

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, November 09, 2010 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange
3 City.

4
5 **CALL TO ORDER**

6
7 The meeting was called to order at 7:00 p.m. by Mayor Strickland and roll call was taken.

8
9 **ROLL CALL**

10
11 **PRESENT:** Mayor Harley Strickland; Vice Mayor Tom Laputka; Council Members Jeff Allebach, Tom
12 Abraham, Anthony J. Pupello, Gary A. Blair, O. William (Bill) Crippen; City Attorney William
13 Reischmann; City Manager Jamie Croteau; City Clerk Deborah Renner

14
15 **INVOCATION**

16
17 The Invocation was given by Pastor Vince Cuda, My Refuge Christian Center, followed by the Pledge
18 of Allegiance.

19
20 **I. ELECTION OF VICE MAYOR**

21
22 Mayor Strickland asked that any Council Member interested in being nominated as Vice Mayor to raise
23 their hand. Council Members Crippen and Abraham raised their hands. Council Member Abraham
24 announced that he is planning to run for Mayor in October and that he would like to serve as Vice
25 Mayor. Council Member Crippen said that he is dedicated to serving the citizens and to working with
26 the Council. He said he would like to serve as Vice Mayor.

27
28 **Vice Mayor Laputka moved that the names of Council Members**
29 **Abraham and Crippen be added to the ballot, seconded by Council**
30 **Member Allebach and passed by a unanimous 7/0 voice vote of Council.**

31
32 The City Clerk distributed the ballots. Council Members cast their votes and passed the ballots back to the
33 City Clerk. Ms. Renner tallied the votes and read the results as follows:

34
35 5 Votes for Council Member Crippen (Blair, Allebach, Pupello, Crippen, Strickland)

36
37 2 Votes for Council Member Abraham (Laputka, Abraham)

38
39 Ms. Renner announced that Council Member Crippen is the new Vice Mayor. Mayor Strickland asked
40 Council Member Crippen to step forward to receive the oath of office.

41
42 **1. ABSENCES:** None at this time.

43
44 **2. PRESENTATIONS/PROCLAMATIONS:** YMCA Team Challenge Trophy

45
46 Gerald Kennedy, Wellness Director, DeLand YMCA, came forward. He advised that Theresa Rogers,
47 CEO of the Volusia Flagler Family YMCA was also present. Mr. Kennedy said he wished to present the
48 YMCA Team Challenge trophy to the Orange City YMCA Team. Mr. Kennedy described the program and

1 the importance of health and wellness in our communities. He said a number of municipalities participated
 2 in the Challenge. The Orange City team won by losing a total of 75 pounds, 7% body fat and 5 inches in
 3 body measurements during the twelve-week challenge. The team consisted of Roz Brown, Kelly Jo
 4 Brubaker (not present this evening), Rick Beauregard, Robyn Young and Christine Davis. Mr. Kennedy
 5 congratulated the team and thanked them for participating.

6
 7 Mayor Strickland asked Ms. Rogers to come forward. He advised she has been working on combining the
 8 YMCA’s in east and west Volusia and congratulated her for effects. He said Orange City has been always
 9 been supportive of the YMCA’s programs. Mayor Strickland thanked Ms. Rogers and Mr. Kennedy for
 10 the work they do in the community.

11
 12 **3. CITIZEN COMMENTS:** None at this time

13
 14 **4. CONSENT AGENDA:**

15
 16 a) October 26, 2010 Regular Meeting Minutes

17
 18 **Council Member Allebach moved to approve the Consent Agenda,**
 19 **seconded by Council Member Blair, and passed by unanimous 7/0 voice**
 20 **vote of the Council.**

21
 22 **5. ORDINANCES – FIRST READING:**

23
 24 **A. ORDINANCE NO. 435:** An ordinance of the City of Orange City, Florida,
 25 declaring a moratorium as to the filing and/or receiving of any application or the
 26 issuance of business tax receipts for the operation of “Pain Clinics” and “Pain
 27 Management Clinics” for one hundred and eighty (180) days; providing for
 28 severability and an effective date.

29
 30 Council Member Allebach read the title of Ordinance No. 435 into the record.

31
 32 **Council Member Allebach moved to adopt Ordinance No. 435 on first**
 33 **reading, seconded by Vice Mayor Crippen.**

34
 35 Mr. Reischmann recalled that at the last meeting Council directed staff to prepare an ordinance for a
 36 moratorium on the issuance of business tax receipts for “pain management clinics” in the City. He
 37 acknowledged this is a statewide problem and said a moratorium would give the City time to research and
 38 plan steps for the future. Presently, Orange County is also considering this type of action. Mr.
 39 Reischmann pointed out the definition of “pain management clinics” in the ordinance stating the intent is to
 40 describe establishments whose primary purpose is prescribing and dispensing narcotic drugs in a manner
 41 that is deemed illegal and to avoid any imposition on legitimate businesses.

42
 43 Council Member Allebach spoke in support of this action. He noted that Orange County decided today to
 44 move forward with a similar action. He stated that while this action will solve the problem for the City,
 45 Volusia County should also consider a preventative program.

46
 47 Mayor Strickland said he would prefer a longer moratorium and questioned whether the timeframe could
 48 be extended. Mr. Reischmann responded six months is considered a reasonable length of time, as a longer

1 timeframe could be challenged in a court of law. Mayor Strickland agreed with Council Member
2 Allebach's comments and suggested asking the County Council to adopt a similar ordinance at their next
3 meeting.

4
5 In response to a question from Vice Mayor Crippen, Mr. Reischmann discussed the requirements of the
6 new regulations. He said that while the law is on the books, it must be monitored by the State and there is
7 no funding to enforce the rules.

8
9 Council Member Abraham asked if an urgent care business wished to use a portion of their facility for a
10 pain clinic would this moratorium prevent that. Mr. Reichmann advised a standard type of urgent care
11 facility would not fit within the definition of a "pain management clinic" in the ordinance. He discussed
12 some of the ways to determine if a clinic is operating as a "pain management clinic" and restated the intent
13 of this moratorium is to deal with clinics whose sole purpose of business is to prescribe or dispense pain
14 medication.

15
16 **Motion passed by 7/0 roll call vote of the Council.**

- 17
18 **B. ORDINANCE NO. 436:** An ordinance of the City of Orange City, Florida,
19 annexing the Smith property into the corporate limits of the City of Orange City,
20 Florida; said property being generally located on the west side of North Volusia
21 Avenue, approximately 800 feet north of St. Lawrence Avenue, containing
22 approximately 4.40 acres; in accordance with the voluntary annexation provisions
23 of Florida Statute 171.044; redefining the boundaries of the City of Orange City
24 by amending the appropriate sections of the Code of Ordinances; containing a
25 repealer provision, a severability clause and providing for an effective date.

26
27 Council Member Allebach read the title of Ordinance No. 436 into the record.

28
29 **Council Member Laputka moved to adopt Ordinance No. 436 on first**
30 **reading, seconded by Council Member Blair.**

31
32 Jim Kerr, City Planner came forward and noted the property under consideration is 4.4 acres with a taxable
33 value of \$210,000. The property contains a vacant building. This annexation meets the State requirements
34 for annexation.

35
36 **Motion passed by a 7/0 roll call vote of the Council.**

- 37
38 **C. ORDINANCE NO. 437:** An ordinance of the City Council of the City of Orange
39 City, Florida, providing for a non-exclusive franchise to Container Rental
40 Company, Inc. (CRC) for the collection and disposal of commercial trash,
41 garbage, recyclable materials and other refuse within the City Limits; providing
42 for Definitions, Terms Condition, Rates, Compliance With Laws, Arbitration,
43 Standards of Performance, Collection, Regulation Operations, Hours, Routes,
44 Penalties, Accounting, Complaint Resolutions; containing a repealer provision; a
45 severability clause and providing for an effective date.

46
47 Council Member Allebach read the title of Ordinance No. 437 into the record.

48

Council Member Laputka moved to adopt Ordinance No. 437 on first reading, seconded by Vice Mayor Crippen.

Christine Davis advised the purpose of this ordinance and the following seven ordinances is to renew non-exclusive franchise agreements with various commercial entities due to expire on December 31st. She noted that currently the City has eight franchise agreements, but one company chose not to renew. The remaining companies are compliant with their contract requirements and are in good standing with the City. Ms. Davis said staff recommends adopting all seven ordinances.

Council Member Abraham questioned whether these companies pay a franchise fee to the City. Ms. Davis responded in the positive. She said two companies do recycling only and do not pay a franchise fee but the City requires a franchise agreement to know which companies are doing business in the City.

Motion passed by a 7/0 roll call vote of the Council.

D. ORDINANCE NO. 438: An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Emerald Waste Services, LLC (EWS) for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City Limits; providing for Definitions, Terms Condition, Rates, Compliance With Laws, Arbitration, Standards of Performance, Collection, Regulation Operations, Hours, Routes, Penalties, Accounting, Complaint Resolutions; containing a repealer provision; a severability clause and providing for an effective date.

Council Member Allebach read the title of Ordinance No. 438 into the record.

Vice Mayor Crippen moved to adopt Ordinance No. 438 on first reading, seconded by Council Member Laputka and passed by unanimous 7/0 roll call vote of the Council.

E. ORDINANCE NO. 439: An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Pro for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City Limits; providing for Definitions, Terms Condition, Rates, Compliance With Laws, Arbitration, Standards of Performance, Collection, Regulation Operations, Hours, Routes, Penalties, Accounting, Complaint Resolutions; containing a repealer provision; a severability clause and providing for an effective date.

Council Member Allebach read the title of Ordinance No. 439 into the record.

Vice Mayor Crippen moved to adopt Ordinance No. 439 on first reading, seconded by Council Member Laputka and passed by unanimous 7/0 roll call vote of the Council.

F. ORDINANCE NO. 440: An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Services of Florida, Inc. for the collection and disposal of commercial trash, garbage,

1 recyclable materials and other refuse within the City Limits; providing for
2 Definitions, Terms Condition, Rates, Compliance With Laws, Arbitration,
3 Standards of Performance, Collection, Regulation Operations, Hours, Routes,
4 Penalties, Accounting, Complaint Resolutions; containing a repealer provision; a
5 severability clause and providing for an effective date.
6

7 Council Member Allebach read the title of Ordinance No. 440 into the record.
8

9 **Vice Mayor Crippen moved to adopt Ordinance No. 440 on first reading,**
10 **seconded by Council Member Laputka and passed by unanimous 7/0 roll call**
11 **vote of the Council.**
12

13 **G. ORDINANCE NO. 441:** An ordinance of the City Council of the City of Orange
14 City, Florida, providing for a non-exclusive franchise to Orlando Waste Paper
15 Company, Inc. for the collection and disposal of commercial trash, garbage,
16 recyclable materials and other refuse within the City Limits; providing for
17 Definitions, Terms Condition, Rates, Compliance With Laws, Arbitration,
18 Standards of Performance, Collection, Regulation Operations, Hours, Routes,
19 Penalties, Accounting, Complaint Resolutions; containing a repealer provision; a
20 severability clause and providing for an effective date.
21

22 Council Member Allebach read the title of Ordinance No. 441 into the record.
23

24 **Vice Mayor Crippen moved to adopt Ordinance No. 441 on first reading,**
25 **seconded by Council Member Laputka and passed by 6/1 roll call vote, with**
26 **Mayor Strickland voting, "no."**
27

28 **H. ORDINANCE NO. 442:** An ordinance of the City Council of the City of Orange
29 City, Florida, providing for a non-exclusive franchise to DisposAll for the
30 collection and disposal of commercial trash, garbage, recyclable materials and
31 other refuse within the City Limits; providing for Definitions, Terms Condition,
32 Rates, Compliance With Laws, Arbitration, Standards of Performance, Collection,
33 Regulation Operations, Hours, Routes, Penalties, Accounting, Complaint
34 Resolutions; containing a repealer provision; a severability clause and providing
35 for an effective date.
36

37 Council Member Allebach read the title of Ordinance No. 442 into the record.
38

39 **Vice Mayor Crippen moved to adopt Ordinance No. 442 on first reading,**
40 **seconded by Council Member Laputka and passed by unanimous 7/0 roll**
41 **call vote of the Council.**
42

43 **I. ORDINANCE NO. 443:** An ordinance of the City Council of the City of Orange
44 City, Florida, providing for a non-exclusive franchise to Sunshine Recycling, Inc.
45 for the collection and disposal of commercial trash, garbage, recyclable materials
46 and other refuse within the City Limits; providing for Definitions, Terms
47 Condition, Rates, Compliance With Laws, Arbitration, Standards of Performance,
48 Collection, Regulation Operations, Hours, Routes, Penalties, Accounting,

1 Complaint Resolutions; containing a repealer provision; a severability clause and
2 providing for an effective date.

3
4 Council Member Allebach read the title of Ordinance No. 443 into the record.

5
6 **Vice Mayor Crippen moved to adopt Ordinance No. 443 on first reading,**
7 **seconded by Council Member Laputka and passed by 6/1 roll call vote, with**
8 **Mayor Strickland voting, “no.”.**
9

10 **6. PUBLIC HEARINGS:** None at this time

11
12 **7. RESOLUTIONS:** None at this time

13
14 **8. DISCUSSION AND ACTION:**

15
16 **A. Update on Seth French House**

17
18 Dallas Wittgenfeld, 2421 Pine Hill Place, came forward and stated that Orange City was famous for
19 producing lilies across the country many years ago. He displayed a lily and suggested the lilies could be
20 used for the Seth French House Museum. Mr. Wittgenfeld stated there is a lot of grant funding available
21 for repairing/renovating the Seth French house.

22
23 Paul Johnson, Public Works Director, came forward to provide an update on the Seth French House. He
24 said the consultants toured the Seth French House to take measurements and to provide cost estimates of
25 the repairs needed to restore the house. He displayed a PowerPoint presentation (a copy of which is
26 attached and becomes a permanent part of these minutes) and detailed the repairs required. He advised the
27 total estimated cost of the project is \$435,000. A matching historical preservation grant is available to
28 assist with the costs. The grant application must be submitted by December 15th and if approved the
29 funding would be available after July, 2011. The City's contribution would be \$50,000 and must be
30 appropriated in the budget. In addition, at the time funding is awarded, the City must prove additional
31 funding is available to complete the project. Mr. Johnson pointed out a community improvement line item
32 in the FY 10/11 budget for \$100,000 that could fulfill the budgetary requirement.

33
34 In response to a question from Council Member Blair, Ms. Croteau said the property appraiser valued the
35 property at \$100,000. Mr. Reischmann clarified that is the taxable value, an appraisal to determine the
36 market value was not conducted. Council Member Blair expressed his opinion that the market value on the
37 property is only about \$50,000. He suggested the cost to repair the property is too much to spend on a
38 “derelict” structure. He stated his opinion the City could not afford to spend that amount of money. Mayor
39 Strickland agreed with Council Member Blair’s comments.

40
41 Vice Mayor Crippen asked if the proposed budget included the costs for the entire project. Mr. Johnson
42 responded in the affirmative. He suggested that the project could be done in phases over a five year period
43 to spread out the costs, if that is acceptable to the terms of the estate.

44
45 Council Member Abraham spoke against the project. He stated, “If we have that kind of money...we better
46 look for some other site rather than this one. I have always been of that opinion.”
47

1 Mr. Reischmann reminded Council a resolution acknowledging the City's interest in this property was
2 approved and submitted to the attorney for the estate. He said he anticipates the title will be transferred to
3 the City by the end of the year and Council must now decide whether to move forward before the title
4 transfer is complete.

5
6 Council Member Pupello felt it was a lot of money to spend. He noted originally there was a
7 "groundswell" of people interested in the project but only a small group seems interested now. Council
8 Member Pupello said it is the Council's job to do what the citizens want and if there is a citizen initiative
9 that is really passionate about the project he could support it.

10
11 Council Member Allebach spoke in support of the project. He said many citizens expressed a desire to
12 have a historical area during the goal setting workshops. The project is costly, but will help with building
13 the future of the City by honoring its past. If Council does not move forward, the property will be bought
14 and its historical significance lost. Council Member Allebach felt the project should move forward, done
15 in phases as funding becomes available.

16
17 Vice Mayor Crippen agreed with Council Member Allebach's comments. He asked that a decision be
18 delayed until the next Council Meeting to give Council additional time to further explore funding
19 opportunities.

20
21 Council Member Blair said the citizens at the goal setting workshop wanted historical preservation for the
22 City, not specifically the Seth French House. He said he does not see a commitment from a lot of people,
23 just the small group present. He asked what involvement the Historical Preservation Board has with this
24 project. He said State preservation grants have a lot of restrictions and if the funding is not used properly,
25 the City would have to reimburse the State and the project may end up costing the City more.

26
27 Council Member Allebach noted that DeBary Hall was in terrible condition before the County renovated it
28 and it is now the "pride of the county." Council Member Blair objected to the comparison. He said
29 DeBary Hall is a "mansion" and the Seth French House is a "shack." He stated he could not support this
30 project when the City recently terminated employees because it could not afford to keep them and there are
31 no assurances the money will be recouped. Council Member Blair said he is supportive of historic
32 preservation, but it is not feasible at this time.

33
34 Council Member Allebach said he views this project as an investment in the City's future. Unless the City
35 has a unique identifier, it will just be another "blip" on the road. He said a project like this continues the
36 City's claim to "small town ambiance."

37
38 Mayor Strickland suggested that Council make a decision tonight as the family could take the property
39 back.

40
41 In response to a question from Council Member Pupello, Mr. Johnson advised the costs to operate the
42 museum were included in the estimates. Council Member Pupello suggested that in order for the museum
43 to be successful, it would require community participation to monitor and preserve its historical value.

44
45 Mayor Strickland noted there are other properties in the City with historical value that the City could
46 purchase and renovate for less than the costs to repair the Seth French House. He pointed out that in
47 addition to the cost to repair the house, it will cost the City \$50,000 a year in operating costs. He said
48 Harriet Boyd tried on numerous occasions to get someone to take on this project and everyone told her no.

1 The Mayor said he is in favor of historic property and marketing the City, but is concerned about the
2 restrictions and making a decision that would obligate future Councils.

3
4 **Council Member Blair moved that the City Council allow the Seth French**
5 **property to revert back to the estate, seconded by Council Member**
6 **Abraham.**

7
8 Council Member Crippen again suggested no action be taken on this matter tonight as the projected costs
9 are now available and it is important that citizens who were in support of accepting this property have an
10 opportunity to participate in seeking funding. He stated, "I just think coming to this decision tonight is
11 premature without letting everyone who was part of the ground swell know about it."

12
13 Mayor Strickland asked how much it would cost if the City were to decide to give the property back. Mr.
14 Reischmann responded the cost is minimal, just the recording fees for the deed and the costs to maintain
15 and insure the property during the period of time it is titled in the City's name.

16
17 Council Member Laputka said he met the consultants who put together the cost estimates. He said he feels
18 the numbers are fairly realistic. However, he said he agrees the City should not be accepting this kind of
19 liability at this point.

20
21 **The motion passed by 5/2 voice vote of Council with Vice Mayor Crippen**
22 **and Council Member Allebach voting, "no."**

23
24 Mr. Reischmann said he would advise the attorney for the estate of Council's wishes. He said a resolution
25 may be brought forward formally returning the property to the estate and that he would report back at the
26 next meeting.

27
28 **B. NEW BUSINESS:**

29
30 Mayor Strickland suggested a discussion about supporting the concept of addressing water as a regional
31 issue be on the agenda at the next Council meeting. He noted that information was provided to Council.

32
33 Council Member Pupello asked for more information about the new state law regarding periodic
34 inspections of septic tanks. Ms. Croteau advised that the City Attorney will provide an update during his
35 report.

36
37 Council Member Allebach said he would like an update on the progress of the City's efforts to enter a Joint
38 Planning Agreement with Volusia County to work on the City's irregular boundaries.

39
40 **C. REPORTS:**

41
42 **A. City Manager**

43
44 Ms. Croteau reported the Halloween event was a success and discussed upcoming events. She said
45 November 19th the City will host its first movie in the park, "The 12 Dogs of Christmas," at 6:30 p.m. in
46 Dickinson Park. It is a free event, popcorn and snow cones will be provided. On December 3rd, the annual
47 "Light Up Orange City" event will take place from 6:30-9:00pm at City Hall. Ms. Croteau invited
48 everyone to participate.

1 Ms. Croteau reported that Danielle Lung, the City's new intern, has been working with the City for the past
2 two weeks and already has the City's Facebook page up and running. She said Ms. Lung is a Florida State
3 graduate with a master's degree in mass communications. Ms. Croteau said she is happy to have Ms. Lung
4 and suggested that Council stop by City Hall to meet her.

5
6 B. Mayor/City Council

7
8 Mayor Strickland noted the new state law regarding septic tanks will be discussed at the Blue Springs
9 Basin Working Group meeting in December. He said more elected officials and citizens are getting
10 involved in these meetings and encouraged everyone to check out the Group.

11
12 Mayor Strickland reported on the Summit meeting held last Saturday. He said the focus of the meeting
13 was the SunRail, but many of the questions about ridership and the impact of mass transportation to Orange
14 City were not answered. However, he said it was clear that a SunRail station in Orange City is "out of the
15 picture" at this point. Mayor Strickland said he would like to hear the thoughts and impressions of the
16 other council members who attended the meeting. A lengthy discussion ensued with Council members
17 expressing their concerns.

18
19 Council Member Laputka agreed with Mayor Strickland. He said the maps provided were "imbalanced."
20 The stations are located in DeLand and Sanford, nowhere near the population base. Council Member
21 Laputka expressed concerns that local municipalities would be responsible for the maintenance of the rail
22 system after 8 years, even though CSX will still be using the system as a freight line.

23
24 Mayor Strickland advised the rail system will be set up as a commuter rail system during the day and a
25 freight rail system at night. A Votran express bus will run from DeLand to DeBary right through the
26 middle of Orange City. Deltona residents will connect to the bus at the K-mart shopping center on
27 Enterprise Road. It will be a 20 minute ride just to get to the train station.

28
29 Vice Mayor Crippen said numerous questions were asked at the meeting, and not many answers were
30 provided. He discussed the problems that residents may experience getting to the train station and stated,
31 "I don't see it happening." The estimated cost to ride the rail will be \$9.00 round trip the first year and the
32 costs may be higher.

33
34 Council Member Allebach pointed out it would be more cost effective to use the CSX tracks than to lay
35 new tracks. He said the project is still in its planning stages and requires input from the leadership of the
36 various municipalities involved. Currently people pay a surtax each time they purchase gasoline and the
37 revenue generated from that tax often does not stay in the state. Developing a mass transit system will
38 require change and will increase land density which is "scary" and "hard to fathom" at this point. He said,
39 Central Florida has an opportunity to get a mass transit system up and running now. The problem is trying
40 to address every possibility for the system at this time. Enhancements could be made at a later time. He
41 said the cost of fuel is not going to go down. The country is looking into alternative energy sources and
42 ways to reduce energy consumption and mass transit is one way to do that. Council Member Allebach
43 stated, "I believe it has to get done, we have got to keep pushing for it."

44
45 Mayor Strickland agreed with Council Member Allebach's assessment. He noted it took the Tri-Rail in
46 Miami twenty years to begin to get some ridership. He expressed his concern that the County's plan will
47 have an impact on the infrastructure on the City and the City does not have input on the matter. Mayor
48 Strickland cautioned it is important the City stays on top of the decisions made or things will happen that

1 are not beneficial for the City. He said he felt very frustrated in the meeting because the County did not
2 address many of the City's concerns.

3
4 Council Member Laputka said he, too, felt frustrated. He suggested the only thing the City can do is to pay
5 attention to what is being done and to help guide the process. Council Member Laputka expressed his
6 concerns that the City would be responsible for the long term maintenance cost of a train system that a
7 private entity will also be using.

8
9 Addressing Mayor Strickland, Council Member Abraham pointed out that Chairman Bruno gave the
10 Mayors a chance to express their opinions at the Summit. He questioned why the Mayor did not take
11 advantage of the opportunity to express his frustration. Mayor Strickland responded that he has discussed
12 this matter with Chairman Bruno one-on-one on numerous occasions. He explained that raising his
13 concerns at the Summit would give the impression that he is speaking on behalf of the Council which was
14 not his intent.

15
16 Council Member Pupello said he spoke with the Votran General Manager about the express bus routes
17 being considered to get riders to the train station. He said the plan is for two new express routes, one
18 coming out of DeLand, with a stop in Deland and Debary and the other bus from Deltona with various
19 stops along the way. An existing bus route in Deltona will also pick up and discharge passengers at the
20 train station. The bus ride will take about an hour. Council Member Pupello said Mr. Fischer is willing to
21 listen if anyone has a better alternative. He agreed with previous statements about the meeting. He stated
22 there are many challenges but the leadership of the City must continue to provide an example. The next
23 phase of the project is when the City will have another opportunity to get a train station in the City. The
24 City must be a part of the process to make sure that it happens. Council Member Pupello said he has
25 concerns with future plans for connectivity for the transit system, specifically how it would connect to
26 Daytona Beach. He stated it is a "culture change" a totally different way of doing transit, calling it
27 "revolutionary" he suggested that people support the plan and not comment about how it will not be
28 successful.

29
30 Council Member Blair said he has not seen any numbers on who would be using the rail system, but
31 anticipates Deltona residents would be using it. He spoke about the importance of the City being involved
32 in the process. He stated that if it takes an hour to get to the rail system, many people may prefer to drive
33 themselves to save time.

34 35 C. City Clerk

36
37 The City Clerk announced a Tree Board meeting has been scheduled for 6:00 p.m. December 14th, before
38 the Regular City Council Meeting.

39 40 D. City Attorney

41
42 Mr. Reischmann discussed the new state statute regarding septic tanks. He said the statute is part of Senate
43 Bill 550 which is a large environmental bill that passed various new regulations upon water management
44 districts. The purpose of the statute is to prevent ground water contamination coming from poorly
45 maintained, constructed or repaired septic tanks. It is very controversial and would be costly to implement.
46 Some rural counties are trying to introduce legislation at the next session to appeal that portion of the bill.
47 Mr. Reischmann discussed ways the bill could be implemented and stated that if it is not repealed or
48 changed, owners of septic tanks will have to comply.

1 Council Member Allebach said he read an article about delaying the implementation of the new statute
2 until July because of the problems with it. Vice Mayor Crippen noted that the Department of
3 Environmental Services inspects the installation of septic tanks before and after installation. He suggested
4 if the septic tanks are installed properly it unreasonable to mandate 5 year inspections. Council Member
5 Allebach noted that septic tanks must be pumped before inspection and other issues could be cited
6 requiring the homeowner to pay more to replace or repair their tanks.

7
8 **D. APPROVAL OF MINUTES:** (*Consent Agenda*)

9
10 **E. COUNCIL COMMENTS**

11
12 Council Member Abraham said he sent an e-mail to Council Members wishing them a happy “Diwali.” He
13 explained the “Diwali Festival” is a five day celebration of the “season of lights.” He said he sent the
14 message because President Obama was visiting India during “Diwali” days and spoke to India’s Parliament
15 about making India a permanent member of the Security Council. Council Member Abraham stated the
16 USA entered a \$12 billion business deal that will provide 70,000 jobs for Americans. He stated, “So, his
17 visit to India was a great success.”

18
19 Vice Member Crippen provided a report on the River of Lakes Heritage Corridor meeting held on Monday.
20 He said there is now \$80,000 in grant funding available to the Corridor. There are plans to use the money
21 for beautification of areas along the corridor, marketing of the Corridor program and the Manatee Festival.
22 Vice Mayor Crippen said he has asked Council Member Allebach to attend the next meeting to talk about
23 the Manatee Festival and the ways the Corridor could help promote it.

24
25 Council Member Allebach said the Halloween Party was “amazing.” There was a “sea of people” and no
26 parking. He congratulated the winner of the pet contest. Council Member Allebach said he attended an
27 event welcoming back the brother of the former president of the Sosis Club from Afghanistan. A number
28 of people including council members were present. It was very touching and gracious, and with Veteran’s
29 Day coming up, it made a lot of sense. He stated, “It is very appropriate to support the soldiers when they
30 come home.” Council Member Allebach said there is a lot of national attention on “bullying.” He recalled
31 a recent incident where a father had some issues on a school bus. He stated his belief that “bullying” is not
32 acceptable in Orange City. Everyone needs to have a positive presentation to help the community get
33 better and survive the economic times.

34
35 Council Member Pupello stated, “Great job on the block party,” noting that it was a tremendous success.
36 He said he received positive comments from many citizens. One resident said no matter what the costs, it
37 was some of the best money the City ever spent. Council Member Pupello noted there have been several
38 incidents of crime recently. He thanked the citizens for their participation and awareness and for
39 contacting him or the Police Department when they observe these matters. He stated, “It is important for
40 our community to support that type of citizen involvement.” Council Member Pupello noted the election
41 is complete. He reminded everyone that the governor elect will be reducing property taxes 19%.

42
43 Council Member Laputka said he went to the swearing in of the new elected officials in Deltona. Three
44 new commissioners and the mayor were sworn in. He said Deltona is a very different “culture” from
45 Orange City. Council Member Laputka said he enjoys sitting on the Council because of how business is
46 conducted. The meetings are orderly, the agenda is fulfilled and business moves forward. He stated, “That
47 is a hallmark of Orange City.” Council Member Laputka congratulated Vice Mayor Crippen on being
48 elected as Vice Mayor.

1
2 Mayor Strickland said he attended the grand opening of the new Oncology Center in the old White Rose
3 building on Enterprise Road. He said the food was great. It is a wonderful facility that enriches the City
4 and community and helps in keeping the City as a “medical hub.” Mayor Strickland announced the
5 Volusia League of Cities dinner will be hosted by Orange City on December 2nd at University High School.
6 The dinner is being catered by the Culinary program at the school. Mayor Strickland acknowledged that
7 Linda White is in the audience. He said Ms. White will be working with Representative-Elect Fred
8 Costello, Congressman for the 26th District.
9

10 **F. ADJOURNMENT:**
11

12 There being no further business, Mayor Strickland adjourned the meeting at 9:20 p.m.
13

14 Respectfully submitted,
15
16

Approved on:

17 _____
18 Gloria Thomas, CMC
19 Deputy City Clerk

December 15, 2010