

Minutes of a regular City Council meeting held on January 19, 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 Monday was a holiday honoring Dr. Martin Luther King, Jr., who worked to bring a peaceful change to our Nation. He asked that everyone reflect on his great work for our Nation that allowed for a peaceful change to take place, as he led in the Pledge of Allegiance.

Mayor Land welcomed Scouts and Leaders of Scout Troop and Pack 639, present at the meeting to earn their Citizenship in the Community merit badges.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on January 5, 2011 at 1:30 p.m.
2. Approve the minutes from the Chief of Police Swearing In Ceremony held on January 6, 2011 at 3:00 p.m.
3. Authorize the presentation of service weapon to retiring Police Chief Charles Vavrek, in recognition of his service to the City.
4. Authorize the purchase, in the amount of \$221,515.00, of four (4) vehicles from Mullinax Ford, and six (6) vehicles from Don Reid Ford, for use as Police Field Service vehicles.

MOTION was made by Commissioner Till, and seconded by Commissioner McQueen, to approve the four (4) items of the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

PRESENTATIONS

1. Economic Development Program – Update by Tracy Crowe and Pat Tyjeski of Land Design Innovations

CAO Anderson said the City has been working with Land Design Innovations (LDI) for several months on our Economic Development Program. He stated Tracy Crowe and Pat Tyjeski from LDI were present to provide an update on what they have been doing, as well as what is planned for the future.

Pat Tyjeski, Senior Planner with LDI, introduced Tracy Crowe, John Jones, Erin Provenzale, Chris Dougherty, Eddie Browder, and Joe Margio who are also with LDI working on this program. She

then gave a PowerPoint presentation reviewing the Economic Development Program to include Business Outreach, Economic Incentives, the Town Center, Airport, State Road 429 Corridor, Westside Research Park, and Comprehensive Plan/DRI. A copy of the PowerPoint presentation is on file with the minutes. Ms. Tyjeski and Ms. Crowe discussed the Economic Development Program and answered questions of the City Council.

CAO Anderson said they were focusing primarily on industrial lands as it was easier to plan around those parcels and the code can be applied easily. In terms of Job Growth Incentives, he stated they have been working with staff and a big part of this, as pointed out, was the funding. He advised they were looking into conducting a Field Trip to visit Sanford's incubator project. He said LDI has done an excellent job and have been very responsive to what the City wants.

In response to an inquiry from Commissioner Till regarding the expansion of the Enterprise Zone, Ms. Tyjeski explained that Orange County is in charge of changing the boundaries and it must meet the criteria, which is a rather lengthy process that will be worked on once the information from the census is available.

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

ORDINANCES AND RESOLUTIONS

1. **ORDINANCE NO. 2208 - SECOND READING & ADOPTION - VACATION** - John and Uraina Pasbalakis (c/o Lawrence Poliner, P.E. RCE Consulting, LLC), vacating an existing right of way for property located east of Piedmont Wekiva Road and north of U.S. 441.

Mayor Land said Ordinance No. 2208, meets the requirements for adoption, having been duly advertised in The Apopka Chief on January 7, 2011. The City Clerk read the title as follows:

ORDINANCE NO. 2208

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO VACATE AN EXISTING RIGHT OF WAY LOCATED EAST OF PIEDMONT WEKIVA ROAD, AND NORTH OF U.S. 441; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR 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 Dean, to adopt Ordinance No. 2208. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS

1. **SWEETWATER OIL/LUBE AND CAR WASH - FINAL DEVELOPMENT PLAN -**
Property located on the northeast corner of Piedmont-Wekiva Road and U.S. 441.

Jay Davoll, Community Development Director, gave an overview of the project. He advised that the Greenacre Road right-of-way, by Ordinance No. 2208, just adopted by the City Council, was incorporated into this plan. He advised the Planning Commission, at its January 11, 2011 meeting, accepted the Special Exception conditions included in the final development plan. He requested the Staff Report be incorporated as part of the minutes.

In response to questions from Commissioners Till, Dean, and McQueen, Mr. Davoll explained the specifics of the Special Exception in that the business can only be open until 7:00 p.m., Monday through Saturday, and 5:00 p.m. on Sunday; as well as there cannot be another like facility within 1,000 feet. He stated the applicant can address the type of roof during the public hearing, and advised the ingress/egress was via Greenacre Road.

Discussion ensued regarding the landscaping, and Commissioner Dean suggested they look into some other type of grass or a ground cover for low maintenance.

Mayor Land opened the public hearing.

Larry Poliner, Engineer of record, advised there would not be any outdoor storage. He said with regards to the roof, the metal roof was easier to maintain and it was more energy efficient. He stated they tried to go with the lowest maintenance type of grass as possible and explained this pond was designed as a dry retention that will absorb the water, placing it back into the aquifer.

CAO Anderson suggested staff work with the applicant with regards to landscaping.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner McQueen, to approve the Final Development Plan for the Sweetwater Oil/Lube and Car Wash, as presented, with staff working with the applicant on the landscaping. 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 Richard Anderson said the report had been distributed and he was available for questions.

Commissioner Till said she would like to see a separate category for citations from the red light cameras.

MAYOR'S REPORT - Mayor Land appointed Charles Vavrek and Tom Cunningham to the Planning Commission.

MOTION by Commissioner McQueen, and seconded by Commissioner Till, to approve the appointments. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land appointed the following to the Sign Committee: Steve Hooks, Chair; Doug Bankson, Vice Chair; Charles Vavrek; Jim Greene; Jimmie Howard; Bill Spiegel; and Tom Cunningham.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner McQueen, to approve the appointments to the Sign Committee. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land appointed the following as Alternates or Ad Hoc Committee(s) as necessary to the Sign Committee: Wayne Levesque; Joe Kilsheimer; Erica Franco; Jeff Welch; Tricia Johnson; Paul Seago; Linda Laurendeau; David Chase; Greg Spurlock; Debbie Liebnecht; and Suzanne Kidd.

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Dean, to approve the Alternates or Ad Hoc Committee(s) appointments. Motion carried unanimously with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land reported receiving a poster (displayed at the meeting), from Apopka Elementary School, thanking the City of Apopka for sponsoring their 2010 "Fun Run", which was held on October 8, 2010.

Mayor Land said a letter was received from Steven Deviese, Chairperson of the 34th Annual Christmas Parade, on behalf of The Foliage Sertoma Club of Apopka, expressing appreciation for the City's participation in the parade held on December 11, 2010.

Mayor Land said a letter was received from Helen Zanders, expressing appreciation to the City of Apopka for its support and taking the time to pay tribute to the memory of her father, Marvin C. Zanders.

Mayor Land reported the Dr. Martin Luther King, Jr. Parade was postponed from last Monday due to the weather, and will be held Saturday, January 22, 2011.

OLD BUSINESS

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

NEW BUSINESS

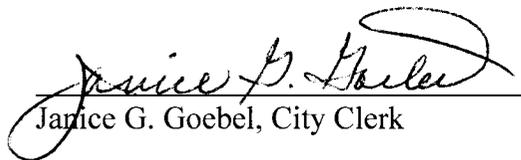
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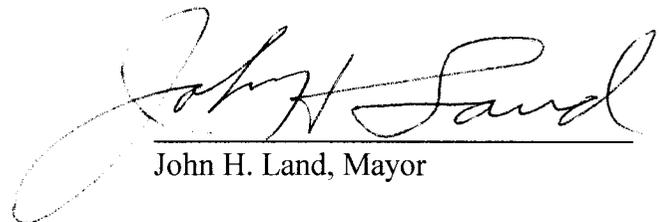
CAO Anderson announced the JEMCO building was scheduled for demolition next week.

Mayor Land announced the Tri-County League of Cities meeting will be held Thursday, January 20, 2011, at the VFW. Commissioner Kathy Till will be sworn in as President of the League for the coming year.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 9:19 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor