

CITY OF APOPKA

Minutes of a regular City Council meeting held on August 17, 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 - The Apopka Chief

INVOCATION AND PLEDGE OF ALLEGIANCE - Mayor Land called the meeting to order and gave the Invocation. He said on August 14, 1945, the Japanese surrendered to the allied forces and brought an end to World War II. The formal surrender would be on the Battleship Missouri on the 2nd of September. He asked that everyone reflect on those who served our Nation during that conflict as he led in the Pledge of Allegiance.

Luke Douglas, 1564 Woodfield Oaks Drive, addressed the City Council regarding installing a gate across Lacey Oaks Drive between subdivisions to deter cut-through traffic, speeders and crime. Mayor Land asked CAO Anderson to research the matter for a resolution of the matter.

CONSENT AGENDA

1. Approve the minutes from the regular City Council Meeting held on August 3, 2011 at 1:30 p.m.
2. Authorize the Chief Administrative Officer to execute the Progress Energy Distribution Easement for installation of services at the Alonzo Williams Park.
3. Authorize the two-year renewal, with USA Services of Florida, Inc., for the nonexclusive franchise for roll-off container collection and disposal of waste in the City of Apopka.
4. Authorize the Mayor or his designee to execute the street light agreement between the City of Apopka and the Chandler Estates Homeowner Association.

MOTION was made by Commissioner Till, and seconded by Commissioner Arrowsmith, 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 - There were no presentations.

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

ORDINANCES AND RESOLUTIONS

1. ORDINANCE NO. 2222 – SECOND READING & ADOPTION – 2010 CYCLES #1 AND 2 COMPREHENSIVE PLAN REMEDIAL AMENDMENT – Second Reading and Adoption of the Remedial Comprehensive Plan Amendment. – The City Clerk read the title as follows:

ORDINANCE NO. 2222

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN PURSUANT TO CERTAIN STIPULATED SETTLEMENTS AGREEMENT RELATED TO THE 2010 COMPREHENSIVE PLAN AND FUTURE LAND USE MAP AMENDMENTS OF ORDINANCE NOS. 2145 AND 2171; UPDATING THE COMPREHENSIVE PLAN TO PROVIDE FOR THE FINDINGS OF AN EVALUATION AND APPRAISAL REPORT AND THE WEKIVA PARKWAY INTERCHANGE PLAN; PROVIDING FOR SEVERABILITY; FOR CONFLICTS AND AN EFFECTIVE DATE.

Mayor Land said Ordinance No. 2222 meets the requirements for adoption having been duly advertised in The Apopka Chief newspaper on August 5, 2011.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to adopt Ordinance No. 2222. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

2. ORDINANCE NO. 2224 – SECOND READING & ADOPTION – Amending Chapter 30, "Cemeteries," Article II. "City Cemetery," Section 30-37, "Charges"; to revise certain fees. – Mayor Land said Ordinance No. 2224 meets the requirements for adoption having been duly advertised in The Apopka Chief newspaper on August 5, 2011. The City Clerk read the title as follows:

ORDINANCE NO. 2224

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING CHAPTER 30, "CEMETERIES," ARTICLE II, "CITY CEMETERY," SECTION 30 -37. "CHARGES"; TO REVISE CERTAIN FEES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

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

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to adopt Ordinance No. 2224. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

3. ORDINANCE NO. 2223 – FIRST READING – CHANGE OF ZONING – John and Urania Paspalakis – from C-1 to C-2, for property located at 1615 S. Orange Blossom Trail. – Mayor Land said Ordinance No. 2223 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. 2223

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 JOHN AND URANIA PASPALAKIS, LOCATED EAST OF PIEDMONT WEKIWA ROAD AND U.S. 441, AND SOUTH OF GREENACRE ROAD; PROVIDING FOR DIRECTIONS TO THE COMMUNITY DEVELOPMENT DIRECTOR, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

Mayor Land opened the meeting for a public hearing.

Marie Sarich, 1917 Piedmont Park Blvd., inquired regarding the location of the property. CAO Anderson and Community Development Director Davoll identified the property. She made no further comments.

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

MOTION by Commissioner Dean, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2223, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

Mayor Land noted a correction to the staff report for Ordinance Nos. 2225 through 2229, that Orange County was provided notification on July 29, 2011, not August 29th, as noted. He also referenced another change to the agenda regarding the correct spelling of the name on Ordinance No. 2229.

4. ORDINANCE NO. 2225 – FIRST READING – ANNEXATION – J.D. Horne Trust, property located at 4966 and 3120 Plymouth Sorrento Road (19.13 acres) - Mayor Land said

Ordinance No. 2225 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. 2225

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY J.D. HORNE TRUST LOCATED SOUTH OF KELLY PARK ROAD AND WEST OF PLYMOUTH- SORRENTO ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, 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 by Commissioner Arrowsmith, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2225, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

5. ORDINANCE NO. 2226 – FIRST READING – ANNEXATION – Carolyn P. Holt Trust and Patricia P. Hansford Trust, property located at 1752 Rock Springs Road. (0.39 acre) - Mayor Land said Ordinance No. 2226 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. 2226

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY CAROLYN P. HOLT TRUST AND PATRICIA P. HANSFORD TRUST LOCATED SOUTH OF TANGLEWOOD DRIVE AND WEST OF ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, 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 by Commissioner Till, and seconded by Commissioner Dean, to accept the First Reading of Ordinance No. 2226, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

6. ORDINANCE NO. 2227 – FIRST READING – ANNEXATION – Raymond E. Cortez, property located at 1760 Rock Springs Road. (0.24 acre) - Mayor Land said Ordinance No. 2227 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. 2227

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY RAYMOND E. CORTEZ LOCATED SOUTH OF TANGLEWOOD DRIVE AND WEST OF ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, 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 by Commissioner Arrowsmith, and seconded by Commissioner Till, to accept the First Reading of Ordinance No. 2227, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

7. ORDINANCE NO. 2228 – FIRST READING – ANNEXATION – Kenneth and Bonnie Sumner, property located at 1788 Rock Springs Road. (0.81 acre) - Mayor Land said Ordinance No. 2228 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. 2228

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY KENNETH SUMNER AND BONNIE SUMNER LOCATED SOUTH OF TANGLEWOOD DRIVE AND WEST OF ROCK SPRINGS ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Mayor Land opened the meeting for a public hearing.

Lou Haubner questioned the amount of acreage being annexed, to which CAO Anderson said staff would check on the matter prior to Second Reading of the Ordinance.

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

CAO Anderson verified to the City Council that the property behind the subject property had previously been annexed into the City.

MOTION by Commissioner Till, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2228, and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

8. ORDINANCE NO. 2229 – FIRST READING – ANNEXATION – Mario Mariani, Sr. and Ashleigh A. Mariani, property located at 1470 S. Lake Pleasant Road. (7.46 acres) - Mayor Land said Ordinance No. 2229 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. 2229

AN ORDINANCE OF THE CITY OF APOPKA, FLORIDA, TO EXTEND ITS TERRITORIAL AND MUNICIPAL LIMITS TO ANNEX PURSUANT TO FLORIDA STATUTE 171.044 THE HEREINAFTER DESCRIBED LANDS SITUATED AND BEING IN ORANGE COUNTY, FLORIDA, OWNED BY MARIO MARIANI, SR. AND ASHLEIGH A. MARIANI LOCATED SOUTH OF U.S. HIGHWAY 441 AND WEST OF LAKE PLEASANT ROAD; PROVIDING FOR DIRECTIONS TO THE CITY CLERK, 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 by Commissioner Dean, and seconded by Commissioner McQueen, to accept the First Reading of Ordinance No. 2229 and hold it over for a Second Reading. Motion carried unanimously, with Mayor Land, and Commissioners Arrowsmith, Dean, McQueen, and Till voting aye.

SITE APPROVALS

1. SOUTHLAKE PROFESSIONAL OFFICE PLAZA – FINAL DEVELOPMENT PLAN – Property located on the northeast corner of W. 3rd Street and S. Lake Avenue. – Community Development Director Jay Davoll gave an overview of the project. He noted an error in the staff report regarding the number of parking spaces and assured the City Council that they meet the parking requirements of the City.

Mayor Land opened the meeting for a public hearing.

Jeremy Anderson, 648 Dartmouth Street, Orlando, and Engineer for the project, said he, the Owner and Architect were present and willing to address any questions of the City Council.

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

MOTION by Commissioner Arrowsmith, and seconded by Commissioner Till, to approve the Final Development Plan for South Lake Professional Office Plaza, as recommended. 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 Anderson reported the Administrative Report was distributed and he was available for questions.

Commissioner Till inquired about the number of Code Enforcement cases; if they were open or closed cases.

CAO Anderson said the cases are mostly closed. He said many of them are for unkempt property, and in most cases, they quickly comply.

CAO Anderson also reported the following:

- Budget will be presented at the next City Council meetings.
- The Kelly Park DRI was unanimously approved by the East Central Florida Regional Planning Commission today. The City now has timeframes they will be required to meet with this and advised there may be some longer Council meetings for development purposes. Mayor Land added that it was a lot of work, and will be a benefit to the City.
- The Sign Committee has been working on developing a new Sign Ordinance which is rapidly forthcoming.

MAYOR'S REPORT - Mayor Land reported receiving a Thank You card from Lorena Potter, Recreation Manager, expressing appreciation for the floral arrangement sent in memory of her sister, Daisy June Bell.

Mayor Land also said he sat in on the 3rd Leadership Apopka class on Tuesday and thanked Commissioner Arrowsmith and Commissioner McQueen for attending.

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 Dean thanked CAO Anderson and City employees for trimming work done on the palm trees along Central Avenue.

2. Public

Mary Ann Locario, 2044 Lacey Oak Drive, again addressed the request to stop the cut-through traffic speeding through Woodfield Oaks Subdivision. She expressed deep concern for the safety of her children and other children within the neighborhood.

Mayor Land assured her that, even though a decision was not made at the meeting, the City will be addressing their concerns. He said there is a need to have staff research the matter to determine the most effective way to resolve the matter.

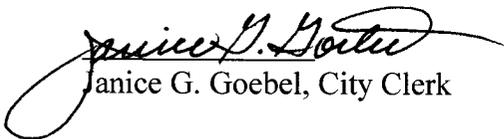
CAO Anderson said that in the interim, the Apopka Police Department will be increasing presence in the subdivision to deter speeders.

ADJOURNMENT - There being no further business to discuss, the meeting adjourned at 8:45 p.m.



John H. Land, Mayor

ATTEST:



Janice G. Goebel, City Clerk