

Minutes of a regular City Council meeting held on December 1, 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. Mayor Land said on December 7, 1941, the Japanese bombed Pearl Harbor, bringing America into World War II. He said over 16 million served during that war; one million were casualties and over 400,000 died during that war. He asked that everyone reflect on their great sacrifice for the Liberty that we enjoy today, as he led in the Pledge of Allegiance.

Mayor Land recognized Boy Scouts Jordan Fooks, Troop 773; Cody and John Trevino of Troop 601, attending the meeting as a requirement to earn their "Citizenship in the Community" merit badge.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on November 3, 2010, at 1:30 p.m.
2. Approve the minutes from Administrative Bid Opening No. 2010-07, Water Reclamation Facility Expansion Project, held on November 18, 2010, at 10:15 a.m.
3. Authorize a \$6,033.00 expenditure from the Federal Law Enforcement Trust Fund for installation of data and voice cable.
4. Authorize a \$10,000.00 expenditure from the Federal Law Enforcement Trust Fund for drug buys and undercover operations.
5. Authorize the Chief Administrative Officer to execute a Railroad License Agreement with the Florida Central Railroad Company, Inc., for the construction of an underground sanitary sewer force main crossing at Jones Avenue.
6. Approve the request from the ACT group to hold a golf cart Christmas Parade, to benefit local charities, at the Errol Estate Country Club on December 11, 2010.
7. Approve December 27, 2011, as the floating holiday for Calendar Year 2011.
8. Approve the Disbursement Report for the month of November 2010.

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

PRESENTATIONS

1. **Tim Talley – Police/Field Services - 5 Year Service Award** - Mayor Land said Tim was not present and will be presented his award at a later time.
2. **Daniel Saucedo – Finance/Utility Billing - 5 Year Service Award** - Mayor Land said Daniel was not present and will be presented his award at a later time.

3. Brian Bowman – Fire/EMS – 10 Year Service Award - Mayor Land said Brian began working for the City as a Fire Fighter on November 27, 2000. On January 2, 2001 he was reclassified to Fire Fighter First Class. Brian transferred to EMS on March 15, 2005, when he became a paramedic. Brian was promoted on October 12, 2007 to Fire Fighter Engineer, which is his current position. The City Council joined Mayor Land in congratulating Brian on his service award.

4. Joseph Leonard – Public Services/Utility Restoration - 10 Year Service Award - Mayor Land said Joseph was not present and will be presented his award at a later time.

5. Donald Klouse – Fire/EMS– 15 Year Service Award - Mayor Land said Donald was not present and will be presented his award at a later time.

6. William Graham – Fire/EMS – 25 Year Service Award - Mayor Land said William was not present and will be presented his award at a later time.

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

ORDINANCES AND RESOLUTIONS

Mayor Land said Ordinance Nos. 2201 - 2204, being heard on First Reading, do not meet the requirements for adoption and will be held over for a Second Reading.

1. **ORDINANCE NO. 2201 - FIRST READING - ANNEXATION** - Mary Michelle Balling, property located at 2486 Boch Road (4.39 acres) - The City Clerk read by title as follows:

ORDINANCE NO. 2201

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171-044 THE HERINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MARY MICHELLE BALLINGS, LOCATED SOUTH OF BOCH ROAD AND EAST OF PLYMOUTH-SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2201, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

2. **ORDINANCE NO. 2202 - FIRST READING - ANNEXATION** - Ralph A. Smith Trust & Vernice L. Smith Trust, property located at 2604 Boch Road (14.92 acres) - The City Clerk read by title as follows:

ORDINANCE NO. 2202

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 RALPH A. SMITH TRUST AND VERNICE L. SMITH TRUST, LOCATED SOUTH OF BOCH ROAD AND EAST OF PLYMOUTH-SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2202, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 3. ORDINANCE NO. 2203 - FIRST READING - ANNEXATION -** Center of Faith Church, Inc., properties located at 640 and 700 Vick Road (6.48 acres) - The City Clerk read by title as follows:

ORDINANCE NO. 2203

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 CENTER OF FAITH CHURCH, INC., LOCATED SOUTH OF MARTIN STREET AND EAST OF VICK ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Dean, and seconded by Commissioner Till, to accept the First Reading of Ordinance No. 2203, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 4. ORDINANCE NO. 2204 - FIRST READING - ANNEXATION -** Kurt Marn, Paula Marn, and Pioneer Welding & Fabrication, Inc., property located at 1051 Ocoee-Apopka Road (2.48 acres) - The City Clerk read by title as follows:

ORDINANCE NO. 2204

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 KURT MARN, PAULA MARN, AND PIONEER WELDING & FABRICATION, INC., LOCATED SOUTH OF OCOEE-APOPKA ROAD AND WEST OF HAWTHORNE AVENUE; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2204, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 5. ORDINANCE NO. 2205 - FIRST READING** - Amending Apopka Code of Ordinances, Section 2-113 "Fees for Copies of Documents"; and Section 2-116 "Fees for Police and Public Safety Services"; and creating a new Section 2-122, entitled "Fees for Extraordinary Services;" - Mayor Land said Ordinance No. 2206 does not meet the requirements for adoption and will be held over for a Second Reading. The City Clerk read by title as follows:

ORDINANCE NO. 2205

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE IV, "FINANCE," DIVISION 2, "FEES;" BY AMENDING SECTION 2-113 "FEES FOR COPIES OF DOCUMENTS"; AND SECTION 2-116 "FEES FOR POLICE AND PUBLIC SAFETY SERVICES"; CREATING A NEW SECTION 2-122 ENTITLED "FEES FOR EXTRAORDINARY SERVICES;" PROVIDING FOR CODIFICATION, AND PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2205, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

- 6. ORDINANCE NO. 2206 - FIRST READING** - Amending Apopka Code of Ordinances, Chapter 66, "SOLID WASTE," Article II, "Municipal Refuse Collection Service," by creating a new Division 5, to be entitled "Secondary Metals Recyclers" - Mayor Land said Ordinance No. 2206 does not meet the requirements for adoption and will be held over for a Second Reading. The City Clerk read by title as follows:

ORDINANCE NO. 2206

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 66, "SOLID WASTE," ARTICLE II "MUNICIPAL REFUSE COLLECTION SERVICE," OF THE CODE OF ORDINANCE OF THE CITY OF APOPKA, BY CREATING A NEW DIVISION 5 TO BE ENTITLED "SECONDARY METALS RECYCLERS"; PROVIDING FOR RESERVING OF CERTAIN SECTION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to accept the First Reading of Ordinance No. 2206, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS - There were no site approvals.

DEPARTMENT REPORTS AND BIDS - Chief Administrative Officer Richard Anderson reported he met recently with the St. Johns River Water Management District regarding the possibility of acquiring some property for the runways and expansion of the airport project. He said the meeting was very positive and believes the project will move forward.

CAO Anderson also reported that Christmas decorations will be going up downtown the first of next week.

MAYOR'S REPORT - Mayor Land reported receiving a thank you note from Community Development Department employee Mike Roberson and his wife, Janet, expressing their appreciation for the prayers, condolences, and floral arrangement sent in memory of Mike's mother-in-law, Norma Davis.

OLD BUSINESS

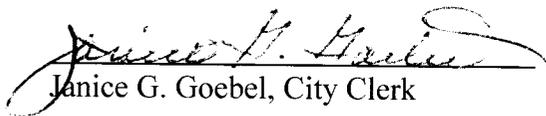
1. Council - There was no old business from the Council.
2. Public - There was no old business from the public.

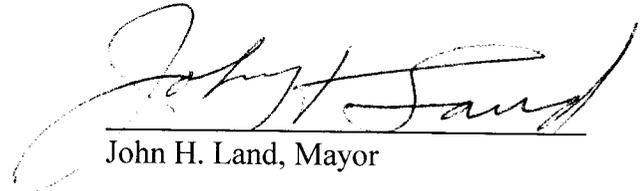
NEW BUSINESS

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

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 1:50 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor