

CITY OF APOPKA

Minutes of a regular City Council meeting held on December 7, 2011, at 1:30 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 - The Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Land called the meeting to order and gave the Invocation. He said seventy (70) years ago today, December 7, 1941, the Japanese bombed Pearl Harbor and many thousands of Americans lost their lives on that day. President Roosevelt said “*It would be a day that would live in infamy.*” He asked everyone to reflect on that event in the life of our Nation as he led in the Pledge of Allegiance.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on November 16, 2011, at 8:00 p.m.
2. Approve December 24, 2012, as the Floating Holiday for Calendar Year 2012.
3. Approve the Disbursement Report for the month of November 2011.

MOTION was made by Commissioner Till, and seconded by Commissioner Arrowsmith, to approve the three (3) items on the Consent Agenda. Motion carried unanimously, with Mayor Land and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

PRESENTATIONS

- 1. Tamara Hobbick – Human Resources– 5 Year Service Award** – Mayor Land said Tami began working for the City on November 6, 2006, as the Receptionist for Public Services. On May 19, 2007, she transferred to Human Resources as a Human Resource Specialist I, which is her current position. The City Council joined Mayor Land in congratulating Tami on her years of service to the City.
- 2. Robert Boyd – Public Services/Waste Water Plant – 5 Year Service Award** – Mayor Land said Robert started working for the City on November 12, 2006 as a Waste Water Plant Operator “B” for Waste Water Plant, which is his current position. The City Council joined Mayor Land in congratulating Robert on his years of service to the City.
- 3. Daniel Garcia – Police Department/Support Services – Five Year Service Award** – Mayor Land said Dan was not present, and would be presented his award at a later time.

4. **Rhonda Cline – Public Services/Recreation - Ten Year Service Award** – Mayor Land said Rhonda started working for the City on November 5, 2001 as Recreation Specialist, which is her current position. The City Council joined Mayor Land in congratulating Rhonda on her years of service to the City.
5. **Reagan Rizo – Police Department/Support Services - Ten Year Service Award** – Mayor Land said Reagan was not present, and would be presented his award at a later time.
6. **Robert E. Heilman Award - presented to Al Fisher by Thea Parslow, President of the Florida Industrial Pretreatment Association** – In Thea Parslow’s absence, Mayor Land presented the Robert E. Heilman Award to Kevin Burgess on behalf of Al Fisher.
7. **Show of Excellence Award for the City's Water Conservation Incentive Program and a Meritorious Award for the City's Easy Being Green Workshop – presented to Jessica Schilling by Mayor Land** – Both awards were presented to Jessica Schilling by Mayor Land. The City Council joined Mayor Land in congratulating Jessica on the awards.

SPECIAL REPORTS AND PUBLIC HEARINGS –

Mayor Land reported on a posted meeting held Friday, December 2, 2011, with Orange County Mayor Jacobs to discuss the Expressway Authority and completion of the Wekiva Parkway. Minutes of the meeting were distributed to the Commissioners.

Wekiva Parkway Cheerleading Committee - Chairman David Rankin said at the meeting last Friday there were many things discussed, one of which was the Wekiva Parkway, and there was a wealth of misinformation going around regarding the Parkway. He acknowledged and discussed the need to advocate support for the completion of the Wekiva Parkway, as well as the role of MetroPlan.

MOTION was made by Commissioner Arrowsmith, and seconded by Commissioner Till, to support David Rankin and the Committee in its efforts to promote completion of the Wekiva Parkway.

CAO Anderson said the Florida Department of Transportation’s report of project adjustments outlines how some projects may be moved from the 5-year plan to a 7- or 10-year program to enable funding for the Wekiva Parkway. He said Apopka has always been the “cheerleader” in all roads in the area, and now we would like all the other communities to step forward as Apopka has done for them.

CAO Anderson concluded that the City has put a lot of effort into the Kelly Park DRI for economic growth. There is no other metropolitan area in the Country that does not have a loop around it except Central Florida.

Commissioner Till said part of this campaign is to make partners understand that this parkway is not just about Apopka and Northwest Orange County, but about Florida. She concluded with the analogy that we have built roads on each side of the river but no bridge to go over it. She said the Wekiva Parkway is that bridge.

Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land said the City needed to back and support this Committee, and asked that Commissioner Arrowsmith serve on the Committee as the City Council's representative.

ORDINANCES AND RESOLUTIONS

1. ORDINANCE NO. 2230 – SECOND READING & ADOPTION – KELLY PARK CROSSING DEVELOPMENT OF REGIONAL IMPACT (DRI) – The Development Order is for a mixed use project located on approximately 564 acres within the City of Apopka. – Mayor Land said Ordinance No. 2230 does not meet the advertising requirements and will be held over for a Third Reading. The City Clerk read the title, as follows:

ORDINANCE NO. 2230

KELLY PARK CROSSING DEVELOPMENT OF REGIONAL IMPACT

THIS DEVELOPMENT ORDER IS MADE AND ENTERED INTO AS OF THIS ___ DAY OF DECEMBER, 2011, BY AND BETWEEN THE CITY OF APOPKA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, WHOSE ADDRESS IS 120 EAST MAIN STREET, APOPKA, FLORIDA, 32703, HEREINAFTER REFERRED TO AS THE "CITY", AND PROJECT ORLANDO, LLC, A FLORIDA LIMITED LIABILITY CORPORATION, WHOSE ADDRESS IS 1900 SUMMIT TOWER BOULEVARD, SUITE 820, ORLANDO, FLORIDA. PROJECT ORLANDO, LLC IS HEREINAFTER REFERRED TO AS THE "APPLICANT"

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

MOTION was made by Commissioner Till, and seconded by Commissioner McQueen, to accept the Second Reading of Ordinance No. 2230, and hold it over for a Third Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

2. ORDINANCE NO. 2237 - SECOND READING - ZONING CHANGE - Lowe's Home Centers, Centers, Inc., from C-1 to PUD, for property located north of U.S. Highway 441 and south of Old Dixie Highway. – Mayor Land said Ordinance No. 2237 meets the requirements for adoption

having been duly advertised in The Apopka Chief on November 25, 2011. The City Clerk read the title title as follows:

ORDINANCE NO. 2237

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS C-2 FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA, OWNED BY LOWE'S HOME CENTERS, INC., LOCATED NORTH OF U.S. HIGHWAY 441 AND SOUTH OF OLD DIXIE HIGHWAY; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Land 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 McQueen, to adopt Ordinance No. 2237. Motion carried 4-1, with Mayor Land, Commissioners Arrowsmith, Dean, and McQueen voting aye, and Commissioner Till voting nay.

3. ORDINANCE NO. 2241 – FIRST READING – COMPREHENSIVE PLAN AMENDMENT – Administrative Small Scale Future Land Use Amendments. – Mayor Land said Ordinance No. 2241 does not meet the requirements for adoption and will be held over for a Second Reading.

CAO Anderson said these properties were annexed into the City, and this is the process to change the Land Use designation from County to City.

The City Clerk read the title as follows:

ORDINANCE NO. 2241

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 PROPERTIES LOCATED WITHIN THE CITY LIMITS OF APOPKA, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

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

MOTION was made by Commissioner Till, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2241, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

4. ORDINANCE NO. 2242 – FIRST READING – ZONING CHANGE – Davis Place, LLC (Rick Henderson), from R-1 to Planned Unit Development (PUD), for property located at 531 East Cleveland Street. - Mayor Land said Ordinance No. 2241 does not meet the requirements for adoption and will be held over for a Second Reading. The City Clerk read the title as follows:

ORDINANCE NO. 2242

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, ESTABLISHING THE ZONING AS PLANNED UNIT DEVELOPMENT (R-3) FOR THE HEREINAFTER DESCRIBED LANDS WITHIN THE CITY OF APOPKA, FLORIDA, OWNED BY DAVIS PLACE, LLC. LOCATED AT 531 EAST CLEVELAND STREET; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

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

MOTION was made by Commissioner Till, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2242, and hold it over for a Second Reading.

There was discussion and a clarification given by City Planner David Moon as to the standing of the age restriction. CAO Anderson added that this was a PUD and any additions or changes would require Council approval.

Motion carried unanimously, with Mayor Land, Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS – There were no site approvals.

DEPARTMENT REPORTS AND BIDS – There were no department reports or bids.

MAYOR'S REPORT - Mayor Land reported receiving a letter from Bobby Collins, retiring from the Firefighters' Pension Board after serving 20 years. Mayor Land expressed appreciation to Bobby for his service and wished him well.

Mayor Land again reported the posted meeting held with Orange County Mayor Teresa Jacobs and both both City and County staff on Friday, December 2nd, regarding the Wekiva Parkway. He stressed the importance of the completion of the By-Pass.

OLD BUSINESS

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

NEW BUSINESS

1. Council

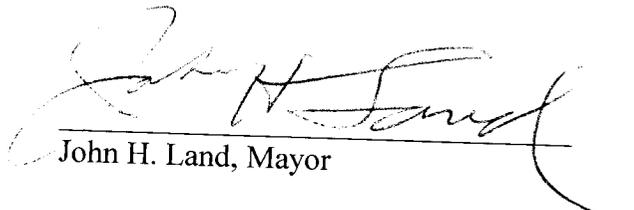
Commissioner Till said the Florida League of Cities (FLC) is advocating Municipal Pension Reform for the 2012 Legislative Session. She asked the City to draft a Resolution in support of the FLC's stand on Pension Reform.

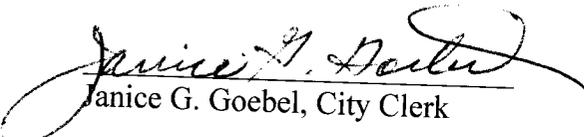
Commissioner Dean introduced his future Son-in-law, Norris Henderson, who will be marrying his daughter on December 10th, at 3:00 p.m., at Highland Manor.

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

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 2:27 p.m.

ATTEST:


John H. Land, Mayor


Janice G. Goebel, City Clerk