

## CITY OF APOPKA

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**Minutes of a regular City Council meeting held on February 1, 2012, 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 - The Apopka Chief  
Stephen Hudak - Orlando Sentinel

**INVOCATION AND PLEDGE OF ALLEGIANCE** The Invocation was given by Mayor Land. He said yesterday was Election Day for the Presidential Preference Primary. He requested all to remember the great privilege and the freedom that we have in our great Nation to elect our officials and leaders, and asked everyone to reflect these freedoms as he led the Pledge of Allegiance.

### **EMPLOYEE RECOGNITION**

1. Donald Beggs – Fire/Suppression – 5 Year Service Award – Mayor Land said Donald was not present, and will be presented his award at a later time.
2. Christopher Howell – Fire/Suppression – 5 Year Service Award – Mayor Land said Chris started working for the City on January 16, 2007, as a Firefighter First Class, which is his current position. The City Council joined Mayor Land in congratulating Chris on his years of service to the City.
3. Brandon Lee – Fire/Suppression - 5 Year Service Award – Mayor Land said Brandon was not present, and will be presented his award at a later time.
4. Darko Bocevski – Public Services/Recreation – 5 Year Service Award – Mayor Land said Darko was not present, and will be presented his award at a later time.
5. Dwight McCarty – Public Services/Sanitation – 10 Year Service Award – Mayor Land said Dwight was not present, and will be presented his award at a later time.
6. Steven Friedman – Finance/Accounting – 10 Year Service Award – Mayor Land said Steve started working for the City on January 7, 2002, as an Accountant II, which is his current position. The City Council joined Mayor Land in congratulating Steve on his years of service to the City.
7. Kenneth Gatton – Public Services/Design Engineering – 10 Year Service Award – Mayor Land said Ken began working for the City on January 7, 2002, as Construction Coordinator. Ken was promoted on November 16, 2005, to Project Coordinator, which is his current position. The City Council joined Mayor Land in congratulating Steve on his years of service to the City.

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Mayor Land recognized a group of students from Apopka High School in attendance as required for an Advanced Placement Government class.

Bob Webster spoke to the City Council about the Constitution and abiding by it. He also discussed Red Light Camera Enforcement regarding right turns on red, Commission Districts, and Term Limits.

CAO Anderson reiterated the City was in compliance with State Law with regards to the Red Light Cameras. He advised that, due to Legislative action last year, the appeal process for red light citations is through the courts.

Mayor Land recognized Nancy Christman with St. Johns Water Management District. She spoke regarding water conservation.

**PRESENTATIONS** - There were no presentations.

**CONSENT AGENDA**

1. Approve the minutes from the regular City Council Meeting held on January 18, 2012, at 8:00 p.m.
2. Authorize staff to proceed with the proposal from Michigan Street Pump and Motor, in the amount of \$35,700.00, for the purchase and installation of a new pump at Forest Avenue pumping station.
3. Authorize the Chief Administrative Office to execute Amendment #1 of the Inmate Contract No. WS656 in the amount of \$58,004.00.
4. Award the consulting services contract for Professional Land Surveying and Mapping Services to Southeastern Surveying & Mapping Corp., for one year, with the option to extend the contract for two additional one-year extensions.
5. Approve request to hold a MMA Boxing Tournament at the Apopka Elk's Lodge #2422, located at 201 West Orange Street; subject to the applicant addressing the concerns and recommendations of the Development Review Committee (DRC).
6. Approve the Disbursement Report for the month of January 2012.

**MOTION was made by Commissioner Dean, and seconded by Commissioner Till, to approve the six (6) items on the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.**

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

## **ORDINANCES AND RESOLUTIONS**

Mayor Land announced that Ordinances 2245 through 2248, and 2251 meet the requirements for adoption, having been duly advertised in The Apopka Chief on January 20, 2012.

**1. ORDINANCE NO. 2245 – SECOND READING & ADOPTION – CHANGE OF ZONING – Carolyn P. Holt Trust and Patricia P. Hansford Trust – from “County” A-1 to “City” C-1 for property located west of Rock Springs Road and south of Tanglewood Drive. – The City Clerk read the title as follows:**

### **ORDINANCE NO. 2245**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 AGRICULTURE TO “CITY” C-1 COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF ROCK SPRINGS ROAD AND SOUTH OF TANGLEWOOD DRIVE, COMPRISING 0.39 ACRES MORE OR LESS, AND OWNED BY CAROLYN P. HOLT TRUST AND PATRICIA P. HANSFORD TRUST; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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 Arrowsmith, to adopt Ordinance No. 2245. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**2. ORDINANCE NO. 2246 – SECOND READING & ADOPTION – CHANGE OF ZONING – Raymond E. Cortez – from “County” A-1 to “City” C-1 for property located west of Rock Springs Road and south of Tanglewood Drive. - The City Clerk read the title as follows:**

### **ORDINANCE NO. 2246**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 AGRICULTURE TO “CITY” C-1 COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF ROCK SPRINGS ROAD AND SOUTH OF TANGLEWOOD DRIVE, COMPRISING 0.24 ACRES MORE OR LESS, AND OWNED BY RAYMOND E. CORTEZ; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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. 2246. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**3. ORDINANCE NO. 2247 – SECOND READING & ADOPTION – COMPREHENSIVE PLAN AMENDMENT – SMALL SCALE – Kenneth and Bonnie Sumner – from “County” Office and “City” Residential Medium to “City” Commercial for property located west of Rock Springs Road and south of Tanglewood Drive. - The City Clerk read the title as follows:**

**ORDINANCE NO. 2247**

**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 “COUNTY” OFFICE AND “CITY” RESIDENTIAL MEDIUM TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF ROCK SPRINGS ROAD AND SOUTH OF TANGLEWOOD DRIVE, COMPRISING 3.96 ACRES, MORE OR LESS AND OWNED BY KENNETH AND BONNIE SUMNER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 Arrowsmith, and seconded by Commissioner Dean, to adopt Ordinance No. 2247. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**4. ORDINANCE NO. 2248 – SECOND READING & ADOPTION – CHANGE OF ZONING – Kenneth and Bonnie Sumner – from “County” A-1 and “City” R-1 to “City” C-1 for property located west of Rock Springs Road and south of Tanglewood Drive. - The City Clerk read the title as follows:**

**ORDINANCE NO. 2248**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE THE ZONING FROM “COUNTY” A-1 AGRICULTURE AND “CITY” R-1 RESIDENTIAL TO “CITY” C-1 COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED WEST OF ROCK SPRINGS ROAD AND AND SOUTH OF TANGLEWOOD DRIVE, COMPRISING 3.96 ACRES MORE MORE OR LESS, AND OWNED BY KENNETH AND BONNIE SUMNER;**

**PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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 McQueen, and seconded by Commissioner Till, to adopt Ordinance No. 2248. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**5. ORDINANCE NO. 2251 – SECOND READING & ADOPTION – VACATION – Brad and Julie Butterstein, vacating a portion of a platted drainage easement, located west of Kentucky Blue Circle, east of Caledonia Avenue, and south of Sand Wedge Loop. –The City Clerk read the title as follows:**

**ORDINANCE NO. 2251**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE A PORTION OF A DRAINAGE EASEMENT LOCATED AT 290 KENTUCKY BLUE CIRCLE; PROVIDING DIRECTIONS TO THE CITY CLERK, FOR SEVERABILITY, FOR 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. 2251. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**6. ORDINANCE NO. 2252 – SECOND READING & ADOPTION – Establishing a time-limited moratorium on the approval of new landfills or the conversion of a different classification of existing landfills. - Mayor Land announced that Ordinance No. 2252 has been modified and will require a Third Reading. The City Clerk read the title as follows:**

**ORDINANCE NO. 2252**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING A TIME-LIMITED MORATORIUM ON THE APPROVAL OF NEW LANDFILLS OR THE CONVERSION TO A DIFFERENT CLASSIFICATION OF EXISTING LANDFILLS WITHIN THE CORPORATE LIMITS OF THE CITY OF APOPKA; PROVIDING THAT THE TIME-LIMITED MORATORIUM WILL EXPIRE ON JUNE 30, 2012; PROVIDING FINDINGS; PROVIDING A DEFINITION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND 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 Arrowsmith, and seconded by Commissioner Dean, to accept the Second Reading of Ordinance No. 2252 and hold it over for a Third Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen and Till voting aye.**

**7. RESOLUTION NO. 2012-03 – Adopt Resolution; and authorize the Mayor, or his designee, to execute the Locally Funded Agreement between the Florida Department of Transportation and the City of Apopka for the US 441 Corridor Alternatives Analysis. – The City Clerk read the title as follows:**

**RESOLUTION NO. 2012-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AUTHORIZING THE EXECUTION OF A LOCALLY FUNDED AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO UNDERTAKE THE DEVELOPMENT AND IMPLEMENTATION OF THE US 441 CORRIDOR ALTERNATIVES ANALYSIS.**

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 Resolution No. 2012-03. 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 - CAO Anderson had no report.**

**MAYOR'S REPORT**

Mayor Land reported the Apopka Fire Department received an ISO-1 Rating from the Insurance Services Office. The first time the Apopka Fire Department received an ISO-1 rating was in 2004. He congratulated them on their efforts for the citizens of Apopka.

Mayor Land reported on a letter received from Mayor Jacobs regarding the funding for the Wekiva Parkway. He said the Wekiva Parkway will be the final segment of the beltway around Orlando, the Orange County Seat.

**OLD BUSINESS**

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

**NEW BUSINESS**

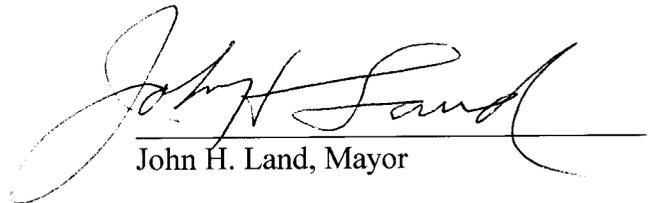
1. **Council** – Commissioner Till gave a brief Legislative update.
2. **Public** – There was no new business from the public.

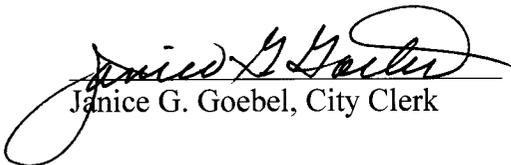
Ashley Greene, Special Events Coordinator, gave a PowerPoint presentation on the Old Florida Outdoor Festival, February 10 – 12, 2012, a copy of which will be included and made a part of the minutes. She advised this project started out as a way to draw eco-tourism to Central Florida through bird watching at Lake Apopka. This has grown into a 3-day festival with concerts on Friday and Saturday nights at the amphitheater. She reviewed all that the Festival has to offer to include, but not limited to, Dock Dogs, Exhibition Shooters, Champion Anglers, Swamp Brothers, paddle boarding, canoeing, geocaching, wilderness survival, artwork from the Florida Highwaymen, food trucks, and a Chili Cook-Off on Sunday. She stated the chili cook-off will benefit the Adam Stratton Memorial Scholarship Foundation. She suggested, for more information about the festival, to visit the festival website as [www.oldfloridaoutdoorfestival.com](http://www.oldfloridaoutdoorfestival.com).

CAO Anderson said we have had a lot of help from a number of committee members and any funds made will be put towards the Apopka Community Trust.

**ADJOURNMENT** - There being no further business to discuss, the meeting adjourned at 2:23 p.m.

ATTEST:

  
John H. Land, Mayor

  
Janice G. Goebel, City Clerk