

CITY OF APOPKA

Minutes of the regular City Council meeting held on May 1, 2013, at 1:30 p.m., in the City of Apopka Council Chambers.

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

PRESS PRESENT: John Peery - The Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE –Mayor Land gave the Invocation. He said on May 1, 1898, during the Spanish-American War, that Commodore Dewey defeated the Spanish fleet in Manila Bay and brought America to the world stage as a naval power. Also, during that war, we liberated the Philippines, Puerto Rico and set Cuba and many other small islands free. He asked everyone to reflect on that effort as he led in the Pledge of Allegiance.

EMPLOYEE RECOGNITION

1. Ryan J. McNeely – Public Services/Street Maintenance – Five Year Service Award - Mayor Land said Ryan began working for the City on April 21, 2008, as a Maintenance Worker I for Streets, which is his current position. The City Council joined Mayor Land in congratulating Ryan on his years of service to the City.

2. Brian M. Liszcz – Public Services/Northwest Recreation Grounds – Five Year Service Award - Mayor Land said Brian was not present and will be presented his service award at a later time.

3. David D. Odom – Public Services/Street Maintenance – Five Year Service Award - Mayor Land said David began working for the City on April 7, 2008, as a Maintenance Worker I for Streets, which is his current position. The City Council joined Mayor Land in congratulating David on his years of service to the City.

4. Jeffrey “Jeff” D. Ekas – Public Services/Recreation/Athletics – Ten Year Service Award - Mayor Land said Jeff started working for the City on April 7, 2003, as a Recreation Manager. On October 24, 2011, he was promoted to Recreation Operations & Maintenance Manager, which is his current position. The City Council joined Mayor Land in congratulating Jeff on his years of service to the City.

5. Ryan A. Leonard – Public Services/Grounds – Ten Year Service Award - Mayor Land said Ryan began working for the City on April 15, 2003, as a Meter Reader. On October 31,

2005, his title changed to Maintenance Worker I, which is his current position. The City Council joined Mayor Land in congratulating Ryan on his years of service to the City.

6. Rodelio G. Penaflor – Public Services/Waste Water Collection Maintenance – Ten Year Service Award - Mayor Land said Rodelio started working for the City on April 21, 2003, as a Utility Service Worker I. He was reclassified on April 21, 2004, to a Utility Service Worker II, which is his current position. The City Council joined Mayor Land in congratulating Rodelio on his years of service to the City.

7. Robert “Rob” E. Hippler – Information Technology – Twenty Year Service Award - Mayor Land said Rob began working for the City on April 26, 1993, as a Police Officer. On January 9, 1999, his title changed to Police Sergeant. He transferred to Information Technology as the Information Technology Supervisor on June 21, 2010, which is his current position. The City Council joined Mayor Land in congratulating Rob on his many years of service to the City.

PRESENTATIONS

1. Benevolent and Protective Order of Elks Youth Week Proclamation - Hollis Kendall, Exalted Ruler and Lucia Mahoney, Leading Knight - Mayor Land read the proclamation and presented it to Mr. Kendall. The City Council joined Mayor Land in expressing appreciation to the Apopka Elks Lodge for all they do for Apopka area youth.

2. Municipal Clerks Week Proclamation - Janice Goebel - Mayor Land read the proclamation declaring May 5 to 11, 2013, as Municipal Clerks Week. He presented the proclamation to City Clerk Janice Goebel. The City Council joined Mayor Land in expressing appreciation for Jan's service to the City.

CONSENT AGENDA

1. Approve the minutes from the regular City Council meeting held on April 17, 2013, at 8:00 p.m.
2. Award the contract, in the amount of \$412,756.00, to HD Supply Waterworks, Inc., for the Marden Road and Lust Road utility extension pipes.
3. Authorize the Mayor, or his designee, to execute the Interlocal Agreement between the City of Apopka and Orange County for the transfer of jurisdiction of West Kelly Park Road from Mt. Plymouth Road to Round Lake Road.
4. Approve the Disbursement Report for the month of April 2013.

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

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

ORDINANCES AND RESOLUTIONS

- 1. ORDINANCE NO. 2301 - SECOND READING & ADOPTION – COMPREHENSIVE PLAN AMENDMENT – SMALL SCALE – FUTURE LAND USE - Cyril P. Orr Trust, c/o Marilyn Orr Zinke – From “County” Commercial to “City” Commercial, for property located south of West Orange Blossom Trail (U.S. 441), north of West Station Street. (Parcel ID No. 09-21-28-7544-02-010).**

Mayor Land said Ordinance No. 2301 meets the requirements for adoption having been duly advertised in The Apopka Chief on April 19, 2013. The City Clerk read the title as follows:

ORDINANCE NO. 2301

AN ORDINANCE 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 FROM “COUNTY” COMMERCIAL TO “CITY” COMMERCIAL FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST ORANGE BLOSSOM TRAIL, NORTH OF WEST STATION STREET, COMPRISING 0.24 ACRE, MORE OR LESS, AND OWNED BY THE CYRIL P. ORR TRUST, c/o MARILYN ORR ZINKE; 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.

Commissioner Arrowsmith declared a voting conflict, as Marilyn Zinke is an agent at Arrowsmith Realty, his daughter’s real estate company. He will file a Form 8B.

MOTION was made by Commissioner Dean, and seconded by Commissioner Kilsheimer, to adopt Ordinance No. 2301. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, and Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

- 2. ORDINANCE NO. 2302 - SECOND READING & ADOPTION – CHANGE OF ZONING – Cyril P. Orr Trust, c/o Marilyn Orr Zinke – From “County” C-2 to “City” C-2, for property located south of West Orange Blossom Trail (U.S. 441), north of West Station Street. (Parcel ID No. 09-21-28-7544-02-010).**

Mayor Land said Ordinance No. 2302 meets the requirements for adoption having been duly advertised in The Apopka Chief on April 19, 2013. The City Clerk read the title as follows:

ORDINANCE NO. 2302

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, CHANGING THE ZONING FROM "COUNTY" C-2 TO "CITY" C-2 FOR CERTAIN REAL PROPERTY GENERALLY LOCATED SOUTH OF WEST ORANGE BLOSSOM TRAIL, NORTH OF WEST STATION STREET, COMPRISING 0.24 ACRE, MORE OR LESS AND OWNED BY CYRIL P. ORR TRUST, c/o MARILYN ORR ZINKE; 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.

Commissioner Arrowsmith declared a voting conflict, as Marilyn Zinke is an agent at Arrowsmith Realty, his daughter's real estate company. He will file a Form 8B.

MOTION was made by Commissioner Kilsheimer, and seconded by Commissioner McQueen, to adopt Ordinance No. 2302. Motion carried 4-0, with Mayor Land, and Commissioners Dean, McQueen, and Kilsheimer voting aye, and Commissioner Arrowsmith abstaining and filing a Form 8B.

SITE PLAN APPROVALS - There were no site plans to consider.

DEPARTMENT REPORTS AND BIDS - Chief Administrative Officer Richard Anderson. CAO Anderson had no report.

MAYOR'S REPORT – Mayor Land reported the following:

- The Mayor's Prayer Breakfast will be held on Thursday, May 2, at the Apopka Community Center /VFW Post #10147, 519 S. Central Avenue. The doors will open and buffet begins at 6:30 a.m., with the program to follow at 7:00 a.m. to 8:30 a.m. The featured speaker this year is John Labruzzo. Tickets are on sale at City Hall.
- The Citizens' Prayer Gathering will be held later Thursday at 12:00 noon on the front steps of the Apopka City Hall. Pastor Hezekiah Bradford will be leading the event. Everyone is invited to attend.
- The monthly Apopka Food Truck Round-Up event is Thursday, May 2nd 5:30 p.m. to 9:00 p.m., at Kit Land Nelson Park. Everyone is welcome.

- Cards and letters were received from:

Kimberly Wooten, expressing appreciation to the City of Apopka Water Department regarding her request for help, and an adjustment to their bill due to a major water leak over a 2-month period; and

Tessa Bryant, expressing gratitude to Frank Henry, Public Services employee, for his kindness to elderly clients and providing exceptional customer service.

OLD BUSINESS

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

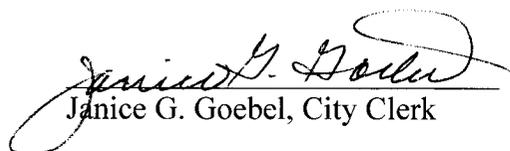
NEW BUSINESS

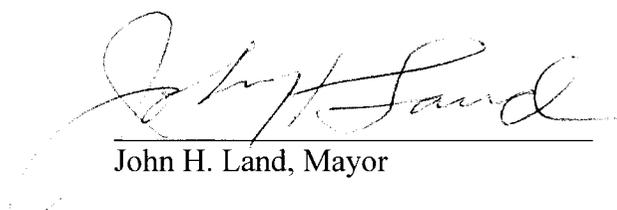
1. **COUNCIL** - There was no new business from the Council.
2. **PUBLIC** - There was no new business from the public.

The City Council discussed the Charter meetings, and expressed opinion that the process needs to be more defined, and the Committee of the Whole concept be fully explained and identified.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 2:03 p.m.

ATTEST:


Janice G. Goebel, City Clerk


John H. Land, Mayor

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JAMES WILLIAM "BILL" ARROWSMITH, hereby disclose that on MAY 1, 20 13.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Daughter, Natalie Arrowsmith Scheveling;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

AGENDA ITEM: ORDINANCES AND RESOLUTIONS

1. ORDINANCE NO. 2301 - SECOND READING & ADOPTION - COMPREHENSIVE PLAN AMENDMENT - SMALL SCALE - FUTURE LAND USE - Cyril P. Orr Trust, c/o Marilyn Orr Zinke - From "County" Commercial to "City" Commercial, for property located south of West Orange Blossom Trail (U.S. 441), north of West Station Street. (Parcel ID No. 09-21-28-7544-02-010).
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VOTING CONFLICT: While nothing inures to my personal gain, the applicant, Marilyn Orr Zinke, is an associate at Arrowsmith Realty, my daughter's real estate company.

5-2-13

Date Filed _____


Signature _____

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.