

**Minutes of a regular City Council meeting held on April 20, 2011, at 8:00 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor John H. Land  
Commissioner Bill Arrowsmith  
Commissioner Billie Dean  
Commissioner Marilyn U. McQueen

**ABSENT:** 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 April 19, 1775, the first shots were fired in the Revolutionary War after the 'night ride' the night before by Paul Revere. He asked everyone to remember that date and the sacrifice they made for the freedom and liberty we enjoy today, as he led in the Pledge of Allegiance.

**CONSENT AGENDA**

1. Approve the minutes from the regular City Council Meeting held on April 6, 2011, at 1:30 p.m.
2. Authorize a two-year renewal, with Waste Services, Inc., for the non-exclusive franchise for roll-off container collection and disposal of waste in the City of Apopka.

**MOTION was made by Commissioner McQueen, and seconded by Commissioner Dean, to approve the two (2) items of the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen 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. 2212 - 2219 meet the requirements for adoption, having been duly advertised in The Apopka Chief on April 1 and 8, 2011.

1. **ORDINANCE NO. 2212 - SECOND READING & ADOPTION - ANNEXATION** - Kelly Park Property Ventures, LLC, property located north of Kelly Park Road and west of Mt. Plymouth Road (7.95 acres) - The City Clerk read by title as follows:

**ORDINANCE NO. 2212**

**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**

**KELLY PARK PROPERTY VENTURES, LLC., LOCATED NORTH OF KELLY PARK ROAD AND WEST OF MT. PLYMOUTH 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 McQueen, to adopt Ordinance No. 2212. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**4. ORDINANCE NO. 2213 - SECOND READING & ADOPTION - ANNEXATION - American Brick Communities, Inc., property located north of Sandpiper Street and east of Rock Springs Road (1.59 acres) - The City Clerk read by title as follows:**

**ORDINANCE NO. 2213**

**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 AMERICAN BRICK COMMUNITIES, INC., LOCATED NORTH OF SANDPIPER STREET AND EAST OF ROCK SPRINGS 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 Arrowsmith, to adopt Ordinance No. 2213. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**5. ORDINANCE NO. 2214 - SECOND READING & ADOPTION - ANNEXATION - William and Maribel Brinkle, property located north of Lester Road and east of Plymouth-Sorrento Road (1.67 acres) - The City Clerk read by title as follows:**

**ORDINANCE NO. 2214**

**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 WILLIAM BRINKLE AND MARIBEL BRINKLE, LOCATED NORTH OF LESTER 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 McQueen, and seconded by Commissioner Dean, to adopt Ordinance No. 2214. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

6. **ORDINANCE NO. 2215 - SECOND READING & ADOPTION - ANNEXATION** - Mark J. Fry, property south of Mayflower Avenue and east of Lake View Drive (0.17 acres) - The City Clerk read by title as follows:

**ORDINANCE NO. 2215**

**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 MARK J. FRY, LOCATED SOUTH OF MAYFLOWER AVENUE AND EAST OF LAKE VIEW DRIVE; 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 McQueen, to adopt Ordinance No. 2215. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

7. **ORDINANCE NO. 2216 - SECOND READING & ADOPTION - ANNEXATION** - Evelyn Marie Vogl, property located north of Lester Road and east of Rogers Road (13.17 acres) - The City Clerk read by title as follows:

**ORDINANCE NO. 2216**

**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 EVELYN MARIE VOGL, LOCATED NORTH OF LESTER ROAD AND EAST OF ROGERS 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 McQueen, and seconded by Commissioner Arrowsmith, to adopt Ordinance No. 2216. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**8. ORDINANCE NO. 2217 - SECOND READING & ADOPTION - ANNEXATION - Velda Marlene Rothfus, property located north of Lester Road and east of Rogers Road (13.05 acres) - The City Clerk read by title as follows:**

**ORDINANCE NO. 2217**

**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 VELDA MARLENE ROTHFUS, LOCATED NORTH OF LESTER ROAD AND EAST OF ROGERS 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 McQueen, to adopt Ordinance No. 2217. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**9. ORDINANCE NO. 2218 - SECOND READING & ADOPTION - ANNEXATION - Miller Investments & Property Management, Inc., property located north of Lester Road and east of Rogers Road (11.68 acres) - The City Clerk read by title as follows:**

**ORDINANCE NO. 2218**

**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 MILLER INVESTMENTS & PROPERTY MANAGEMENT, INC., LOCATED NORTH OF LESTER ROAD AND EAST OF ROGERS 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 McQueen, to adopt Ordinance No. 2218. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

10. **ORDINANCE NO. 2219 - SECOND READING & ADOPTION - ANNEXATION** - City of Apopka, property located north of Lester Road and west of Rock Springs Road (6.76 acres) - The City Clerk read by title as follows:

**ORDINANCE NO. 2219**

**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 CITY OF APOPKA, LOCATED NORTH OF LESTER ROAD AND WEST OF ROCK SPRINGS 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 McQueen, and seconded by Commissioner Dean, to adopt Ordinance No. 2219. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

11. **ORDINANCE NO. 2210 - FIRST READING - COMPREHENSIVE PLAN AMENDMENT - SMALL SCALE** - Center of Faith Church, Inc. - from County Low Density Residential (Max. 4 du/ac) to Professional Office/Institutional for property located at 700 Vick Road.

Community Development Director Jay Davoll gave a brief summary of the requests, saying this was to change the Land Use and Zoning from County to City. He said there is currently a residence on the property being used as a church and they are planning to build a multi-purpose building for the church and convert the house back to a residence.

The City Clerk read the title as follows:

**ORDINANCE NO. 2210**

**AN ORDINANCE OF THE CITY COUNCIL 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 FOR PROPERTY LOCATED AT 700 VICK ROAD AND OWNED BY CENTER OF FAITH CHURCH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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. 2210, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

12. **ORDINANCE NO. 2211 - FIRST READING - CHANGE OF ZONING** - Center of Faith Church, Inc. - from County A-1 to City PO/I for property located at 700 Vick Road - The City Clerk read the title as follows:

**ORDINANCE NO. 2211**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS PO/I FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA; OWNED BY CENTER OF FAITH CHURCH, INC., LOCATED AT 700 VICK ROAD; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, 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 McQueen, to accept the First Reading of Ordinance No. 2211, and hold it over for a Second Reading. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**SITE APPROVALS** - There were no site approvals.

**DEPARTMENT REPORTS AND BIDS**

1. Administrative Report – Richard D. Anderson – Chief Administrative Officer - Mayor Land thanked CAO Anderson for giving the State of the Future presentation at the Chamber of Commerce Membership Luncheon. CAO Anderson replied that it was a team effort along with staff. He also announced the presentation will be posted to the City's website.

CAO Anderson noted on page eight (8) of the Administrative Report that building values of construction in 2011 have now exceeded the values of 2008 and 2009, showing small signs the economy is improving.

**MAYOR'S REPORT** - Mayor Land reported receiving a letter from John Rosenow, Chief Executive of the Arbor Day Foundation, congratulating Apopka on being named a Tree City USA community for 2010. Mayor added that Apopka has earned this National designation for 18 years.

Mayor Land reported receiving a card from the Tillman Family, expressing their appreciation for the floral arrangement sent in memory of Donald Wayne Tillman, brother of long-time employee Ronnie Tillman. Mayor added that Ronnie retired from the City after 39 years of service.

Mayor Land said the City is starting a 501(c)(3) Trust, and as a part of that Trust, he has asked that funding for scholarships be included in the Trust. He said four (4) cash scholarships were originally given to Apopka High School students, and when Wekiva High School opened, the four (4) scholarships were then split between the two schools.

Mayor Land asked the City Council to authorize a small cash scholarship to go with the Mayor's Award granted to deserving students of the two schools.

**MOTION by Commissioner Arrowsmith, and seconded by Commissioner McQueen, to authorize a small cash award from the City to accompany the Mayor's Award. Motion carried unanimously with Mayor Land and Commissioners Arrowsmith, Dean, and McQueen voting aye.**

**OLD BUSINESS**

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

**NEW BUSINESS**

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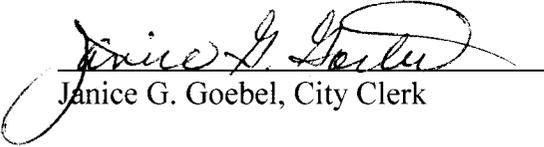
Mayor Land announced that Commissioner Arrowsmith is attending Leadership Apopka, and as a part of the program, he recently gave a presentation to the class on the history of Apopka. Commissioner Arrowsmith applauded Mayor Land on his knowledgeable presentation.

Mayor Land again thanked CAO Anderson and staff for the State of the Future presentation.

CAO Anderson advised the City Council that Commissioner Till was not at the meeting as she is in Tallahassee, lobbying proposed Legislative bills regarding red light cameras and pension reform.

**ADJOURNMENT** - There being no further business to discuss, the meeting adjourned at 8:27 p.m.

ATTEST:

  
Janice G. Goebel, City Clerk

  
John H. Land, Mayor