

# CITY OF APOPKA

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**Minutes of the regular City Council meeting held on May 7, 2014, at 1:30 p.m., in the City of Apopka Council Chambers.**

**PRESENT:** Mayor Joe Kilsheimer  
Commissioner Bill Arrowsmith  
Commissioner Billie Dean  
Commissioner Diane Velazquez  
Commissioner Sam Ruth

**PRESS PRESENT:** Roger Ballas - The Apopka Chief  
John Peery - The Apopka Chief  
Steve Hudak – The Orlando Sentinel

**INVOCATION AND PLEDGE OF ALLEGIANCE** – The Invocation was given by Father Charlie Deeney of the St. Francis of Assisi Catholic Church. Mayor Kilsheimer led in the Pledge of Allegiance.

## **EMPLOYEE RECOGNITION**

**1. Elizabeth “Brittany” B. Berthold - Police/Support Services - Five Year Service Award** - Mayor Kilsheimer said Brittany began working for the City of Apopka on April 6, 2009, as a Police Officer. On July 29, 2012, she had a title change to Property & Evidence Technician, which is her current position. The City Council joined Mayor Kilsheimer in congratulating Brittany on her years of service to the City.

**2. Vincent “Vince” P. Indiveri - Fire/Suppression - Five Year Service Award** - Mayor Kilsheimer said Vince started working for the City on April 21, 2009, as a Fire Fighter First Class, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Vince on his years of service to the City.

**3. Holly M. Roell - Police/Communications - Ten Year Service Award** - Mayor Kilsheimer said Holly began working for the City on April 20, 2004, as a Communication Technician. Holly was reclassified to Lead Communication Technician on July 14, 2010, which is her current position. The City Council joined Mayor Kilsheimer in congratulating Holly on her years of service to the City.

**4. John R. Longmire - Fire/EMS - Fifteen Year Service Award** - Mayor Kilsheimer said John started working for the City on April 26, 1999, as a Fire Fighter First Class. He was promoted on September 30, 2002, to Fire Engineer. Then, on March 2, 2005, John was promoted to Fire Lieutenant, which is his current position. The City Council joined Mayor Kilsheimer in congratulating John on his years of service to the City.

**5. Scott D. Machovina - Fire/Suppression - Fifteen Year Service Award** - Mayor Kilsheimer said Scott was not present and would be presented his award at another time.

**6. Andrew "Andy" J. Strausburg - Fire/EMS - Fifteen Year Service Award** - Mayor Kilsheimer said Andy started working for the City on April 26, 1999, as a Fire Fighter First Class. On January 13, 2004, he was promoted to Fire Engineer, and on February 24, 2014, he was promoted to Fire Lieutenant, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Andy on his years of service to the City.

**7. Vincent "Vince" J. Tomljenovich - Fire/Suppression - Fifteen Year Service Award** - Mayor Kilsheimer said Vince began working for the City on April 26, 1999, as a Fire Fighter First Class, which is his current position. The City Council joined Mayor Kilsheimer in congratulating Vince on his years of service to the City.

**PRESENTATIONS** - There were no presentations.

### **CONSENT AGENDA**

1. Approve the minutes of the regular City Council Meeting held on April 16, 2014, at 1:30 p.m.
2. Approve the application, from Extreme Limousine Inc., for a Vehicle for Hire Permit to operate a luxury taxi service in the City of Apopka.
3. Authorize the execution of an agreement between the Apopka Police Department and Harbor House of Central Florida to work cooperatively in order to protect the victims of domestic violence and improve prosecution.
4. Authorize the expenditure, in the amount of \$19,587.00, from the Federal Law Enforcement Trust Fund to purchase a Use of Force Simulator.
5. Authorize the expenditure, in the amount of \$30,394.03, for a railroad pedestrian gate and the extension of the rubber and asphalt crossway on Lakeville Road.
6. Approve the Disbursement Report for the month of April 2014.

At the request of Commissioner Ruth, Item #6 was pulled from the Consent Agenda to be heard during Old Business.

**MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Ruth, to approve Items #1 - 5 of the Consent Agenda. Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

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

### **ORDINANCES AND RESOLUTIONS**

Mayor Kilsheimer said Ordinance Nos. 2359 - 2363 do not meet the requirements for adoption, and will be held over for a Second Reading.

- 1. ORDINANCE NO. 2359 - FIRST READING - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - Jeffrey B. Randazzo, from "County"**

**Rural (1 du/1 ac) to “City” Residential high (0-15 du/ac), for property located north of S.R. 414 (Apopka Expressway) and Keene Road, east of Stanford Drive and west of South Sheeler Avenue. (Parcel ID #: 22-21-28-0000-00-078)**

The City Clerk read the title, as follows:

**ORDINANCE NO. 2359**

**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” RURAL (1 DU/1 AC) TO “CITY” RESIDENTIAL HIGH DENSITY (0-15 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF S.R. 414 (APOPKA EXPRESSWAY) AND KEENE ROAD, EAST OF STANFORD DRIVE AND WEST OF SOUTH SHEELER AVENUE, COMPRISING 3.5 ACRES, MORE OR LESS, AND OWNED BY JEFFREY B. RANDAZZO; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Commissioner Velazquez inquired what was meant by 0-15 du/ac. City Administrator Anderson explained it means 0-15 dwelling units per acre.

**MOTION was made by Commissioner Dean, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2359, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

**2. ORDINANCE NO. 2360 - FIRST READING - CHANGE OF ZONING - Jeffrey B. Randazzo, from “County” A-1 to “City” R-3, for property located north of S.R. 414 (Apopka Expressway) and Keene Road, east of Stanford Drive and west of South Sheeler Avenue. (Parcel ID #: 22-21-28-0000-00-078)**

The City Clerk read the title, as follows:

**ORDINANCE NO. 2360**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM “COUNTY” A-1 TO “CITY” R-3 FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF S.R. 414 (APOPKA EXPRESSWAY) AND KEENE ROAD, EAST OF STANFORD DRIVE AND WEST OF SOUTH SHEELER AVENUE, COMPRISING 3.5 ACRES, MORE OR LESS, AND OWNED BY JEFFREY B. RANDAZZO; PROVIDING FOR DIRECTIONS TO THE COMMUNITY**

**DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

Commissioner Velazquez inquired if this Ordinance is the same property as was heard in Ordinance No. 2359. City Administrator Anderson pointed out the parcels addressed in the ordinances on the agenda are in succession for future development.

**MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to accept the First Reading of Ordinance No. 2360, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

- 3. ORDINANCE NO. 2361 - FIRST READING - COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE AMENDMENT - Robert Roach, from "County" Rural (1 du/10 ac) to "City" Residential High (0-15 du/ac), for property located north of S.R. 414 (Apopka Expressway) and Keene Road, and west of South Sheeler Avenue (Parcel ID #: 22-21-28-0000-00-114)**

The City Clerk read the title, as follows:

**ORDINANCE NO. 2361**

**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" RURAL (1 DU/10 AC) TO "CITY" RESIDENTIAL HIGH DENSITY (0-15 DU/AC) FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF S.R. 414 (APOPKA EXPRESSWAY) AND KEENE ROAD, AND WEST OF SOUTH SHEELER AVENUE, COMPRISING 1.5 ACRES, MORE OR LESS, AND OWNED BY ROBERT ROACH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**MOTION was made by Commissioner Velazquez, and seconded by Commissioner Ruth, to accept the First Reading of Ordinance No. 2361, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

4. **ORDINANCE NO. 2362 - FIRST READING - CHANGE OF ZONING - Robert Roach, from "County" A-1 to "City" R-3, for property located north of S.R. 414 (Apopka Expressway) and Keene Road, and west of South Sheeler Avenue. (Parcel ID #: 22-21-28-0000-00-114)**

The City Clerk read the title, as follows:

**ORDINANCE NO. 2362**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" A-1 TO "CITY" R-3 FOR CERTAIN REAL PROPERTY GENERALLY LOCATED NORTH OF S.R. 414 (APOPKA EXPRESSWAY) AND KEENE ROAD, AND WEST OF SOUTH SHEELER AVENUE, COMPRISING 1.5 ACRES, MORE OR LESS, AND OWNED BY ROBERT ROACH; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mayor Kilsheimer 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 First Reading of Ordinance No. 2362, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

5. **ORDINANCE NO. 2363 - FIRST READING - CHANGE OF ZONING - Debra L. Jones; Steven P. Gill; and Apopka Gilkey, LLC, c/o Jason Gilkey, from R-1AA (0-5 du/ac) (Residential) and Planned Unit Development (PUD/R-2) (0-5 du/ac)(Residential) to Planned Unit Development (PUD/R-2) (0-5 du/ac)(Residential), for properties located east of Plymouth Sorrento Road, south of Schopke Road. (Parcel ID #s: 06-21-28-7172-15-090 & 06-21-28-7172-15-130)**

The City Clerk read the title, as follows:

**ORDINANCE NO. 2363**

**AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM R-1AA TO PLANNED UNIT DEVELOPMENT (PUD/R-2) FOR CERTAIN REAL PROPERTIES GENERALLY LOCATED EAST OF PLYMOUTH SORRENTO ROAD, SOUTH OF SCHOPKE ROAD, COMPRISING 14.7 ACRES, MORE OR LESS, AND OWNED BY DEBRA L. JONES, STEVEN P. GILL, AND APOPKA GILKEY, LLC, C/O JASON GILKEY; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

Commissioner Velazquez requested clarification on the zoning change from R-1AA to PUD. City Administrator Anderson said the previous property was zoned to a PUD, which is a more flexible zoning to allow for additional requirements over straight zoning.

**MOTION was made by Commissioner Velazquez, and seconded by Commissioner Ruth, to accept the First Reading of Ordinance No. 2363, and hold it over for a Second Reading. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

6. **RESOLUTION NO. 2014-03 - Amending Resolution No. 2005-12 by modifying the designated officials who are authorized with Regions Bank to sign checks, notes, drafts, bills of exchange, monies, acceptance, orders and other items of any kind, to make endorsements, to borrow money, and setting the method of notice of change in officials.**

The City Clerk read the title as follows:

**RESOLUTION NO. 2014-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING RESOLUTION NO. 2005-12 BY MODIFYING THE DESIGNATED OFFICIALS WHO ARE AUTHORIZED WITH REGIONS BANK TO SIGN CHECKS, NOTES, DRAFTS, BILLS OF EXCHANGE, MONIES, ACCEPTANCE, ORDERS AND OTHER ITEMS OF ANY KIND; BY MODIFYING THE DESIGNATED OFFICIALS WHO ARE AUTHORIZED TO MAKE ENDORSEMENTS; BY MODIFYING THE DESIGNATED OFFICIALS AUTHORIZED TO BORROW MONEY; SETTING THE METHOD OF NOTICE OF CHANGE IN OFFICIALS; ESTABLISHING AN EFFECTIVE DATE.**

City Administrator Anderson responded to a request of Commissioner Velazquez for clarification of the resolution. He explained the various accounts and the need for multiple signers on the accounts.

**MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Velazquez, to adopt Resolution No. 2014-03. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

7. **RESOLUTION NO. 2014-04 - Authorizing the reimbursement of certain costs relating to the acquisition of sanitation trucks and compressed natural gas (CNG) station capital improvements.**

The City Clerk read the title as follows:

**RESOLUTION NO. 2014-04**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, WITH RESPECT TO THE REIMBURSEMENT OF CERTAIN COSTS RELATING TO THE ACQUISITION OF SANITATION TRUCKS AND VARIOUS COMPRESSED NATURAL GAS (CNG) STATION CAPITAL IMPROVEMENTS.**

The City Administrator explained that the funds must be allocated by resolution.

**MOTION was made by Commissioner Velazquez, and seconded by Commissioner Arrowsmith, to adopt Resolution No. 2014-04. Motion carried unanimously with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez and Ruth voting aye.**

**SITE APPROVALS**

- 1. FINAL DEVELOPMENT PLAN - Poe Reserve Subdivision, owned by Nancy Poe, c/o Floriday Properties, Inc.; the engineer is June Engineering Consultants, Inc., c/o Jeffrey A. Sedloff and Jimmy Dunn; and the property is located south of North Orange Blossom Trail, west of State Road 451. (Parcel ID Nos. 05-21-28-0000-00-030, 08-21-28-0000-00-026, 08-21-28-0000-00-027 & 08-21-28-0000-00-046)**

Jay Davoll, Community Development Director, gave an overview of the project including a waiver request to omit building a wall along State Road 429 (451). (The staff report is incorporated into, and made a part of these meeting minutes.)

There was considerable discussion concerning the impact of the development regarding traffic on Highway 441, Lake Doe Boulevard.

Mayor Kilsheimer opened the meeting for a public hearing.

Pat McGuffin, 289 Lake Doe Blvd, expressed concern over the amount of traffic already in the area with only 2 subdivisions, and the enormous traffic impact with the proposed total of 5 subdivisions on Lake Doe Boulevard.

Mayor Kilsheimer explained that with the complete build-out, 2 additional access roads to Binion Road and Marshal Lake Road will help to eliminate traffic issues.

Mr. Davoll said that, at a certain level of growth in development, traffic studies by a professional traffic engineer are required.

Mr. McGuffin further asked about the square footage of the homes to be built.

Mr. Davoll responded that the developer is proposing 2,100 square foot, which once approved, cannot be built smaller.

No one else wishing to speak, Mayor Kilsheimer closed the public hearing.

**MOTION was made by Commissioner Ruth, and seconded by Commissioner Arrowsmith, to approve the Final Development Plan for the Poe Reserve Subdivision, as recommended. Motion carried unanimously, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean, Velazquez, and Ruth voting aye.**

**DEPARTMENT REPORTS AND BIDS** - City Administrator Richard Anderson had nothing to report.

**MAYOR'S REPORT** - Mayor Kilsheimer said everyone has inquired about the Mayor's salary. He reported having asked City Administrator Anderson and City Attorney Kruppenbacher for a determination of his ethical ability to vote on the matter.

City Attorney Kruppenbacher said he has reviewed the Charter and Legal Opinions regarding the matter. He said the salary of the Mayor is set by the budget. He said, in his opinion, there is no conflict with Mayor Kilsheimer voting on the Mayor's salary; however, he is seeking an opinion from the Commission on Ethics for clarification.

Mayor Kilsheimer said they are awaiting the recommendation of the State prior to proceeding with the discussion.

In response to a question from Commissioner Dean, Mayor Kilsheimer stated he is seeking a salary that is "fair, reasonable and appropriate." He concluded that the matter will be held for a future meeting.

## **OLD BUSINESS**

### **1. COUNCIL -**

Commissioner Ruth expressed his concerns when attempting to obtain information from the City.

City Attorney told him he was not required to provide his request in writing. Staff, under the law, has a reasonable amount of time to provide that record.

When asked what he was looking for, Commissioner Ruth read his list into the record as follows:

Copies of follow up material for check #: 160466, 160462, 160587, 160298, 160299, 160386, 160618, 160306, 160539, 160300, 160647, and check #1296. He requested the purchase orders, the budget year it came from and the vendor contact information. He further requested a list of salaries for all department heads, what department heads are drawing from a pension plan, and if they are drawing from another (department) budget.

City Administrator Anderson told him the most appropriate place to request information is the Office of the City Administrator. He clarified that the Charter amendments approved by the electors in December are in place, and will be codified into the Charter.

Mayor Kilsheimer said with everything being new, everyone needs to work together.

**MOTION was made by Commissioner Ruth, and seconded by Commissioner Velazquez to move Line Item 6 to the next available Board meeting by the Council.**

There was further discussion concerning holding the approval of the Disbursement Report when the checks have already been issued.

Commissioner Arrowsmith called the question.

**VOTE: Motion failed 3-2, with Mayor Kilsheimer voting No, and Commissioners Arrowsmith and Dean voting No, and Commissioners Velazquez and Ruth voting Aye.**

**MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve the Disbursement Report from the Consent Agenda.**

Commissioner Ruth inquired if he will still be able to get the requested information, to which Mayor Kilsheimer responded affirmatively.

**VOTE: Motion carried 4-1, with Mayor Kilsheimer, and Commissioners Arrowsmith, Dean and Velazquez voting Aye, and Commissioner Ruth voting No.**

**2. PUBLIC** - There was no old business from the public.

## **NEW BUSINESS**

**1. COUNCIL** - There was no new business from the Council.

**2. PUBLIC**

Larry Bornacelli, 2314 Sweetaire Court, representative for VGIL, Inc., a non-profit, said they were just granted a low power FM radio station. He said it is a community radio station for the City of Apopka, located on frequency 99.3. He expressed a desire for the City to work with him on some logistics he has been confronted in attempting to put an antennae on a tower, specifically the tower behind Florida Hospital. He asked to lease or purchase the property from the City. He said the radio station will be at the City's disposal for public service announcement, working with the emergency management teams, Mayor's message, etc. The FCC only granted 4,000 licenses across the entire country and Apopka was one of those granted. He added this should mean more jobs to the City, and offer opportunities for local businesses.

Mayor Kilsheimer said his email had been received and forwarded to City Administrator Anderson. He asked that the two speak following the meeting.

Barbara Zackzewski, 3674 Rochelle Lane, expressed appreciation for the City Council meeting packet being posted on the City's website.

Robert Webster, 237 W Ponkan Rd, commended the City Council on the openness of the meeting.

A. Earl Nurse, 3851 Rock Hill Loop, thanked the Recreation Department for putting the mile marker around the sports complex. He said it is 9/10 of a mile and to make up the difference for a mile, walkers are cutting across the grass. He expressed concern that the integrity of the grass will fail and asked that either a sidewalk be installed, or the area being blocked from foot traffic. He said he had heard there is to be an expansion of the sports complex, and requested that there be a feasibility study conducted on the impact on the economy of Apopka, specifically what the sports complex is bringing to the businesses in Apopka. He further thanked Capt. Randy Fernandez of the Apopka Police Department for looking into and resolving a personal matter for he and a citizen.

Christine Moore, 2145 Palm Crest Dr, representing the Orange County Public Schools, thanked the City for its support of the Jazz Festival. She gave an overview of the success of the festival. She thanked Chief Manley for the support of the Apopka Police Department at the event.

Ms. Moore said she understood that Mayor Land was working on a history project, and wanted to offer the use of the school's production studios for the project.

Commissioner Ruth reported the Apopka High School Girls Flag Football team will be playing in Tallahassee for State title. He also reported the Boys Baseball Team will be going to the regionals.

Ray Shackelford, 282 Carpathian Drive, followed up on an earlier recommendation of Commissioner Dean of an Apopka Hall of Fame, with the first 2 inductees being Mayor Land and Mrs. Land. He questioned the ability of the City Council to review the budget mid-term, and said any salary adjustments would best be done at that time. He also spoke on the decision of the electors in December regarding the responsibilities of the City Administrator, suggesting the matter be reviewed further.

City Attorney Kruppenbacher advised the City Council may look at the budget at any time, and amendments may be made; however, at the end of the fiscal year, there is limited time to amend the budget for the preceding fiscal year.

Diane Harrison, 380 North Lake Avenue, expressed concern at the lack of lighting on Park Avenue and Rock Springs Road, and inquired if it is the responsibility of the City or the County.

Mayor Kilsheimer said street lighting is not only an issue on Park Avenue and Rock Springs Road, but also in many neighborhoods throughout the City of Apopka. Going forward, he said, lighting will be an issue to be reviewed.

**ADD ON: CITY ATTORNEY REPORT** - City Attorney Kruppenbacher spoke of the Supreme Court ruling regarding prayer at public events/public meetings. He said the Court said that it is a tradition of this Country where a moment of prayer has been used to emphasize the solemn nature of the business and occasion, reversing the Appellate Court decision, and found that the City Council was in no way attempting to pick a particular religion, and it was open to any religious entity that was within the community. The public body is not obligated to go outside the City to bring in a specific religion. He said the City of Apopka can continue to be open to the people of the community in various faiths.

Suzanne Kidd, 1260 Lexington Parkway, congratulated everyone on the insightful meeting. She expressed appreciation for the meeting packet being on the website. She asked if she had a right to question an item on the Disbursement Report.

The right was granted by Mayor Kilsheimer.

Ms. Kidd asked City Attorney Kruppenbacher about the March 28, 2014 payment to him in the amount of \$25,000 listed on the Disbursement Report.

City Attorney Kruppenbacher explained he billed the City for well in excess of a year for litigation attended regarding constitutional challenges to the red light cameras, and met repeatedly with administrative judges, attended a number of hearings, drafted pleadings, etc. He said he had not billed the City concerning that litigation, and had actually rounded down the amount. He said it also included requests of Mayor Land. Charter meetings, and Charter review. He said it was work over and above the retainer fee.

Ms. Kidd also spoke in support of looking at the Mayor's salary.

**ADJOURNMENT** - There being no further business to discuss, the meeting adjourned at 3:03 p.m.

ATTEST:

  
Janice G. Goebel, City Clerk

  
Joe Kilsheimer, Mayor

**APOPKA CITY COUNCIL MEETING**  
**May 7, 2014**

The following document was distributed to the City Council  
by  
Larry Bornacelli, 2314 Sweetaire Court, Apopka FL 32703  
regarding Non-Commercial Low Power FM Radio Station, and heard under:

**NEW BUSINESS**

**2. PUBLIC**



# **VJIL, Inc.**

**Serving Our Community One Listener At a Time**

May 7, 2014

City of Apopka  
120 East Main Street  
Apopka, Florida 32703

To Whom It may Concern:

VJIL, Inc. would like to thank City of Apopka for the opportunity to present our vision and plans to bring a Non-Commercial Low Power FM Radio Station to the Apopka area.

We have recently discovered that City of Apopka has a communications tower at the intersection of Forest and Oak across Florida Hospital, and we would like to lease some of your unused space to broadcast our Low Power FM Radio Station.

VJIL, Inc. has been serving the Community of Central Florida since February 2012, registered and incorporated 2013 in the State of Florida. VJIL, Inc. amplifies the voices of residents and community leaders alike. Further, VJIL, Inc. partners with entities to afford institutional knowledge and other resources to the community; these efforts utilize radio broadcasting to deliver forums for issues and in the process further the goals of the community.

In accordance with FCC Rules and Regulations, we will provide full and complete local programming within the proposed 24 hours per day, 7 days a week from a studio located in Apopka, FL.

If permitted to place our antenna at your site, our aim is to serve the City Of Apopka with a local radio presence to get its message out in the form of Public Service Announcements, Weekly Radio Shows, Calendar of Events, and Emergency Management Communication.

VJIL, Inc. once again thanks the City of Apopka for its time and hopes to work together in the near future.

Sincerely,

Larry Bornacelli  
President  
VJIL, Inc.

VJIL, Inc.  
2150 Grassmere Drive  
Apopka, FL 32703



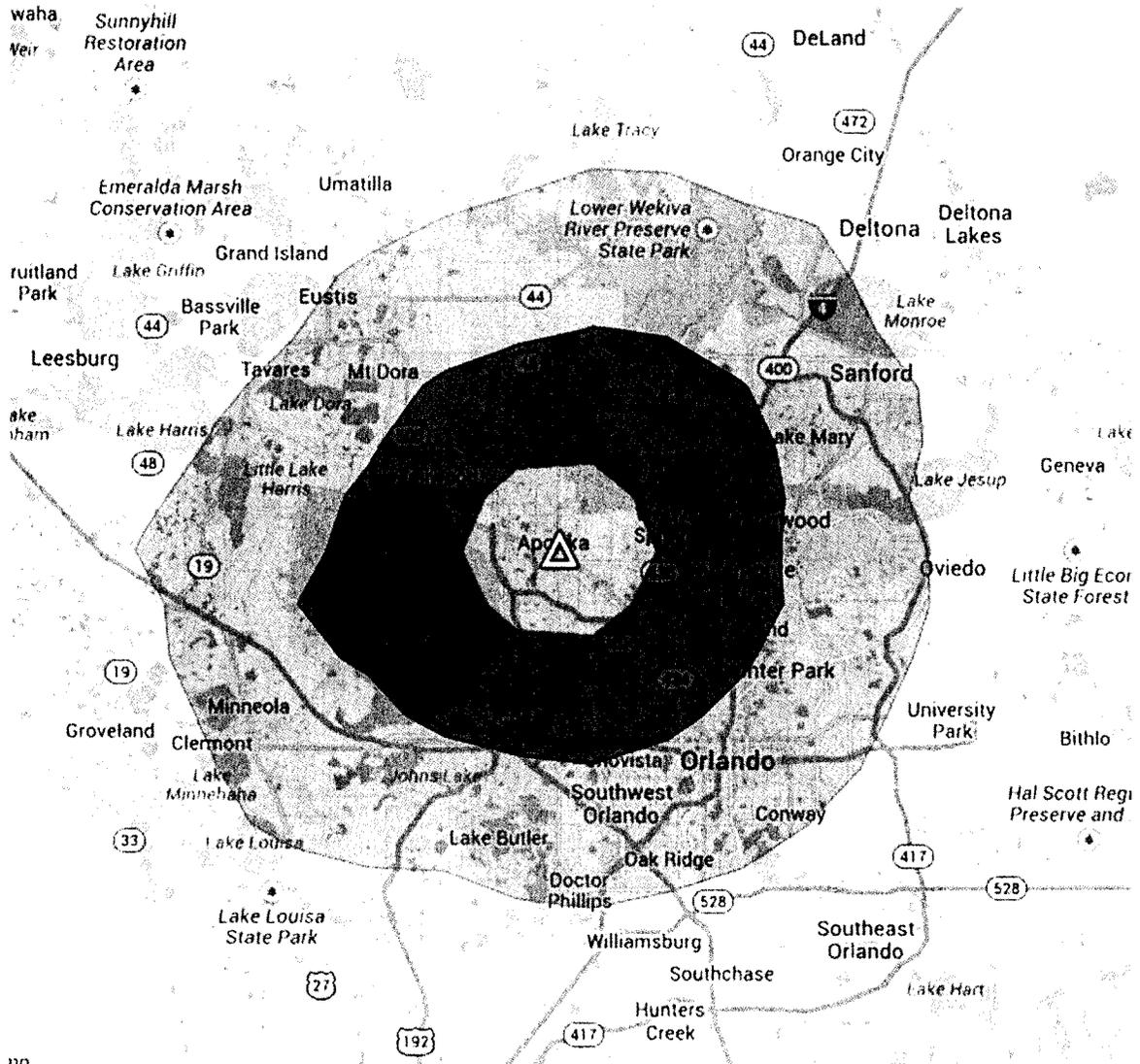
# VJIL, Inc.

Serving Our Community One Listener At a Time

## WPKA-LP

## 99.3 FM

### Predicted Coverage Map Transmitting From Florida Hospital Apopka



VJIL, Inc.  
 2150 Grassmere Drive  
 Apopka, FL 32703



**VJIL, Inc.**

**Serving Our Community One Listener At a Time**

## **What Is A Low Power FM (LPFM)**

**The FCC launched the low power FM service in 2000 as an effort to provide more localism to the terrestrial airwaves. The service is entirely commercial-free, and licenses were only granted to nonprofit organizations. A low power FM license is a “non-commercial-educational” license, which means the station must have an educational mission.**

**Low power FM stations can operate at a maximum power of 100 watts, which generally provides solid coverage 3.5 aerial miles in each direction, and reach radios up to 10 miles away.**

**LPFM stations work closely with local law enforcement officials and emergency service responders to save lives and help rebuild communities following natural disasters and can focus on local public safety needs. LPFM stations do what mega-radio networks cannot: provide local news and meet local needs.**

**Low power FM stations air a diversity of programming, including music, news, public affairs, etc. You cannot air paid advertisements, but you can engage in underwriting, which allows you to accept donations.**

**A prime example an Educational station is PBS, except in this case it's on Radio.**

**VJIL, Inc.  
2150 Grassmere Drive  
Apopka, FL 32703**



# **VJIL, Inc.**

**Serving Our Community One Listener At a Time**

**Educational And Informational Programming Segment**

**Our Station will provide a vast amount of Educational and informative Programs over the airwaves.**

**VJIL, Inc. would like to give the community a medium to inform and enlighten our listeners with weekly Radio Programs, Daily Public Service Announcements, and Emergency Management information.**

**Some of our proposed segments include:**

**Mayor Of Apopka Weekly Radio Show**

**Weekly programs on community issues, topics, and concerns**

**Weekly Health programs covering health-related issues**

**Local high school sporting events**

**Public Service Announcements**

**Weekly or biweekly programming led by Community Leaders and Voices**

**Fire safety and medical emergency information**

**Community Calendar and Event announcements**



**VJIL, Inc.  
2150 Grassmere Drive  
Apopka, FL 32703**



# **VJIL, Inc.**

**Serving Our Community One Listener At a Time**

**SWR FMEC**

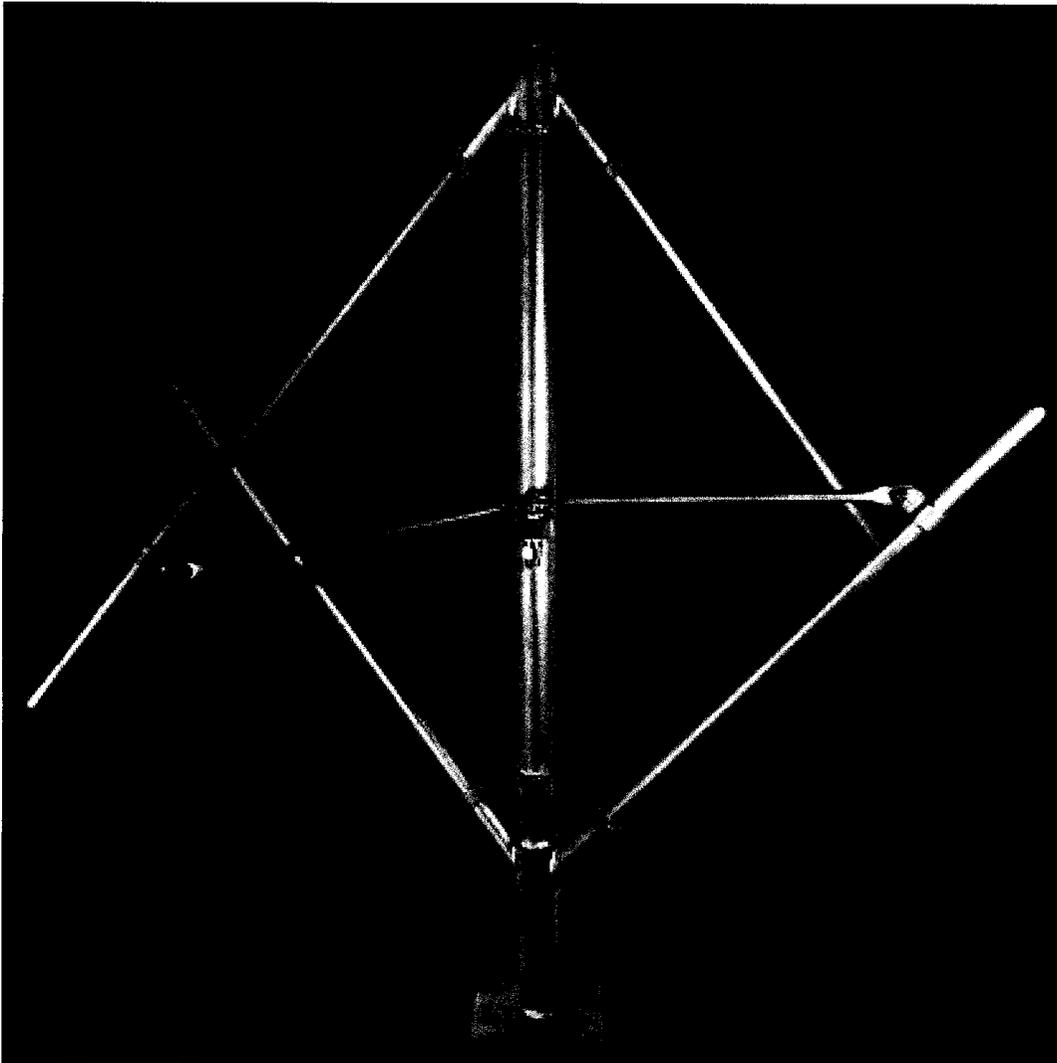
**SINGLE BAY ANTENNA**

**LENGTH: 43.5 INCHES**

**WIDTH: 34.5 INCHES**

**WEIGHT: 15 LBS**

**WINDLOAD: 35 LBS**



**VJIL, Inc.**

**2150 Grassmere Drive**

**Apopka, FL 32703**