

CITY OF APOPKA

Minutes of a Community Meeting on the City Charter held June 4, 2013, at 6:30 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

ALSO PRESENT: Frank C. Kruppenbacher, City Attorney

PRESS PRESENT: John Peery - The Apopka Chief

CALL TO ORDER - Mayor Land called the meeting to order.

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 to the flag of the United States of America was led by Commander Artie Vecchio, VFW Post #10147.

3. WELCOME - Mayor John Land - Mayor Land welcomed everyone to the meeting, and introduced Commissioners Arrowsmith, Dean, McQueen, and Kilsheimer. He recognized former County Commissioner Tom Dorman, and Representative Bryan Nelson.

City Attorney Kruppenbacher introduced County Commissioner Fred Brummer and said the request to expand the landfill on Golden Gym Road, abutting the City of Apopka was blocked by a 4-3 vote at the County Commission meeting. He thanked Commissioner Brummer for his support.

Mayor Land invited the City Commissioners to speak.

Commissioner Joe Kilsheimer spoke regarding the Committee of the Whole versus a Charter Review Committee saying he was initially confused like many of the public, until the Mayor gave an explanation at the last Charter meeting of how Apopka has provided the opportunity for everyone to gather to discuss how Apopka should be run. He stated his initial concern was that the group would become smaller, which has not happened.

Mayor Land recognized School Board Member Christine Moore, who had just arrived.

Commissioner Arrowsmith said he had spoken at previous meetings making his feelings known.

Commissioner Dean said he would like to see this group do what is best for this beautiful City and he was pleased with tonight's turnout. He stated he was very happy to serve and represent the entire community.

Commissioner McQueen declined to speak at this time.

Mayor Land gave an overview of how Apopka's form of government evolved. He said when he was first elected, the Mayor and each Commissioner was responsible for a department of the City, and it wasn't until 30 years later that it was decided to move to a Strong Mayor form of government with the Mayor functioning as the Chief Executive Officer of the City. He said that through the years, the City has hired professionals in department head positions that provide checks and balances. He suggested they need to look out twenty years as the City continues to grow.

4. CHARTER OVERVIEW and STRAW BALLOT - City Attorney Frank Kruppenbacher said he reviewed the minutes from the previous Charter meetings and there were two themes that run throughout those meetings, which are: the duties and election of the Mayor, Strong Mayor or City Administrator and districting. He explained that the current composition is the Mayor and four (4) City Commissioners that constitute the governing body of the City, and all powers of the City are vested through the City Council, except those powers specifically reserved by the Charter to the electorate of the City. He explained the current executive form of government is a Strong Mayor, with a Chief Administrative Officer (CAO) and Department Heads appointed by the Mayor and ratified by the Council. The Mayor has the authority to authorize the CAO, who is subject to his direction and supervision, to exercise those powers regarding a subordinate. He explained the Mayor and Commissioners are elected and serve at large. The City Attorney and Clerk are chartered officers, but the Administrator is not a charter officer.

He reviewed the ballots and outlined that they were being asked to check the one favored option under each of the two issues. He reviewed the two issues and their options:

Issue one – Duties and Election of Mayor:

- Option 1 - make no changes in the City Charter on the duties and election of Mayor.
- Option 2 - make no changes in the City Charter on the election of the Mayor, but create the charter office of City Administrator, appointed by the Mayor and responsible for coordinating and integrating the administrative and executive functions of the City as directed by the Mayor consistent with policies approved by the Council.
- Option 3 – create the charter office of City Administrator appointed by the City Commission, responsible for performing all executive administrative functions of the City consistent with the policies approved by the Council.

Issue two - Composition and election of the City Commission:

- Option 1 – Make no changes in the current composition of the election of City Commissioners.
- Option 2 – Have the Mayor and City Commission appoint a committee to review the composition and election of City Commissioners and provide a recommendation to the Mayor and City Commission for changes in the number of residency and district requirements for the City Commission.

Mayor Land reviewed various forms of government and stated cities are now run like a business. He said if you have an elected person serving as the Chief Executive Officer, how you would know they are qualified to perform those duties.

5. PUBLIC INPUT

Jim Greene, 444 Lanarkshire Place, said one of the issues previously discussed was increasing the number of Commissioners without regard to single districts and having them elected at large. In response, City Attorney Kruppenbacher said legally if you increase the number then you would be required, under the law, to have equal representation.

Pam Toler, 2084 Tournament Drive, said she had been to each meeting and several times a City Manager was mentioned and nowhere did she see the option for a City Manager. She declared City Administrator was not the same as a City Manager.

Mayor Land said they could be called either and City Attorney Kruppenbacher said they were interchangeable. He suggested they write in /Manager on the paper ballots.

Ms. Toler inquired about specific goals and objectives for the City Administrator/Manager.

City Attorney Kruppenbacher explained the goals and objectives of the City Administrator/Manager were determined by the elected body and were not placed in the Charter.

Paul Suedmyer, 2205 Pinyon Road, said he believed the demographics have changed and Apopka was over 50% non-white and the Commission should represent that.

Barb Zakszewski, 3674 Rochelle Lane, with regard to option two of the second issue, inquired if there was a specific timetable or procedure for citizen appointment to the committee, and if they were voting tonight on items for further study.

City Attorney Kruppenbacher said the information would be transmitted back to the Council and placed on an agenda noticed public meeting where the public could have input and the Council would move forward as they deemed appropriate.

Ms. Zakszewski said the City was going to continue to grow and she felt expanding the Council was important. She also felt the Charter should include a specific review procedure for future Charter review and she favored a citizen review committee.

Commissioner Arrowsmith said he wanted to make it known that the Commissioners had not seen the ballot before the meeting tonight. As far as transparency, they are seeing it at the same time others present were. He stated during the meetings they have talked about City Manager and to clarify, he felt it imperative to stay consistent and use the title of City Manager.

Jack Douglas, 2149 Eagles Rest Drive, said he did not see a question regarding term limits and inquired if it was addressed in the committee. He stated he was in support of term limits and that there should be two methods for qualifying, one being to write a check and the other by petition.

City Attorney Kruppenbacher responded in the affirmative that the committee would look into term limits. Mayor Land further stated he thought that by having a nonpartisan election we could not use a petition method of qualifying, but he would have the City Clerk look into the matter.

Michael Heaton, 2948 Ponkan Meadow Drive, said with regards to Manager versus Administrator, whatever they desire to call it, somehow in the Charter it needs to be defined what the qualifications are for a person to be put in this position, as well as their responsibilities. He stated the City also needs more representation.

Mayor Land said since these meetings have started, he felt the majority of this group wanted a Strong Mayor and citywide representation.

Cher Douglas, 2149 Eagles Rest Drive, said her concern tonight, in that they were going to take a vote, was whether everyone in attendance were registered voters of the City of Apopka, for which City Attorney Kruppenbacher said was a very good point and he went on to explain the process to be used for voting. He reiterated this information will go to the Council as information only.

Danny Summerlin, 55 E 2nd Street, inquired about the whole representation and districting, and if there was any discipline or schedule that Council members follow to make themselves known and available to the public. In response, City Attorney Kruppenbacher advised there was no schedule, but that all of the Commissioners make themselves available.

Susan Shetrom, 1810 Cranberry Isles Way, inquired who wrote the ballot. City Attorney Kruppenbacher responded it was written by Attorney Nabors.

Ms. Douglas stated she was under the understanding that the people present make up the committee and what they said would go on the ballot. She declared there were a lot of things she heard that are not on the ballot, and did not feel the ballot was ready, nor should be voted until all the options were included.

City Attorney Kruppenbacher said they could take that up with the City Council, that this was step one in a long process. He stated he read through all of the minutes and the two issues cover a majority of different factions talked about.

Ms. Shetrom disagreed and reiterated a lot of things were left out.

Mayor Land explained that some options were not appropriate to be included in a Charter as they are included in the Code, such as when elections are held and budget workshops, which the Council can do without it being in the Charter. He went on to explain the method of voting saying the City Clerk had white ballots for people residing in the City and a colored ballot for County voters. He then told them where to turn in their ballots to be counted. Counting County ballots were David Rankin, John Ricketson, and Pastor Doug Bankson. Those counting City ballots were Linda Laurendeau, Steve Hooks, and former County Commissioner Tom Dorman.

The meeting recessed at 7:40 p.m. for voting and counting of ballots and reconvened at 8:17 p.m.

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City Attorney Kruppenbacher announced the results as follows:

County Votes:

- Issue 1 - Make no changes to the charter – 6 votes
 Make no changes, but City Administrator appointed by the Mayor – 6 votes
 Create Charter Office of City Administrator – 3 votes.
- Issue 2 - Make no changes to the composition and election – 8 votes
 Appoint a committee – 7 votes

City Votes:

- Issue 1 - Make no changes to the charter – 47 votes
 Make no changes, but City Administrator appointed by the Mayor – 19 votes
 Create Charter Office of City Administrator – 35 votes.
- Issue 2 - Make no changes to the composition and election – 33 votes
 Appoint a committee – 68 votes

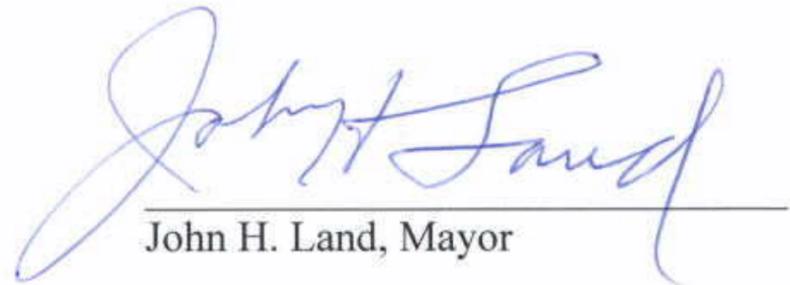
City Attorney Kruppenbacher advised this information will be transmitted to the Mayor and City Council, and the public will have an opportunity for input at a public meeting where they discuss this information. He emphasized that nothing can change in the Charter unless the City electors vote for it.

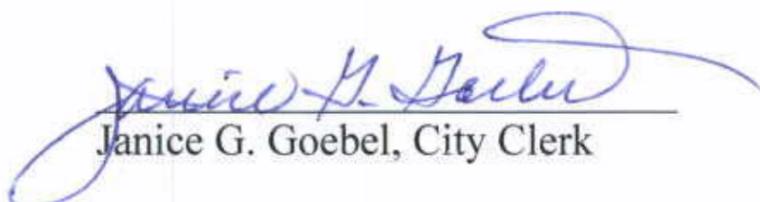
City Attorney Kruppenbacher made a final declaration that in all of his career years, he has never worked with someone as principled and dedicated to the people he represents as Mayor Land.

Mayor Land thanked everyone for being a part of this process, and he thanked those who counted the ballots. He said Representative Nelson advised him that one can run for office by petition method in a non-partisan election.

6. ADJOURN - There being no further business to discuss, the meeting adjourned at 8:25 p.m.

ATTEST:


John H. Land, Mayor


Janice G. Goebel, City Clerk

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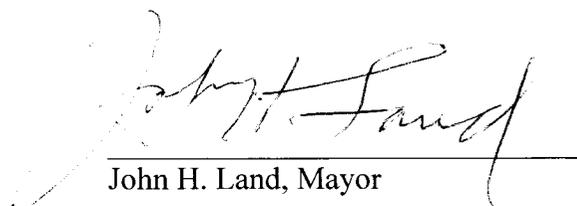
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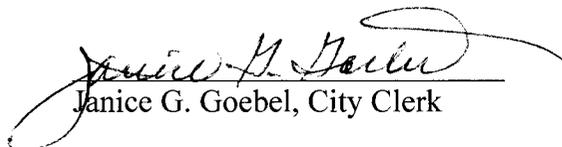
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