

Minutes of a regular City Council meeting held on March 3, 2010, at 1:30 p.m., in the City of Apopka Council Chambers.

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

PRESS PRESENT: John Peery - Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Land called the meeting to order and gave the Invocation. He said on March 4, 1789, the Constitution went into affect and has served our Nation for 221 years. He asked everyone to reflect on that great document and those who developed it 221 years ago, as he led in the Pledge of Allegiance.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on February 17, 2010, at 8:00 p.m.
2. Authorize the renewal of the Lease Agreement with Representative Bryan Nelson, office space located at 409 S Park Avenue, for one year, and execution of all associated documents.
3. Ratify the appointment of James W. Greene as the Fifth Trustee to the Police Officers' Retirement System Board of Trustees.
4. Ratify the appointment of R. L. Colina as the Fifth Trustee to the Firefighters' Retirement System Board of Trustees.
5. Ratify the appointment of Steve Hooks as the Fifth Trustee to the General Employees' Retirement System Board of Trustees.
6. Approve the extension of the contract, with Ardman and Associates, Inc., and Nordarse and Associates, Inc., for Geotechnical and Environmental Engineering Services, for a period of one year.
7. Approve the temporary closure of Johns Road.
8. Approve the Disbursement Report for the month of February, 2010.

Motion was made by Commissioner Till, and seconded by Commissioner McQueen, to approve the eight (8) items on the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

PRESENTATIONS

1. **John Kraft - Police Chief's Office - 5 Year Service Award** - John was not present and will be presented with his service award at a later time.
2. **Robert W. Cheney - Caretaker II - Public Services - 10 Year Service Award** - Mayor Land said Wayne began working for the City of Apopka on February 14, 2000, as a Waste Water Plant

Operator Trainee for Public Services. On July 9, 2001, Wayne transferred to Public Services/Cemetery as a Caretaker II, which is his current position. The City Council joined Mayor Land in congratulating Wayne on his service award.

3. Jerome Flakes - Sanitation Equipment Operator - Public Services - 15 Year Service Award - Jerome was not present and will be presented with his service award at a later time.

4. CAFR Award - Edward Bass - Mayor Land presented the Certificate of Excellence in Financial Reporting (CAFR) Award to Finance Director Edward Bass. He expressed appreciation to Mr. Bass and the Finance Department. Mr. Bass said this is the 26th year the City of Apopka has received this award.

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

ORDINANCES AND RESOLUTIONS - There were no ordinances or resolutions.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS - There was no department report or bids.

MAYOR'S REPORT -

Mayor Land appointed John H. Land and Bobby Collins as Resident Trustees to the Firefighters' Retirement System Board of Trustees for 2010 & 2011.

Motion was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve and ratify the appointments of John H. Land and Bobby Collins as Resident Trustees to the Firefighters' Retirement System Board of Trustees for 2010 & 2011. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land appointed Charles Vavrek and Steve Hooks as Resident Trustees to the Police Officer's Retirement System Board of Trustees for 2010 & 2011.

Motion was made by Commissioner Dean, and seconded by Commissioner Till, to approve and ratify the appointments of Charles Vavrek and Steve Hooks as Resident Trustees to the Police Officers' Retirement System Board of Trustees for 2010 & 2011. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land read a thank you note received from Jeanette Lutz addressed to the City of Apopka Employees, as follows, "... expressing appreciation for the great City they helped create - Parks &

Recreation facilities are terrific - waste is picked up even on holidays, and never leaves a mess - Schopke-Lester Road looks terrific - and the parades are a blast.”

Mayor Land said the Legislature is now in session. He noted a Legislative Alert was received regarding Senate Bill 1742 (Sponsored by Senator Bennett) regarding TCEA - Transportation Concurrency. He reported that the bill is on the Community Affairs Committee agenda for 3/4/2010, and two members of the committee are local Legislators Senator Gary Siplin and Senator Andy Gardiner. Also on the committee is Senator John Thrasher whom the City has worked with before. He said the bill is a preemption of home rule powers and the City may need to follow up via phone, email, etc., to protect our position. He asked staff to work with the Florida League of Cities regarding this bill.

1. Annual Report

Mayor Land presented the State of the City address. The State of the City address will be presented officially at the Chamber Luncheon next week. He said the City will be seeking the Chamber to form a Political Action Committee (PAC) to address issues that are outside the authority of the City Council with last year's adoption of Senate Bill 216. The presentation is attached hereto and made a part of the minutes of this meeting.

OLD BUSINESS

1. **Council** - There was no old business from the City Council.
2. **Public** - Fraser Gunter, 574 Sand Wedge Loop, commended the City on the fantastic budget. He then asked that the cleaning of the sidewalks in Rock Springs Ridge be scheduled on an annual program.

NEW BUSINESS

1. Council -

Commissioner Till reported on 2010 Legislative bills that the City needs to watch closely. Such bills include: (1) the TABOR bill (sponsored by Senator Haridopolos). She said it may be held up this year and adopted next year when Senator Haridopolos is President of the Senate; (2) Senate Bill 2166 is one of a number of bills regarding Red Light Camera Enforcement. Senator Gardiner indicated he is in support of Senate Bill 2166, but would be willing to look at amendments to the bill; (3) Senate Bill 1752 is considered the "Jobs Bill" affecting Economic Development and requiring an automatic three (3) year extension on development orders. She said Senator Gardiner would be willing to entertain amendments to the bill based on information from the City of Apopka.

Mayor Land said many of the bills are anti-Home Rule.

Commissioner Till suggested Chief Vavrek look into Senate Bill 780 / House Bill 987 regarding payment of fees and foreclosure proceedings. She recommended Apopka support the bill.

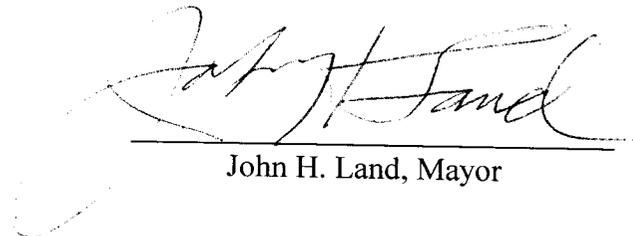
Mayor Land said next Tuesday starts the conference calls with the Florida League of Cities regarding legislative action. He suggested the TABOR bill may be one that the Chamber can form a Political Action Committee (PAC) to fight, as well as the Constitutional Amendment 4.

Commissioner Dean thanked CAO Anderson, and the Streets and Parks Departments, for repairing the hole on Lexington Parkway.

2. Public - Rosemary Zamora, 370 E 7th Street, asked that a street light between 318 and 370 7th Street be reinstalled. She said the street light that was there for many years was knocked down during the four hurricanes of 2004, and only the pole was replaced. She said the light was never reinstalled, and the Health Clinic is at the end of the road, creating foot traffic. Mayor Land said he would have Chief Vavrek check into the need for the street light for safety.

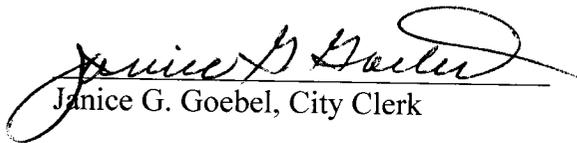
Ms. Zamora spoke about the easement ditch that runs in front of her house. She said it needs to be cleaned of branches, shopping carts and debris. She said the City had previously cleaned it once a month, but it has not been cleaned for quite a while. CAO Anderson said he would look into it.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 2:20 p.m.



John H. Land, Mayor

ATTEST:



Janice G. Goebel, City Clerk