



AGENDA

APOPKA CITY COUNCIL MEETING @ 8:00 PM
City Hall Council Chamber
120 East Main Street – Apopka, Florida 32703
July 16, 2014

INVOCATION

Pastor John Fisher, First United Methodist Church of Apopka

PLEDGE OF ALLEGIANCE

If you wish to appear before the City Council, please submit a Notice of Intent to Speak card to the City Clerk.

PRESENTATIONS

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting of July 2, 2014, at 1:30 p.m.
2. Authorize CROM Engineering and Construction Services to perform the storage tank repairs, in the amount of \$72,750.00, at the Plymouth Regional WTP and Mt. Plymouth Lakes WTP.

SPECIAL REPORTS AND PUBLIC HEARINGS

ORDINANCES AND RESOLUTIONS

SITE APPROVALS

DEPARTMENT REPORTS AND BIDS

MAYOR'S REPORT

OLD BUSINESS

- 1. COUNCIL
- 2. PUBLIC

NEW BUSINESS

- 1. COUNCIL
- 2. PUBLIC

ADJOURNMENT

All interested parties may appear and be heard with respect to this agenda. Please be advised that, under state law, if you decide to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made, which record includes a testimony and evidence upon which the appeal is to be based. The City of Apopka does not provide a verbatim record.

In accordance with the American with Disabilities Act (ADA), persons with disabilities needing a special accommodation to participate in any of these proceedings should contact the City Clerk's Office at 120 East Main Street, Apopka, FL 32703, telephone (407) 703-1704, no less than 48 hours prior to the proceeding.

Backup material for agenda item:

1. Approve the minutes from the regular City Council meeting of July 2, 2014, at 1:30 p.m.

CITY OF AOPKA

Minutes of the regular City Council meeting held on July 2, 2014, at 1:30 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor Joe Kilsheimer
Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Diane Velazquez
Commissioner Sam Ruth

PRESS PRESENT: John Peery - The Apopka Chief
Steve Hudak - The Orlando Sentinel

INVOCATION AND PLEDGE OF ALLEGIANCE – The Invocation was given by Pastor Justin Gomez of Grace Pointe Church.

Mayor Kilsheimer said this Friday, we will celebrate July 4th. He said the Continental Congress convened on June 7, 1776, in Philadelphia, and Virginia Delegate Richard Henry Lee introduced a motion calling for the Colony's independence. A heated debate was held and a five-man delegation was appointed to draft a formal statement justifying the Colony separation from Great Britain. The vote on Lee's resolution was postponed. On July 2nd, 1776, Continental Congress reassembled and voted in favor of Lee's resolution for independence. The vote was nearly unanimous with only the New York Delegates abstaining from the vote; although they would later vote in the affirmative. On that day, John Adams wrote to his wife that July 2nd, which is today, would be celebrated by succeeding generations as the Great Anniversary Festival. However, two days later, on July 4th, the Continental Congress formally adopted the Declaration of Independence. Although the actual vote for independence took place on July 2nd, the Fourth of July became a day celebrated as the birth of American's Independence. He asked that everyone keep in mind the sacrifices made to make our Country so great, as he led in the Pledge of Allegiance.

EMPLOYEE RECOGNITION

1. Jeff Tyre - Fire/Chief's Office - Thirty Year Service Award - Mayor Kilsheimer said Captain Tyre began working for the City on June 12, 1984, as a Fire Fighter First Class. He was promoted on December 9, 1999, to Fire Engineer. On February 25, 2002, Jeff was promoted to Fire Lieutenant. He was promoted to Fire Captain on March 6, 2006, and on August 19, 2013, Jeff was promoted to Assistant Fire Chief, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Jeff on his many years of service to the City.

PRESENTATIONS

1. Water Safety Awareness Month Proclamation - Tina Morgan, Community Development Administrator, Department of Children and Families - Mayor Kilsheimer read the Proclamation and presented it to Ms. Morgan.

Ms. Morgan spoke of the importance of teaching all children to swim at an early age, and promoting water safety. She thanked Mayor Kilsheimer and the City Council for the Proclamation, showing the City's support.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting of June 4, 2014, at 1:30 p.m.
2. Approve the minutes from the regular City Council meeting of June 18, 2014, at 8:00 p.m.
3. Approve the minutes of Administrative Bid Opening No. 2014-06, for North Shore Reuse Water Treatment Facility, held on May 22, 2014, at 10:15 a.m.
4. Approve the minutes of Administrative Bid Opening No. 2014-07, for the Proposed 6 ft High Wall N Maine Avenue, held on June 5, 2014, at 10:15 a.m.
5. Authorize the Mayor, or his designee, to execute the Street Light Agreement between the City of Apopka and the Lake Doe Reserve Phase 1 Homeowners Association.
6. Authorize the Mayor, or his designee, to execute the Sewer and Water Capacity Agreement for Marden Village Phase 1 (formerly known as Marden Road Subdivision) located within Unincorporated Orange County, at 1930 S. Hawthorne Avenue.
7. Approve the Disbursement Report for the month of June 2014.

Commissioner Arrowsmith requested discussion on the meeting minutes of June 4, 2014. He asked for clarification on Commissioner Ruth's quote of the salaries of the Mayors of Ocoee and Winter Garden, located on page 6 of 10.

Commissioner Ruth clarified that he was referring to the City Managers of Ocoee and Winter Garden receiving \$150,000, not the Mayors, who are ceremonial Mayors only.

City Administrator Anderson offered for the verbatim minutes of that meeting to be entered into the record. The City Council did not indicate the need for the verbatim minutes.

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

SPECIAL REPORTS AND PUBLIC HEARINGS - There were no special reports or public hearings.

ORDINANCES AND RESOLUTIONS

- 1. ORDINANCE NO. 2366 - SECOND READING & ADOPTION - ANNEXATION - A. Tanner Scofield III and Cathleen P. Scofield, property located at 3125 Ondich Road. (Parcel I.D. #01-20-27-0000-00-032) (4.87 +- acres) [Ordinance No. 2366 meets the**

requirements for adoption, having been duly advertised in The Apopka Chief on June 20, 2014.]

The City Clerk read the title, as follows:

ORDINANCE NO. 2366

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.TANNER SCOFIELD III AND CATHLEEN P. SCOFIELD, LOCATED NORTH OF ONDICH ROAD AND WEST OF PLYMOUTH SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to adopt Ordinance No. 2366. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 2. ORDINANCE NO. 2367 - SECOND READING & ADOPTION - ANNEXATION - Kimberly A. Buchheit, property located at 6500 Swain Road. (Parcel I.D. #05-20-28-0000-00-005) (19.41 +- acres) [Ordinance No. 2367 meets the requirements for adoption, having been duly advertised in The Apopka Chief on June 20, 2014.]**

The City Clerk read the title, as follows:

ORDINANCE NO. 2367

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 KIMBERLY A. BUCHHEIT, LOCATED SOUTH OF SWAIN ROAD AND WEST OF MT. PLYMOUTH ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Velazquez, and seconded by Commissioner Arrowsmith, to adopt Ordinance No. 2367. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 3. ORDINANCE NO. 2368 - SECOND READING & ADOPTION - ANNEXATION - Bruce Ross, property located at 1381 Ustler Road. (Parcel ID #34-20-28-0000-00-021) (1.11 +/- acres) [Ordinance No. 2368 meets the requirements for adoption, having been duly advertised in The Apopka Chief on June 20, 2014.]**

The City Clerk read the title, as follows:

ORDINANCE NO. 2368

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 BRUCE ROSS, LOCATED SOUTH OF WELCH ROAD AND EAST OF USTLER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to adopt Ordinance No. 2368. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 4. ORDINANCE NO. 2369 - SECOND READING & ADOPTION - ANNEXATION - Louis R. Haubner, Jr. and Diann Haubner property located at 347 Tanglewilde Street. (Parcel ID #03-21-28-0000-00-086) (1.97 acres) [Ordinance No. 2369 meets the requirements for adoption, having been duly advertised in The Apopka Chief on June 20, 2014.]**

The City Clerk read the title, as follows:

ORDINANCE NO. 2369

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 LOUIS R. HAUBNER JR. AND DIANN HAUBNER, LOCATED NORTH OF TANGLEWILDE STREET AND WEST OF USTLER ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Dean, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2369, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

- 5. ORDINANCE NO. 2370 - SECOND READING & ADOPTION - ANNEXATION - Adventist Health System/Sunbelt, Inc., property located on the east and west sides of Ocoee Apopka Road, south of Harmon Road, and north of Alston Bay Boulevard. [Parcel I.D. #20-21-28-0000-00-043 (3.19 +/- ac); 20-21-28-0000-00-045 (1.58 +/- ac); and 20-21-28-0000-00-047 (0.20 +/- ac)] (Total: 4.97 +/- acres) [Ordinance No. 2370 meets the requirements for adoption, having been duly advertised in The Apopka Chief on June 20, 2014.]**

The City Clerk read the title, as follows:

ORDINANCE NO. 2370

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 ADVENTIST HEALTH SYSTEM/SUNBELT INC., d/b/a FLORIDA HOSPITAL, LOCATED ON OCOEE APOPKA ROAD, SOUTH OF STATE ROAD 414 AND EAST OF STATE ROAD 429; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to adopt Ordinance No. 2370. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.

SITE APPROVALS

- 1. FINAL DEVELOPMENT PLAN/PLAT – Apopka Woods Subdivision, owned by Apopka Woods LLC, the property is located north of West McCormick Road and east of Irma Lee Lane. (Parcel ID No. 32-21-28-0000-00-002)**

Jay Davoll, Community Development Director, gave an overview of the project, explaining the waiver of the east and north wall being replaced with a vinyl fence. He further explained that the

property is outside of the City of Apopka Utility Service Area, and water and sewer for this site will be serviced by Orange County Utilities. He requested approval subject to Orange County Utilities approving the Utility Plan and the City filing the location of the lift station with Orange County Utilities. (The staff report is incorporated into, and made a part of these meeting minutes.)

Mayor Kilsheimer opened the meeting for a public hearing.

Marilyn Ustler McQueen, 11 E Albatross Street, expressed concerns about the layout of proposed lots, which appear to have fronts or sides of homes facing the backs of lots. She also objected to the location of the park being at the rear of the subdivision rather than in the center of the project. She concluded by asking the City Council to revisit the project, and ask for a revisit of the project plans.

Orange County School Board Member Christine Moore, 2145 Palm Crest Drive, asked about the Capacity Enhancement Agreement, and expressed a concern with additional homes being built where Piedmont Lakes Middle School is already over capacity. She also expressed concern that the homes being built in Apopka are substantially larger than those next to it located in the County.

Mr. Davoll said the property is zoned R-2, which is a minimal size requirement for that zoning.

Luke Classon, of the IBI Group (Florida) Inc., 2300 Maitland Center Boulevard, Maitland FL, the civil engineers for the project, said the school concurrency plan has already been approved by the Orange County Public Schools. He added the proposed house size (2,000 sq. ft.) is larger than required, and no homes will face the rear of a lot.

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

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to approve the Final Development Plan/Plat for Apopka Woods Subdivision, as recommended. Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

DEPARTMENT REPORTS AND BIDS

- 1. Award the contract to Vogel Brothers Building Company in the amount of \$11,600,000.00 for the upgrade of the north Shore Reuse Water Treatment Facility, subject to providing the city with the required insurance and bond.**

Public Services Director John Jreij, gave an overview of the project, advising the upgrade is permitted by the St. Johns River Water Management District (SJRWMD) for five million gallons per day on average of reuse water. He said that the SJRWMD is funding 30% of the project, and the City will fund the remainder.

Commissioner Dean inquired about the number of bids received, and if a requirement of the bid had been placed for hiring of minority subcontractors.

After much discussion, City Administrator Anderson said the City follows State Law regarding the bidding/contracting process. The City encourages the hiring of minority subcontractors, but is not a requirement for award.

Commissioner Arrowsmith stated the City has followed the guidelines.

City Attorney Kruppenbacher explained the process for adding a requirement of minority subcontractors to our bidding process. He recommended the City inquire of the contractor to learn what efforts have been made to hire minority participation.

Commissioner Ruth inquired how much SJRWMD will allow being removed from the lake, to which Mr. Jreij said the City can pump up to 12.5 million gallons a day, with a maximum of five million gallons per day average. He added that it is part of the City's Consumptive Use Permit (CUP).

There was further discussion regarding the costs to the City.

Mayor Kilsheimer added that the City was encouraged to move forward with the project by SJRWMD. He said that this will be a modest expenditure for the benefit received.

Ray Shackelford, 2082 Carpathian, said he appreciates the opportunity that the City will look into the minority hiring process.

Motion was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve the award of bid to Vogle Brothers Building Company in the amount of \$11,600,000.00. Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.

MAYOR'S REPORT Mayor Kilsheimer reported the following:

1. Alcohol Sales public input - Mayor Kilsheimer reported the recent Community Forum on Alcohol Sales was attended by approximately 60 people and many good comments were provided. He reported the results of the (questionnaire) survey, and explained that the results are not scientific, but reflect community opinion only. (Results are available through the City Clerk's office, and will be posted to the City's website.)

2. Organizational Development Analysis - Mayor Kilsheimer said he spent the first 60 days in office observing how staff and the City functions. He said there is a lot right about the City, but there are certain processes that many other organizations don't perform. He gave the example of the use of Voice Mail, which the City just acquired two weeks ago. Another example was given the City is paying employees on a weekly basis, where most organizations pay on a bi-weekly or monthly.

Commissioner Arrowsmith contended that Apopka is known as the poster child of how to run a City among peer groups. He expressed displeasure at having just received the information.

Commissioner Dean concurred with the remarks of Commissioner Arrowsmith.

Commissioner Ruth said he was excited about the idea, adding that we need to do what is right for Apopka.

City Attorney Kruppenbacher said the City's purchasing policies were violated with the engagement, and an evaluated source approach was needed.

Mayor Kilsheimer reiterated there are a lot of things right with the City, however he feels the need to bring in a third-party person to evaluate. He said the Charter of the City authorizes him to make executive decisions, and he is well within his authority. He indicated he had already communicated with staff that he will proceed under the evaluated source policy.

Dr. Oel Wingo, gave an overview of her qualifications and explained more about the analysis and reporting. She said there will be questionnaires first, then interviews, and the report will come back to the Council.

Commissioner Velazquez questioned the timeframe for process and completion, to which Dr. Wingo responded, "three to six weeks."

Isadora Dean, 1140 Lexington Parkway, said that as an educator, she was seeing "bullying" going on, and the City Council should take a good look at themselves.

Charla Moss, 539 Jasmine Bloom Drive, said having someone on the outside to come in can be good and bad. She said they can see things that we cannot, and thought it is a good idea and very positive for Apopka.

3. Status of City Attorney - Mayor Kilsheimer said he was elected to help move the city in a new direction. He said Mr. Kruppenbacher has served the City for more than 30 years, and he believes it is time to move in a new direction. He quoted from the City Charter "... that the City Attorney shall be appointed by the Mayor and ratified by Council and that the City Attorney shall serve at the pleasure of the Mayor and City Council", and given that authority he requested a motion from the Council today to terminate the services of Mr. Kruppenbacher as City Attorney, effective immediately.

Commissioner Dean objected to this item of importance being dealt with when it was not placed on the agenda, with proper notice to the public and the Council. He added that we are dealing with a Charter office position and this should not be dealt with without proper notice. He also inquired about an RFQ (Request for Quote). He asked Mayor Kilsheimer if the attorney being proposed, or his firm, contributed to his campaign.

Mayor Kilsheimer answered affirmatively, advising he also had contributions for other potential City attorneys in Central Florida.

Commissioner Dean inquired if there are any conflicts to which Mayor Kilsheimer responded “No.” The next question from Commissioner Dean was if the proposed attorney or firm represent any land owners in the City. Commissioner Kilsheimer said he is not aware of any landowners they might represent. He added that the proposed City Attorney’s qualifications are contained within the distributed Mayor’s Report packet.

Commissioner Dean inquired if they are asking for a waiver of any conflict as Mayor, which only the City Council can waive a conflict, not the Mayor or staff.

City Administrator Anderson spoke up that they are asking for conflict waivers. He quoted from the letter saying, “you and I agree that our acceptance of this engagement shall not preclude us from representing other clients in the future who may have interest adverse to you, with respect to matters not substantially related to the particular matter for which you have engaged our services.” So they are, in fact, asking us to waive conflicts.

Commissioner Arrowsmith asked, as a Point of Order, if the discussion was about keeping the current attorney or the problem with what we are going to have with who is to be appointed as a new one? He suggested the issues should be addressed separately,

Commissioner Arrowsmith thanked Attorney Kruppenbacher for his years of service to the City.

Commissioner Dean asked the cause for termination, stating that Attorney Kruppenbacher has only twice charged more than \$72,000 per year, and asked if the City would be paying more immediately.

Mayor Kilsheimer stated we needed to complete one discussion prior to beginning another. He added that the representation to him was that they are willing to work within the current budget that we have for the City Attorney. He added the terms proposed are listed and will be discussed when that discussion is taking place.

Commissioner Dean suggested a three-month transition period to Attorney Kruppenbacher , to allow him time to wrap up any project he is currently working, thereby ensuring all runs smoothly.

Commissioner Velazquez asked Commissioner Dean how he could be prepared with typewritten notes when the information was first distributed just prior to the meeting.

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to terminate the current attorney.

Attorney Kruppenbacher said he would save the vote and resign. [He left the meeting at this time.]

Mayor Kilsheimer moved forward to the appointment of the new City Attorney.

Commissioner Ruth inquired if there was a description of the relationship between the new City Attorney and the Council members. Mayor Kilsheimer responded that the method of interaction

with Council and staff is something that can be decided. He said that Tom Cloud, whom he is recommending, will be open to the Mayor, Chief Administrative Officer, and the staff.

Commissioner Arrowsmith inquired on consideration of looking at other attorneys, including local attorneys.

Mayor Kilsheimer recommended Tom Cloud, with Gray Robinson in Orlando. He spoke of Mr. Cloud as the head of Gray Robinson's public law department, and has extensive experience with both local and state governments in municipal infrastructure, energy, water, environmental land use, and in all aspects of utilities law. He has represented a variety of cities, landowners, developers, and industrial clients, public and private utilities, individuals in local governments. He is or has been the City Attorney for the City of Edgewood, Haines City, Fort Meade, and Polk City. Mr. Cloud is well acquainted with the City of Apopka. He has done work for the City in the past. His work for the City of Apopka was a few years ago when the City was exploring the purchase of the electric distribution system.

Commissioner Arrowsmith commented that the bill for that representation was several hundred thousand dollars which was a complete surprise to the City at that time.

Mayor Kilsheimer requested that the City Council appoint Tom Cloud as the new City Attorney.

MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez, to ratify the appointment of Tom Cloud to serve as City Attorney.

Artie Vecchio, 1230 Glenmore Drive, inquired how the salary and experience of Tom Cloud match that of Frank Kruppenbacher. Mayor Kilsheimer said the salary will be the same, as Attorney Cloud has agreed to work within the current budget of the city attorney, which is \$6,000.00 per month. Mayor Kilsheimer further added that Mr. Cloud has been an attorney for more than 25 years so his experience is comparable; he is the head of the public law department for Gray Robinson; a former Assistant Orange County Attorney in the 1970's & 80's, and been in private law practice for more than two decades. His experience clearly matches up well.

Dr. Ray A. Shackelford, 2082 Carpathian Drive, inquired if Mr. Cloud will be an in-house attorney, and Mayor Kilsheimer responded that he will be a contracted attorney. Mr. Shackelford suggested an in-house attorney be considered as Apopka moves forward.

Motion carried 3-2, with Mayor Kilsheimer, and Commissioners Ruth and Velazquez voting aye, and Commissioners Arrowsmith and Dean voting no.

OLD BUSINESS

- 1. COUNCIL** - There was no old business from the City Council.
- 2. PUBLIC** - There was no old business from the public.

NEW BUSINESS

1. **COUNCIL** - There was no new business from the Council.

2. PUBLIC

Dr. Ray A. Shackelford, 2082 Carpathian Drive, spoke on such matters as the sunshine law, Salary of the City Clerk, Charter, and minority contractors.

Trevor Walfall, 4354 Rock Hill Loop, inquired on city plans for wide-spread programs to be offered to provide employment for high school students during the summer months. He asked for the City Council's consideration. City Administrator Anderson responded that the City hires students throughout the City, and work with organizations that provide student placement.

Alexander Smith, 569 Strathclyde Court, spoke on the 50th Anniversary of Civil Rights, and sought support by the City for an African American Museum. He said an appropriate location should be within walking distance of the main part of Apopka. He said the museum would also be in line with Mayor Kilsheimer's campaign and promise to move forward. Mayor Kilsheimer said it would be a great idea.

Vernon Brown, 583 Sand Wedge Loop, spoke about the following: (1) the City's ability to shift funds to partnership with businesses in providing jobs; (2) the vital importance for the athletic department to hold events during the day for students out of school; and (3) strongly sought the City to unify and support our elected officials, both from the old school and the new school.

Chala Moss, 535 Jasmine Bloom Drive, spoke on the topic of having a community swimming pool, which will allow for swimming lessons, will keep the kids engaged, provide jobs, and perhaps provide for school programs. She added the annual passes should cover the operating costs, and concluded that it would be a plus for our community. Council members spoke in support of the suggestion.

David Rankin, 1420 W Orange Blossom Trail, inquired on a comment made by Commissioner Velazquez at a recent Tri-County League of Cities meeting. He also challenged the hiring of the consultant.

Donald Kahrs, IT Director, spoke about a confrontation in his office with Commissioner Ruth. Mayor Kilsheimer explained about the confrontation and further directed the Commissioners to speak directly only with the City Administrator or City Clerk for information they seek, as directed by the City Charter.

City Administrator Anderson asked that the Commissioners iPads be made available following the meeting for some updates to be performed by IT.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 3:47 p.m.

ATTEST:

Joseph E. Kilsheimer, Mayor

Janice G. Goebel, City Clerk

Backup material for agenda item:

2. Authorize CROM Engineering and Construction Services to perform the storage tank repairs, in the amount of \$72,750.00, at the Plymouth Regional WTP and Mt. Plymouth Lakes WTP.



CITY OF APOPKA CITY COUNCIL

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

MEETING OF: July 16, 2014
FROM: Public Services
EXHIBITS:

SUBJECT: POTABLE WATER STORAGE TANK REPAIRS AT THE PLYMOUTH REGIONAL WTP AND MT. PLYMOUTH LAKES WTP

Request: APPROVE CROM ENGINEERING & CONSTRUCTION SERVICES TO PERFORM THE TANK REPAIRS IDENTIFIED IN THE 2013 TANK INSPECTIONS REPORT AT THE PLYMOUTH REGIONAL WTP AND MT. PLYMOUTH LAKES WTP FOR THE AMOUNT OF \$72,750.00.

SUMMARY:

The Plymouth Regional WTP storage tank has developed 11 hollow areas on the exterior concrete wall and the interior concrete wall requires re-coating. The Mt. Plymouth Lakes WTP storage tank has developed concrete spall deterioration on the interior hatch trunk and the interior dome and walls require re-coating. The tank repairs identified in the 2013 tank inspection report are essential to maintaining the integrity of the potable water storage tanks. Maintenance and repairs of these tanks are a requirement of Chapter 62-555.350(2) of the Florida Administrative Code. Staff obtained a proposal from CROM Engineering & Construction Services to repair the tanks. The cost is \$72,750.00, and based on the City of West Palm Beach Agreement No. 12558.

FUNDING SOURCE:

Water Operation Fund

RECOMMENDATION ACTION:

Approve CROM Engineering & Construction Services to perform the tank repairs for the amount of \$72,750.00 at the Plymouth Regional WTP and Mt. Plymouth Lakes WTP, subject to providing the City with the required insurance.

DISTRIBUTION:

Mayor Kilsheimer
Commissioners (4)
CAC Richard Anderson
City Dev. Dir.

Finance Dir.
HR Director
IT Director
Police Chief

Public Ser. Dir. (2)
City Clerk (4)
Fire Chief (1)