

REVISED AGENDA

APOPKA CITY COUNCIL MEETING @ 8:00 P.M. City Hall Council Chamber 120 East Main Street – Apopka, Florida 32703 Wednesday, January 20th, 2010

INVOCATION AND 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.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on January 6, 2010 at 1:30 p.m.

PRESENTATIONS

SPECIAL REPORTS AND PUBLIC HEARINGS

ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2142 - SECOND READING & ADOPTION - ANNEXATION -**
Wayne A. Rich, property located at 617 Apopka-Ocoee Road. (1.01 acres)
2. **ORDINANCE NO. 2143 - SECOND READING & ADOPTION - ANNEXATION -** Little
Brownie Properties, Inc., property located at 532 13th Street. (16.72 acres)
3. **ORDINANCE NO. 2144 - SECOND READING & ADOPTION - ANNEXATION -**
George A. Swanson Estate, property located at 1610 Piedmont-Wekiva Road. (30.23
acres)
4. **ORDINANCE NO. 2145 - FIRST READING & TRANSMITTAL TO DCA –
COMPREHENSIVE PLAN AMENDMENT - 2010 Cycle #1 Large Scale**
Comprehensive Plan Amendment for: Part I - EAR Based Amendments; and, Part II –
Future Land Use Map Change. **(Note: Staff is recommending this item be tabled
until February 3, 2010).**

SITE APPROVALS

DEPARTMENT REPORTS AND BIDS

1. Administrative Report – Richard D. Anderson – Chief Administrative Officer

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, not later than five (5) days prior to the proceeding.

Minutes of a regular City Council meeting held on January 20, 2010, at 8:00 p.m., in the City of Apopka Council Chambers.

PRESENT: Mayor John H. Land
Commissioner Billie Dean
Commissioner Marilyn U. McQueen
Commissioner Kathy S. Till

ABSENT: Commissioner Bill Arrowsmith

PRESS PRESENT: John Peery - Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Land called the meeting to order and gave the Invocation. He said Monday we honored Dr. Martin Luther King with a holiday. He asked that as we pledge allegiance to the Flag, that each one would remember Dr. King and the great change that he worked for in our Nation. He also asked that everyone reflect on what a great Nation we have that allows for peaceful change to be taken place under our system of government, as he led in the Pledge of Allegiance.

Mayor Land welcomed Erin Apikos and Aiesha Betancourt, two students of Apopka High School, attending the meeting for a government class. He offered the students the opportunity to speak with the Council members following the meeting.

CONSENT AGENDA

- 1. Approve the minutes from the regular City Council meeting held on January 6, 2010, at 1:30 p.m.**

Motion was made by Commissioner Till, and seconded by Commissioner McQueen to approve the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye.

PRESENTATIONS - There were no presentations.

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

ORDINANCES AND RESOLUTIONS

Mayor Land said Ordinance Nos. 2142 through 2144 meet the requirements for adoption, having been duly advertised in the Apopka Chief Newspaper on January 8, 2010.

- 1. ORDINANCE NO. 2142 - SECOND READING AND ADOPTON - ANNEXATION - Wayne A. Rich, property located at 617 Apopka-Ocoee Road (1.01 acres) - The City Clerk read the title as follows:**

ORDINANCE NO. 2142

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 WAYNE A. RICH, LOCATED NORTH OF OCOEE-APOPKA ROAD AND WEST OF 13TH STREET; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

Motion was made by Commissioner Till, and seconded by Commissioner McQueen, to adopt Ordinance No. 2142. Motion carried unanimously, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye.

2. ORDINANCE NO. 2143 - SECOND READING AND ADOPTION - ANNEXATION - Little Brownie Properties, Inc., property located at 532 13th Street (16.72 acres) - The City Clerk read the title as follows:

ORDINANCE NO. 2143

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 LITTLE BROWNIE PROPERTIES, INC. , LOCATED SOUTH OF 13TH STREET AND WEST OF SOUTH SHEELER AVENUE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Land 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 McQueen, to adopt Ordinance No. 2143. Motion carried unanimously, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye.

3. ORDINANCE NO. 2144 - SECOND READING AND ADOPTION - ANNEXATION - George A. Swanson Estate, property located at 1610 Piedmont-Wekiva Road (30.23 acres) - The City Clerk read the title as follows:

ORDINANCE NO. 2144

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 GEORGE A. SWANSON ESTATE, LOCATED SOUTH OF U.S. HIGHWAY 441 AND WEST OF HIAWASSEE ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

Motion was made by Commissioner Till, and seconded by Commissioner Dean, to adopt Ordinance No. 2144. Motion carried unanimously, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye.

4. ORDINANCE NO. 2145 - FIRST READING & TRANSMITTAL TO DCA – COMPREHENSIVE PLAN AMENDMENT - 2010 Cycle #1 Large Scale Comprehensive Plan Amendment for: Part I - EAR Based Amendments; and, Part II – Future Land Use Map Change - Mayor Land said the notice for this hearing was advertised in the Apopka Chief on December 25, 2009 and January 1, 2010.

CAO Anderson said staff has requested this item be tabled. He said meetings with Orange County have taken place due to the large number of parcels involved. And, due to the Department of Community Affairs' challenge, some policies need to be worked through, specifically some of the interchange properties. He said Orange County appears to be 100% on board with the proposed ordinance.

Motion was made by Commissioner Till, and seconded by Commissioner McQueen, to table the First Reading of Ordinance No. 2145 until February 3, 2010. Motion carried unanimously, with Mayor Land and Commissioners Dean, McQueen, and Till voting aye.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS - CAO Anderson gave a scheduling report on the WiFi project. He projected completion, and the system operational, by the end of March 2010. There was much discussion regarding communication efforts for the citizens of Apopka to understand that the primary purpose of the Wi-Fi system is for Public Safety. The free Wi-Fi for the citizens is merely a benefit to the public, as a "spin-off" of the Public Safety project.

Commissioner Till distributed a report to the City Council of a personal testing she performed of the City's Wi-Fi system. CAO Anderson explained that Motorola is still performing installations and testing, which involves turning parts of the system on and off at different locations, which could be responsible for some of the results of Commissioner Till's report.

CAO Anderson said the system, even when completed, due to the complexity of the system and the FCC requirements for low frequency, will only provide 85% coverage of the City.

In regards to the Town Center / Downtown Development project, CAO Anderson said meetings have taken place with SPPRE and developer Pizzuti, and indications are they will be ready to give a presentation at the Feb 3rd meeting of the City Council. He added that Pizzuti is very interested in forming a partnership with Apopka.

Commissioner Till requested the presentation be given at a later meeting time to accommodate citizens interested in the update. Mayor Land responded that if needed, he will schedule a special meeting of the City Council for the presentation.

MAYOR'S REPORT - Mayor Land reported he received notification that the Florida Department of Agriculture and Consumer Services has recommended to the National Arbor Day Foundation that the City of Apopka be re-certified as a Tree City USA 2009.

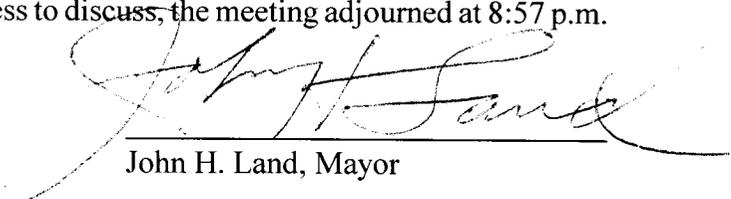
OLD BUSINESS

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

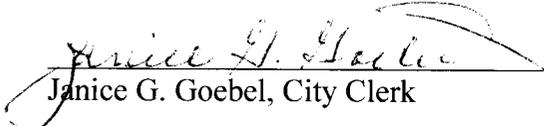
NEW BUSINESS

1. **Council** - There was no new business from the City Council.
2. **Public** - There was no new business from the public.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 8:57 p.m.


John H. Land, Mayor

ATTEST:


Janice G. Goebel, City Clerk