

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, April 26, 2011 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3
4 **CALL TO ORDER**

5
6 The meeting was called to order at 7:00 p.m. by Mayor Strickland and roll call was taken.

7
8 **ROLL CALL**

9
10 **PRESENT:** Mayor Harley Strickland; Vice Mayor O. William (Bill) Crippen; Council Members Jeff
11 Allebach, Tom Laputka, Tom Abraham, Anthony J. Pupello, Gary A. Blair; City Attorney Bill
12 Reischmann; City Manager Jamie Croteau; City Clerk Deborah Renner

13
14 **INVOCATION**

15
16 The Invocation was given by Mayor Strickland, followed by the Pledge of Allegiance.

17
18 **1. ABSENCES:** (None at this time)

19
20 **2. PRESENTATIONS/PROCLAMATIONS:** Presentation to CORA Rehabilitation

21
22 Police Chief Peter Thomas came forward and recalled the assistance that CORA Rehabilitation Clinics
23 provided to the Police Department with its Weight Loss Challenge. He stated the program was successful
24 due to the time and expertise of CORA. Collectively, the department lost a total of 221 pounds. Chief
25 Thomas asked Dr. Kristie Hartwick, Clinic Manager and Melissa Velazquez, Patient Services Coordinator
26 to come forward and presented them with a plaque of appreciation from the Police Department for the help
27 they provided the Police Department during this challenge.

28
29 Mayor Strickland acknowledged that Pastor Peter Migner was present. Pastor Migner said he had car
30 trouble and could not be here to provide the Invocation.

31
32 **3. CITIZEN COMMENTS:**

33
34 Dale Atchley, 1825 Monastery Road came forward and said he has facts regarding his appeal of the ALF
35 home on Monastery Road that he would like to be a part of the minutes. Mr. Atchley stated that while he
36 does not agree with Council's decision, he respects it. He thanked the three council members who voted in
37 favor of his appeal. Mr. Atchley said the deed restrictions discussed during the hearing were recorded in
38 the public records of Volusia County on May 13, 1987 by a local attorney. The house in question was
39 purchased out of foreclosure in 2010 and was subsequently purchased by Mr. Cutrona in 2011. Mr.
40 Atchley denied the house was used as a foster home. He said work was done on the house before the
41 conditional use was issued. County records still show the house as a four bedroom home however it was
42 converted into a seven bedroom house by a prior owner without the City's knowledge or approval. Mr.
43 Atchley noted that eight of the nine residents on Monastery Road signed statements of opposition and some
44 testified at the hearing. He stated their testimony was depicted as complaints or as discriminating, but he
45 insisted that is not the case. Mr. Atchley discussed specific statements council members made during the
46 hearing.

47

1 Mayor Strickland advised Mr. Atchley that he was over the 3 minute limit for citizen comments and asked
2 if Council wished to allow him more time. Council Member Blair stated that he did.

3 Mr. Atchley said the traffic study that Mr. Cutrona provided during his testimony was not a fair
4 comparison. He disputed the statement that group homes do not affect the property values of the
5 surrounding homes. He said he visited the Summer Haven facility that Mr. Cutrona referenced in his
6 testimony and found there were issues with parking.

7
8 Mayor Strickland asked Mr. Athley if he has a specific request for Council. Council Member Blair stated,
9 “Mr. Mayor, this is public comments and I believe he can go on until Council says otherwise. Mr. Atchley
10 said he trying to set the record straight.” Council Member Blair again expressed his desire to hear what
11 Mr. Atchley has to say. Mr. Atchley said he had one more issue to address. He recalled that Council
12 authorized a refund of the \$500 paid for the appeal but he has not yet received the check. He concluded by
13 stating he just wanted to get this “off his chest” and have the facts as a part of the record.

14
15 Mayor Strickland asked Mr. Reischmann to respond. Mr. Reischmann advised that under the Council
16 Rules & Procedures, a citizen has a right to make any presentation, he wishes regarding items not on the
17 agenda. The matter Mr. Atchely is addressing occurred during a quasi judicial hearing on a prior agenda.
18 Council rendered a final decision at the hearing and does not have the power to revisit that decision at this
19 time. The applicant had a 30 day window to appeal to the Circuit Court. Mr. Atchely’s comments tonight
20 are not pertinent to the decision Council made several meetings ago and would not be pertinent on appeal.

21
22 **4. CONSENT AGENDA:**

23
24 a) Minutes of April 12, 2011 Regular Council Meeting

25
26 b) **RESOLUTION NO. 637-11:** A resolution of the City Council of the
27 City of Orange City, Florida, amending the classification and pay plan for
28 the City of Orange City by adding the position of Public Information
29 Coordinator; containing a repealer provision, a severability clause and
30 providing for an effective date.

31
32 **Council Member Allebach moved to approve the Consent Agenda,**
33 **seconded by Vice Mayor Crippen, and passed by a 7/0 roll call vote of**
34 **the Council.**

35
36 **5. ORDINANCES - FIRST READING:**

37
38 **A. ORDINANCE NO. 457:** An ordinance of the City of Orange City, Florida,
39 annexing the Coggin Ford Property into the corporate limits of the City of
40 Orange City, Florida; said property being generally located on the west side of
41 North Volusia Avenue, approximately 50 feet north of West Minnesota
42 Avenue, containing approximately 19.46 acres in accordance with the
43 provisions of Florida Statute 171.044; redefining the boundaries of the City of
44 Orange City by amending the appropriate sections of the Code of Ordinances;
45 containing a repealer provision, a severability clause and providing for an
46 effective date.

47
48 Council Member Allebach read the title of Ordinance No. 457 into the record.

Council Member Laputka moved to adopt Ordinance No. 457 on first reading, seconded by Vice Mayor Crippen.

Jim Kerr, City Planner, came forward and advised this annexation would extend the City’s northern boundary up to S.R. 472. He said the property being considered is slightly less than 20 acres with 11 structures on the site. It is contiguous to the City limits and meets the criteria of State statutes for voluntary annexation.

Council Member Blair questioned whether the City is considering annexing property further north. Mr. Kerr advised the City has reached the northern limit of its designated planning area. Mr. Reischmann explained that some time ago the City entered into an interlocal agreement with the city of DeLand agreeing to annex property only up to a certain point. He said areas to the east and west which are still unincorporated could be considered for annexation in the future.

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

6. PUBLIC HEARINGS: (None at this time)

7. RESOLUTIONS:

B. RESOLUTION NO. 639-11: A resolution of the City Council of the City of Orange City, Florida authorizing the City Manager to execute a Continuing Consultant Services Agreement with a pool of engineering firms to provide professional engineering services to the City of Orange City; repealing all resolutions or parts of resolutions in conflict herewith; and providing an effective date.

Council Member Allebach read the title of Resolution No. 639-11 into the record.

Council Member Laputka moved to approve Resolution No. 639-11, seconded by Vice Mayor Crippen.

Paul Johnson, Public Works Director, came forward and advised the City advertised a Request for Qualifications (RFQ) for Continuing Consultant Engineering Services. The City currently has a number of firms under contract, but it has been some time since those firms were selected and the list needs to be updated. The City received 18 responses to the RFQ. The Selection Committee reviewed the submittals based on a ranking scale with a potential total of 50 points, which would translate to an aggregate total of 200 points. He discussed the criteria used noting that any firm that ranked less than 80% was disqualified. The review yielded six qualified firms out of the 18 reviewed. Staff recommends these six firms be added to the City’s pool of consultants which will give the City the flexibility of having multiple firms available for various engineering projects. Mr. Johnson said if approved, the city manager will negotiate and execute Continuing Consultant Contracts with each of the recommended firms.

Council discussed the various firms recommended. In response to a question from Vice Mayor Crippen, Mr. Johnson said local branch offices were part of the ranking criteria. A number of the larger firms have branch offices in Central Florida. Council Member Pupello commented that he appreciates staff including Council’s desires and including location as part of the decision making process.

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

1
2 **8. DISCUSSION AND ACTION:**

3
4 **A. N. Holly Ave. Drainage Issues**

5
6 Mr. Johnson asked Todd Jorgenson, Public Works Operations Manager to come forward. Mr. Johnson
7 provided a brief history of the drainage problems on N. Holly Avenue. He said that over the past several
8 years, the Police Department and the Council Chambers have experienced flooding on numerous
9 occasions. Most of the problems were a result of stormwater coming from the parking areas of Wava's
10 Hall and the Shuffleboard court. He classified the flooding problems as "irrational" caused by little high
11 intensity quick afternoon downfalls which overwhelm the piping system. However, he said there was no
12 flooding during major storms such as Tropical Storm Faye or the three hurricanes that Central Florida
13 experienced in 2004. He discussed the various attempts to correct the problem and stated that nothing
14 worked. He suggested that was because an engineer had not been consulted. Mr. Johnson discussed the
15 technical aspects of the drainage system which services the area. In response to a question from Mayor
16 Strickland, Mr. Johnson said he does not know how long the existing system was there.

17
18 Mr. Jorgenson discussed the plan to rectify the problem. He showed on the display where the water shed
19 area would be located and described how the drainage system would work. He said the proposed water
20 shed area is approximately 8 acres and takes into consideration the pervious and impervious areas such as
21 roads, parking lots and sidewalks. The design was developed by examining contour maps and surveying
22 the area looking at the slopes. A local contractor assisted with the system design and an engineer assisted
23 with the modeling.

24
25 Mr. Jorgenson detailed the technical aspects of the drainage system. He said that the current system does
26 not work because the pipes installed were not constructed properly and are severely clogged. He explained
27 how the proposed system would correct the problem noting that it would require running a line and
28 replacing damaged boxes. In addition, the alleyway would be demolished to lay the pipe and dig a trench.
29 Mr. Jorgenson said he discussed the matter with the FDOT drainage supervisor and was advised the City
30 would be required to submit a letter of discussion and plans before the project proceeds. He concluded by
31 stating the new design is sufficient to handle a 25 year storm as well as the short high intensity rains that
32 have been a problem. He remarked staff anticipates completing the work before the rainy season begins.

33
34 Council Member Blair questioned why the pipe lines behind City Hall go north, up and then down. He
35 suggested coming down and then out to U.S. 17-92 would be a more direct path. Mr. Jorgenson agreed
36 that it would. He said that is the way the system was originally designed. An alternative would be to
37 demolish the line and run a new one, but it would be more costly and would not provide any extra benefit.
38 Mr. Jorgenson stated elevation is more important than the direction the water is flowing, as long as the
39 water is going down the flooding problems will be alleviated.

40
41 Mayor Strickland questioned whether the pipe would be used partly to store water. Mr. Jorgenson
42 responded in the affirmative. He said when the pipe was installed it was not wrapped, which means it will
43 not percolate anymore and can only be used for storage. He said these lines are depicted as strictly storage
44 in his design.

45
46 Council Member Blair asked if a retention area for reuse water was considered. Mr. Jorgenson responded
47 the water table is high. A tank feeding the ground water system is not going to get rid of much water and
48 would increase the cost of the project. In response to a further question from Council Member Blair, Mr.

1 Jorgenson explained that a “zurn” trench drain system is a type of graded drain that usually runs the width
2 of a sidewalk.

3
4 Council Member Laputka questioned how long the project will take. Mr. Jorgenson said staff anticipates
5 completing the project sometime in August, including resurfacing the roadway and parking lots. Originally
6 staff quoted \$52,000 as the cost however that figure did not include the additional improvements such as
7 the large pipe, and the trench. Mr. Jorgenson said he met with a local contractor before the meeting who
8 provided a rough cost estimate of \$68,000 for the project. Mr. Johnson advised the project would be put
9 out to bid which would delay commencement about 45 days. Ms. Croteau said staff is requesting to use
10 \$60,000 from the community improvement and \$8,000 from the street paving budget line items.

11
12 Council Member Pupello asked for clarification on how the “zurn” drain system would work. Mr.
13 Jorgenson, explained it would be an open pipe, with a negative slope so the water will discharge through
14 the FDOT line before it will go back up.

15
16 Council Member Pupello expressed his opinion that instead of cutting costs, he would prefer to see a
17 project that accounts for all the things that are required to prevent the flooding problems. He asked why
18 the additional costs were not captured when the modeling was done. Mr. Jorgenson said he did not run the
19 costs on the additional improvements. Council Member Pupello asked if the modifications would handle
20 the problems. Mr. Jorgenson responded in the affirmative. Council Member Pupello acknowledged that
21 putting the project out for bid would delay the start of the project. He asked if the project could still be
22 completed by August. Mr. Johnson said if approval was given tonight the project could start in June and
23 should be completed in 60 days. Council Member Pupello asked if the businesses affected by the project
24 were contacted. Mr. Johnson said that staff did not want to proceed without Council’s approval of the
25 project, but that they will be contacted if the project moves forward. He expressed his opinion the impact
26 to would be minor.

27
28 Council Member Allebach confirmed the sidewalk outside the Council chambers would be replaced. Mr.
29 Jorgenson said that it will, noting the replacement of the sidewalk is included in the price quotes. Mr.
30 Johnson said staff wishes to explore the possibility of paving the parking lots. Ms. Croteau noted \$39,000
31 was budgeted for paving and staff wants to pave the parking lot in front of Wava’s Hall and possibly the
32 parking lot behind the clerk’s office.

33
34 Council Member Abraham asked if the proposed solution will help the businesses that also flooded when
35 the Police and City Hall did. Mr. Jorgenson said some of the businesses may still experience flooding
36 problems, unless they put a drainage system together, but it will not be a result of stormwater from the
37 City’s system.

38
39 Council Member Blair acknowledged there is a big flooding problem in the area and there have been
40 several attempts to fix it in the past. He said he could not support this project without seeing the
41 engineering drawing and a scope of work. Mr. Jorgenson said the plans presented to Council with the
42 agenda packet are the only plans available at this time. He said he did simulation models which were
43 verified. Mr. Johnson explained the purpose of this agenda item is to get Council’s approval to proceed
44 with the project. The engineering drawings will be provided during the bid process, and a question and
45 answer meeting will be held with the engineers to discuss what the City is contemplating. At that point,
46 staff would bring the drawings back to Council for approval. Council Member Blair stated, “Don’t take
47 this personally, but I want to see those plans before I vote yes and give the approval to spend money.”
48

1 Council Member Allebach confirmed that Council is being asked to approve the concept at this point, and
2 is not spending any money tonight. He said he understood staff is seeking approval to proceed so that they
3 do not waste time on a project that may not be approved.
4

5 Ms. Croteau pointed out that Mr. Jorgenson is a professional engineer registered with the State of Florida
6 and that he can sign and seal construction drawings. She stated "I think it is unfair. He is telling us, in his
7 professional capacity that he is confident with the project." Council Member Blair maintained that he
8 could not support the project at this time. Ms. Croteau reiterated the drawings would be provided during
9 the bid process and once completed, the drawings and scope of the project will be brought forward for
10 Council's review and approval.
11

12 Council Member Abraham expressed his understanding that the urgency for this project is due to the
13 approaching hurricane season. He said the City is in a preventive mood and wants to prevent another flood
14 from occurring. Whatever the costs, something must be done as soon as possible. Council Member
15 Abraham asked Mr. Jorgenson if he is confident this will solve the problem for another 25 or 30 years. Mr.
16 Jorgenson stated he was "very confident" these models take everything into account and the simulations
17 have been verified. As long as the system is maintained there should be no more problems with it.
18

19 Vice Mayor Crippen said he not is an engineer and he appreciates the explanations and the research
20 provided. He said he understands what Council Member Blair is asking for, but Council was been given a
21 lot of information that shows the effort that has been put into the planning stages.
22

23 Mayor Strickland noted staff identified and are trying to address a whole series of problems. He asked if
24 this solution would handle water runoff from the surrounding areas. Mr. Jorgenson responded in the
25 affirmative.
26

27 **Vice Mayor Crippen moved that the City Council approve utilizing monies**
28 **not to exceed \$60,000 from the Community Improvement Line Item in the**
29 **current budget to make the recommended improvements, seconded by**
30 **Council Member Allebach, and passed with a 6/1 roll call vote of the Council,**
31 **with Council Member Blair voting "no."**
32

33 **A (1) RESOLUTION NO. 638-11:** A resolution of the City Council of the City
34 of Orange City, Florida, amending the annual operating budget for fiscal year
35 2010-2011 by adjusting revenue and expenses; repealing all resolutions or parts of
36 resolutions in conflict herewith; and providing for an effective date.
37

38 Council Member Allebach read the title of Resolution No. 638-11 into the record.
39

40 **Council Member Laputka moved to approve Resolution No. 638-11,**
41 **seconded by Vice Mayor Crippen.**
42

43 Christine Davis, Finance Director came forward and said Resolution No. 635-11 is the first amendment to
44 the 2010/2011 FY budget. She began her discussion by noting the various events that occurred resulting in
45 the need for a budget amendment. The General Fund revenue and expenditures are being increased by
46 \$97,745. The Capital Improvement fund revenue and expenses are being increased by \$27,816 and the
47 Forfeiture Fund is being increased by \$14,650. Staff is recommending Council adopt Resolution No. 638-
48 11 thereby amending the FY 2010/2011 budget.

1
2 Council Member Laputka questioned how much money was in the Forfeiture Fund and whether the same
3 amount is allocated year each. Ms. Davis responded over \$21,000. She said the funds in the forfeiture
4 account are determined by law enforcement activities. Mr. Reischmann explained how forfeiture works
5 noting it is impossible to predict. It depends on what personal or real property was seized because it was
6 used in the commission of a felony.

7
8 Council Member Abraham asked the difference between public and private unemployment tax and how it
9 is paid. Ms. Davis said the City is a reimbursable contributor to the unemployment fund and only pays a
10 claim when billed by the State. The City does not regulate public unemployment tax. It is put in place by
11 the federal government and managed at the State level. Orange City is required to pay dollar for dollar
12 whatever the State paid a claimant. The private sector pays into an unemployment fund on regular basis.
13 Ms. Davis explained that the City anticipated paying a maximum of \$275 for 26 weeks for the employees
14 that were laid off last year. However, in December Governor Crist extended the unemployment benefits
15 for an additional 20 weeks. Ultimately, no one will get more than the maximum of \$7,150 for the original
16 26 weeks and the \$5,550 for the 20 week extension. She stated while it looks different is a just a matter of
17 timing. Ms. Davis said the City received a new claim for an employee that left voluntarily, however, the
18 State approved the claim and the City must reimburse the State. Council Member Abraham questioned
19 whether this means the City risks paying more in employment premiums or tax when employees are laid
20 off. Ms. Davis responded that she does not believe that is the case.

21
22 Council Members Allebach and Pupello spoke in support of this action. Council Member Blair remarked
23 the City would not be paying much in unemployment benefits if so many people were not laid off. Ms.
24 Davis disagreed. She said originally when the budget was presented with the layoffs the recurring costs of
25 \$350,000 was considerably more than the possibility that \$88,000 might be spent on unemployment
26 benefits. Ultimately it would have netted out, there was a cost for taking that action but going forward, the
27 recurring costs to the taxpayers was reduced considerably. In response to a question from Council Member
28 Abraham, Ms. Davis said the budget snapshot on the web site is a monthly report.

29
30 **Motion passed by a 7/0 roll call vote of the Council.**

31
32 **B. Discuss Purchase of iPads**

33
34 Matthew Place, Information Technology Manager came forward and noted that Council has been
35 provided a report on the purchase of Apple iPads for a paperless agenda. Currently the City Clerk
36 provides a paper copy of the agenda which requires an average of 160 labor hours at a cost of \$4,400 per
37 year including supplies and equipment maintenance. The cost for an iPad is \$725 for each council
38 member. He distributed a handout detailing the features of the iPad. He said the packets would be
39 prepared and Council would access it through a secure email link. Mr. Place said Council can store the
40 packets on the iPad and search and retrieve data as needed. The City will save money over time. The
41 iPads will be fully paid off in a year. There would be an immediate savings on the cellular phones
42 because the "smart phones" currently used will be replaced with a basic Nextel unit. The upfront costs
43 for the iPad will be realized due to eliminating the labor and extra costs associated with producing the
44 agenda packets. The expected life of the iPad is three years.

45
46 In response to a statement by Vice Mayor Crippen, Mr. Place said the iPads are very user friendly. Email
47 and internet will be synched to it, similar to the android phones Council has now. The City Clerk will
48 prepare the electronic agenda and back up and Council will be provided a link to download it. Mr. Place

1 said he would provide step by step instructions for each council member.

2
3 Vice Mayor Crippen asked whether the information in the iPad is subject to public record laws. Mr.
4 Reischmann responded in the affirmative. The Vice Mayor asked if there will be access to previous
5 agenda material. Mr. Place explained that going forward the information will be available on the iPad.
6 However, Council would have immediate access to the web site if more historical data is required. Ms.
7 Renner advised the same rules that apply to public records on paper apply to electronic records.

8
9 Council Member Blair spoke in support of this action. Mayor Strickland discussed the problems that he
10 has opening .pdf's on his cell phone. He stated it is frustrating. Mr. Place noted there may still be some
11 problems however the iPads have a different service provider than the cell phones and the service is
12 slightly better.

13
14 Mr. Place noted that last year's budget allocated \$18,000 for two new servers, but the city was able to get
15 them for \$13,000 through a state contract with Dell. Staff anticipates using the remaining monies
16 together with the unspent funds from the community improvement line item to pay for the iPads.

17
18 Council Member Allebach spoke in support of getting an iPad as it moves the City forward becoming
19 more green compliant and will save a few trees.

20
21 Council Member Abraham asked if the iPad will work like a cell phone outside of Florida. Mr. Place
22 responded in the affirmative, noting that it would work anywhere in the United States. International
23 roaming can be added if someone needs leave the country. Council Member Abraham asked about
24 Council's privacy when using the iPad. Mr. Place said the same rules apply. Any information provided
25 is public record. He suggested that Council not link their personal email accounts to the iPad as it could
26 become a public records access issue and lead back to personal computers and private email accounts. In
27 response to a further question from Council Member Abraham, Mr. Place recommended that Council do
28 not link their private Facebook pages to the iPad. Mr. Reischmann agreed. He said many local
29 governments are struggling with creating social media policies for the employees and elected officials.

30
31 **Council Member Laputka moved that the City Council follow staff's**
32 **recommendations and move forward with the purchase of 8 iPads, seconded**
33 **by Council Member Blair, motion passed with a 7/0 roll call vote of the**
34 **Council.**

35
36 C. State Attorney Interlocal Agreement

37
38 Sgt. Greg Lariscy, Code Enforcement Officer came forward and said there are numerous codes within the
39 City of Orange City Code of Ordinances that are related to unlawful actions and are punishable by
40 incarceration or prosecution in circuit court. While the City can write the ticket, according to state
41 statute, the State Attorney's office prosecutes these matters on behalf of the City through an interlocal
42 agreement. Sgt. Lariscy noted that recently a solicitation case was not prosecuted because this agreement
43 was not in place. The State Attorney's office has agreed to provide this service at a regulated rate of
44 \$50.00 an hour. Staff recommends Council authorize the City Manager to enter into an interlocal
45 agreement with the State Attorney's office to prosecute violations of municipal ordinances relating to acts
46 that are unlawful and punishable by incarceration.

47
48 Mayor Strickland asked what the requirements for termination of the agreement are. Sgt. Lariscy advised

1 this agreement will terminate on December 31st. It can be automatically extended with prior written
2 notice. Mr. Reischmann noted there is a termination clause, and that either party could terminate the
3 agreement with 30 days written notice. Sgt. Lariscy said this agreement will make the City codes more
4 efficient and effective. It provides another tool for enforcement.

5
6 **Council Member Allebach moved that the City Council authorize the**
7 **City Manager to enter into an Interlocal Agreement with the State**
8 **Attorney of the 7th Judicial Circuit to prosecute municipal ordinances**
9 **relating to acts that are unlawful and punishable by incarceration,**
10 **seconded by Council Member Laputka and passed by a 7/0 roll call vote**
11 **of the Council.**

12
13 **9. NEW BUSINESS:**

14
15 Council Member Allebach noted there are several businesses holding up advertising signs in front of
16 competing businesses. He said he sees a potential problem and asked staff to look into the matter. Council
17 Member Allebach also noted there are several "We Buy Gold" businesses that have opened in the City. He
18 expressed his opinion that something else may be going on and asked that staff conduct an investigation
19 into the matter.

20
21 Mayor Strickland said he noticed that several of the bus shelters in the City are poorly maintained. He said
22 he would like to hear how staff intends to address the situation.

23
24 **10. REPORTS:**

25
26 **A. City Manager**

27
28 Ms. Croteau reminded Council of several upcoming events in the City. She said on Arbor Day April 29th
29 the City will plant a tree in the median on Graves Avenue in conjunction with the Orange City Elementary
30 School Garden Club. Ms. Croteau said the City will be showing "Freaky Friday" in honor of Mother's Day
31 at the Movie in the Park on May 6th. Also in honor of Mother's Day, a Music in the Park Concert starring
32 Bobby K and the Cruisers will be held on Sunday May 8th. These programs are free and everyone is
33 invited to attend.

34
35 Ms. Croteau noted that a CD was provided to Council with the photos and the powerpoint presentation
36 from the workshop last Saturday. Ms. Croteau explained that everyone who participated in the workshop
37 had an assignment to take pictures of things that they did not like around the city with a red camera and
38 things that they liked with a green camera. The consultants looked at all the pictures and used some in
39 their presentation. They provided Council with a CD of the pictures taken. Ms. Croteau said staff plans to
40 schedule a citizen workshop.

41
42 Ms. Croteau noted there were problems with WCA Waste Services picking up storm debris after the recent
43 storm. She said people are not bundling the debris. Staff spoke with WCA and agreed that the first time
44 somebody puts something out that is not bundled, WCA would take it and leave a tag reminding residents
45 they must bundle yard debris or put it in a container.

46
47 Council Member Abraham asked whether staff would meet the May 1st deadline to provide a review of the
48 draft report to the consultants. Ms. Croteau said a report will be provided after the citizens meeting.

1
2 Council Member Allebach asked when Enterprise Road is going to be repaired. He recalled that a citizen
3 came forward several meetings ago. Council Member Allebach said he noticed that the work has stopped
4 and the matter is still not resolved. Ms. Croteau said she was not aware the work had stopped but she will
5 check into the matter. The County had a serious problem out there. The last update was received a couple
6 weeks ago.

7
8 Council Member Laputka expressed his concern over the legislature. He asked for a workshop to update
9 Council on the status of pending legislation and its affect on the City.

10
11 Council Member Blair expressed his opinion that the consultant used for the visioning session was
12 "overpriced." He felt that staff could do a better job. Council Member Blair asked if anything had been
13 done on the right-of-way on French Ave. Mr. Johnson responded that the County refuses to do anything.
14 He said the County advised him the FDOT plans to replace the bridge sometime in the future and when that
15 happens, they will revisit the matter. Council Member Blair recalled that he spoke with staff regarding
16 sand on the sidewalks in Valentine Park. He thanked staff for removing it however he said it needs to done
17 again as it is a very dangerous situation.

18
19 Council Member Blair said he hopes to see some activity again with the Historic Board. He said the spoke
20 with the City Manager but she said there would be no activity until the fall. Ms. Croteau responded that
21 staff is currently working several major projects such as comp plan amendments; items going before
22 VGMC; and the mobility plan that must be completed before July. The quickest staff could begin to work
23 on a historical overlay district would be August. Council Member Blair relayed a story about a downed
24 cable wire on Holly Avenue. He said he called Bright House but was unable to get a resolution. He said
25 he pointed it out to a police officer who made some calls and got the matter resolved quickly. Council
26 Member Blair said he appreciated the officer's efforts. Council Member Blair noted there are problems
27 with the microphone used for citizen comments. Council Member Blair said the water at home, and at the
28 Council Chambers does not taste good. He asked if that was due to flushing the hydrants. Mr. Johnson
29 said that may be the case. Council Member Blair said that Council received a monthly tracking report from
30 Development Services. He said he hoped all the projects had blueprints associated with them. Council
31 Member Blair said he would appreciate it if the city manager would provide Council updates regarding
32 what is happening in the City during severe weather conditions. Council Member Blair said his neighbor
33 cut down a tree before the storms hit and he observed city staff removing the debris. Ms. Croteau said she
34 believes there was a tree down in the area and that staff took the debris in error.

35
36 Council Member Allebach said the Johana Knox Award for Community Service Excellence is an award to
37 recognize and promote volunteerism in the area. Bob Storke is a finalist. The award ceremony will be the
38 end of May. It is an event hosted by the Florida Hospital Fish Memorial Foundation. Council Member
39 Allebach said the he would like the City to become a corporate sponsor at a cost of \$1,000.

40
41 **Council Member Allebach moved that the City purchase a corporate**
42 **sponsorship to the awards banquet for \$1,000, seconded by Council**
43 **Member Laputka.**
44

45 Council Members Blair and Abraham spoke against this action. Mayor Strickland asked the city attorney if
46 there was a conflict of interest because Council Member Allebach, a member of the hospital foundation
47 made the motion regarding this matter. Mr. Reischmann responded "no" there would not be any personal
48 benefit that could create a conflict of interest.

1
2 **Motion passed with a 4/3 roll call vote of the Council with Council**
3 **Members Blair and Abraham and Mayor Strickland voting “no.”**
4

5 **B. Mayor/City Council**
6

7 Council Member Allebach said he had an emergency and was unable to make the TPO meeting. He said
8 he is aware the TPO is reviewing the City’s application for a grant for the trails along Blue Springs
9 Avenue.
10

11 Mayor Strickland talked about his recent trip to Tallahassee where he spoke regarding firefighters pensions.
12 He said forty-two people asked to speak. Volusia County was well represented. The proposed bill would
13 reallocate funds to help the local governments that owe tremendous amounts of money in unfunded
14 pension plans.
15

16 **C. City Clerk**
17

18 The City Clerk provided an update on the Laserfiche. She said staff have completed the training and are in
19 the process of scanning and getting all the documents incorporated. The resolutions and ordinances on the
20 web site have been extracted and added to Laserfiche.
21

22 **D. City Attorney**
23

24 Mr. Reischmann provided an update on the Legislature's actions this session. He acknowledged the
25 difficulties in following what the legislature is doing. Mr. Reischmann reported progress has been made on
26 the “pill mill” issue. He said the problems with the prescriptions database have been resolved and the
27 database may be up and running by the end of the year. Mr. Reischmann said he is closely monitoring the
28 bill that would deregulate several industries such as telemarketers. Mayor Strickland noted that
29 Representative Dorothy Hukill introduced the deregulation bill to bring more business to the state.
30

31 **11. APPROVAL OF MINUTES:** *(See Consent Agenda)*
32

33 **12. COUNCIL COMMENTS**
34

35 Council Member Abraham spoke in support of change but expressed his concern over the deficit spending
36 by the federal government. He said he read that \$.42 cents out of each dollar the federal government is
37 spending is borrowed money. Federal, state and local governments should work together to bring the
38 deficit down and spend money wisely.
39

40 Vice Mayor Crippen thanked everyone for "sticking it out" at the meeting. The Vice Mayor requested an
41 updated phone number card. Vice Mayor Crippen said he observed a simulated fire department training
42 session using thermal imaging. He thanked the Fire Department for getting their "hands on" training.
43

44 Council Member Laputka noted that Karen DeVane passed away this week. He said there will be a
45 memorial service at the Sorosis Club on Sunday at 3 p.m. He reminded everyone about the memorial
46 service for Don Sherrill at Volusia County Baptist Church on Saturday at 2 p.m.
47

1 Council Member Pupello agreed with Vice Mayor Crippen and he too thanked everyone for coming.
 2 Council Member Pupello said he observed that signs are now being posted when the hydrants are being
 3 flushed. He thanked staff for their efforts. Council Member Pupello said that recently he spoke to
 4 someone who was questioning Council's decisions. He said it is the Council's duty to make difficult
 5 decisions, even if it is not popular. He said he will do a better job of explaining why Council made the
 6 decisions that it did. Council Member Pupello said he appreciates being challenged by the citizenry, even
 7 if it is counter to his opinion.

8
 9 Council Member Allebach said the Visioning session was one of the best ones ever done in the City. The
 10 facilitator explained how the changes may affect the City.

11
 12 Mayor Strickland agreed with Council Member Allebach's comments. He said the Visioning Session was
 13 educational and a chance for everyone to get on the same page and to have an understanding of issues and
 14 the implications of the decisions the Council makes. He stated, "I think that we got our money's worth, if
 15 we got nothing else." Mayor Strickland said he appreciates Mr. Atchley for coming forward. He said it is
 16 important that he had an opportunity to speak. Mayor Strickland said that as the chair for this meeting, he
 17 was concerned with the time length but Council agreed to allow him to continue. Addressing Mr. Atchely,
 18 Mayor Strickland stated, "I think that you coming to meetings and encouraging your neighbors to come to
 19 meetings is important, it is a good thing.

20
 21 **13. ADJOURN**

22
 23 There being no further business to discuss, Mayor Strickland adjourned the meeting at 9:50 p.m.

24
 25 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

26
 27
 28
 29 _____
 30 Gloria Thomas, CMC
 31 Deputy City Clerk

May 10, 2011
 Date