

1 **MINUTES OF THE MEETING OF THE ORANGE CITY CHARTER REVIEW**  
2 **COMMITTEE**, held on Monday, March 24, 2008 at 6:00 p.m. in Council Chambers, 201 N. Holly  
3 Avenue, Orange City.

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5 **CALL TO ORDER**

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7 The Meeting was called to order at 6:00 p.m. by Chairman Rasch and roll call was taken.

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9 **ROLL CALL**

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11 **PRESENT:** John Crowther; Joelle DeVane; Bill DeVane; Paul Rasch, Chair; Evelyn Robinson; Bob  
12 Storke, Vice Chair; Hugh Strickland; City Attorney William Reischmann; City Clerk  
13 Deborah Renner

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15 **1. Approval of March 17, 2008 Minutes**

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17 **Mr. Crowther moved to accept the minutes as presented, seconded by Mr.**  
18 **Strickland and passed by unanimous voice vote.**

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20 **2. Discuss Article II. City Council: Powers and Composition**

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22 **a. Commission Discussion**

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24 Vice Chairman Storke called for discussion on whether the Committee is in agreement on  
25 implementing an election system based on districts. Ms. Renner advised that she had distributed maps  
26 to everyone which Ann McFall, Supervisor of Elections, had provided to her. The maps show a  
27 possible distribution of districts for the City. Ms. Renner stated that she had been advised that based  
28 on the City's population, there could be no more than five districts.

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30 Mr. Reischmann referred the Committee to the Model City Charter and stated that there is a good  
31 discussion beginning on page 7 regarding options and alternatives related to districts.

32  
33 Mr. Rasch spoke in support of districts stating that his belief that it provides for a more fair  
34 representation of all the people. Mr. Strickland said that he has been doing some on-line research  
35 regarding the construction of districts in other cities. He said that there is "a good case to be made"  
36 for having districts, but also having at-large members on the elected body. Mr. Strickland suggested  
37 forming five districts with a Mayor and Council Member at-large so that all citizens would vote in  
38 every election. He maintained that this would "encourage participation." Mr. Strickland discussed a  
39 1978 study of small cities, along with follow-up studies, have shown that voter participation increases  
40 when districts are formed. He said that the addition of the "at-large" seats creates a "balancing effect"  
41 such as that in the House of Representatives and the Senate. Mr. Strickland said that he has received  
42 information that more work has been done on annexing the unincorporated areas of the City.

43  
44 Mr. DeVane noted that the City's population is about 9,000 with 5,500 registered voters. He stated,  
45 "I'd like to think that every City Council Member and the Mayor sitting up here on this platform  
46 during any City Council meeting represents every person within the City." He maintained that the

1 City is too small to be divided up into districts and that he could not see any benefit in doing so. Mr.  
2 DeVane noted that county-wide districting had not made things more fair for the cities on the west  
3 side of the County.

4  
5 Mr. Crowther said that he has witnessed abuses of the at-large system, particularly where there are  
6 large concentrations of voters. He recalled an incident a number of years ago when someone running  
7 for City Council had been barred from entering one of the mobile home parks to campaign until he  
8 intervened on her behalf. Mr. Crowther noted that the population is concentrated in a couple of areas  
9 in the City which allows a small group to “dominate and control the elections.” He spoke in support  
10 of at the very least exploring the possibility of implementing districts.

11  
12 Vice Chairman Storke said that after reading the “Model City Charter,” it appears that they favor  
13 districts in larger cities, but are less than enthusiastic about using that model in smaller towns.  
14 Chairman Rasch responded that he concurred with Mr. Crowther that there are several areas in the  
15 City where the concentration of voters and influence is too high. Mr. Storke conceded that there are  
16 advantages to having representation from a person who actually lives in the area, but said that he is not  
17 convinced the City is large enough to support districts.

18  
19 Ms. DeVane noted that the map created by Ms. McFall shows that there are still multiple elected  
20 officials in a district. She noted that when there are no other issues on the ballot with the City  
21 elections, turnout is very low. She said that her concern is that there may not even be people in each  
22 district who would be interested in running for office. She said that it would make more sense to look  
23 at districting after the annexations to square off the City’s boundaries have been completed. She  
24 cautioned that it is important for the elected representatives to serve the best interests of the entire  
25 City, not just their own neighborhood. Mr. Rasch expressed that a district system would increase  
26 voter turnout. Ms. DeVane suggested that if districts are implemented, it should be four districts with  
27 one at-large representative. She pointed out that having two at-large members would make it possible  
28 that one district could have three representatives from their area on the Council. She also stated that if  
29 districts are implemented, everyone currently on the Council would have to be reelected.

30  
31 Ms. Robinson said that she has sensed a feeling of both competitiveness and apathy in the City. She  
32 said there seems to be a feeling on the east side of the City that John Knox Village will get whatever  
33 they want rather than having the common needs of the other citizenry met.

34  
35 Mr. Strickland said that the balance is not thrown off because someone lives in a district, but that the  
36 problem is that an at-large representative must run city-wide. He noted that this system would have  
37 every voter voting at every election which balances the city-wide scope with the local view. He said  
38 he did not believe one at-large representative would be enough because the entire city would only vote  
39 as a whole once every four years. Mr. Strickland maintained that a district system may cause  
40 cooperation as opposed to competition. He said that he has heard from many people on the west side  
41 of the City that they feel very separated from City government. Mr. Strickland said that the polling  
42 place must be centrally located and stated “If the precinct was located at my house, I guarantee  
43 everybody in my neighborhood would vote because it’d be an easy walk. So by putting a precinct at  
44 John Knox Village, I guarantee that precinct is slanted toward the people living at John Knox.”

45  
46 Ms. DeVane discussed the advantages of an at-large system, suggesting that district representatives

1 would not be aware of problems that exist outside their district. Chairman Rasch disagreed. He  
2 suggested that former members of the Council were never seen outside their own neighborhoods  
3 because in order to get the votes to be elected they only had to go to John Knox Village and the parks.  
4

5 Mr. DeVane suggested that it may be a problem finding someone to run in each district. Chairman  
6 Rasch expressed his opinion that there would be a higher turnout of candidates. Mr. DeVane  
7 suggested that if a district system was implemented it would necessitate holding a council-wide  
8 election every four years. Chairman Rasch stated that he did not necessarily agree. Mr. DeVane  
9 disagreed that previous Councils neglected areas of the City. He said that the last election showed that  
10 the people have the ability to control the elections, therefore, districts are not needed. Chairman Rasch  
11 disagreed and stated that he did not feel that the fact that there were several new members elected  
12 means that “everything is fine.” He suggested that the number of people voting would increase with  
13 the implementation of districts because they wouldn’t feel disenfranchised.  
14

15 **Mr. Strickland moved to proceed on the premise that districts and at-**  
16 **large representation in some number will be implemented**  
17

18 Mr. Crowther noted as a point of order that the public has not had an opportunity to speak on this  
19 matter yet.  
20

21 **b. Public Comment**  
22

23 Chairman Rasch opened the floor to public input.  
24

25 Michelle Polgar, 585 Montclair Avenue, came forward and expressed her support for districts. She  
26 concurred with the concept of five districts with two at-large representatives. Ms. Polgar suggested  
27 that districts may encourage more people to run. She noted that there has been and continues to be an  
28 issue with the private communities restricting access to candidates. She expressed her opinion that  
29 the private communities have different needs and issues than the general public. She noted that  
30 redistricting is a common practice and that if the population in an area increased, that could be done.  
31

32 Robert Miller, Azalea Dr., John Knox Village (JKV), came forward and noted that he is eighty-six  
33 years old, the average age of residents of JKV. He said that he is the only resident of JKV who  
34 attends City Council meetings. Mr. Miller assured the Committee that JKV residents were not going  
35 to “take over the City.” He expressed that growth in the City is limited by the City’s boundaries. He  
36 spoke in support of keeping the “at-large” system of elections.  
37

38 Joe Rudolph, Associate Executive Director, JKV, 101 Northlake Drive. Mr. Rudolph advised that he  
39 lives in the unincorporated area and that he was present tonight as a representative of JKV. He  
40 concurred with Mr. Miller’s comments. Mr. Rudolph said that the high voter turnout in JKV is not  
41 because people there can walk to the polling place as most of them drive on election day. He noted  
42 that the average age of JKV residents is 84-86 years old. Mr. Rudolph attributed the high voter  
43 turnout in JKV to the age of the residents, stating that they are “extremely patriotic.” He suggested  
44 that is also the reason for the high turnout in other retirement communities in the City.  
45

46 Mr. Crowther asked Mr. Rudolph what the policy at JKV is regarding allowing candidates free access

1 to the premises to promote their campaigns. Mr. Rudolph responded that JKV has a “no solicitation”  
2 policy which applies to any type of solicitation. Chairman Rasch stated that he thought candidates for  
3 public office were exempt from those rules. Mr. Rudolph noted that JKV does sponsor a candidate  
4 forum for every election where every candidate can speak to the residents in an open forum setting.  
5 Ms. DeVane suggested that this rule would be the same for all gated, private communities. Mr.  
6 Crowther stated his belief that the policy is wrong.

7  
8 Ms. Robinson asked whether Mr. Rudolph believed that certain candidates who are known to people at  
9 JKV have some type of allegiance that would give them an advantage in the election. Mr. Rudolph  
10 questioned why some would be more known than others. Ms. Robinson responded that it could be  
11 because they live in the area. Mr. Rudolph said that perhaps an incumbent would have a certain  
12 advantage such as that of any incumbent in any election.

13  
14 Mr. Crowther stated that the no solicitation policy has a “chilling effect” on a candidate. He suggested  
15 that the policy may be altered for candidates at higher levels. Mr. Crowther said that he supports  
16 districts because of the chilling effect closed communities have on the election process. He said that a  
17 forum setting does not provide the same opportunity for a candidate to get to know the voters as a  
18 one-on-one meeting. Mr. Rudolph reiterated that the no solicitation policy at JKV is very broad and  
19 applies to all types of solicitation.

20  
21 Chairman Rasch asked Mr. Reischmann to clarify the laws regarding solicitation. Mr. Reischmann  
22 responded that the City’s code does have rules and regulations governing solicitation. He suggested  
23 that the laws regarding free speech would apply to a government entity, but it is questionable whether  
24 that would extend to a private community.

25  
26 Don Sherrill, 2223 Hollowridge Drive, came forward and advised that Country Village is a private  
27 community. He noted that Sherwood Oaks, where Chairman Rasch lives, is also a private community.  
28 Chairman Rasch said that his community has never prohibited a candidate from going door to door in  
29 the community. Mr. Sherrill spoke about the rights of residents of private communities. He said that  
30 in Country Village, candidates can go door to door if accompanied by a resident. Mr. Sherrill said that  
31 he has been on the City Council for six years, and that he has never had a resident ask him to establish  
32 voting districts. He expressed his opinion that the City is too small for districts.

33  
34 Michelle Polgar, came forward again and said that the concern of the citizens centers around the  
35 “closed communities” and the voting power they hold. She noted how “diverse” Orange City has  
36 become and that representation from different areas is needed.

37  
38 Al Blue, 447 N. Oak, came forward and said that he lives in a neighborhood in which anyone can  
39 come to his door at any time. He said that it would be nice to have someone to represent him on the  
40 Council. Mr. Blue said that his neighborhood is subject to different rules and regulations than other  
41 parts of the community. He said that he pays different types of taxes and garbage fees than those in  
42 “commercial areas.” He said that he would like to have someone in the northeast quadrant of town  
43 who understands the problems common to the area to represent him.

44  
45 Chairman Rasch said that he supports districting because it will encourage people to participate in the  
46 voting process and to run for office as well. He disagreed with the argument that with districts,

1 citizens have only one person to go to for assistance, noting that there could be two at-large members  
2 and there would be, obviously, nothing that should stop a citizen from going to any Council Person to  
3 voice a complaint or raise an issue.

4

5 **Mr. Crowther seconded Mr. Strickland's motion.**

6

7 In response to a request from Mr. DeVane, Mr. Strickland restated his motion as follows:

8

9 **Move to adopt the idea of having districts in Orange City, the number**  
10 **of which to be determined along with the number of at-large seats to**  
11 **be determined.**

12

13 Mr. Storke referred to the district map created by the Supervisor of Elections office and noted that  
14 there is not a district located totally in the west side of the City. He stated again that after reading the  
15 information in the Model Charter, he did not feel that districts were suited to a small city.

16

17 **Motion passed by 4/3 roll call vote with Mr. DeVane, Mr. Storke, and**  
18 **Ms. DeVane voting "no."**

19

### 20 **3. Items for Next Agenda**

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22 Mr. Reischmann noted that there are several sections of Article II which will require changes because  
23 of the districting requirement. He said that Sections 4.01 and 4.02 will be the next sections of the  
24 charter needing examination in light of the decision regarding districts.

25

26 Mr. Strickland suggested that the comments submitted by Committee members constitutes the  
27 Article-by-Article examination of the Charter and suggested that the discussions be designed topically  
28 in the future to provide for a complete discussion of each area to be changed.

29

30 Ms. DeVane said that she prefers to proceed with the review article-by-article to ensure that nothing is  
31 missed.

32

33 Chairman Rasch agreed with Ms. DeVane, but validated Mr. Reischmann's comments regarding the  
34 far reaching effects of a move to districts. He suggested that the review should consist of both a  
35 topical and structured review. Mr. Reischmann said that districting may be the only subject requiring  
36 a topical review. He suggested moving to Section 4.01 and 4.02 next.

37

38 In response to a question from Mr. DeVane, Mr. Reischmann said that it is up to the City to decide  
39 how they want to structure their elections.

40

41 Mr. Strickland said that several cities he looked at had phased in their districts as seats naturally came  
42 up for election. He cited the City of Daytona Beach as an example stating that they recently switched  
43 from at-large to district elections that were phased in over a four-year period. He said this would  
44 eliminate the need to make everyone run for office again. He also suggested asking Ms. McFall to  
45 create additional scenarios for district boundaries. Ms. DeVane noted the limitations based on where  
46 the population base of the City is located.

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In summary, Mr. Rasch said that the review would proceed article-by-article with the exception of those items that have effects reaching throughout the charter.

**4. Closing Comments**

Ms. DeVane suggested continuing the discussion at the next meeting when Ms. McFall is in attendance.

Chairman Rasch asked Ms. Renner to try to obtain information from other cities who have switched from at-large to districts as to how they accomplished the change.

Mr. Storke suggested using a four-district system with a Mayor at-large noting that it would create districts of about 1,500 people each. Mr. Rasch said that he prefers five districts with two at-large.

Mr. Rasch distributed a survey regarding compensation of elected officials.

**7. Adjourn**

There being no further business, the meeting was adjourned at 7:30 p.m.

Respectfully Submitted

Approved on

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Deborah J. Renner, CMC, City Clerk

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