

CITY OF APOPKA

Minutes of a Community Meeting on the City Charter held January 31, 2013, at 6:30 p.m., at the Apopka Community Center/VFW Post #10147, 519 South Central Avenue, Apopka, Florida.

PRESENT: Commissioner Bill Arrowsmith
Commissioner Billie Dean
Commissioner Marilyn U. McQueen
Commissioner Joe Kilsheimer

ABSENT: Mayor John H. Land

PRESS PRESENT: John Peery - The Apopka Chief

CALL TO ORDER - Attorney Kruppenbacher called the meeting to order, and explained that Mayor John Land was ill and unable to be at the meeting.

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 - In Mayor Land's absence, Attorney Kruppenbacher welcomed everyone to the meeting, and then turned the meeting over to Attorney Bob Nabors.

4. CHARTER OVERVIEW - Attorney Bob Nabors - Attorney Nabors gave a quick recap on the information he presented at the previous meeting,

He said that discussion at the meeting included the Strong Mayor form of government, which is what the City of Apopka now operates under; a Ceremonial Mayor; an Administrative Mayor (City of Tampa Model); and the City Manager form of government. The concept papers attempted to give examples from other cities that use that particular form of government.

Attorney Nabors said a similar Concept Paper, distributed at this meeting, gives the other major issues that may be considered, specifically the provision dealing with election, and composition of the City Council. The first concept: Mayor elected City-wide, and four Commissioners elected City-wide (there is no district); the requirement that you must be a City resident is the only qualification. He explained the various alternatives:

Alternative 1: (City of Lake Worth Charter) - Maintain a City-wide election, but the four City Commissioners must reside in a geographic district.

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Alternative 2: (City of Ormond Beach Charter) - Five City Council members that have to reside in the district, and must be elected just by the people within that district. Known as the single-member district. He commented that this model only works in very large cities.

Alternative 3: (City of Tampa) - This is a combination of seven members, four elected from single-member districts, and three elected city-wide.

Attorney Nabors said that anytime you have a district, you must go through a process to define those geographic boundaries, and most Charters say they must be nearly as equal and practical in terms of population. You have certain election law considerations, when you change to any type of district configuration, that you don't have in the current situation when everyone is elected city-wide.

He suggested that at the next meeting, something that would be helpful is to have a political scientist from one of the universities (Florida State University or University of Central Florida) to go over the forms of government. He said the political scientist perceives the advantages and disadvantages from a governmental standpoint.

Attorney Nabors then suggested a compromise of a Strong Mayor, who would appoint a City Administrator, who would do the day-to-day work at the direction of the Mayor, and subject to the policies of the City Council, but have that person removed only by the City Council, to give some kind of independence to that person. It would keep the sense of direction that a Strong Mayor would give you, but at the same time, try to get the advantages of a professional management by having a City Administrator appointed by the Mayor. If the City Administrator was not doing their job, he could be removed by the City Council, of which the Mayor would only have one vote, thereby being a balanced approach.

Attorney Nabors reiterated the scheduling of someone from the Askew Institute at FSU, or from UCF, who can talk about the historical evolution; for example, the City Manager form and what are the strengths and weaknesses, and experiences around the State and the Nation.

Attorney Nabors pointed out three concepts, as follows:

1. You don't have to do anything. "If it's not broke, don't fix it."
2. When you look at these various models, no one knows the City better than citizens who live here, work here, have businesses here, and the need to look at it in terms of the future, the structure, not based on the personality, not how you feel about the Mayor, not how you feel about any other person, but asking, "What would make sense in terms of the future of Apopka as it grows".
3. We can be creative. One of the greatest advantages of Home Rule, as discussed in the first meeting, is we can craft something that is uniquely Apopka. It would be somewhat like the City of Tampa has, somewhat like Orange County, but the Administrative position would be a Charter position rather than a position appointed. You would try to defuse the responsibility of that person by having him/her appointed by the Mayor initially, but only removed by the City Council. It would have to be more than a disgruntled Mayor to remove someone who is doing a good job.

5. PUBLIC INPUT

Barb Zakszewski, 3674 Rochelle Lane, said she had done research, specifically the City of Winter Garden and City of Ocoee, which is similar to the size of Apopka. Both Cities utilize a Strong City Commission/City Manager form of government. She said Mr. Nabor's suggestion is a good compromise, but expressed concern at the dismal figures of the voter turnout at the last elections. She suggested moving the City elections to the Fall, in conjunction with the State and Federal elections, to reduce cost and increase voter turnout. She said that single-member districts are most appropriate. Residents in each district will have a go-to person on the City Council who understand the specific needs of that district, and may feel they have more at stake in what is going on in their City. She also strongly supported term limits for all Commission members.

Robert N. Webster, 237 Ponkan Road, stated he is for strong government, but a minimum of government. He stated he strongly believes in the Strong Mayor form of government, and does not believe the Mayor can grant his authority to anyone else. He said single-member districts are the best at Federal level, when what we need is a diversion. He added that we should never have an even number on the Council, and we should have elections at the same time as we have our general elections, every four years. He said he feels strongly about term limits, and that two terms are more than sufficient.

Pam Toler, said the purpose of this exercise is that it should carry Apopka for years to come, rather than doing it every 7 or 10 years. She said the projected population by 2020 is 84,000 people, and she favors the City Manager/Council form of government. She gave stats from US cities: 63% of cities of 25,000 population and above are City Council/City Manager form of government, because government is becoming more complex. Not only are cities harnessed with internal requirements, reporting requirements, external reporting requirements, but more & more demand on services, She said the biggest reason to favor a City Manager form is the belief we need transparency and accountability. Advantages include: formal education, experience from other cities, politically neutral, administrative only, answer to the City Council. She added this form requires formal goals and objectives, which will show how effective they are meeting those goals. She said from research through Florida League of Cities, she looked at 73 cities of 35,000 or more and found that 64 had City Managers, 8 had Mayors and 1 had Mayor/Clerk forms of government. She said the cost would be cost-neutral. She reiterated that we need not focus on today or yesterday, but look to what is going to take us the next 20 or 30 years.

Linda Laurendeau stated she is in favor of a Strong Mayor, however would like to look at some of the powers of the Mayor. She read Sec 204(a). and asked who were the appointive administrative officers that answer only to Mayor.

City Attorney Kruppenbacher responded, City Attorney, City Clerk, and City Administrator.

Rev. Doug Bankson, 675 Sandpiper Street, asked if there have been issues and why we had issues. He stated there is no perfect form, and spoke in support of the compromise position. He asked if there has been an issue or outcry for single-member districts.

Attorney Nabors said there was some discussion regarding districts, not necessarily single-member districts.

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City Attorney Kruppenbacher said an area of caution is there needs to be an equal representation of groups in the City, with a continual watch of that representation. He said that Commissioners that go to single-member districts where there is not a City-wide election, creates a single-interest person.

Attorney Nabors said he believes single-member districts create problems when the elected official only answers to the voters in that district.

City Attorney Kruppenbacher stated Apopka has a sense of community, which is a rare, rare item.

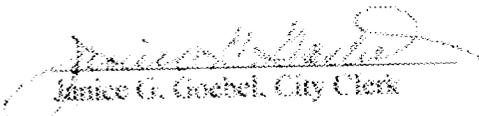
Commissioner Bill Arrowsmith, 1534 Skye Ct, stated he feels we now operate as a hybrid. Reading from a prepared speech, summarized he said "Apopka continues to have the lowest tax rate of the 13 full-service cities in Orange County, we have nationally rated Fire and Police Departments that remain non-union. We are the leading example of wastewater treatment and reuse water. Our Finance Department has received superior awards for many years. We have the finest Recreation Complex in Central Florida, if not Florida. We give out service awards to our employees each month honoring them for 5 to 35 years of service with the City and recognize their upward mobility within the City. We have accomplished all this and more through strong leadership of a strong Mayor and building a team that gives their all each day to meet the demands of the taxpayers. Term Limits is an issue with some, but is controlled by the voters. Regarding single-member districts, commissioners have been elected with as few as 150 votes, due to a low turnout at the polls in that district. The idea that commissioners run in specific areas, but are elected city-wide is a plausible idea. To say certain areas of the City is lacking representation is an insult to myself and fellow City Commissioners, as we all respond when our constituents ring the bell, regardless of where they are in the City. If these issues are determined to be of importance to the voters, we can put them on the ballot for the next general election in 13 months. Don't feel as though we should go through the expense or effort of a special referendum. We have been blessed to have the Master Architect of municipal government be our leader for the past 60 years. He has drawn a blueprint for success for our community for us to follow. We have a strong foundation and structure to continue to provide our citizens the best place to live in this Country. I love Apopka."

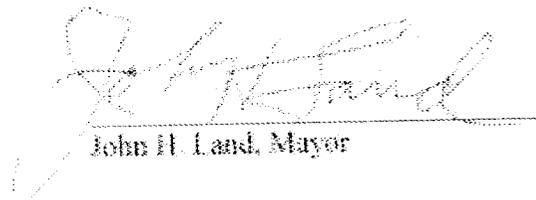
6. DISCUSS DATE AND TIME FOR THE NEXT MEETING

At the recommendation of Attorney Nabors, City Attorney Kruppenbacher said they will schedule a Political Scientist to be at the next meeting. The meeting date and time will be broadcasted, and email notification provided to anyone leaving their email address.

7. **ADJOURN** - There being no further business to discuss, the meeting adjourned at 7:15 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor