus to implement a Single Sign-on Solution for the Utility Billing online payment site.**

Robert Hippler, Information Technology director, said this request was to work with Sensus to create a single sign-on from the Edmund's portal for the customers to be able to review water consumption. He advised with the single sign-on the customer will log into their current payment site and there will be a link to authenticate to the site that will provide daily and weekly usage, and many variations as well as the ability to set alerts. He explained this replaces a graph that was utilized with the previous utility billing software.

In response to Commissioner Bankson inquiring if there was an outcry for this service to be added on, Mr. Hippler responded in the affirmative stating there was a service with the prior software customers utilized.

Mayor Kilsheimer said the City has fielded a fair number of complaints asking where this service went. He stated this method will be a much more seamless way for the customers to be able to access this information.

Commissioner Becker inquired if they had tiered pricing versus \$2.00 per user, to which Mr. Hippler said he would have to check on that, stating there were 22,500 users and Sensus will provide an initial 1,500.

Mayor Kilsheimer said we were trying to be responsive to our customers requesting this information and provide them with a seamless experience. He stated we did not have enough user data to determine how many customers will utilize this data.

Commissioner Bankson inquired if the cost of \$2.00 per user was for the year. Mr. Hippler responded in the affirmative.

Commissioner Becker inquired if the quote for five years was a binding term agreement and suggested negotiating for an annual renewal since there is a potential of going over. Mr. Hippler said he would look into this.

Mayor Kilsheimer asked the City Attorney if they were going to negotiate this, would they have to negotiate before voting.

City Attorney said negotiating prior to voting was one way, and a second way would be to say this is our counter proposal and if the Council accepts the counter proposal and Sensus agrees, then it does not have to come back.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to authorize the Single Sign-on Solution for the Utility Billing online payment site with the modification of a one-year term with options to renew and tiered user pricing. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

2. Final Development Plan – Mullinax Ford.

Mayor Kilsheimer announced this was a quasi-judicial hearing. Witnesses were sworn in by the Clerk.

David Moon, Planning Manager, said at this time Mullinax Ford desires to modernize and upgrade its site for customer service efficiency. He said the applicant approached the Development Review Committee (DRC) some months ago to amend their PUD Master Plan as an insubstantial amendment. He advised the Land Development Code grants this authority to the DRC. In the revisions they made some changes that reduced impact to parking adjacent to the residential areas and moved it further to the south. Those changes were approved by staff and incorporated in the plans. Mullinax will provide a new quick lane lube facility, stating this is not a change in services, but one that provides better efficiency. They are improving their service and designated employee parking areas. He advised the DRC has found the proposed Final Development Plan consistent with the Land Development Code and recommends approval.

Commissioner Bankson expressed a concern regarding stormwater in a heavy downpour and asked if the water would be moved up to the expanded pond, or would it spill over.

John Abion, Florida Engineering Group, advised there is an outfall system that discharges into SR 436 and it was not landlocked.

Jerry Mullinax, applicant, thanked staff for their professionalism and helping them navigate through this process. He said he was available for any questions.

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

MOTION by Commissioner Dean, and seconded by Commissioner Bankson, to approve the Final Development Plan for Mullinax Ford as presented. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS (Action Item)

- 1. Ordinance No. 2551 – Second Reading – Large Scale – Future Land Use Amendment.**
The City Clerk read the title as follows:

ORDINANCE NO. 2551

AN ORDINANCE OF THE CITY OF APOKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM OFFICE (MAX 0.3 FAR) AND RESIDENTIAL LOW (0-5 DU/AC) TO MIXED USE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF OCOEE APOPKA ROAD AND NORTH OF KEENE ROAD, COMPRISING 22.4 ACRES, MORE OR LESS AND OWNED BY JOSEPH AND SWANA GATES & OAK ROYAL PROPERTIES, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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. 2551. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

- 2. Ordinance No. 2560 – Second Reading – Large Scale – Future Land Use Amendment.**
The City Clerk read the title as follows:

ORDINANCE NO. 2560

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 RURAL SETTLEMENT (0-1 DU/5 AC) TO RESIDENTIAL VERY LOW SUBURBAN (0-2 DU/AC) FOR

CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF PONKAN ROAD AND EAST OF GOLDEN GEM ROAD, COMPRISING 23.43 ACRES, MORE OR LESS AND OWNED BY PROJECT ORLANDO, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kilsheimer opened the meeting to a public hearing.

Daniel Hindon said he was a representative for Project Orlando, LLC, stating Jeff Welch, primary representative, is out of town and could not attend. He stated Mr. Welch has been working with staff on this and agrees with their assessment.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker to adopt Ordinance No. 2560. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

- 3. Ordinance No. 2565 – Second Reading – Large Scale – Future Land Use Amendment**
The City Clerk read the title as follows:

ORDINANCE NO. 2565

AN ORDINANCE OF THE CITY OF APOKA, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE APOPKA COMPREHENSIVE PLAN OF THE CITY OF APOPKA; CHANGING THE FUTURE LAND USE DESIGNATION FROM MIXED USE TO AGRICULTURE (0-1 DU/5 AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF PLYMOUTH SORRENTO ROAD AND NORTH OF PONKAN ROAD, COMPRISING 32.33 ACRES, MORE OR LESS AND OWNED BY AMERIGO FARMS, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kilsheimer advised the City received a request by the applicant to continue this to a date certain of September 20, 2017.

Mayor Kilsheimer opened the meeting to a public hearing.

Josh Elkes said he was before Council with the understanding the applicant has requested a continuance in a belief that bifurcating the testimony probably will not be as effective for the residents who are being affected by this application as being here at the meeting on September 20, 2017. He stated they were fine with collaborating with the applicant and their attorney, but they do ask if there is a further continuance that Council support the residents in getting collaboration with the applicant so that a mutually acceptable date can be achieved rather than bounce people back and forth to various hearings. They requested Council's support on that and stated they were prepared to have conversation with the applicant to hopefully iron out any differences.

Mayor Kilsheimer said it was his understanding one of the reasons for the request for continuance was so the applicant could have conversations with nearby residents.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Dean to continue Ordinance No. 2565 to September 20, 2017. Motion carried unanimously with Mayor Kilsheimer, and Commissioner Dean, Velazquez, Becker, and Bankson voting aye.

4. Ordinance No. 2582 – First Reading – Banning medical marijuana dispensing facilities.

The City Clerk read the title as follows:

ORDINANCE NO. 2582

AN ORDINANCE ESTABLISHING A PROHIBITION OF MEDICAL MARIJUAN TREATMENT CENTER DISPENSING FACILITIES WITHIN THE BOUNDARIES OF THE CITY AS AUTHORIZED BY SECTION 381.986, FLORIDA STATUTES; PROVIDING LEGISLATIONVE FINDINGS; PROVIDING FOR CONDIFICATION; MORATORIUM CONTINGENCY; SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Commissioner Becker said when they discussed this at the last meeting there was the idea of treating these as special exceptions and inquired if there had been any attempt to get some language together.

Mr. Moon advised staff clearly recognized the direction received from City Council and research will be conducted on how a special exception may be applied to medical marijuana dispensaries and pharmacies, but it will take several months to complete the research.

Commissioner Becker said at the last meeting it was agreed that this was more of a zoning issue versus a criminal issue, yet the ordinance is written in a manner that quotes a report from 2009 talking about the implementation of medical marijuana in California in 1996. He said there was a lot in terms of economic impact the City can benefit from by the implementation of this within the City of Apopka.

Mayor Kilsheimer said he spoke with a licensee in Central Florida who said the best locations have already been picked and the dispensaries close to cancer treatment centers are expecting a high volume of traffic. The owners of these locations are investing heavily in processes, procedures, and security for operations and other locations will not invest the same in security as a high profile location will. Mayor Kilsheimer said the City of Apopka has wide open commercial zoning that brings this to a zoning issue and a character and quality of life issue. He said if the legislature comes back and provides cities with a way to tailor these zoning solutions to meet location conditions, they will address this immediately.

Mayor Kilsheimer opened the meeting to a public hearing.

David Leavitt said he was from Longwood and stated this ban ordinance was much ado about nothing. He said the State Constitution strictly forbids any sanctions against medical marijuana treatment centers. He stated the Senate did an injustice to all municipalities by passing SB 8A. He said the citizens of the State of Florida spoke and by banning you are going against their will. He stated if they did nothing they may get one or two dispensaries in the City. He said one must have a card to be able to enter a dispensary. He stated if they ban dispensaries it could adversely affect the City.

Derek Ryan reviewed regions dictated by the State and said the Central Florida region consists of fifteen counties, stating the population determines how many dispensaries can be in a particular region. He said there could only be a maximum of forty-eight dispensaries across the fifteen counties in Central Florida and many of those are already allocated. He stated this ban seems to be fear based and asked Council to backup and recognize there was also some legal liability they were exposing themselves to. He said the right thing was not to ban dispensaries.

Ray Shackelford said he voted for Amendment 2 and was glad to see this on the ballot. He stated he had pre-existing conditions, however, he supports the ban until there is better language from the Florida Legislature and information is obtained on special exceptions. He said he loved job creation and public health, stating he was very sensitive to the health needs of people. He said this was about what was best for the City of Apopka with respect to zoning and he supported the ban until additional information is available.

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

Mayor Kilsheimer said the licensee he spoke to makes home deliveries and there is no charge for the delivery. He advised there were home deliveries of medical marijuana taking place in Apopka now, stating people who have a need are not being denied.

Commissioner Becker said Knox Nursery advertises a fee for home delivery and said there were risks placed on home delivery versus going to a secure location. He stated he did not support taking this forward.

MOTION by Commissioner Dean, and seconded by Commissioner Bankson, to adopt Ordinance No. 2582. Motion carried 4-1 with Mayor Kilsheimer, and Commissioners Dean, Velazquez, and Bankson voting aye, and Commissioner Becker voting nay.

- 5. Ordinance No. 2583 – First Reading – Large Scale – Future Land Use Amendment**
The City Clerk read the title as follows:

ORDINANCE NO. 2583

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 “COUNTY” RURAL (0-1 DU/10 AC) AND “CITY” AGRICULTURE (0-1 DU/10 AC) TO “CITY” INSTITUTIONAL/PUBLIC USE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF JASON DWELLEY PARKWAY AND

SOUTH OF WEST KELLY PARK ROAD, COMPRISING 15.17 ACRES MORE OR LESS AND OWNED BY GEORGE THUM, JR. AND BY PHILLIP AND PEGGY DIONNE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

David Moon, Planning Manager, said this was an application for a large scale, future land-use amendment, requesting transmittal to the state agencies for review. He advised the Planning Commission has reviewed the application and recommends approval

Jamie Boerger, Orange County Public Schools, said they reviewed the staff report and agree with the conditions. She stated she would be glad to answer any questions. She said this was for a proposed elementary school site in the year of 2021.

Commissioner Velazquez said she has heard concerns regarding traffic and the impact this will have on Jason Dwelley. She stated this will all be addressed as it gets closer to becoming a reality.

Ms. Boerger said they did have a community meeting on July 31, 2017 and they met with the Rock Springs Ridge HOA Board on August 9, 2107 proving them with information. She affirmed they do have a traffic consultant hired that has provided the City with a preliminary traffic study. At this time they do not have a site plan or attendance zone. As they are further along in the process they will hold design meetings.

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. 2583 at First Reading and transmit to the Florida Department of Economic Opportunity. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 6. Ordinance No. 2584 – First Reading - Change of Zoning/PUD Master Plan - Oak Pointe South - The City Clerk read the title as follows:**

ORDINANCE NO. 2584

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM PLANNED UNIT DEVELOPMENT TO PLANNED UNIT DEVELOPMENT (OAK POINTE); FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF MCCORMICK ROAD AND EAST OF STATE ROAD 429, COMPRISING 69.7 ACRES MORE OR LESS, AND OWNED BY THOMPSON HILLS ESTATES LLC; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Kilsheimer advised this was a quasi-judicial hearing. Witnesses were sworn in by the clerk.

Mr. Moon said this request was a Planned Unit Development rezoning application with a master plan that includes 118 single family homes and 106 townhomes. He reviewed the location of the site on a map and advised that the road through the property is an existing public right-of-way called Irmalee Lane. He stated for years it was believed that this roadway was within the City's jurisdiction, since the City annexed both sides of the road. He advised it has been discovered the road is still in unincorporated Orange County, thus the City has no jurisdiction over the use of Irmalee Lane. He said this PUD Master Plan relies heavily on the use of the road. The Planning Commission held a hearing and listened to evidence of testimony of staff, as well as that of the affected party. Based upon that evidence and testimony, as part of the motion, the Planning Commission asked staff to request the City Attorney's office to look into this right-of-way issue. At that point the City Attorney's office discovered that the City doesn't have control of the Irmalee Lane right-of-way. He affirmed the applicant, through a fence permit issued by the City, who at the time believed it to be a City right-of-way, authorized a gate at this location as a public gated roadway. He stated this issue was also reviewed by the City Attorney's office and based upon their review, staff recommendation is to continue this item to a date certain to allow the City to proceed with the annexation of Irmalee Lane, incorporating the road into the project. He stated it will likely have to return to another Planning Commission hearing and back to City Council. Staff recommendation is to reschedule the public hearings to November 1, 2017 at 1:30 p.m. and November 15, 2017 at 7:00 p.m. to allow time for the annexation of the Irmalee Lane right-of-way.

Adam Diouna, Urban Land Resources, said they have been working with staff for the last 18 months in an extreme diligent effort to come up with the plan before Council. He said all they are asking today is to have this matter extended to November 1, 2017, so they can evaluate the legal opinion and continue to work with the effective property owner to resolve any outstanding issues. He declared they feel this can be resolved within the next few weeks.

Mayor Kilsheimer opened the meeting to a public hearing.

Rick Geller, Esquire, Fishback Dominick, represents Jason Revelle, an affected landowner. He pointed out on the map where Jason lives stating he is surrounded by this subdivision. Mr. Geller said they agree with the request for postponement of this hearing to November 1, 2017. In the meantime, he asked Council to please direct the owner and the applicant to remove the gate. He affirmed there is a gate blocking the public right-of-way, Irmalee Lane, which is illegal. He reviewed F.S. 316.2045 where it states it is unlawful to obstruct a free, convenient, and normal use of any public street. He advised this was interpreted by the Attorney General some years ago that said a security gate cannot be installed on a public road, which limits the free, convenient, and normal use of the public road. He reiterated they agree with the postponement of November 1, 2017, and ask that the gate be removed forthwith.

Gene Cowarg, Clermont, said he was Jason's uncle and was asked to briefly speak on Jason's behalf to provide some background. He advised Jason purchased approximately 1 acre, zoned R-1 on a public road several years ago. He was well aware a developer was going to develop the property and has no issue with the development of the property. They do have some issues with the way in which the property is being developed, in particular, as far as buffering and some delineation between single family residences, A-1 and the multi-family dwelling. He declared that the overall plan does not address the issues as set forth in Apopka's planning ordinance with regards to giving him use of his property the way this is currently setup. He said there were other

issues in the ordinance that talk about having a wall and buffering. He spoke of trees around the property being removed, stating they do have some issues to talk about at a later date. He reiterated they do not oppose the development of the property, but ask it be developed in a way that is fair to all parties.

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

Mayor Kilsheimer said everyone is in agreement this should be continued to November 1, 2017. He asked the City Attorney how to proceed regarding the issue with the fence.

Cliff Shepard, City Attorney, said apparently the City permitted this, and advised there should not be a gate there, but by permitting it, it does not mean this is the City's gate to remove. He stated it was brought to his attention that cattle is on this property so they may solve one problem and create another if removing the gate. He declared he would like to hope the parties will find a way to work this out. Attorney Shepard advised the City issued a permit, and said there is an AG opinion to support the idea. He stated he did not agree with the opinion as there were a lot of facts left out that should have been provided to the Attorney General prior to the opinion being rendered. He said there was not much they could do to physically take the gate down.

Attorney Geller advised the cows have been removed from the property. He reviewed impacts on Mr. Revelle stating he cannot have his mail delivered to his house. His mailbox has to be out on McCormick Road and he was very concerned about the security of his private information having had both outgoing and incoming mail stolen. He cannot have packages delivered to his house and must go to facilities to pick them up. He stated that although Mr. Revelle pays fees for garbage service that he does not have, as he has to haul away his own garbage.

In response to Commissioner Becker regarding how Mr. Revelle gets to his home, Mr. Revelle said the gate was coded and there was a remote when it was working.

City Attorney Shepard said the City could revoke the permit and start Code Enforcement, but they would never get this finished before November 1, 2017.

Attorney Geller said their position is that the permit is void for illegality. He stated the gate is clearly attached to fencing that is outside of the County right-of-way. Also, under the interlocal agreement the City has maintenance and operational responsibility for this right-of-way, even though it is under the jurisdiction of the County. He declared the City could make a decision that they could proceed with the PUD zoning request if this gate is removed.

In response to Mayor Kilsheimer inquiring what the problem was with taking down the fence, Mr. Diouna said the cows have been rotated within the last five years from the south portion of the property to the mid village that surrounds Mr. Revelle's property. He said there were still cows on the property, but they were being rotated out in anticipation of the upcoming construction. He stated if there were no cows, they would not have any issues in removing the fence and do what they needed in order to make Mr. Revelle's situation a lot easier. He said it also should be noted that in 2010 and 2012 that property was severely vandalized and dumped on necessitating the fence to privatize the property. He said they were looking to work with Mr. Revelle to make the situation better. Again, he pleaded to grant the extension to November 1, 2017, to provide additional time to resolve this issue.

City Attorney Shepard inquired if the cows were not there, could they leave the gate open.

Mr. Diouna said he thought that was a workable solution, stating the main reason why the fence is there is to keep the cows in and not to inconvenience Mr. Revelle.

Mr. Cowarg said this road never had to be closed, stating they could fence on either side of this road. He said this was not just a fence, they dug up a public road and placed a cattle gap. They are asking the City to help them get this move.

Mayor Kilsheimer said what they heard during this testimony was that the gate is going to be opened to temporarily resolve the first issue, and the parties can negotiate between themselves between now and November 1, 2017, to rectify this situation.

City Attorney Shepard pointed out that November 1, 2017, if the annexation goes through, the gate and cattle gap will have to go as long as this is a public road.

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez to postpone Ordinance No. 2584 to November 1, 2017 and ask the parties to open the gate and negotiate in good faith to resolve the situation. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

7. **Ordinance No. 2585 – First Reading - 2017-2 Administrative. Rezoning – Case No. 2017-2-3**
The City Clerk read the title as follows:

ORDINANCE NO. 2585

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" R-1AAA (RESIDENTIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 5.1 ACRES, MORE OR LESS, AND OWNED BY RICHARD CHANDLER; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

David Moon, Planning Manager, provided one presentation to cover the Administrative Zoning Ordinances 2585 through 2589, stating at the time of annexation, the property owners did not submit an application to assign City zoning to the properties. At this time staff has recommended a zoning category that is similar and compatible with that which was assigned by the County at the time it was annexed.

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 Becker, to approve Ordinance No. 2585 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. 2586 – First Reading – 2017-2 Administrative. Rezoning – Case No. 2017-2-2**
The City Clerk read the title as follows:

ORDINANCE NO. 2586

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" R-1AAA (RESIDENTIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 2.5 ACRES, MORE OR LESS, AND OWNED BY BOBBY AND JESSICA SANDERS: 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 approve Ordinance No. 2586 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. Ordinance No. 2587 – First Reading – 2017-2 Administrative. Rezoning – Case No. 2017-2-3**
The City Clerk read the title as follows:

ORDINANCE NO. 2587

AN ORDINANCE 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 6.86 ACRES, MORE OR LESS, AND OWNED BY JOLLY PRODUCTS AND SERVICES; 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 Becker, to approve Ordinance No. 2587 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.

- 10. Ordinance No. 2588 – First Reading – 2017-2 Administrative. Rezoning – Case No. 2017-2-4**
The City Clerk read the title as follows:

ORDINANCE NO. 2588

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-2 (AGRICULTURE) TO "CITY" AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 4.95 ACRES, MORE OR LESS, AND OWNED BY EDGEL LLC; 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 Velazquez, to approve Ordinance No. 2588 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.

- 11. Ordinance No. 2589 – First Reading – 2017-2 Administrative. Rezoning – Case No. 2017-2-5**
The City Clerk read the title as follows:

ORDINANCE NO. 2589

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" RESIDENTIAL COUNTY ESTATES-1 (RCE-1) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 0.91 ACRES, MORE OR LESS, AND OWNED BY DEBORAH HALM; 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 Becker, and seconded by Commissioner Dean, to approve Ordinance No. 2589 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.

- 12. Ordinance No. 2592 – First Reading – Change of Zoning – Gates/Oak Royal Properties**
The City Clerk read the title as follows:

ORDINANCE NO. 2592

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM PROFESSIONAL OFFICE/INSTITUTIONAL (PO/I) AND FROM AGRICULTURE (AG) TO MIXED-EC (MIXED-

EMPLOYMENT CENTER) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF OCOEE APOPKA ROAD AND NORTH OF KEENE ROAD, COMPRISING 22.4 ACRES, MORE OR LESS, AND OWNED BY JOSEPH AND SWANA GATES & OAK ROYAL PROPERTIES, LLC; 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 approve Ordinance No. 2592 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.

- 13. Ordinance No. 2593 – First Reading – Annexation – 423, 425 & 431 Station St.**
The City Clerk read the title as follows:

ORDINANCE NO. 2593

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY LOOMIS FUNERAL HOME, INC., LOCATED AT 424 & 431 STATION STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Becker, and seconded by Commissioner Velazquez, to approve Ordinance No. 2593 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.

- 14. Ordinance No. 2594 – First Reading – Annexation – 251 W Lester Road –**
The City Clerk read the title as follows:

ORDINANCE NO. 2594

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CURTIS AND KAREN PUMPHREY, LOCATED AT 251 WEST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to approve Ordinance No. 2594 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.

- 15. Ordinance No. 2595 – First Reading – Annexation – 213 W. Lester Road & 2122 Rock Springs Road – The City Clerk read the title as follows:**

ORDINANCE NO. 2595

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY A.D. RAULERSON AND A.D. RAULERSON, JR., LOCATED AT 213 WEST LESTER ROAD AND 2122 ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Dean, and seconded by Commissioner Velazquez, to approve Ordinance No. 2595 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.

- 16. Ordinance No. 2596 – First Reading – Annexation – 3001 W. Kelly Park Road
The City Clerk read the title as follows:**

ORDINANCE NO. 2596

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MICHAEL TYSZKO, LOCATED AT 3001 WEST KELLY PARK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Becker, to approve Ordinance No. 25896 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.

17. **Ordinance No. 2597 – First Reading – Annexation – 3013 W. Kelly Park Road**
The City Clerk read the title as follows:

ORDINANCE NO. 2597

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MICHAEL AND CAROL ANN MCKERNAN, LOCATED AT 3013 WEST KELLY PARK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Dean, to approve Ordinance No. 2597 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.

18. **Ordinance No. 2598 – First Reading – Annexation – 5012 Plymouth Sorrento Road**
The City Clerk read the title as follows:

ORDINANCE NO. 2598

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY GRACIE J. GILLIS, GLENDA M. GRIFFIN, TRUDY R. MAERZ, RODNEY N. GILLIS, LOCATED AT 5012 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to approve Ordinance No. 2598 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.

CITY COUNCIL REPORTS – There were no reports.

MAYOR’S REPORT

Mayor Kilsheimer said the City has been looking for a new Recreation Director for some time. He reviewed the process stating they had received more than 30 applications from highly qualified candidates. Ten candidates were chosen for interviews, all having strong qualities and backgrounds that would allow them to serve capably as the Recreation Director. He stressed the importance of the Recreation Department and facilities to the citizens of Apopka. He announced the appointment of Mariah McCullough and reviewed her qualifications, asking Council to confirm Mariah’s appointment.

MOTION by Commissioner Velazquez, and seconded by Commissioner Bankson, to confirm the appointment of Mariah McCullough as the Recreation Director. Motion carried unanimously with mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

ADJOURNMENT – There being no further business the meeting adjourned at 9:24 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST;

Linda F. Goff, City Clerk

Backup material for agenda item:

4. City Council special meeting September 13, 2017.

CITY OF APOPKA

Minutes of a special City Council meeting held on September 13, 2017, at 5:05 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Kyle Becker
Commissioner Doug Bankson
Glenn Irby, City Administrator

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION & PLEDGE OF ALLEGIANCE: Mayor Kilsheimer called for a moment of silence, then led in the Pledge of Allegiance.

PUBLIC HEARINGS

1. ANNOUNCE AND ADOPT MILLAGE RATE OF 3.7876, WHICH IS 7.42% ABOVE THE ROLLED BACK RATE OF 3.5260.

Mayor Kilsheimer said this was a public hearing to consider comments and questions regarding the City's tentative millage rate and tentative annual budget for FY 2017/2018. He said Glenn Irby, City Administrator, recommends the City Council set September 27, 2017, as the final public hearing date and approve the tentative rate of ad valorem taxation for the fiscal year commencing October 1, 2017, and ending September 30, 2018.

Mayor Kilsheimer announced the City of Apopka hereby proposes for FY 2017/2018 a millage rate of 3.7876 per \$1,000 of non-exempt assessed valuation. Said rate is 7.42% higher than the rolled-back rate of 3.5260 per \$1,000 of non-exempt assessed valuation as computed by Florida Statute 200.065.

Mayor Kilsheimer said we probably have fewer people present for the budget public hearing due to the recent Hurricane Irma. He stated the City of Apopka was not unscathed by Hurricane Irma, but considering what has been on the news, we should consider ourselves blessed. He declared he has seen herculean efforts by City of Apopka staff from the Fire Department, Police Department, and Public Services both prior to and after the hurricane.

A budget presentation was given by Finance Director Pam Barclay, showing an overview of the proposed Fiscal Year 2018 Budget. She stated it was a time consuming and difficult task we went through that started in March when the Finance Department delivered budget worksheets to each department director asking for requests to be submitted. Requests were due April 15, 2017, and during May and June, the Mayor, City Administrator, and Finance Director met with each department to review the submittals. In July, the budget books were delivered to the Council. She said there were six workshops held in July to discuss the contents and today the final product is being presented from all of this hard work.

Ms. Barclay reported the FY 2017-2018 Total Budget is \$124.67 million, an increase of \$20.6 million (19.8%). The General Fund Budget decreased by \$1.3 million (-2.7%) and is at \$47.9 million. Taxable values increased \$298 million (11.2%). She affirmed the proposed millage is unchanged from last year at 3.7876 mills which is 7.42% above the roll back rate of 3.5260. General Fund Unrestricted Reserves are sufficient to cover expenses for at least two months which is the GFOA bench mark, 18% of the current operating expenses. She advised this budget expands the current level of public safety. There have been 30 new personnel positions added, 10 for the General Fund and 20 for Public Utilities. Performance based pay raises are included and the General Fund Capital Outlay totaled roughly \$3 million, which is a decrease of \$3.2 million from last year. She pointed out the larger section of the citywide budget are from the other financing sources and this is predominantly made up of the \$35 million FRS loan for the wastewater plant expansion. She reviewed a millage rate comparison and pointed out the City of Apopka remains the second lowest from our neighboring cities. A copy of her presentation is on file in the City Clerk's office.

Commissioner Bankson said 18% is only the base amount for our reserves. He reiterated according to the GFOA and professionals he has spoken with, have said the bench mark of two months is the base and you add to that amount. He expressed concerns of going down in certain areas. He said reserves are for times like this, having just gone through a storm, and he wants to make sure we have enough for that.

Glenn Irby, City Administrator, said there will always be philosophical differences in opinion, and stated we have to go by what is put out to us from GFOA, which is 18%. He said this may not be comfortable, but that is where we are. There are a few ways to keep from using reserves, and raising the taxes was turned down for no discussion this year, or we could provide less services.

Commissioner Bankson reiterated the GFOA states two months expenditures, and it continues to state to add to that for other contingency issues. He said he wanted the City to have some type of plan over the next several years to begin to build the reserves.

Mr. Irby said they have to take into account the City has some heavy hitting projects that are going on and these projects will stop. He stated one thing was certain, the City is going to grow. Ms. Barclay mentioned in her presentation that the trend line is moving upwards with the growth of the City, and if we provide the services that are expected, it is going to trend upwards and has to be paid for.

Commissioner Bankson said another concern he has is our debt service, stating this trend is going to get us behind the curve. He reiterated having a goal of getting to a healthy reserve and having to do what is necessary to get there and hold ourselves to a standard.

Mayor Kilsheimer said the majority of what will be spent on Hurricane Irma will be reimbursed by the Federal Government, stating Orange County has been declared a disaster area. He advised staff is working to document all expenses on the storm recovery. He stated with regards to the debt service, there are three loans that will be paid off next year, bringing the debt service down. He said having this goal of 25% is not a bad idea, but with the obligations in front of Apopka at this time, it is simply not possible to move in that direction. He spoke of Winter Garden having a

millage rate of over 5 mills for some time and Apopka is holding under 4 mills. Mayor Kilsheimer said this was a responsible and balanced budget. He stated no one wanted to raise taxes, but we have to meet the needs of the residents of Apopka. He said there will be realized real estate development growth in Apopka over the next few years where we will have additional revenue, as well as economic development efforts that could prove to be very lucrative.

Commissioner Bankson said we were not planning for our future when it comes to savings and said we were unsustainable in the current path. He reiterated they needed to add to the base number stating this cannot be ignored. He said he was simply stating to consider setting a goal as a standard.

Commissioner Becker said to Commissioner Bankson's point, we don't want to continue in the path of reserve spending. He stated when you look at the graphic in Ms. Barclay's presentation, the fact is that there is evidence of flow on this reserve balance showing there will be years it will go down and others where it will come back up. He stated efforts have been put in play this past year to allow building the reserve back up. He stated he did not object to setting a percentage goal, but his struggle is how to get to that number. He declared you have to either have a millage increase, significant reduction in cost, or debt service.

Mayor Kilsheimer opened the meeting to a public hearing.

Suzanne Kidd thanked Council for their hard work during the budget workshops. She said although she did not agree with everything they came up with, at the end they had a lot of progress in making some important compromises. She stated Council made some forward progress for the City and satisfied some of the longer overdue items that have to be taken care of so that the residents can have the services they expect and the quality of life they are looking for. She said they made decisions that will allow us to be competitive with Ocoee and Winter Garden who have higher millage rates, and with the other 80 cities in Central Florida we have to compete with for business and economic development. She stated we obviously need some more police vehicles and the Fire Department is coming up to where it needs to be at this point, but said she was concerned about all the other departments that have to share 40% of the general fund budget that is not set aside for public safety. She spoke of the need for additional Planners, Inspectors, and an Economic Development Director in order to have enough people to deal with the growth. She asked that Council have the courage of their convictions when people ask them to cut back on what they have agreed to do, and stand up for this City.

Ray Shackelford applauded the City Council for going through a long budget process and giving the opportunity for the public to have input. He said based on his experiences in strategic planning, the assessment of programs and services can create an effective and efficient budget. He called upon taking steps to have a 25% reserve fund balance. He stated that based on his understanding, all cities have a bond rating.

Mayor Kilsheimer advised the Apopka has a AAA Bond rating which is the best you can get.

Dr. Shackelford said he knows we do a lot with less and he applauded staff for this, but stated at the same time that does not give us the opportunity to just spend money and there must be respect for the fiscal integrity of the City. He said Apopka needs to continue to reach out and work in partnership with the private sector and other entities that want to do business with the City like

they are doing. He inquired if borrowing from enterprise funds, was he correct in that you still have to pay those funds back.

Mr. Irby said it is prudent to pay back, but there is no law that says it has to be paid back.

Dr. Shackelford reiterated as moving forward, to continue to respect the fiscal integrity of the City. He applauded Council for keeping the millage rate low and for working to give staff resources. He said he supported the rolled back rate due to property values going up.

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

MOTION was made by Commissioner Becker, and seconded by Commissioner Velazquez, to approve a tentative millage rate of 3.7876, which is 7.42% above the rolled back rate of 3.5260 and set September 27, 2017 at 5:01 p.m. as the final public hearing date.

Commissioner Bankson asked if there was any consideration to giving themselves a goal on the reserve rate.

Commissioner Backer asked what the implications of that were, stating it will take extra consideration and efforts, stating when making critical decisions, will it impede their ability to make efficient decisions in terms of the budget.

Commissioner Bankson said when a new ladder truck was needed, they knew it was not in the budget, and the decision had to be made to spend reserves on this, stating he was not against that as it was required. He reiterated they need to look at increasing the reserves as an expenditure that is important for the future health of the City and fiscal responsibility.

Commissioner Becker said he was fine with having this as an aspirational goal or will of the Council, but he did not see clear actual steps to get to that 25% number. He said this budget is sound and they do not have frivolous spending. He stated they were on the right path with setting the impact fees to help offset. He said it would be more prudent to talk about setting a firm number after next budget year.

Commissioner Velazquez said with all of the growth, both residential and commercial, there should be more revenues for next year.

Motion carried by a 4-1 vote, with Mayor Kilsheimer and Commissioners Dean, Velazquez, and Becker voting aye, and Commissioner and Bankson voting nay.

Mayor Kilsheimer announced The City of Apopka has approved the tentative rate of ad valorem taxation at a millage rate of 3.7876 mills for fiscal year 2017/2018. The said rate is 7.42% higher than the rolled-back rate of 3.5260 per \$1,000 of non-exempt assessed valuation as computed by Florida Statute 200.065.

2. ADOPT PROPOSED BUDGET WHICH INCLUDE THE BUDGET ADJUSTMENTS RESULTING FROM WORKSHOPS.

Mayor Kilsheimer said the City Administrator recommends that City Council set September 27, 2017 at 5:01 p.m. as the final public hearing date, and approve the first reading of the tentative revenues, expenditures and fund balances for the City’s fiscal year budget commencing on October 1, 2017, and ending September 30, 2018. He reviewed the FY 2017/2018 tentative revenues, expenditures, and fund balances for the City’s fiscal year budget commencing on October 1, 2017, and ending September 30, 2018 as follows:

GENERAL FUND	\$	47,978,759
STREET IMPROVEMENT FUND		3,776,001
TRANSPORTATION IMPACT FEES FUND		1,766,700
LAW ENFORCEMENT TRUST FUND		100,000
RECREATION IMPACT FEES FUND		126,000
FIRE IMPACT FEES FUND		200,050
POLICE IMPACT FEES FUND		200,050
STORMWATER FUND		646,651
GRANTS FUND		12,000
SPECIAL ASSESSMENTS FUND		67,150
COMMUNITY REDEVELOPMENT FUND		1,926,775
UTILITY OPERATING FUND		19,857,041
SANITATION FUND		4,566,602
AIRPORT FUND		386,930
UTILITY IMPACT FEE FUND		43,062,000
TOTAL BUDGET	\$	124,672,709

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

MOTION was made by Commissioner Velazquez, and seconded by Commissioner Becker, to approve the first reading of the proposed FY 2017-2018 Budget, and set September 27, 2017 at 5:01 p.m. as the final public hearing date. Motion carried by a 4-1 vote with Mayor Kilsheimer and Commissioners Dean, Velazquez, and Becker voting aye, and Commissioner Bankson voting nay.

3. ANNOUNCE FINAL BUDGET MILLAGE RATE HEARINGS

Mayor Kilsheimer announced the City of Apopka has approved the tentative budget for FY 2017/2018 and sets September 27, 2017 at 5:01 p.m. as the final public hearing date.

Mr. Irby announced the CRA’s budget will also be heard right before the final hearing on the budget and the millage rate on September 27, 2017.

ADJOURNMENT - With no further business to discuss, the meeting was adjourned at 6:21 p.m.

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda F. Goff, City Clerk

Backup material for agenda item:

5. City Council regular meeting September 20, 2017.

CITY OF APOPKA

Minutes of the City Council regular meeting held on September 20, 2017, at 7:00 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
Assistant City Attorney Patrick Brackins
City Administrator Glenn Irby

PRESS PRESENT: Teresa Sargeant - The Apopka Chief
Reggie Connell, The Apopka Voice

INVOCATION: Mayor Kilsheimer introduced Pastor Steve Coleman with Faith Works Church, who gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Kilsheimer said on September 17, 1787, following months of debate at the Constitutional Convention in Philadelphia, the Constitution of the United States was signed by its framers. As part of the compromise to ratify the new Constitution, additional amendments were debated upon and drafted. Two years later, on September 25, 1789, the first Congress of the United States adopted twelve amendments to the U.S. Constitution, ten of which would later be ratified and known as the Bill of Rights. He asked everyone to reflect upon the wisdom, deliberation, careful consideration, and prudence of those who helped create our Constitution as he led in the Pledge of Allegiance.

AGENDA REVIEW: Glenn Irby, City Administrator, announced three items are requested to be pulled under Public Hearings/Ordinances/Resolutions: Item 1, Ordinance 2565 is requested to be postponed and it will be readvertised at a later date; the applicant for Items 9 and 10, Ordinances 2594 and 2595 has requested these to be postponed to a date certain of October 4, 2017.

MOTION by Commissioner Bankson, and seconded by Commissioner Velazquez, to postpone and readvertise Ordinance No. 2565, and postpone Ordinance No. 2594 and Ordinance No. 2595 to a date certain of October 4, 2017. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

Proclamations:

1. Red Ribbon Week Proclamation presented to Orlando Devil Dog Young Marines

Mayor Kilsheimer read a proclamation recognizing October 23 -31, 2017, as National Red Ribbon Week in the City of Apopka and presented it to Orlando Devil Dog Young Marines.

PUBLIC COMMENT/STAFF RECOGNITION AND ACKNOWLEDGEMENT

Public Comment:

Gilma Betancourt said she owns property in the City of Apopka and she has two issues with the water department. She spoke of a utility lien placed on houses where the tenants have not paid their accounts. She stated when they leave the Utility Department should not allow the bill to go so high

Her tenants had delinquent bills in the amount of \$876, \$620, and \$483. She was told the tenants can pay \$50 towards the balance for a reconnection fee and they have water again. However, if they move to another property they cannot put the water in their name. She said when the tenants cut their utilities the deposit can be deducted, and she agreed if there was a balance the owner should pay, but not in these huge amounts. She also has property on South Lake Pleasant Road and she applied to connect water to the houses that were on wells. She was told when the meters were installed she would receive a call so that she could have the houses connected. She said she did not receive the call and did not know the meters were installed until she received the first bill. She was not able to have the connections made until August and felt she should not be responsible for the prior bills.

Pam Barclay, Finance Director, said she was briefly brought up to speed on this, but she was not aware of the impact fees to connect to the water. She said she is hearing two separate issues, one about the tenants' bills and one regarding impact fees. She said she would look into the details and work with Ms. Betancourt regarding this matter.

Rod Love said he wanted to publicly recognize our first responders during the recent disaster. He stated first responders did a yeoman's job statewide. He declared it was very prideful to see how our local first responders responded to this disaster and helped those in need, and how neighbors were checking on and helping each other. He spoke of the utility infrastructure and the outages throughout the state and said the legislature will take care of that. He declared we learned throughout this process and hopes that we continue to alert the community as it relates to paying attention to emergency management advisories.

Bryanna Paul and Catalina Sandoval are from the Apopka High School Drama Department. Ms. Sandoval is the treasurer and helps members on fund raising and runs the ticket booth for performances. They receive little funds from the school for their productions of two main stage shows and a tour at local elementary schools, they are here to ask for support of the Drama Department. Ms. Paul said if anyone present would like to know how they can personally help to please see them after the meeting to learn how they can provide support.

Pastor Hezekiah Bradford wanted to thank the community and the faith based community on how they pulled together during this disaster. He stated he saw Mayor Kilsheimer in many areas and appreciated his commitment to the citizens of Apopka. He said many churches were partnering together to feed people and provide items. He stated neighbors helped each other clean their yards and worked together.

Mayor Kilsheimer said the way the faith based community came together to serve people in the wake of this storm has been truly remarkable, and still working in the community. He stated people from the Franklin Graham Ministries out of North Carolina are in Apopka today helping people.

Mayor Kilsheimer provided an update on a matter very important to Apopka residents, storm debris removal. He said there was an extensive amount of storm debris throughout Apopka waiting to be picked up. He advised the City has learned over the last 24 hours that the contractor we contracted with prior to the storm will not be able to mobilize as planned. He said this contractor who also signed with a number of other communities in Central Florida and did not have the number of subcontractors in place as indicated and is requesting additional funding. He stated this storm has had statewide impacts and the entire state is facing this shortage of resources. This contractor told us they would be in town on Tuesday picking up storm debris and they were not.

Mayor Kilsheimer affirmed the City has the following goals:

- Remove storm debris as expeditiously as possible.
- Provide the services at the most competitive price we can find in the marketplace.
- Complete this in a way that our procurement rules and process meets the letter of the rules according to FEMA so that we can be reimbursed.

Mayor Kilsheimer said he, Josh Robinson, Sanitation Manager, Assistant Fire Chief Sean Wylam, FEMA Coordinator, and Assistant City Attorney Patrick Brackins have been working on this matter most of the day.

Josh Robinson, Sanitation Manager, said they were expecting crews in the City on Tuesday morning and the project manager called Tuesday morning to inform the City they did not have the resources they had planned on. He spoke with another contractor that Orange County utilizes and has indicated they are interested in working for the City and they have the resources to be able to do this at a similar cost originally contracted with Ashbritt. He has two other quotes that are higher in cost. Mr. Robinson said they are waiting on guidance from our attorney. He stated the City has started the process of collecting storm debris, but the volume will require outside help.

Chief Wylam said the third goal is to make sure this whole process is something that is reimbursable through FEMA. He stated the contract we had was written to make sure they followed the guidelines for reimbursement. He said going forward we want to make sure we do this right and get the right contract in place for the resources we need. He advised there was no guarantee of reimbursement.

Assistant City Attorney Brackins said he reviewed the contract with Ashbritt and looked at other options the City might have. He echoed the City of Maitland was put in the same position with Ashbritt telling them they cannot perform the work at the contracted price. He stated these communities need the storm debris removed as it poses a danger to the community. He provided Mr. Irby and Mayor Kilsheimer his legal opinion about the contract we had and options moving forward. He advised they could go through a sealed bid process, which is a lengthy process and would not recommend the City engage in at this point. Another option would be a competitive bid process that was discussed here, on an emergency basis. A noncompetitive process would be another option which is reserved for true emergencies and a short term solution. They could have someone come out and remove debris in the most critical areas, but at the same time go out and seek bids for long term.

Mayor Kilsheimer said this was not what Apopka residents wanted to hear, however, we have to be honest and let them know exactly what our status is so they have the proper expectations.

CONSENT (Action Item)

1. Authorize an extension of purchase on the behalf of Royal Oak Homes, LLC for the Marshall Lake site.

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

BUSINESS

1. Approve the purchase of two pumps for the Northwest Recreation Center Irrigation Pump Station.

Jay Davoll, Public Services Director, said this was a follow-up from a discussion in July regarding creating repetitive pumps to be able to water the Northwest Recreation Facility. He said if the one set of pumps goes down, the Fire Department is called upon to come out for irrigation. They went out for bids and are requesting approval to purchase the pumps.

MOTION by Commissioner Bankson, and seconded by Commissioner Becker, to approve the purchase of two pumps for the Northwest Recreation Irrigation Pump Station. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS (Action Item)

1. Ordinance No. 2565 – Second Reading – Large Scale – Future Land Use Amendment - Postponed to the next available date pending advertising requirements..

Mayor Kilsheimer advised the next six agenda items were quasi-judicial hearings. Assistant City Attorney Brackins swore in the witnesses.

2. Ordinance No. 2585 – Second Reading - 2017-2 Administrative. Rezoning – Chandler The City Clerk read the title as follows:

ORDINANCE NO. 2585

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" R-1AAA (RESIDENTIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 5.1 ACRES, MORE OR LESS, AND OWNED BY RICHARD CHANDLER; 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 Velazquez, and seconded by Commissioner Bankson to adopt Ordinance No. 2585. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

3. Ordinance No. 2586 – Second Reading – 2017-2 Administrative. Rezoning – Sanders The City Clerk read the title as follows:

ORDINANCE NO. 2586

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" R-

1AAA (RESIDENTIAL) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 2.5 ACRES, MORE OR LESS, AND OWNED BY BOBBY AND JESSICA SANDERS: 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 Becker, to adopt Ordinance No. 2586. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 4. Ordinance No. 2587 – Second Reading – 2017-2 Administrative. Rezoning – Jolly Products and Services - The City Clerk read the title as follows:**

ORDINANCE NO. 2587

AN ORDINANCE 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 6.86 ACRES, MORE OR LESS, AND OWNED BY JOLLY PRODUCTS AND SERVICES; 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 Velazquez, to adopt Ordinance No. 2587. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 5. Ordinance No. 2588 – Second Reading – 2017-2 Administrative. Rezoning – Edgel LLC - The City Clerk read the title as follows:**

ORDINANCE NO. 2588

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-2 (AGRICULTURE) TO "CITY" AG (AGRICULTURE) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 4.95 ACRES, MORE OR LESS, AND OWNED BY EDGEL LLC; 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 Becker, and seconded by Commissioner Dean, to adopt Ordinance No. 2588. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

6. **Ordinance No. 2589 – Second Reading – 2017-2 Administrative. Rezoning – Halm –**
The City Clerk read the title as follows:

ORDINANCE NO. 2589

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 (AGRICULTURE) TO "CITY" RESIDENTIAL COUNTY ESTATES-1 (RCE-1) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED WITHIN THE CITY LIMITS OF APOPKA, COMPRISING 0.91 ACRES, MORE OR LESS, AND OWNED BY DEBORAH HALM; 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 Velazquez, and seconded by Commissioner Bankson, to adopt Ordinance No. 2589. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

7. **Ordinance No. 2592 – Second Reading – Change of Zoning – Gates/Oak Royal Properties**
The City Clerk read the title as follows:

ORDINANCE NO. 2592

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM PROFESSIONAL OFFICE/INSTITUTIONAL (PO/I) AND FROM AGRICULTURE (AG) TO MIXED-EC (MIXED-EMPLOYMENT CENTER) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF OCOEE APOPKA ROAD AND NORTH OF KEENE ROAD, COMPRISING 22.4 ACRES, MORE OR LESS, AND OWNED BY JOSEPH AND SWANA GATES & OAK ROYAL PROPERTIES, LLC; 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. 2592. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 8. Ordinance No. 2593 – Second Reading – Annexation – 425 & 431 W Station St.**
The City Clerk read the title as follows:

ORDINANCE NO. 2593

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY LOOMIS FUNERAL HOME, INC., LOCATED AT 424 & 431 STATION STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to adopt Ordinance No. 2593. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 9. Ordinance No. 2594 – Second Reading – Annexation – 251 W Lester Road – Postponed to October 4, 2017.**
- 10. Ordinance No. 2595 – Second Reading – Annexation – 213 W. Lester Road & 2122 Rock Springs Road – Postponed to October 4, 2107.**
- 11. Ordinance No. 2596 – Second Reading – Annexation – 3001 W. Kelly Park Road**
The City Clerk read the title as follows:

ORDINANCE NO. 2596

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MICHAEL TYSZKO, LOCATED AT 3001 WEST KELLY PARK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Dean, and seconded by Commissioner Bankson, to adopt Ordinance No. 2596. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

12. **Ordinance No. 2597 – Second Reading – Annexation – 3013 W. Kelly Park Road**
The City Clerk read the title as follows:

ORDINANCE NO. 2597

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MICHAEL AND CAROL ANN MCKERNAN, LOCATED AT 3013 WEST KELLY PARK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Velazquez, and seconded by Commissioner Becker, to adopt Ordinance No. 2597. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

13. **Ordinance No. 2598 – Second Reading – Annexation – 5012 Plymouth Sorrento Road –**
The City Clerk read the title as follows:

ORDINANCE NO. 2598

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY GRACIE J. GILLIS, GLENDA M. GRIFFIN, TRUDY R. MAERZ, RODNEY N. GILLIS, LOCATED AT 5012 PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Bankson, and seconded by Commissioner Dean, to adopt Ordinance No. 2598. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

14. **Ordinance No. 2590 – First Reading – Large Scale – Future Land Use Amendment – Home Trust –**
The City Clerk read the title as follows:

ORDINANCE NO. 2590

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 TO MIXED USE – INTERCHANGE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED EAST OF STATE ROAD 429 AND SOUTH OF WEST KELLY PARK ROAD COMPRISING 18.13 ACRES, MORE OR LESS AND OWNED BY JD AND KATHLEEN L. HORNE TRUST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

David Moon, Planning Manager, said this and the next item were requests to assign a future land use designations and for transmittal to the Florida Department of Community Affairs (FDEO). He said the process we are following is slightly different, in that typically the request goes first to the Planning Commission with their recommendation going to Council. Due to the impacts of Hurricane Irma, a quorum was unable to be achieved at the Planning Commission meeting. However, staff felt these two cases had enough merit and benefit to the City and public to expedite as soon as possible. Staff coordinated with the City Attorney's office, as well as the FDEO to be able to proceed with the hearing before City Council without an immediate recommendation from the Planning Commission. It was determined we can proceed, however, a recommendation will still be necessary and the Planning Commission recommendation will occur prior to the second public hearing and it will be forwarded to FDEO.

Mr. Moon reviewed the location of the property, pointing out it is located at the new interchange of the Wekiva Parkway at Kelly Park Road. He advised the Comprehensive Plan Policy states under Policy 20.9 that any land use designation assigned to property within the one mile radius of this interchange will be assigned a Mixed-Use Interchange future land use designation. At this time the surrounding area is primarily zoned agriculture. He pointed out the parcels in the surrounding area that are planned for a new town center. The DRC recommends approval to transmit with a change in Future Land Use to Mixed-Use Interchange and finds this to be compatible with the surrounding area and consistent with the Comprehensive Plan.

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 Velazquez, to approve Ordinance No. 2590 at First Reading, require a recommendation from the Planning Commission prior to the Second Reading, and authorize transmittal to the Florida Department of Economic Opportunity. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

- 15. Ordinance No. 2599 – First Reading – Large Scale – Future Land Use Amendment – Sabbath Grace – The City Clerk read the title as follows:**

ORDINANCE NO. 2599

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 INDUSTRIAL TO MIXED USE FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST

OF STATE ROAD 451 AND SOUTH OF JOHNS ROAD COMPRISING 39.85 ACRES, MORE OR LESS AND OWNED BY SABBATH FAITH FELLOWSHIP INCORPORATED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Moon said this was a large scale future land use amendment for transmittal to FDEO. He reviewed the location of the property on a map advising it will eventually be combined with three other properties and these parcels combined will be developed as a residential community. The applicant is Royal Oak Homes, LLC, for the residential development. This request is to change from Industrial to Mixed-Use designation and at the time of zoning, the applicant intends to assign a PUD zoning. He advised staff and DRC finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, recommending transmittal to FDEO. The Planning Commission hearing will occur on October 10, 2017. He reiterated the Planning Commission recommendation will be required prior to the second public hearing.

In response to Commissioner Bankson inquiring if there was enough industrial land use available in the City, Mr. Moon advised the City has a large amount vacant industrial and commercial land, stating there is no shortage of land for future economic opportunities.

Luke Classan, Appian Engineering, and Matt Young, Royal Oak Homes, LLC, were both present to answer any questions. Mr. Classan thanked staff for their willingness to work with them and he said they concur with staff's report.

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 Becker, to approve Ordinance No. 2599 at First Reading, require a recommendation from the Planning Commission prior to the Second Reading, and authorize transmittal to the Florida Department of Economic Opportunity. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

16. **Resolution No. 2017-18 – Granting a roll-off container collection franchise agreement to Russo and Sons, LLC.** The City Clerk read the title as follows:

RESOLUTION NO. 2017-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, GRANTING A NON-EXCLUSIVE FRANCHISE TO RUSSO AND SONS, LLC, TO PROVIDE “ROLL-OFF” CONTAINER COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF APOPKA, FLORIDA, PURSUANT TO CITY OF APOPKA, CODE OF ORDINANCES, CHAPTER 66, ARTICLE III; PROVIDING FOR THE TERM OF YEARS FOR THE FRANCHISE; PROVIDING FOR FRANCHISE FEE; PROVIDING 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 Becker to approve Resolution No. 2017-18. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Dean, Velazquez, Becker, and Bankson voting aye.

CITY COUNCIL REPORTS

Commissioner Bankson said Mayor Kilsheimer did a great job regarding this storm and reaching out to different organizations. He said it was great to see people coming together.

Mayor Kilsheimer said this has been a team effort with the City of Apopka staff, the residents, and faith based community.

MAYOR’S REPORT – The Mayor’s report was provided previously regarding debris removal.

NOT REQUIRING ACTION:

1. Appreciation letter from Florida Hospital to the Fire and Police Departments.
2. Appreciation email from an Apopka resident for the Public Services, Waste Management Division.

ADJOURNMENT – There being no further business the meeting adjourned at 8:25 p.m.

ATTEST;

Joseph E. Kilsheimer, Mayor

Linda F. Goff, City Clerk

Backup material for agenda item:

2. Standing Ovation Award for Erin VanNorstrand with Dispatch. Mayor Kilsheimer

City of Apopka

Standing Ovation Award

RECOGNIZING A JOB WELL-DONE!

Awarded to: Erin VanNorstrand

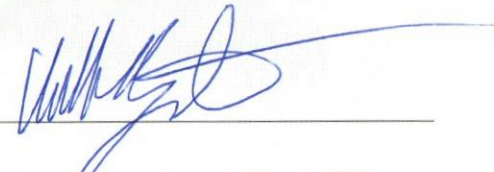
For: Erin received a 9-1-1 call from a mother requesting medical for her child behaving
oddly. At the end of the call the mother mentioned that they had no power in the house.

Erin used her job knowledge and intuition to quickly determine the child was showing signs of
carbon monoxide poisoning. Her quick thinking, action and recognition of the situation protected
and possibly saved not only the child and the rest of the family, but also fire department personnel
responding to the scene. It was an impressive use of job knowledge and skills that makes our
department proud.

9/15/17

Date

Original: Recipient



Signed

CC: Human Resources, Department Head, CAO

Backup material for agenda item:

4. West Orange Airport Authority request for funding. Jeff Welch

Jeff Welch
West Orange Airport Authority
558 Woodson Avenue
Ocoee, Florida 34761

July 31, 2017

Mr. Glenn Irby
120 E Main Street
Apopka, Florida 32703

Dear Mr. Irby:

In 1999 the Florida Legislature formed the West Orange Airport Authority (WOAA), an Independent Special District made up of three governor appointees, three Orange County appointees and one representative of the cities of Winter Garden, Ocoee and Apopka. In 2007 Bill #1415 was passed by the legislature and signed into law by the governor identifying the North Shore area of Lake Apopka as the preferred site for General Aviation in the area. I am the current chairman and was reappointed by Governor Scott last year with my term running through 2019. Our mission is to develop and promote the existing Orlando Apopka Airport within the Apopka Enterprise Zone, a designated economically distressed area and one of only 59 in the State. Our 2013 feasibility study showed that a General Aviation airport would be an economic engine of quality business growth leading to increased employment with high paying jobs. This unique multimodal area provides access to air, rail and the nearby Wekiva Parkway with prime frontage on US 441.

Our authority is at a crossroads and we require funding to continue our vision for the future. Orange County is not only represented on our board, but is a strategic funding partner in the future of aviation in the area. Over the next two years, we are looking to raise \$90,000 to complete designs for expansion of the airport and replacement of the runway. Under our budget allocations we would look to Orange County for \$10,000 of those funds. In the near term, we also require additional operating funds to cover our annual expenses for the next two years. Here your share would be \$1,000.

Working on this board for the last ten years, I feel that, sometimes, we are planting trees of which we may never enjoy the shade. However, I am confident in the growth of general aviation and the need for this airport and the positive impact it will provide to future generations. It took an act of the legislature to form this authority. We need your support to keep it alive. Please contact me directly with any questions, comments or concerns.

Sincerely,



Jeff Welch
Chairman

Mr. Glenn Irby
July 31, 2017
Page 2

CC: Governor Rick Scott, State of Florida
Representative Jennifer Sullivan, State of Florida
Senator Randolph Bracy, State of Florida
Mayor Teresa Jacobs, Orange County
Commissioner Bryan Nelson, Orange County
Mayor Joe Kilsheimer, City of Apopka
Mr. Michael Bollhoefer, City Manager of Winter Garden
Mr. Robert D. Frank, City Manager of Ocoee
Mr. Jim Wickstrom, FDOT

Backup material for agenda item:

1. Approve Alcohol Sales & Service for a BBQ event at the Northwest Recreation Complex.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: October 4, 2017
 FROM: Administration
 EXHIBITS:

SUBJECT: PROVISION OF ALCOHOL SALES AND SERVICE AT THE SUMMER BBQ SHOWDOWN AND STEAK COOKOFF.

REQUEST: APPROVAL OF ALCOHOL SALES AND SERVICE AT THE NORTHWEST RECREATION COMPLEX OCTOBER 26-29, 2017.

SUMMARY:

The City is promoting a BBQ event at the Northwest Recreation Complex in October. This was an event that was scheduled and approved for September. Due to Hurricane Irma, the event was cancelled and rescheduled for the above weekend and needs renewed Council approval. The “Apopka Summer BBQ Showdown and Steak Cookoff presented by Flame Boss,” will include some of the State's best competition BBQ cook teams in a Florida BBQ Association event. Additionally, there will be a steak contest sanctioned by the U.S. Steak Cookoff Association. Other events over the competition weekend include a truck show with dozens of entries from around Central Florida and a movie at the Apopka amphitheater.

The City Council adopted Ordinance No. 2376 which requires Council approval for the sale, consumption, and carrying of alcoholic beverages on City owned property during events or programs.

FUNDING SOURCE:

Not Applicable. This is a self-funding event.

RECOMMENDATION ACTION:

Approve the associated alcohol service for the duration of the event.

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

Backup material for agenda item:

2. Approve Alcohol Sales and Service for a fundraising and Police & Fire competition at the Northwest Recreation Complex.



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER:

MEETING OF: October 4, 2017
 FROM: Police
 EXHIBITS:

SUBJECT: PROVISION OF ALCOHOL SALES AND SERVICE AT THE COPS AND FIREFIGHTERS FOR CYSTIC FIBROSIS (C&F 4 CF).

REQUEST: APPROVAL OF ALCOHOL SALES AND SERVICE AT THE NORTHWEST RECREATION COMPLEX JANUARY 13, 2018.

SUMMARY:

The City is promoting a Police and Fire fundraising and competition at the Northwest Recreation Complex in January 2018.

Police and Fire Departments from the Central Florida Area will compete in 8 different 4-man team events. The events will be job specific for First Responders. This competition is designed to be spectator friendly and a positive event for our First Responders. There will be vendors on site, as well as food trucks for all spectators and participants to enjoy. The money raised from the entry fees, t-shirt sales, and any donations will be for The Cystic Fibrosis Foundation.

The City Council adopted Ordinance No. 2376 which requires Council approval for the sale, consumption, and carrying of alcoholic beverages on City-owned property during events or programs.

FUNDING SOURCE:

Not Applicable. This is a self-funding event.

RECOMMENDATION ACTION:

Approve the associated alcohol service for the duration of the event.

DISTRIBUTION

- | | | |
|--------------------------------|------------------|--------------------------|
| Mayor Kilsheimer | Finance Director | Public Services Director |
| Commissioners | HR Director | Recreation Director |
| City Administrator | IT Director | City Clerk |
| Community Development Director | Police Chief | Fire Chief |

Backup material for agenda item:

1. Ordinance No. 2594 – Second Reading – Annexation – Legislative
Project: Curtis & Karen Pumphrey - Location: 251 W Lester Road

David Moon



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: October 4, 2017
FROM: Community Development
EXHIBITS: Exhibit "A" – Summary
Ordinance No. 2594
Vicinity Map

SUBJECT: 2017 ANNEXATION – CYCLE NO. 3

REQUEST: SECOND READING OF ORDINANCE NO. 2594 – CURTIS AND KAREN PUMPHREY, INC.

SUMMARY:

OWNER: Curtis and Karen Pumphrey
LOCATION: 251 Lester Road
LAND USE: Refer to Exhibit "A"
EXISTING USE: Refer to Exhibit "A"
TRACT SIZE: 5.21 +/- acre

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on July 18, 2017 and August 15, 2017.

DULY ADVERTISED:

August 25, 2017
September 8, 2017
September 29, 2017

PUBLIC HEARING SCHEDULE:

September 6, 2017 (1:30 pm) - City Council 1st Reading
September 20, 2017 (7:00 pm) - City Council 2nd Reading and Adoption – postponed to October 4, 2017
October 4, 2017 (1:30 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the annexation for properties owned by Curtis and Karen Pumphrey.

The **City Council**, at its meeting on September 6, 2017, accepted the First Reading of Ordinance No. 2594, and held it over for Second Reading and Adoption on September 20, 2017.

The **City Council**, at its meeting on September 20, 2017, postponed the Second Reading and Adoption of Ordinance No. 2594 until October 4, 2017.

Adopt Ordinance No. 2594.

EXHIBIT "A"
CITY OF AOPKA
2017 ANNEXATION CYCLE # 3

TOTAL ACRES: 27.79

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2593	1	Loomis Funeral Homes	423, 425 & 431 West Station Street	09-21-28-7544-02-450 09-21-28-7544-02-471 09-21-28-7544-02-490	0.41	Vacant	COMMERCIAL MAX 3.0 FAR
2594	2	Curtis & Karen Pumphrey	251 West Lester Road	28-20-28-0000-00-084	5.21	Warehouse	LOW DENSITY RESIDENTIAL 4DU/ACRE
2595	3	A.D. Raulerson A.D. Raulerson, Jr.	213 West Lester Road 2122 Rock Springs Road	28-20-28-0000-00-040 28-20-28-0000-00-077	20.29	Vacant Nursery	LOW DENSITY RESIDENTIAL 4DU/ACRE
2596	4	Michael Tyszko	3001 West Kelly Park Road	12-20-27-0000-00-027	0.56	Single-Family Residence	RURAL 1 DU/10 AC
2597	5	Michael J. McKernan Carolann McKernan	3013 West Kelly Park Road	12-20-27-0000-00-056	0.69	Single-Family Residence	RURAL 1 DU/10 AC
2598	6	Gracie J. Gillis Glenda M. Griffin Trudy R. Maerz Rodney N. Gillis	5012 Plymouth Sorrento Road	12-20-27-0000-00-054	0.63	Manufactured Home	RURAL 1 DU/10 AC

ORDINANCE NO. 2594

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CURTIS AND KAREN PUMPHREY LOCATED AT 251 WEST LESTER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, Curtis and Karen Pumphrey, owner thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the properties located at 251 West Lester Road; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **5.21 +/- acre**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

BEG SE CORNER OF E1/2 OF SW1/4 OF SE1/4, RUN S87-59-49W 15 FT, TH N01-46-12W 586.62 FT, TH S87-59-49W 98.51 FT M/L, TH N01-46-12W 238 FT, TH N87-59-49E 35.35 FT, TH N01-49-26W 159.83 FT, TH N88-03-21W 595.03 FT M/L TO WEST LINE OF THE EAST 1/2 OF THE SW 1/4 OF THE SE 1/4, TH N01-46-37W 345 FT M/L TO NORTH LINE OF E 1/2 OF OF SW 1/4 OF SE 1/4, TH E 609.75 FT M/L TO NW COR OF LANDS DESC IN 2748/1802, TH S01-49-26E 519.81 FT TO NORTH LINE OF WELL LOT DESC IN 3141/1427, TH S87-59-49W 34.88 FT TO NW COR OF WELL LOT, TH S01-46-12E 208 FT TO SW COR OF WELL LOT, TH N87-59-49E 98.51 FT M/L TO EAST LINE OF THE E 1/2 OF THE SW 1/4 OF THE SE 1/4, TH S01-46-12E 601.62 FT TO POB (LESS S 30 FT FOR RD) OF SEC 28-20-28 SEE 3513/96

Containing 5.21 +/- acres

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

ORDINANCE NO. 2594
PAGE 2

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 6, 2017

READ SECOND TIME
AND ADOPTED: October 4, 2017

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

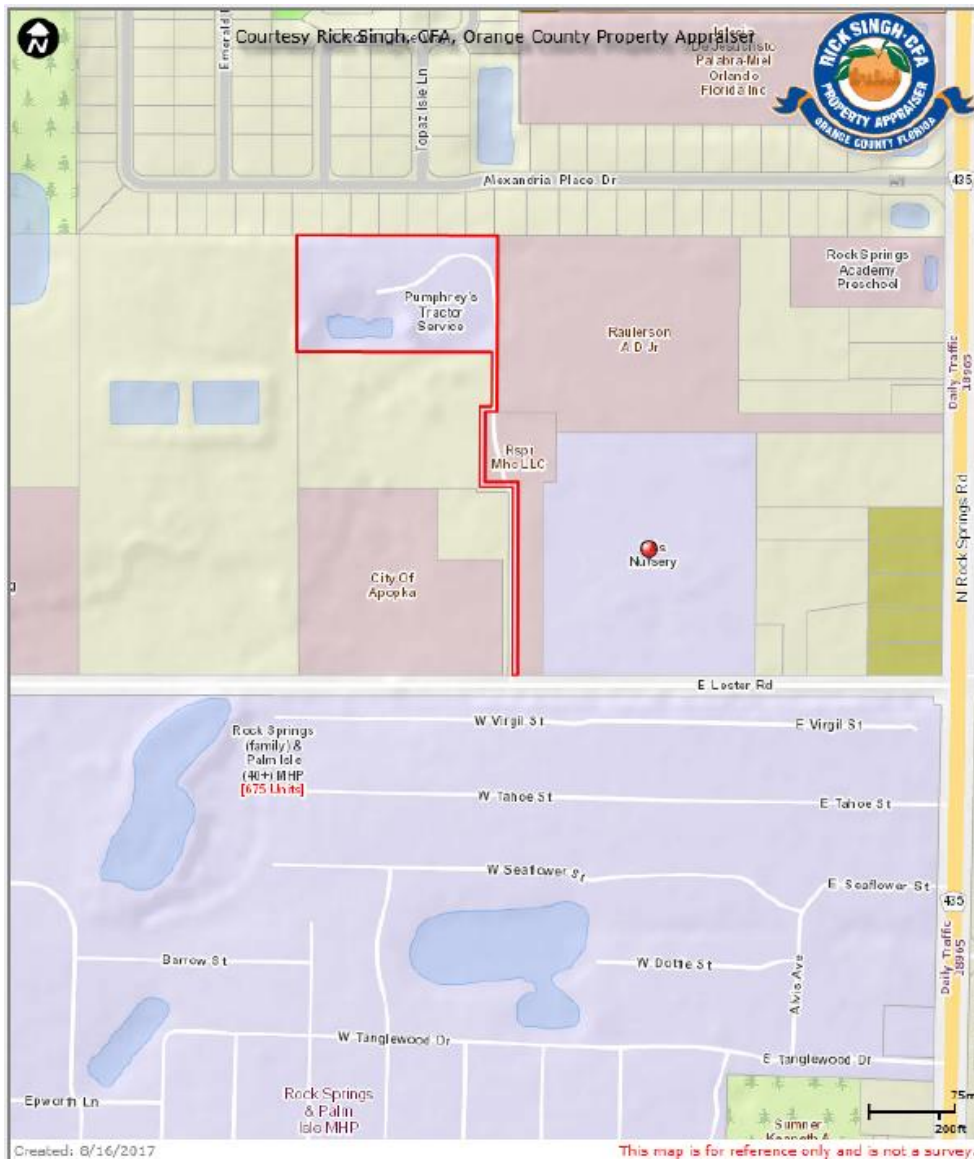
DULY ADVERTISED FOR PUBLIC HEARING: August 25, 2017
September 8, 2017
September 29, 2017

ANNEXATION
Curtis and Karen Pumphrey
251 West Lester Road



Exhibit "A"
Ord. # 2594
Parcel ID: 28-20-28-0000-00-084

Total Acres: 5.21 +/-



Backup material for agenda item:

2. Ordinance No. 2595 – Second Reading – Annexation – Legislative David Moon
Project: A.D. Raulerson Sr. & A.D. Raulerson Jr. – Location: 213 W. Lester Road & 2122 Rock Springs Road



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Ordinance

MEETING OF: October 4, 2017
 FROM: Community Development
 EXHIBITS: Exhibit "A" – Summary
 Ordinance No. 2595
 Vicinity Map

SUBJECT: 2017 ANNEXATION – CYCLE NO. 3

REQUEST: SECOND READING OF ORDINANCE NO. 2595 – A.D. RAULERSON AND A.D. RAULERSON, JR. AND HOLD OVER FOR SECOND READING & ADOPTION.

SUMMARY:

OWNER: A.D. Raulerson and A.D. Raulerson, Jr.
 LOCATION: 213 Lester Road and 2122 Rock Springs Road
 LAND USE: Refer to Exhibit "A"
 EXISTING USE: Refer to Exhibit "A"
 TRACT SIZE: 20.29 +/- acres

ADDITIONAL COMMENTS: The proposed annexation shall be on the basis of the existing County Future Land Use and Zoning Designations. The assignment of a City Future Land Use and Zoning designation will occur at a later date, and through action by the City Council.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on July 18, 2017 and August 15, 2018.

DULY ADVERTISED:

August 25, 2017
 September 8, 2017
 September 29, 2017

PUBLIC HEARING SCHEDULE:

September 6, 2017 (1:30 pm) - City Council 1st Reading
 September 20, 2017 (7:00 pm) - City Council 2nd Reading and Adoption –postponed to October 4, 2017
 October 4, 2017 (1:30 pm) – City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
 Commissioners
 City Administrator
 Community Development Director

Finance Director
 HR Director
 IT Director
 Police Chief

Public Services Director
 Recreation Director
 City Clerk
 Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the annexation for properties owned by A.D. Raulerson and A.D. Raulerson, Jr.

The **City Council**, at its meeting on September 6, 2017, accepted the First Reading of Ordinance No. 2595, and held it over for Second Reading and Adoption on September 20, 2017.

The **City Council**, at its meeting on September 20, 2017, postponed the Second Reading and Adoption of Ordinance No. 2595 until October 4, 2017.

Adopt Ordinance No. 2595.

EXHIBIT "A"
CITY OF AOPKA
2017 ANNEXATION CYCLE # 3

TOTAL ACRES: 27.79

ORD. NO.	ITEM NO.	OWNER'S NAME	LOCATION	PARCEL NUMBER	ACRES +/-	EXISTING USE	FUTURE LAND USE (COUNTY)
2593	1	Loomis Funeral Homes	423, 425 & 431 West Station Street	09-21-28-7544-02-450 09-21-28-7544-02-471 09-21-28-7544-02-490	0.41	Vacant	COMMERCIAL MAX 3.0 FAR
2594	2	Curtis & Karen Pumphrey	251 West Lester Road	28-20-28-0000-00-084	5.21	Warehouse	LOW DENSITY RESIDENTIAL 4DU/ACRE
2595	3	A.D. Raulerson A.D. Raulerson, Jr.	213 West Lester Road 2122 Rock Springs Road	28-20-28-0000-00-040 28-20-28-0000-00-077	20.29	Vacant Nursery	LOW DENSITY RESIDENTIAL 4DU/ACRE
2596	4	Michael Tyszko	3001 West Kelly Park Road	12-20-27-0000-00-027	0.56	Single-Family Residence	RURAL 1 DU/10 AC
2597	5	Michael J. McKernan Carolann McKernan	3013 West Kelly Park Road	12-20-27-0000-00-056	0.69	Single-Family Residence	RURAL 1 DU/10 AC
2598	6	Gracie J. Gillis Glenda M. Griffen Trudy R. Maer Rodney N. Gillis	5012 Plymouth Sorrento Road	12-20-27-0000-00-054	0.63	Manufactured Home	RURAL 1 DU/10 AC

ORDINANCE NO. 2595

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY A.D. RAULERSON AND A.D. RAULERSON, JR. LOCATED AT 213 WEST LESTER ROAD AND 2122 ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, A.D. Raulerson and A.D. Raulerson, Jr., owners thereof, has petitioned the City Council of the City of Apopka, Florida, to annex the properties located at 213 West Lester Road and 2122 Rock Springs Road; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling **20.29 +/- acres**, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions:

COMM AT SE COR OF SEC, TH RUN S87-59-49W 600 FT TO POB; TH CONT S87-59-49W 630.44 FT, TH N01-41-41W 601.62 FT TO SOUTH LINE OF WELL LOT, TH N87-59-49E 38.5 FT TO SE COR OF WELL LOT, TH N01-41-41W 148.40 FT, TH N87-59-45E 593.99 FT, TH S01-45-16E 750 FT TO POB (LESS S 30 FT FOR RD R/W) IN SEC 28-20-28

Containing 10.3 +/- acres; AND

COMM AT SE COR OF SEC, TH RUN N01-45-16W 750 FT, TH S87-59-45W 50 FT TO POB; TH CONT S87-59-45WW 1143.99 FT TO EAST LINE OF WELL LOT, TH N02-00-11W 59.60 FT, TH S87-59-49W 173.12 FT, TH N01-49-26WW 519.15 FT TO NORTH LINE OF S 1/2 OF SE 1/4, TH N88-02-24E 714.27 FT TO NE COR OF W 1/2 OF SE 1/4 OF SE 1/4, TH S01-49-16E 524 FT, TH N88-02-24E 603.10 FT TO EAST R/W LINE, TH S01-45-16E 54.04 FT TO POB (LESS THAT PART PREVIOUSLY SOLD PER DB 829/86) IN SEC 28-20-28

Containing 9.99 +/- acres

ORDINANCE NO. 2595
PAGE 2

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed.

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: September 6, 2017

READ SECOND TIME
AND ADOPTED: October 4, 2017

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 25, 2017
September 9, 2017
September 29, 2017



ANNEXATION

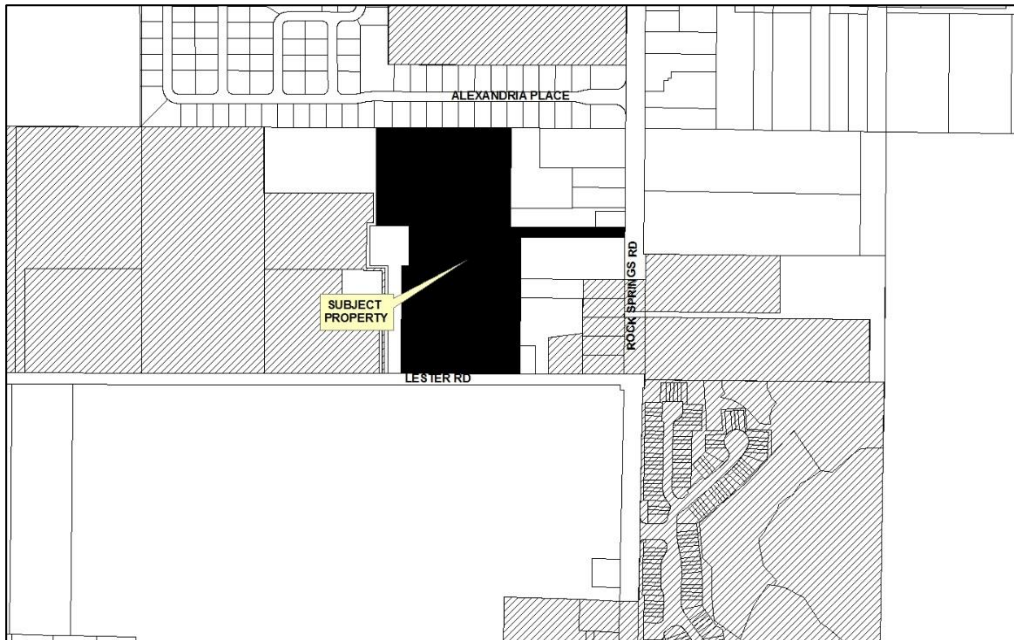
**A.D. Raulerson and A.D. Raulerson, Jr.
213 West Lester Road & 2122 Rock Springs Road**

Exhibit "A"

Ord. No. 2595

**Parcel ID: 28-20-28-0000-00-040
28-20-28-0000-00-077**

Total Acres: 20.29 +/-



Backup material for agenda item:

3. Ordinance No. 2603 - First Reading - Annexation - Legislative David Moon
Project: Irmalee Lane Right-of-Way, located north of McCormick Road and east of State Road 429



CITY OF APOPKA CITY COUNCIL

CONSENT AGENDA
 PUBLIC HEARING
 SPECIAL REPORTS
 OTHER: Ordinance

MEETING OF: October 4, 2017
FROM: Community Development
EXHIBITS: Ordinance No. 2603
Vicinity Map

SUBJECT: 2017 ANNEXATION – CYCLE NO. 4

REQUEST: FIRST READING OF ORDINANCE NO. 2603 – IRMALEE LANE ANNEXATION.

SUMMARY:

OWNER: Orange County Board of County Commissioners
APPLICANT: City of Apopka Community Development Department
LOCATION: North of McCormick Road and East of State Road 429
EXISTING USE: Public Road
TRACT SIZE: 6.5 +/- acre

ADDITIONAL COMMENTS: The proposed annexation will result in a change of ownership for the Irmalee Lane Public Right-of-Way from the Orange County Board of County Commissioners to the City of Apopka.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 15 days prior to the first reading of any annexation ordinance. The City provided notification to the County on July 18, 2017.

DULY ADVERTISED:

September 15, 2017
September 29, 2017
November 3, 2017

PUBLIC HEARING SCHEDULE:

October 4, 2017 (1:30 pm) - City Council 1st Reading
October 18, 2017 (7:00 pm) - City Council 2nd Reading and Adoption

FUNDING SOURCE: N/A

DISTRIBUTION

Mayor Kilsheimer
Commissioners
City Administrator
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Services Director
Recreation Director
City Clerk
Fire Chief

RECOMMENDATION ACTION:

The **Development Review Committee** recommends approval of the annexation for the Irmalee Lane Public Right-of-Way.

Accept the First Reading of Ordinance No. 2603 and Hold Over for Second Reading and Adoption on October 18, 2017

VICINITY MAP
Irmalee Lane Public Right-of-Way



ORDINANCE NO. 2603

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 RIGHT-OF- WAY KNOW AS IRMALEE LANE SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, LOCATED GENERALLY EAST OF STATE ROAD 429 AND NORTH OF MCCORMICK ROAD, AND COMPRISED OF APPROXIMATELY 6.5 ACRES; OWNED BY ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Orange County Board of County Commissioners has requested that the City of Apopka, Florida, annex the Irmalee Lane Right-of-Way located east of State Road 429 and north of McCormick Road; and

WHEREAS, Florida Statute 171.044 of the General Laws of Florida provide that a municipal corporation may annex property into its corporate limits upon voluntary petition of the owners, by passing and adopting a non-emergency ordinance to annex said property; and

WHEREAS, the City Council of the City of Apopka, Florida is desirous of annexing and redefining the boundaries of the municipality to include the subject property pursuant to Florida Statute 171.044.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Apopka, Florida, as follows:

SECTION I: That the following described properties, being situated in Orange County, Florida, totaling 6.5 +/- acre, and graphically depicted by the attached Exhibit "A", is hereby annexed into the City of Apopka, Florida, pursuant to the voluntary annexation provisions of Chapter 171.044, Florida Statutes, and other applicable laws:

Legal Descriptions: Provided within Exhibit "A".

SECTION II: That the corporate territorial limits of the City of Apopka, Florida, are hereby redefined to include said land herein described and annexed

SECTION III: That the City Council will designate the land use classification and zoning category of these annexed lands in accordance with applicable City ordinances and State laws.

SECTION IV: That the land herein described and future inhabitants of the land herein described shall be liable for all debts and obligations and be subject to all species of taxation, laws, ordinances and regulations of the City.

ORDINANCE NO. 2603
PAGE 2

SECTION V: That if any section or portion of a section or subsection of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or portion of a section or subsection or part of this ordinance.

SECTION VI: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII: That this ordinance shall take effect upon passage and adoption, thereafter the City Clerk is hereby directed to file this ordinance with the Clerk of the Circuit Court in and for Orange County, Florida; the Orange County Property Appraiser; and the Department of State of the State of Florida.

READ FIRST TIME: October 4, 2017

READ SECOND TIME
AND ADOPTED: October 18, 2017

Joseph E. Kilsheimer, Mayor

ATTEST:

Linda Goff, City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: August 25, 2017, September 8, 2017

Exhibit "A"

Description of Public "Right-of-Way": Irmalee Lane

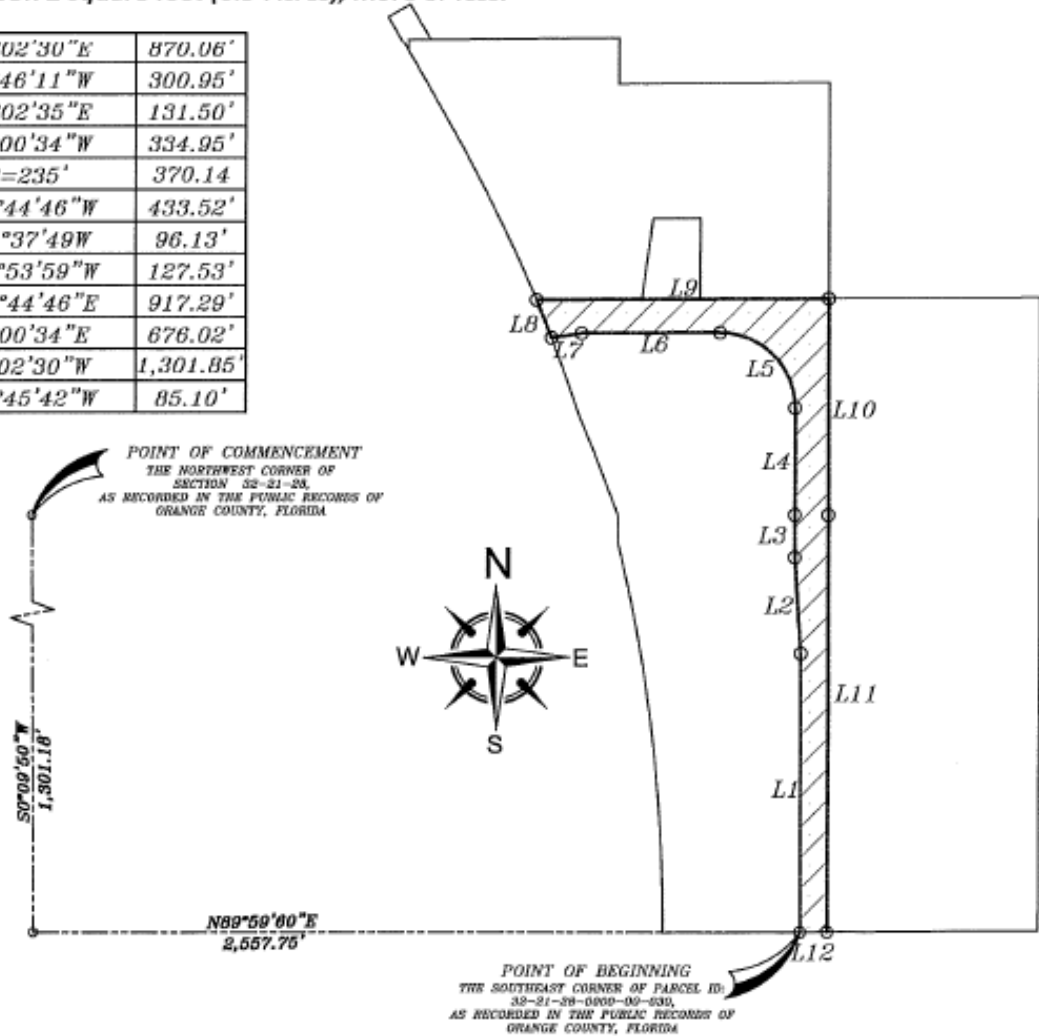
Owner: Orange County

A Public "Right-of-Way" as recorded in the Public Records of Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Section 32-21-28, as recorded in the Public Records of Orange County, Florida; thence South $0^{\circ}09'50''$ West, a distance of 1,301.18 feet along the Western line of said section; thence North $89^{\circ}59'60''$ East, a distance of 2,557.75 feet; said point being the POINT OF BEGINNING; thence North $0^{\circ}02'30''$ East, a distance of 870.06 feet; thence North $3^{\circ}46'11''$ West, a distance of 300.95 feet; thence North $0^{\circ}02'35''$ East, a distance of 131.50 feet; thence North $0^{\circ}00'34''$ West, a distance of 334.95 feet; thence a Radius of 235 feet a distance of 370.14 feet; thence South $89^{\circ}44'46''$ West, a distance of 433.52 feet; thence South $81^{\circ}37'49''$ West, a distance of 96.13 feet; thence North $21^{\circ}53'59''$ West, a distance of 127.53 feet; thence North $89^{\circ}44'46''$ East, a distance of 917.29 feet; thence South $0^{\circ}00'34''$ East, a distance of 676.02 feet; thence South $0^{\circ}02'30''$ West, a distance of 1,301.85 feet; thence South $89^{\circ}45'42''$ West, a distance of 85.10 feet.

Containing 283,165.72 square feet (6.5-Acres), more or less.

L1	$N0^{\circ}02'30''E$	870.06'
L2	$N3^{\circ}46'11''W$	300.95'
L3	$N0^{\circ}02'35''E$	131.50'
L4	$N0^{\circ}00'34''W$	334.95'
L5	$R=235'$	370.14
L6	$S89^{\circ}44'46''W$	433.52'
L7	$S81^{\circ}37'49''W$	96.13'
L8	$N21^{\circ}53'59''W$	127.53'
L9	$N89^{\circ}44'46''E$	917.29'
L10	$S0^{\circ}00'34''E$	676.02'
L11	$S0^{\circ}02'30''W$	1,301.85'
L12	$S89^{\circ}45'42''W$	85.10'



Backup material for agenda item:

4. Resolution 2017-19 - Amending the budget for FY October 1, 2016 - September 30, 2017.

Pam Barclay



CITY OF APOPKA CITY COUNCIL

- CONSENT AGENDA
- PUBLIC HEARING
- SPECIAL REPORTS
- OTHER: Resolution No. 2017-19

MEETING OF: October 4, 2017
 FROM: Finance Dept.
 EXHIBITS: Exhibit A, B & C

SUBJECT: RESOLUTION NO. 2017-19 – AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017

Request: REQUEST COUNCIL ADOPT RESOLUTION NO. 2017-19

SUMMARY:

On September 28, 2016, by Resolution No. 2016-30, the City Council adopted the final budgets for fiscal year 2016/2017. The City has committed to expenditures and has experienced unanticipated revenues/expenditures through the current fiscal year that need to be reflected in the current budget. Florida Statutes, Section 166.241(4) requires the governing body amend the budget in the same manner as the original budget is adopted.

FUND	EXHIBIT A Carry Forward Appropriations	EXHIBIT B Funding from Reserves	EXHIBIT C Additional Funding
General Fund	\$ 258,601	\$ 954,504	\$ 662,485
Street Improvement Fund	1,498		
Transportation Impact Fee Fund		2,500,000	
Grant Fund			23,739
Water Sewer Utility Fund		88,135	

Exhibit A – Carryforward Appropriations are Purchase Orders entered into during the previous year and not completed. Since Purchase Orders are contractual agreements, but budget monies do not roll forward into the subsequent years, the current year’s budget must be amended to ensure funding is available to pay for these prior year’s POs.

Exhibit B - Funding from Reserves represent unexpected and unbudgeted costs incurred to date. These items were presented to the Council for approval prior to the use of reserves.

Exhibit C – Additional Funding represents Grant monies awarded to the City. The budget must be amended to account for the funding and expenditures associate with the awarded grants.

FUNDING SOURCE:

The approved FY 2017 Budgets of the General Fund, Special Revenue Funds and the Utilities Enterprise Funds will be increased to include the amounts included above.

RECOMMENDATION ACTION:

Adopt Resolution No. 2017-19

DISTRIBUTION

Mayor Kilsheimer

Commissioners

City Administrator

Community Development Director

Finance Director

HR Director

IT Director

Police Chief

Public Services Director

Recreation Director

City Clerk

Fire Chief

RESOLUTION NO. 2017-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017, PROVIDING FOR A BUDGET AMENDMENT

WHEREAS, the City Council of the City of Apopka, Florida, has determined that the Budget for Fiscal Year 2016/2017 should be amended; and

WHEREAS, Florida Statutes, Section 166.241(4) requires the governing body amend the budgets in the same manner as the original budget is adopted; and

WHEREAS, the City Council adopted the final budgets for fiscal year 2016/2017 through resolution on September 28, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:

SECTION 1: That the Budget for the City of Apopka, Florida, Fiscal Year 2016/2017 is hereby amended as indicated in Exhibit A – Carryforward Appropriations, Exhibit B - Reserves and Exhibit C - Grants and Other Revenue Sources which are hereby attached and made part of this Resolution by reference thereto.

SECTION 2: Effective Date. This Resolution shall take effect upon final passage and adoption.

ADOPTED THIS 4th DAY OF October, 2017

CITY OF APOPKA, FLORIDA

JOSEPH E KILSHEIMER, MAYOR

ATTEST:

LINDA F. GOFF, CITY CLERK

**CITY OF APOPKA
BUDGET AMENDMENT 4th QUARTER
RESOLUTION 2017- 19
EXHIBIT B Reserves**

ACCOUNT NUMBER	J/E DESCRIPTION	DEBIT	CREDIT
001-389.0010	Budget Amendment Funding From CPR Training Reserves		18,000.00
001-2120-522.6400	Budget Amendment - Fire Bunker Gear for 18 New FF	18,000.00	
To purchase Bunker Gear and Uniforms - Funding from Designated Acct CPR Training			
001-389.0010	Budget Amendment Funding From Reserves		3,150.00
001-3514-572-5200	Budget Amendment - Kaboom Benches/Fence	3,150.00	
To budget for Park Benches and Fencing assoc with KaBoom Grant - Approved by Council January 4, 2017			
001-389.0010	Budget Amendment Funding From Reserves		21,900.00
001-1022-519.6300	Budget Amendment - Police Station Termite Treatment	21,900.00	
To budget for Termite Treatment of Police Station - Approved by Council March 29, 2017			
001-389.0010	Budget Amendment Funding From Reserves		76,775.00
001-3514-572.6400	Budget Amendment - Alarm Systems	76,775.00	
To pay for Alarm System monitoring & maintenance of City Facilities - Approved by Council March 1, 2017			
001-389.0010	Budget Amendment Funding From CPR Training Reserves		5,000.00
001-2120-522.5200	Budget Amendment - Fire Equipment for New Firefighters	5,000.00	
To purchase Bunker Gear and Uniforms - Funding from Designated Acct CPR Training			
001-389-0010	Budget Amendment Funding From Reserves		339,800.00
001-2220-581-9150	Budget Amendment -Transfer to Grants - COPS	339,800.00	
To fund City Match assoc with COPS Grant - Approved by Council December 7, 2016			
001-389-0010	Budget Amendment Funding From Reserves		270,000.00
001-1170-513-4500	Budget Amendment -Liability and Casualty Insurance	270,000.00	
To move Police Forfeiture designated monies into the budget for use by Police Department			
401-389-0009	Budget Amendment Funding From Reserves		88,135.00
401-3121-535-4600	Budget Amendment Repairs	88,135.00	
To cover emergency repairs of Clarifier and Tank Cleaning - Approved by Council July 19, 2017			
001-389-0010	Budget Amendment Funding From Reserves		200,000.00
001-1022-519-6200	Budget Amendment Buildings	200,000.00	
To cover emergency roof repair costs for Fire Station #1 - Approved by Council July 19, 2017			
001-389-0010	Budget Amendment Funding From Reserves		3,000.00
001-2130-526-3400	Budget Amendment Contractual Services	3,000.00	
To cover additional costs assoc with Bio Hazard waste removal - funding from CPR Training Reserves			
102-389-0009	Budget Amendment Funding From Reserves		2,500,000.00
102-3413-541-6300	Budget Amendment Improvements	2,500,000.00	
To pay for initial contribution on Marden Road Interchange Agreement- funding from Transportation Impact Fees			
001-389-0010	Budget Amendment Funding From Reserves		16,879.00
001-2120-522-6400	Budget Amendment Equipment & Machinery	16,879.00	
To cover additional costs assoc with Bio Hazard waste removal - funding from Fire Chief's Donations			
		TOTAL	3,542,639.00
			3,542,639.00

**CITY OF APOPKA
BUDGET AMENDMENT 4th QUARTER
RESOLUTION 2017-19
EXHIBIT C GRANTS/AWARDS**

ACCOUNT NUMBER	J/E DESCRIPTION	DEBIT	CREDIT
150-366.9010	Budget Amendment Duke Energy		500.00
150-1020-512-5200	Operating Supplies - Apopka Begins and Ends	500.00	
To update the budget to include funding received from Duke Energy (Unspent from PY)			
150-366.9000	Budget Amendment Heroes Youth Program		2,989.00
150-1020-512-5200	Operating Supplies - Heroes & Apopka	2,989.00	
To update the budget to include funding received Heroes Grant (Unspent from PY)			
150-366.8001	Budget Amendment US Conference of Mayors		10,000.00
150-1020-512.5210	Operating Supplies - DollarWise Summer Youth Pgm	10,000.00	
To update the budget to include funding received from DollarWise - US Conference of Mayors			
150-366.9002	Budget Amendment Pedestrian Safety Grant		250.00
150-1020-512.5206	Operating Supplies - AMSCOT	250.00	
To update the budget to include funding received from AMSCOT			
001-312-5100	Casualty Insurance Premium Tax (Fire)		266,644.00
001-2110-522-2200	City Retirement Contribution	266,644.00	
To update the budget to include Fire Pension State Contributions			
001-312-5200	Casualty Insurance Premium Tax (Police)		395,841.00
001-2210-521-2200	City Retirement Contribution	395,841.00	
To update the budget to include Police Pension State Contributions			
150-331-3101	FEMA Grant		10,000.00
150-1020-512-5200	Operating Costs - Hurricane Matthew	10,000.00	
To update the budget to include Police Pension State Contributions			
TOTAL		686,224.00	686,224.00

Backup material for agenda item:

1. Appreciation email for Fire Chief Carnesale.

From: Amanda Locke [REDACTED]
Sent: Thursday, September 21, 2017 10:50 AM
To: Joseph Kilsheimer <jkilsheimer@apopka.net>
Subject: Kindness from Apopka Fire Department

Dear Mayor Kilsheimer,

I am writing to tell you about the positive experience I had with the Apopka and Seminole County Fire Departments after Hurricane Irma. The second day without power, my family and I acquired a generator. Around 6:30am the next day, my neighbor, with a flashlight, peeked into my master bedroom where my husband, daughter, and I were sleeping. He was yelling and threatening us to turn off our generator, raising concern about carbon monoxide entering his house. Without assurance of generator safety, he was not going allow us to use our generator. After getting control of this scary situation, I called the Apopka Fire Department's Non-Emergency line to request assistance to verify the safety of my generator and to appease my neighbor. Chief Carnesale answered the phone. After I told him the story, he said if I were in his jurisdiction, he would personally come to my home to help me. However, we are not in his jurisdiction. He provided the number to the Seminole County Fire Department and requested that I call him back if I did not receive a sure answer that they would come to my home. Although Seminole County's Fire Department was very helpful in educating me about generator safety, they were busy after the storm and could not come to my home. I called Chief Carnesale which led him to call Chief Oaks. Chief Oaks and Chief Carnesale worked together to send 3 fire fighters to my home to verify the safety of my generator. The fire fighters were understanding and quick to provide assistance. I wish I could list their names as well. A total of 3 fire fighters and 2 chiefs gave me the information I needed to turn on my generator. I am indebted to them and so is my family.

I am a registered nurse in our community and believe in the power of helping others. This was a true act of service, safety, and kindness. Especially, in a chaotic time after Hurricane Irma. I am thankful for them.

Respectfully,

Amanda, Wade, and Emma Lane Babcock

Backup material for agenda item:

2. Thank you letter from Jack and Jill Cooper regarding Oaks at Wekiwa subdivision.

Thank-you and your staff for
'pulling the plug' on Lake Page
during hurricane Irma. The
combination of draining and
pumping, soaking and evaporating,
bathed in prayer, prevented any
flooding of Oaks of Wekiwa
subdivision.

Sincerely,

Jack + Jill Cooper



Backup material for agenda item:

3. Thank you letter from Hope Community Center.

1016 N. Park Ave, Apopka, FL 32712
Ph: 407.880.4673 • Fax:407.464.0854 • www.hcc-offm.org



HOPE

CommUnity Center
Building Community. Enriching Lives.

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SEP 28 2017
BY: *mw*

Dear Mayor Kilsheimer,

I was very impressed by your example of leadership in the aftermath of Hurricane Irma. You were instrumental in connecting the donation of water and ice from Sam's Club to HCC and as a result to the residents of Brightwood Manor Mobile Home Park. Additionally, you went above and beyond by assisting in the distribution of the much needed supplies. There are no words to fully express our gratitude for your kindness & support during this time of need.

Maggie Woods, HCC Board of Directors