

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City,
2 Florida, held on Tuesday, August 28, 2007 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue,
3 Orange City.

4
5 **CALL TO ORDER**

6
7 The Meeting was called to order at 7:00 p.m. by Mayor Erwin and roll call was taken.
8

9 **ROLL CALL**

10
11 **PRESENT:** Mayor Albert T. Erwin; Vice Mayor Anthony R. Yebba; Council Members; Donald
12 C. Sherrill, Joelle DeVane, Jim Mahoney, Robert A. Storke; City Manager John
13 McCue; City Attorney William Reischmann; City Clerk Deborah Renner
14

15 **ABSENT:** Council Member Jeff H. Allebach
16

17 The Invocation was given by Council Member Sherrill, followed by the Pledge of Allegiance.
18

19 1. **PRESENTATIONS:** None at this time.
20

21 2. **CITIZENS COMMENTS:**
22

23 Al Blue, 447 N. Oak, came forward and revisited a number of issues that he raised at the last meeting.
24 He first addressed the issue of the street name sign for Taylor Drive and he asked if the sign had been
25 corrected. Mr. McCue advised that Mr. Blue should call Paul Johnson, Public Works Director,
26 tomorrow to find out the when the new signs would arrive. Mr. Blue next asked when the clock would
27 be functioning again, noting that it worked for seventy-five years previously. Mr. McCue responded
28 that he will be meeting with two clock makers on Thursday and would have an answer then. Mr. Blue
29 next noted that people were leaving the dais during the meeting and asked if there is a policy regarding
30 that. Mayor Erwin responded that people are allowed to leave at will.
31

32 Thomas Abraham, 1065 S. Volusia Avenue B-5, came forward and read a statement into the record (a
33 copy of which is attached and becomes a permanent part of these minutes.) He said that he is paying
34 tribute to America's "hardworking labor force." He said there are many people working two jobs to pay
35 their taxes and provide for their families. He said that retired people living in the City should not be
36 exploited for financial gains and the small businesses owned by hardworking immigrants should be
37 respected, not taxed. Mr. Abraham referred to the City's personnel policy # 02-07 which deals with City
38 employees holding second jobs outside of City government. He suggested that police officers and fire
39 fighters should hold a second job or pursue a college degree instead of complaining that they didn't get a
40 raise. Mr. Abraham expressed that money, not flattery will boost the morale of workers and he
41 encouraged police officers and fire fighters to "boost their own morale" by increasing their income
42 through a second job. He concluded his presentation by stating that the City's personnel policies need to
43 be updated.
44

45 Richard Krauss, 253 Chestnut Avenue, came forward and spoke in support of term limits. He accused
46 Council of trying to discourage newcomers in the public service arena and of wasting money, among

1 other political improprieties.

2
3 Yvonne Edwards, 339 E. Blue Springs Avenue, came forward and advised that she and her daughter
4 hosted a “block party” for the neighborhood around Halloween. Mr. McCue said that about 120 people
5 attended last year. He advised that last year, the City closed Blue Springs Avenue during the event, and
6 he suggested that the event be held in Veterans Memorial Park this year. Mr. McCue requested
7 Council’s permission to open the park in the evening for the event. Ms. Edwards said the event would
8 be open to anyone wishing to attend and that there would be a “bounce house” for the kids, a d.j. and
9 food would be served. The event will be held from 5:00 to 10:00 p.m. on October 27th. She invited the
10 Council to attend. Council expressed their support for the event.

11
12 **3. CONSENT AGENDA:** None at this time

13
14 **4. ORDINANCES - FIRST READING:**

15
16 **A. ORDINANCE NO. 320:** An ordinance of the City of Orange City, Florida,
17 annexing the Kupiszewski property into the corporate limits of the City of Orange
18 City, Florida; said property being generally located on the west and east sides of
19 Veterans Memorial Parkway approximately 1,000 feet north of East Rhode Island
20 Avenue, containing approximately 8.85 acres; in accordance with the voluntary
21 annexation provisions of Florida Statute 171.044; redefining the boundaries of the
22 City of Orange City by amending the appropriate sections of the code of ordinances;
23 containing a repealer provision, a severability clause and providing for an effective
24 date.

25
26 **Council Member Mahoney moved to adopt Ordinance No. 320 on first**
27 **reading, seconded by Vice Mayor Yebba.**

28
29 Jim Kerr, Senior Planner, came forward and provided a power point presentation on the proposed
30 annexation (a copy of which is attached and becomes a permanent part of these minutes). Mr. Kerr
31 began his presentation by noting that the subject property is located on Veterans Memorial Parkway,
32 north of East Rhode Island. He advised that the property is an enclave, completely contained within
33 the City limits. Mr. Kerr said that staff recommends approval of Ordinance No. 320.

34
35 **Motion passed by unanimous 6/0 roll call vote of the Council.**

36
37 **5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:**

38
39 **A. ORDINANCE NO. 317:** An ordinance of the City Council of the City of Orange City,
40 Florida, providing for a non-exclusive franchise to 4-Jays Management, Inc. for the
41 collection and disposal of commercial trash, garbage, recyclable materials and other refuse
42 within the city limits; providing for definitions, terms condition, rates, compliance with
43 laws, arbitration, standards of performance, collection, regulation operations, hours,
44 routes, penalties, accounting, complaint resolutions; containing a repealer provision; a
45 severability clause and providing for an effective date.

46

1 Mayor Erwin opened the public hearing. No one appeared. The Mayor closed the public hearing.

2
3 **Council Member Storke moved to adopt Ordinance No. 317 on second**
4 **and final reading, seconded by Council Member Sherrill, and passed**
5 **by unanimous 6/0 roll call vote of the Council.**
6

7 **B. ORDINANCE NO. 319:** An ordinance of the City Council of the City of Orange
8 City, Florida; amending Chapter 17.5 Vehicles for Hire, Article II. Wrecker, Towing
9 Service, Section 17.5-18. Rotation of Wrecker Service, and Section 17.5-33, Grounds
10 for removal from Rotation List, to clarify the procedures for removal of a wrecker
11 service or towing company from the rotation list; providing for codification, conflicts,
12 severability and effective date.
13

14 Mayor Erwin opened the public hearing. No one appeared. The Mayor closed the public hearing.

15
16 **Council Member Sherrill moved to adopt Ordinance No. 319 on**
17 **second and final reading, seconded by Council Member Mahoney and**
18 **passed by unanimous 6/0 roll call vote of the Council.**
19

20 **6. RESOLUTIONS:**

21
22 *****
23 **SPECIAL PUBLIC HEARING**
24 *****
25

26 **A. RESOLUTION NO. 425-07:** A resolution of the City of Orange City, Florida,
27 relating to the collection and disposal of solid waste in the City of Orange City,
28 Florida; amending the initial assessment resolution; establishing the rate of
29 assessment, imposing solid waste service assessments against assessable property
30 located within the City of Orange City, Florida; approving the assessment roll;
31 confirming the initial assessment resolution, as amended; and providing an effective
32 date.
33

34 Mayor Erwin opened the public hearing for Resolution No. 425-07.

35
36 Al Blue, 447 N. Oak, came forward and read a statement into the record (a copy of which is attached
37 and becomes a permanent part of these minutes). Mr. Blue contested statements that had been made
38 previously regarding Waste Management’s rate of uncollected debt. He noted that the proposed
39 assessment will be collected by the Tax Assessor’s office for a fee and then turned over to the City
40 which will earn interest on the money throughout the year. Mr. Blue stated, “In the final analysis,
41 the homeowner will pay the County to collect his money and the City will get interest on his money
42 and if the bill is not paid, the County will foreclose on the owner’s home.” Mr. Blue maintained that
43 the proposed process was promoted using “incorrect, unsubstantiated, and missing data.” He urged
44 Council to explore other methods for collection such as those used in Lake Mary which bills for
45 garbage service on the water bills and provides a senior citizen discount. Mr. Blue asked Council to
46 defer action on Resolution No. 425-07, stating “That would show that you have the citizens’ best

1 interests at heart.”

2
3 Charles Saglinbene, 343 N. Thorpe Avenue, came forward and asked whose idea it was to bill solid
4 waste services on the tax bills. Mayor Erwin responded that the subject had been discussed at length
5 during contract negotiations. He said that the people who were in attendance at those meetings
6 agreed that they would rather have the assessment in order to save \$2 per month on their bill. Mr.
7 Saglinbene said that the citizens should have been allowed to vote on this issue.

8
9 Gerald Remington, 645 N. Orange Avenue, came forward and stated that he has lived here since
10 1978. He said that he noticed that there have been issues with the trash since the once weekly pick-
11 ups. He questioned whether Waste Management would have any accountability for their service
12 since they are guaranteed payment.

13
14 Hank Durica, 1310 E. Lansdowne Avenue, came forward and suggested that City officials might be
15 “too comfortable” with Waste Management. Mr. Durica noted the taxes he pays on his electric,
16 cable and phone bills and questioned whether they would next be assessed on his property tax bill.
17 Mr. Durica asked whether the City has Code Enforcement services. Mr. McCue responded in the
18 affirmative and discussed the procedure for registering a complaint.

19
20 Willie Frazier, 383 S. Orange Avenue, came forward and said that her neighbor had asked her to
21 attend the meeting to get information on the garbage assessment. Ms. Frazier stated, “So I’ll tell her
22 it’s a done deal.”

23
24 No one else appeared. The Mayor closed the public hearing.

25
26 **Council Member Sherrill moved to adopt Resolution No. 425-07,**
27 **seconded by Council Member Mahoney.**

28
29 Council Member Mahoney stated that he, personally, was opposed to the change to once-weekly
30 pick ups, but he voted for it in response to the people who were present at those meetings and
31 expressed that they wanted their bills reduced. In regard to the assessment billing, Council Member
32 Mahoney noted that a number of people were not being billed for their service and he felt that by
33 this method, everyone would pay their fair share.

34
35 Council Member DeVane noted that this issue has been discussed a number of times over the past
36 eight months. She recalled the process by which Council came to the decision to reduce the service
37 level as a cost-saving measure. Council Member DeVane said that other cities are in negotiation for
38 new garbage contracts right now and are experiencing rate increases similar to Orange City.

39
40 **Motion passed by unanimous 6/0 roll call vote of the Council.**

41
42 **B. RESOLUTION NO. 426-07:** A resolution of the City Council of the City of
43 Orange City, Florida, relating to the provision of commercial corridor street lighting
44 local improvements within the commercial corridor street lighting capital and
45 maintenance assessment area; providing authority and definitions; creating the
46 commercial corridor street lighting capital and maintenance assessment area;

1 confirming the initial assessment resolution; approving the capital assessment roll;
2 approving the maintenance assessment roll; providing for the imposition of the
3 commercial corridor street lighting capital and maintenance assessments; providing
4 for collection of the assessments pursuant to the uniform assessment collection act;
5 providing for the effect of this resolution; providing severability and an effective
6 date.

7
8 **Council Member Sherrill moved to adopt Resolution No. 426-07,**
9 **seconded by Council Member Mahoney.**

10
11 Mayor Erwin opened the public hearing for Resolution No. 426-07.

12
13 Robert Erdman, 2578 South Volusia Avenue, came forward and expressed his surprise to receive a
14 large bill for a service he “never asked for.” He urged Council not to adopt the assessment because
15 it is “not necessary, nor wanted” and he characterized the assessment as “unfair and just plain
16 wrong.”

17
18 Ernest Senez, 3001 Annez Way, DeBary, came forward and noted that he has office on Industrial
19 Drive in Orange City. Mr. Senez expressed is opposition to the proposed Street Lighting District.
20 He noted that it was advertised that meetings would be held with the business community prior to
21 the establishment of a special assessment. Mr. Senez said that the business owners should be given
22 an opportunity to discuss the assessment district. He noted that commercial property tax
23 assessments are on the rise. He characterized the proposed assessment as a “luxury tax” and
24 expressed that everyone who drives on City roads should share in the assessment. He reiterated that
25 the Council should have sought input from the business owners prior to establishing the assessment
26 district. Mr. Senez said that calling the street lighting project a safety issue is a “ploy to pass a bad
27 tax” and that the Council is trying to create the perception that the City is unsafe and a special taxing
28 district is needed to make it safe. Mr. Senez concluded his presentation by stating, “I would ask this
29 Council, and I would ask John, stand up for us. Include us in this. Don’t force this down our throat
30 without giving us the chance to sit down with you and everybody be involved in this fairly.”

31
32 John Fair, 1280 S. Volusia Avenue, came forward and concurred with Mr. Senez’s remarks. Mr.
33 Fair said that he didn’t find anyone who knew the special assessment was coming. He said that he
34 built his building in 1984 and never had any contact with anyone from City government about
35 anything. Mr. Fair stated, “A little old-fashioned talk here, it seems to me, would be more than
36 appropriate.”

37
38 BEGIN TAPE 1-B

39
40 Mike Taranto, 2479 S. Volusia Avenue, came forward and stated that his business is not within the
41 city limits, but that he was present in support of his fellow business owners. Mr. Taranto advised
42 that his insurance premiums have tripled in the past three years. He predicted that if the City
43 increases the tax burden for local business owners, many of them will be forced to close.

44
45 James Stevens, 910 S. Volusia Avenue, came forward and expressed that the proposed street lighting
46 district is “completely ridiculous.” He discussed the increases in his insurance bill. Mr. Stevens

1 expressed his opposition to the project.

2

3 Mr. McCue stated that he spoke with Joe Rudolph, President of the Chamber of Commerce, and he
4 said that he would work with the Chamber to meet with business owners in the District. Mr. McCue
5 said that it was expressed to him that the majority of Chamber members are not opposed to the
6 project. He advised that a number of business owners had been misinformed about the assessment
7 district. Mr. McCue said that Orange City is an “extremely safe community.” He said the purpose
8 of the lighting district was to reduce the risk of traffic and pedestrian accidents in the commercial
9 areas. Mr. McCue noted that the landscaping project will begin in the next two-three weeks and that
10 the project is “a large scale attempt to upgrade the commercial corridor” in an effort to beautify and
11 enhance the area which will also increase the number of customers. Mr. McCue noted that the first
12 30-35 on the list of 262 businesses involved are paying over fifty-percent of the cost for the project.
13 He advised that Wal-Mart would receive the highest assessment.

14

15 Council Member Mahoney asked whether the financing could be extended over longer periods of
16 time so as to reduce the annual assessment amount. Mr. McCue responded in the affirmative. He
17 said that many of the businesses have expressed their wish to pay the entire amount up-front in a
18 lump sum.

19

20 Mayor Erwin noted that he had overlooked a speaker request form during the public hearing and he
21 called Bill Abell forward at this time.

22

23 Bill Abell 1040 S. Volusia Avenue came forward and stated that the assessment was coming “at the
24 wrong time and at the wrong place.” He said that many of the small business owners are struggling
25 right now and can’t afford to pay the assessment.

26

27 Council Member Storke questioned what harm would be done by delaying action on this issue until
28 talks with the business community could be held. Mr. McCue responded that the project would be
29 delayed for a year if a decision is not made by September 15th. He stated, “This has been in your
30 strategic plan for three years now. Mr. McCue characterized the project as an “enhancement of the
31 community” and said that if it is not approved, the only expense lost will be the cost to put the
32 preliminary paperwork together.

33

34 Council Member Sherrill asked what type of notification the business owners had received about the
35 project. Mr. McCue responded that the letter was sent as official notice and that the Chamber of
36 Commerce had discussed the project in one of their news letters. He said that the City looks to the
37 Chamber to communicate with the public and that both the President and Executive Director of the
38 Chamber had indicated that the majority of the business community is in favor of the project. Mr.
39 McCue explained that the project entails much more than just street lights stating that it would also
40 include cross-walking, landscaping on 17-92 and a safety awareness program. He stated, “It’s an
41 overall plan that you have set out. This is the first step in it.”

42

43 Mr. Reischmann noted that in addition to the letter to affected property owners, an ad was published
44 in the newspaper.

45

46 Council Member DeVane spoke in support of delaying action on this item. She noted that the

1 landscaping project has already begun. She asked if funding would be contributed by anyone other
2 than the property owners. Mr. McCue responded that Volusia County and the City of DeBary were
3 also contributing, as would be the City of Orange City. Council Member DeVane asked when the
4 meetings between Chamber officials and the business owners were scheduled. Mr. McCue
5 responded that he did not have a date as yet. In response to a question from Council Member
6 DeVane, Mr. McCue said that the final assessment roll must be sent to the Tax Collector's office by
7 September 15, 2007. Council Member DeVane suggested scheduling a workshop and postponing
8 action on the resolution until September 11th. Mr. McCue responded in the affirmative. Christine
9 Davis, Finance Director, came forward and suggested that Council postpone the resolution until
10 September 11th and in the meantime, staff would schedule a workshop and notice the property
11 owners by mail. Mr. McCue noted that the majority of business owners present in the audience
12 owned businesses on 17-92. He said that there were options available for these people such as
13 redrawing the boundaries of the assessment district. He said that he did not believe a mailed notice
14 for a workshop could be sent before September 15th.

15
16 Mr. Reischmann discussed the legal options available to the Council at this point. Council Member
17 DeVane said that she did not want to see the project delayed for a year, stating, "I am open to the
18 discussion and seeing what we can do to come up with a solution." Mr. McCue said that he did not
19 understand what the objective of a workshop would be, stating, "It's a single-issue discussion. Do
20 you want to implement the assessment district or don't you?"

21
22 Mayor Erwin said that he was in favor of a workshop and stressed the importance of notifying
23 everyone. Mr. McCue responded that he wasn't sure notification would be complete if everyone
24 was notified by mail. Council Member Sherrill asked, "Why would it be such a problem to notify
25 242 people?" Mr. McCue responded that a number of people had not received their notification.
26 Council Member Sherrill suggested that the business owners would contact their fellow businesses
27 to spread the word about the meeting.

28
29 Vice Mayor Yebba expressed that two meetings were not necessary and suggested discussing the
30 matter again on September 11th prior to the vote. Council Member DeVane suggested that holding a
31 workshop during the week prior to the regular meeting would provide Council with more time to
32 consider the options before having to vote. Vice Mayor Yebba spoke in support of continuing one-
33 on-one dialogues between staff and the business community prior to considering the project again.

34
35 **Council Member DeVane moved to continue Resolution No. 426-07 to**
36 **September 11, 2007, seconded by Council Member Sherrill.**
37

38 Vice Mayor Yebba reiterated his wish to have discussions between staff and the business owners.
39 At the request of Council Member Sherrill and Vice Mayor Yebba, Mayor Erwin asked Bernie
40 Senez to come forward.

41
42 Bernie Senez, 2583 S. Volusia Avenue, came forward and requested that members of the audience
43 keep the meeting "very professional." He noted that the Mayor Erwin and Council were elected to
44 represent the City and asked that everything be kept "under control." Mr. Senez said that he did not
45 receive any notification of the assessment because he has moved. He stressed that the timing is
46 really bad as the economy is weakening. Mr. Senez suggested postponing consideration on this

1 matter until next year.

2
3 Council Member Mahoney asked whether the motion on the floor would be amended to include a
4 date for a workshop meeting.

5
6 **Motion passed by unanimous 6/0 roll call vote of the Council.**

7
8 Mayor Erwin reopened Citizen Comments to recognize Patricia Worsham who had submitted her
9 speaker request after that portion of the agenda was concluded.

10
11 Patricia Worsham, 755 E. Lakeview Avenue, came forward and stated that she is a low-income
12 resident who has lived in Orange City her entire life. Ms. Worsham said that the assessment for
13 solid waste services is nearly as much as her entire property tax bill. She expressed her concern for
14 the small business owners.

15
16 BEGIN TAPE 2-A

17
18 Mayor Erwin recessed the meeting at 8:35 p.m., reconvening at 8:50 p.m.

19
20 Council Member Mahoney questioned what had been done about the workshop meeting with the
21 business owners. Mr. McCue said that he would be calling them to invite them to a meeting in
22 cooperation with the Chamber of Commerce. Council Member DeVane concurred and said that a
23 date needs to be set for the Workshop. Mr. McCue suggested having the meeting on Thursday,
24 September 6, 2007. Council Member DeVane said that she did not care when the meeting was held,
25 just as long as she had a chance to "sit and think" before the vote on the 11th.

26
27 **Council Member DeVane moved to schedule a Workshop on**
28 **September 6th at 7:00 p.m., seconded by Council Member Mahoney**
29 **and passed by unanimous 6/0 voice vote of the Council.**

30
31 **7. DISCUSSION AND ACTION:**

32
33 A. Tracking System Enhancement

34
35 Mr. McCue recalled that staff had promised to implement a tracking system to link each agenda item
36 to a corresponding objective on the strategic plan. He said that the system will be used on upcoming
37 agendas.

38
39 **8. REPORTS:**

40
41 A. City Manager

42
43 Mr. McCue noted that Ms. Edwards who spoke previously about the block party event had paid for
44 the event out of her own pocket last year. He said that he would advertise the event to City staff
45 with an invitation to contribute.

46

1 Mr. McCue reported that the City contributed \$500 to the Disabled American Veterans van.

2

3 The City Manager advised that the City of New Smyrna Beach donated a van to the City for use in
4 its Police Explorer program. The van was painted by Johnny's Auto Body and it will be striped like
5 the Police cars. Mayor Erwin suggested that a letter of thanks to New Smyrna be issued by himself,
6 the City Manager and Chief Baskoff. The Chief advised that the City is also having a plaque made
7 in recognition of the contribution made by Johnny's. Mayor Erwin suggested that a letter be sent to
8 Johnny's as well. Council Member DeVane questioned why the van was going to be striped and
9 suggested that the logo be put on instead. She expressed her concern that if it is striped, the van
10 could be mistaken for a "transport vehicle" and could possibly embarrass the kids. Chief Baskoff
11 responded that since the program is for "Police" Explorers it will be all right. Council Member
12 DeVane noted that many programs that have begun just in the five years she has been on the
13 Council.

14

15 Vice Mayor Yebba asked that staff explore the possibility of renaming "Feaser Park" as something
16 else. Mr. McCue said that he would bring back options for a new name at the September 11th
17 meeting.

18

19 Mayor Erwin asked for a status update on the fountains. Mr. McCue responded that a special epoxy
20 is being shipped and should be here any day.

21

22 Mayor Erwin next asked when the clock would be repaired. Mr. McCue responded that there is a
23 meeting scheduled for Thursday with a new clockmaker. The original vendor has been building new
24 weights for the clock. He said that after the meeting on Thursday, staff should know when it will be
25 ready.

26

27 B. Mayor/City Council

28

29 Mayor Erwin noted that the City Clerk's evaluation will be on the agenda for the September 11th
30 meeting.

31

32 Mayor Erwin said that the City received a formal request from Volusia County to support the Florida
33 International Festival. Council Member Sherrill said that they are requesting a donation of \$7,285.
34 Hearing no responses from the Council, Mayor Erwin stated that the matter is "dead." Mr. McCue
35 noted that the City of Daytona Beach contributed \$500,000 and that the County matched that
36 amount. Mayor Erwin clarified that the News Journal had previously been a major sponsor of the
37 event, but had to discontinue due to legal issues. He said that the Festival requires \$3.8 million in
38 donations. Council Member DeVane said that she can not support the Festival because there is
39 already a small organization in Southwest Volusia that promotes cultural activities. The DeBary Art
40 League requested \$10,000 and the City denied their request, therefore, she said that she did not feel
41 she could support this request. Council Member Sherrill concurred with Council Member DeVane,
42 reiterating that he would rather see the money go to a local group. Mayor Erwin said that he would
43 notify the group of Council's decision.

44

45 Mayor Erwin gave an update on WAV. He said that he received a copy of the final "Map A" which
46 includes an additional 40,000 acres.

1 The Mayor reported that the Volusia League of Cities is sponsoring a workshop on September 12th
2 which deals with surviving the legislative actions of 2007. He said that there was a preview of the
3 meeting at VCOG last night and encouraged everyone to attend. The Mayor said that the City
4 Manager and Finance Director would be attending. The meeting begins at 11:00 a.m. and should be
5 over around 1:30 p.m. Mayor Erwin announced that a 12% reduction in member assessments was
6 implemented at the meeting last night. The difference will be made up through reserves. Orange
7 City's assessment went from \$2,460 to \$2,165.

8
9 Mayor Erwin announced that a new grocery store named Freshco is opening in Food Lion's old
10 location. He said the store is having a grand opening tomorrow from 7:00 to 10:00 p.m. and that all
11 Council Members are invited.

12
13 Vice Mayor Yebba reported that he attended the MPO meeting this morning during which a booklet
14 was distributed which predicts what life in the County will be like in the year 2050. The booklet is
15 available for review in the City Clerk's office. There is a moratorium on feasibility studies for trails
16 because the cities have not paid their matching funds. In reference to Orange City's mention on the
17 list, Vice Mayor Yebba said that the City would not be participating because it could complete the
18 work for less money than the study would cost. He said that he asked them to remove the City from
19 the list.

20
21 Vice Mayor Yebba stated that there is a traffic impact analysis methodology that must be used in
22 order to qualify for funding from the MPO. He said that he asked staff about this and was told that
23 all that's necessary is that this requirement be mentioned in the LDR and that developers be told
24 they must use it.

25
26 The Vice Mayor provided a copy of a report he had prepared on his recent trip to the Florida League
27 of Cities Conference.

28
29 In conclusion, Vice Mayor Yebba stated that the Florida Department of Transportation will not be
30 allowed to provide funding for enhancement projects because the MPO has said that they will only
31 use the money for bicycle and pedestrian projects. He said that if the City wants to do any other
32 work on 17-92, it will be at its own expense.

33
34 C. City Clerk

35
36 The City Clerk reported that qualifying started yesterday and as of the end of today, there are five
37 fully-qualified candidates.

38
39 D. City Attorney

40
41 The City Attorney had nothing further to report.

- 42
43 9. **APPROVAL OF MINUTES:** August 7, 2007 Budget Workshop
44 August 14, 2007 Regular Council Meeting

45
46 *Amended on August 28, 2007*

47 **Council Member Storke moved to approve the minutes of the July**

24th August 7 and August 14, 2007 Regular Meeting, seconded by Council Member Mahoney and passed by unanimous 6/0 voice vote of the Council.

10. COUNCIL COMMENTS

Council Member DeVane noted that election season is approaching and that the issues are getting “hot.” She recalled a comment from a citizen at a previous meeting that Council allows staff to “blow up” and doesn’t do anything about it. Council Member DeVane said that most employers do not reprimand their staff in public and that it should not be assumed that it is not done in private. In regard to a comment regarding people leaving the dais, Council Member DeVane said that she would prefer to see someone leave to collect themselves and calm down. She said that in spite of comments to the contrary from the public, Council does care what the citizenry wants. She noted that her taxes are rising like everyone else’s. Council Member DeVane said that she tries to make the best decision she can even when it may not be popular.

11. ADJOURNMENT

There being no further business, Mayor Erwin adjourned the meeting at 9:38 p.m.

RESPECTFULLY SUBMITTED:

APPROVED ON

Deborah J. Renner, CMC
City Clerk

9/11/07