

Minutes of a regular City Council meeting held on February 16, 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
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 two of our great Presidents were born in February, George Washington was born February 22nd, and Abraham Lincoln was born February 12th. President's Day is February 21st honoring all Presidents. He asked that everyone reflect on the great service of our 44 Presidents who have served our Nation throughout the years as he led in the Pledge of Allegiance.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on February 2, 2011 at 1:30 p.m.
2. Authorize the use of Kit Land Nelson Park and the provision of support services for the 50th annual Art & Foliage Festival.
3. Approve the renewal, for an additional one year, of the lease agreement with Dr. Charles Dorfman.
4. Authorize the Mayor or his designee to execute the Capital Facility and Impact Fee Payment Agreement for the Family Dollar Store located at 1319 Rock Springs Road.
5. Authorize the Chief Administrative Officer to sign a Real Estate Purchase Contract, in the amount of \$140,000, for property located at 235 West Lester Road.

MOTION was made by Commissioner Till, and seconded by Commissioner Arrowsmith, to approve the five (5) items of the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

PRESENTATIONS

Mayor Land recognized Boy Scout Troop 211 in attendance from First United Methodist Church.

Mayor Land recognized students from Apopka High School, in attendance as a requirement for their Government Class.

1. National FFA Week Proclamation – John Cloran

Mayor Land read a Proclamation proclaiming February 19th through the 26th as National Future Farmers of America Week. He presented a Proclamation to the Presidents of Apopka High School FFA, Wekiva High School FFA, Apopka Memorial Middle School FFA, and Wolf Lake Middle

School FFA. He commended the youth for their interest in agriculture and pointed out that Commissioner Dean had been the Agriculture Teacher at Apopka High School for many years.

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

ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2209 - SECOND READING & ADOPTION - Amending Apopka Code of Ordinances, Chapter 54 - "Offenses and Miscellaneous Provisions", Section 54-102 - "Certain Crimes Identified," Section 54-103 - "Directions to the Officer for Impoundment and Notice," and Section 54-104 - "Owner, Co-Owner, or Lienholder Securing Release of the Vehicle".** - Mayor Land said Ordinance No. 2209 meets the requirements for adoption having been duly advertised in The Apopka Chief on February 4, 2011. The City Clerk read the title as follows:

ORDINANCE NO. 2209

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 54, "OFFENSES AND MISCELLANEOUS PROVISIONS" SECTIONS 54-102 "CERTAIN CRIMES IDENTIFIED," 54-103 "DIRECTIONS TO THE OFFICER FOR IMPOUNDMENT AND NOTICE," AND 54-104 "OWNER, CO-OWNER, OR LIENHOLDER SECURING RELEASE OF THE VEHICLE"; AND PROVIDING FOR CODIFICATION, 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 Till, to adopt Ordinance No. 2209. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS

1. **COOPER INDUSTRIAL CENTER - MINOR REPLAT** - Property located on the southwest corner of Bradshaw Road and Johns Road.

Jay Davoll, Director of Community Development, gave a summary of the project, and said the portion requesting to be vacated was originally designed for access to the property to the south, which is no longer an option. He advised there was another access to that property. Mr. Davoll requested the staff report be incorporated into and made a part of these meeting minutes.

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

MOTION by Commissioner Dean, and seconded by Commissioner McQueen, to approve the Minor Replat for the Cooper Industrial Center, as presented.

Commissioner Arrowsmith advised he would be abstaining and would file a form 8B, as they are a client of the bank he serves.

Motion carried 4-0 with Mayor Land, and Commissioners Dean, McQueen, and Till voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

2. ORCHID ESTATES - FINAL DEVELOPMENT PLAN/PLAT - Property located on the west side of Jason Dwelley Parkway and north of Appy Lane.

Mr. Davoll gave an overview of the project, and asked that the staff report be incorporated into and made a part of these meeting minutes.

In response to questions from Commissioner Arrowsmith regarding lot and home size, Mr. Davoll explained restrictions and concessions allowed in the PUD zoning.

Discussion ensued regarding the tree replacement and mitigation by property donation.

CAO Anderson said the 17.4 acre parcel donated property is a heavily treed area which the City is trying to preserve. He stated with the significant investment in recreation in this area, additional acreage of undisturbed land would add to that investment. He advised the City had requested the fire station location being donated.

Mayor Land opened the public hearing.

Jim Fant, the Applicant, said he thought the questions concerning lot size and home size had previously been addressed when the PUD zoning was approved, as it falls within the sizes allowed within a PUD zoning. He stated they have gone through complete engineering and this project is ready to go.

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

MOTION by Commissioner Till, and seconded by Commissioner Arrowsmith, to approve the Final Development Plan/Plat for Orchid Estates, as recommended. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

DEPARTMENT REPORTS AND BIDS

1. Administrative Report – Richard D. Anderson – Chief Administrative Officer -

CAO Anderson said staff was continuing to work on a new website and there is a meeting on Tuesday with the new web designer.

CAO Anderson reported impact fees are down. He said the City went out to bid for the Reclamation Facility Expansion with the numbers coming in high. He said staff is not prepared to make a recommendation to move forward with this project.

CAO Anderson reported the City met with the Florida Central Railroad today and staff has a number of questions needing to be answered. He advised June 30th is the deadline date. He said a lot of interest was in the passenger component, which was not addressed in the grant application. He stated the City was looking into inter-modal facilities and alternative means of transportation. He said they were told the City would support the alternative analysis study that is looking at passenger service, and the study will be coming to Council for approval.

CAO Anderson announced the New York Yankees will be at the North West Recreation Complex on Saturday, February 26th.

Mayor Land reminded everyone of the 2nd Annual Art and Jazz Festival being held at the Apopka Amphitheater on Saturday, February 19, 2011, 11:00 a.m to 6:00 pm.

CAO Anderson said the City Council took a tour of the Sanford Business Incubator on Tuesday, February 15, 2011.

MAYOR'S REPORT - Mayor Land reported he received a card from Pat, Paula, and Janna Connelly and Family expressing appreciation for those participating in the memorial service for Janet Connelly, which was held on December 8, 2010.

Mayor Land reported receiving a phone call from a citizen commending Police Captain Matthew Gibbs for assistance with speeders and the transients on Second Street.

Mayor Land reported having received a card from Debbie Turner expressing appreciation to the Mayor and City Commissioners for attending the Grand Opening of The Cancer Care & Resource Center on January 27, 2011.

OLD BUSINESS

1. Council - Commissioner Dean inquired about the sign information the gentleman spoke about at the last meeting.

CAO Anderson said the Sign Committee held their first meeting last evening, and this is one of the areas they will be addressing. The Sign Committee has been asked to try and complete their work by June 30th.

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

NEW BUSINESS

1. Council - Commissioner McQueen said on Monday evening she had the opportunity, along with members of the Apopka Citizen's Police Academy, to tour the newly renovated Apopka Police Department to view all of the improvements made to the facility. She commended Chief Manley and his officers for what they have accomplished.

CAO Anderson said the project is nearly completed and a scheduled tour by the City Council will be forthcoming. He added that the renovations were performed by the Building Department staff, at a considerable cost savings to the City.

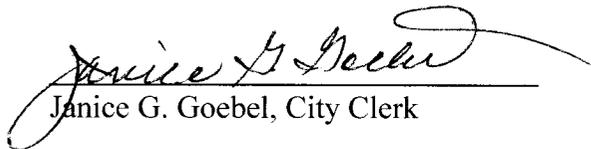
2. Public - There was no new business from the public.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 8:53 p.m.



John H. Land, Mayor

ATTEST:



Janice G. Goebel, City Clerk