

CITY OF APOPKA

Minutes of a Community Meeting on the City Charter held November 8, 2012, at 6:00 p.m., at the Apopka Community Center/VFW Post #10147, 519 South Central Avenue, Apopka, Florida.

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

PRESS PRESENT: John Peery - The Apopka Chief

1. INVOCATION – The Invocation was given by Pastor Doug Bankson, of the Victory Church World Outreach Center.

2. PLEDGE OF ALLEGIANCE - The Pledge of Allegiance was led by Commander Artie Vecchio, VFW Post #10147.

3. WELCOME - Mayor John Land - Mayor Land welcomed everyone to the 2nd Community Meeting on the City Charter, and thanked them for coming. He apologized for the meeting conflict with the Taste of Apopka; however, this meeting was scheduled at the previous meeting. He recognized current City Commissioners present, former Commissioner Kathy Till, Orange County Commissioner Fred Brummer, and Representative Bryan Nelson.

Mayor Land reiterated that everyone coming to the meetings will act as a “committee of the whole”, and stressed the importance of the endeavor. He then turned the meeting over to City Attorney Frank Kruppenbacher, who will function as the moderator.

4. CHARTER OVERVIEW - City Attorney Frank Kruppenbacher - Mr. Kruppenbacher reported that Bob Nabors was unable to attend the meeting due to illness.

Mr. Kruppenbacher explained the plan was to go item-by-item in the Charter and the group will decide if any section is to be put aside for further review. This way everyone will have an opportunity to study and research the section to be considered.

Mr. Kruppenbacher named each section and gave a brief overview of the purpose of each. Group discussion determined what Articles/Sections were fine as written and which needed further review and study. The discussion and consensus went as follows:

ARTICLE I. CHARTER

Sec. 1.01 Corporate name, corporate existence, form of government, and Charter. - No further review.

Sec. 1.02 Corporate boundary. - No further review.

Sec. 1.03 General powers of city. - No further review.

Sec. 1.04 Construction. - No further review.

ARTICLE II. CITY COUNCIL

Sec. 2.01. Composition of city council.

Sec. 2.02. Election and terms.

Sec. 2.03. Compensation; expenses of council.

Sec. 2.04. Mayor.

Sec. 2.05. General powers of city council.

Sec. 2.06. Council-employee relationship.

Sec. 2.07. Vacancies, filling of vacancies.

Sec. 2.08. City council meetings.

The group felt that all sections of this article need to be reviewed. One person commented that term limits should be required.

ARTICLE III. CLERK AND CITY ATTORNEY

Sec. 3.01 Appointment. A person questioned if the City were to change to a Manager form of Government, would the Clerk and City Attorney still work for the Mayor and Council. It was determined this section needs review.

Mr. Kruppenbacher said when the decision is made on what changes need to be incorporated some sections may need to be amended for consistency.

ARTICLE IV. ELECTIONS

Sec. 4.01. Electors.

Sec. 4.02. Nonpartisan elections.

Sec. 4.03. Qualifying.

Sec. 4.04. Schedule and notice of elections.

Sec. 4.05. Recall.

Mayor Land said that there is a time limit by law for changing an election date, as well as special planning with the Orange County Supervisor of Elections. He also commented that Florida Law places requirements regarding elections. There was consensus that all sections need review.

ARTICLE V. GENERAL PROVISIONS

Sec. 5.01. Charter amendments. – This section was reserved for review.

Sec. 5.02. Oath of officers. - No further review.

Sec. 5.03. Budget adoption. - Mr. Kruppenbacher explained the budgets are regulated by Florida Law. Kathy Till suggested that language be added to require budget workshops prior to adoption of a budget. This was reserved for review.

Sec. 5.04. Annual audit. - Reserved for further review.

Sec. 5.05 Initiative generally. - Needs clarification and reference to the ordinance regarding procedure and format for petitions. Reserved for further review.

ARTICLE VI. TRANSITION SCHEDULE

Mr. Kruppenbacher said this section references transitioning and will need to be updated with other changes within the Charter.

Sec. 6.01. Repeal of former charter provisions. - Reserved for further review.

Sec. 6.02. Ordinances preserved. - Reserved for further review.

Sec. 6.03. City official continuation in office. Reserved for further review.

Sec. 6.04. Pending matters. No further review.

Sec. 6.05. Provisions for referendum; form of ballots. - Reserved for further review.

Sec. 6.06. Effective date. - Reserved for further review.

Sec. 6.07. Severability. - No further review.

Mr. Kruppenbacher explained the plan now is to forward the sections held out for review to Mr. Nabors. He can prepare background on the law, and what statutes may be impacting. He will also be asked to bring multiple examples on these sections for group review.

Mr. Kruppenbacher asked if anyone had thoughts on what the Charter does not cover. He added that Apopka stayed very flexible in writing the Charter, keeping it fundamental and efficient. No one responding, he encouraged all that if they find something missing, to relay that information to the Mayor or Commissioners.

Discussion was held regarding Advisory Boards and Committees and the appointment of members. Mr. Kruppenbacher requested the City Clerk send him and Mr. Nabors a list of Advisory Boards/Committees and members.

Mayor Land said single member districts may need to be addressed and said Mr. Nabors will be asked to present it.

5. PUBLIC INPUT

Linda Laurendeau requested that the duties, responsibilities and powers of each scenario, such as strong mayor form of government, or weak mayor form.

Larry Till inquired, with regards to the process, once they get to the point of deciding what amendments should be recommended; how that would happen in this environment. He asked how would they vote and inquired if only registered voters in the city would be allowed to vote.

Mayor Land said they will have a number of meetings, receive input, and they may do a straw vote at the meeting or perhaps conduct a straw vote in the community prior to referendum. The final wording on the referendum will come from the attorneys.

Mr. Till inquired if right now there was no specific path, or how this group would vote.

Mr. Kruppenbacher said the public wants this process to be transparent, so that all of the public has the opportunity to talk and be part of the decision of what they want for the City.

Kathy Till reiterated her concerns that a Charter Review Committee needs to be formed. She stated she had conducted research and this method was not common throughout the state. In her review, all cities had a Charter Review Committee that was put together by the City Council and made up of city residents that were registered voters. She said in an attempt to keep this very transparent and open, the City should follow this process. She declared the City should form a Charter Review Committee much as they did with the Sign Ordinance Committee. She said by proceeding with meetings in this fashion, she felt they would see a growing animosity towards the process rather than having a consistent committee charged with the review.

Mayor Land said the last time they reviewed the Charter, it was done in this fashion and it was not common. He said, "Apopka was the only city that did this." He stated people at the last meeting were very much in support of the current Charter. He reiterated that the last time they reviewed the charter, they didn't have a committee, they had anyone who was interested in the review attend, just like this. He said they did a straw vote and a mail out vote on the proposed amendments. He said that the City was still of a size they could conduct the review with the community involvement, keeping it open to everyone, and this was as transparent as you can get. He stated they did have a Sign Ordinance Committee and they spent hours on reviewing the sign code that made recommendations to the City Council who made the final decision. He said on this, the voters are going to make the decision on the recommended amendments by referendum, so we should let them be a part of it right from the beginning. He stated by involving the public and conducting straw votes, when they do the final ratification, then hopefully it will go through very smoothly. He declared this was an open and fair process.

Steve Hooks stated he was privileged to have chaired the Sign Committee. He reported that as far as public input, they received very little public input at their meetings; most of the input was from businesses. He said this process was a better forum as there would be more public input. He suggested they should continue to advertise these meetings. He stated as they get further into the process, the numbers will probably dwindle.

Mayor Land reviewed the process of an assigned committee versus a committee of the whole.

Barb Zakszewski said she was in support of what Ms. Till recommended. She stated a committee designed for Charter review was more organized and would be meeting in the public. She said at the end of the day, the citizens would be voting on it.

Unidentified speaker also spoke in support of Ms. Till's recommendation of a committee to drive and steer the direction of this group. He stated a straw vote would still be welcomed and encouraged.

Doug Gondera asked Ms. Till what she was afraid of. He stated there had to be some underlying current. He said they are a committee right now, and added that sometimes committees just stall things and the process takes longer.

David Chase said he served on the Sign Committee and the attendance by the public was poor. However, the committee was very focused and able to steer a lot better. He stated one of the issues is that it would be the citizens directing it and running it, not the staff or administration and it would be in the hands of the people. He suggested these meetings need to be better noticed and communicated.

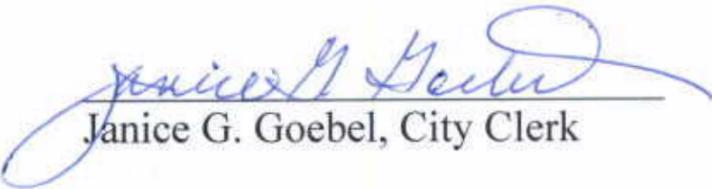
Sammy Ruth said he drove three hours from West Palm to be here to participate, and said he picked up a lot from the meetings.

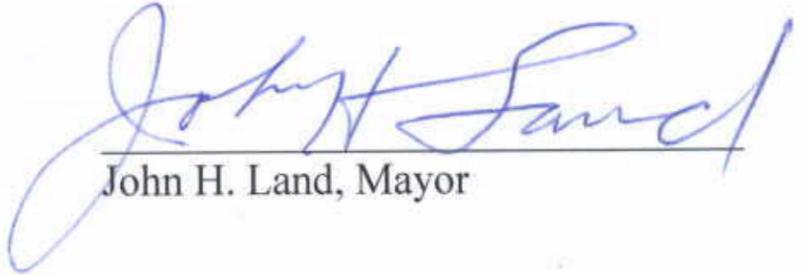
6. DISCUSS DATE AND TIME FOR THE NEXT MEETING

It was determined the next Charter Meeting will be held on Thursday, January 10, 2013, at 6:30 p.m.

7. ADJOURN - There being no further business to discuss, the meeting adjourned at 7:14 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor