

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, August 10, 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 **PRESENT:** Mayor Harley Strickland; Vice Mayor Tom Laputka; Council Members Jeff Allebach, Tom
10 Abraham, Anthony J. Pupello, Gary A. Blair, O. William (Bill) Crippen; Acting City Attorney Robyn
11 Drage; City Manager Jamie Croteau; City Clerk Deborah Renner
12

13 The Invocation was given by Pastor Howard Fish, Fish Memorial Hospital, followed by the Pledge of
14 Allegiance.
15

16 **1. ABSENCES:** None at this time
17

18 **2. PRESENTATIONS/PROCLAMATIONS:** Florida Water Professionals Week
19

20 Vice Mayor Laputka read a proclamation into the record, proclaiming August 16th – 20th as Florida
21 Water Professionals week in the City of Orange City. Mayor Strickland presented the proclamation to
22 Paul Johnson, Public Works Director.
23

24 **3. CITIZENS COMMENTS:**
25

26 Perry Revlett, University High School came forward and gave a presentation on a program the high
27 school will be sponsoring in January to involve students in potential career paths in the military or
28 medical/EMS fields. He described the activities planned and stated it has been very successful at other
29 high schools. He distributed copies of the schedule of participants (a copy of which is attached and
30 becomes a permanent part of these minutes) and noted the Orange City Police Department will also be
31 participating. Mr. Revlett said recruiters will be available for those students that are considering this
32 type of career and it would provide exposure to students who do not know the health care opportunities
33 available in the armed forces.
34

35 Hy A. Holiday, 1065 S. Volusia Avenue came forward and read a statement into the record. Mr.
36 Holiday spoke against an increased ad valorem rate and “extravagant spending” in these financially
37 unstable times. He stated that a budget deficit and tax increase would adversely affect citizens of the
38 City.
39

40 Mary Waits Blair, 343 E. Graves Ave. came forward and spoke in support of accepting the Seth French
41 House. She discussed the benefits of preserving the City’s historic structures. Ms. Blair discussed the
42 reasons why she feels that preservation of our historic structure is important to the City. She stated a
43 museum is educational and suggested the City accept the gift and allow the community an opportunity to
44 come together to embrace its heritage. Ms. Blair said she has collected a three-page petition of citizen
45 signatures agreeing with turning the Seth French House into a museum.
46

47 **4. CONSENT AGENDA:** None at this time
48

49 **5. ORDINANCE – FIRST READING:**

- 1
2 **A. ORDINANCE NO. 427:** An Ordinance of the City of Orange City, Florida,
3 amending the exclusive franchise contract with Emerald Waste Services LLC of
4 Florida, a private corporation (EWS LLC), for the collection and disposal of
5 residential solid waste, yard waste and curbside recyclable materials within the City
6 limits; providing for extension of term, and amending rate; containing a severability
7 clause, a repealer provision, and providing for an effective date.
8

9 Council Member Allebach read the title of Ordinance No. 427 into the record.

10
11 **Vice Mayor Laputka moved to adopt Ordinance No. 427 on first**
12 **reading, seconded by Council Member Allebach.**
13

14 Christine Davis, Finance Director came forward and advised that Ordinance No. 427 was prepared as
15 directed by Council at the last meeting. This ordinance will amend the current EWS contract to lower
16 the garbage rate and to extend the contract an additional three years. Staff is recommending that
17 Council adopt Ordinance No. 427.
18

19 Vice Mayor Laputka clarified that the garbage assessment is being reduced and the cost saving is
20 beneficial for Orange City residents. Ms. Croteau said the total assessment is being reduced by
21 \$560,000. Per household that would result in a \$52 reduction this year and \$17 the following year. The
22 assessment will continue to be billed on the tax roll, and the money collected will pass through to EWS.
23

24 Vice Mayor Laputka questioned a reference in Section 21 C. "Revenues Generated from Recycling" in
25 agreement. He noted it provides a percentage and asked how much revenue recycling generates. Ms.
26 Croteau responded an average of \$300 a month. Staff plans to meet with EWS to discuss increasing the
27 recycling revenue and to discuss the possibilities of EWS and GEL collaborating over the next few years
28 to change the way the City recycles. Ms. Davis noted the City budgets \$3,500 per year for revenue from
29 recycling however, that number has declined. EWS remits half of the revenue it collects from recycling.
30

31 In response to a question from Vice Mayor Laputka regarding the administrative fees discussed in
32 Section 36, Ms. Davis said that the City has fined and collected from EWS in the past but for the last six
33 months, no fines have been assessed. She assured Council EWS has been very responsive. She said she
34 could provide a report if Council desires.
35

36 Council Member Pupello asked that the City look for ways to bolster the recycling program and to track
37 progress of the program. Ms. Croteau agreed. In response to a question from Council Member Pupello,
38 Ms. Davis said Section 31 B1 "Suspension of Service" expired when the garbage assessment was placed
39 on the tax roll.
40

41 Ron Saylor, 361 Dixon Street came forward and asked how much of the monthly fee goes toward
42 recycling. He said he has noticed in his neighborhood that many people are throwing away materials
43 that should be recycled. He suggested that there should be mandatory recycling. Many people do not
44 know what materials can be recycled. He suggested that EWS send out a notice to customers updating
45 the list of recyclable materials. Mr. Saylor recommended that the City keep watch on EWS to make sure
46 that they continue to do their job.
47

48 **Motion passed by a 5/2 roll call vote of the Council, with Council**
49 **Member Pupello and Mayor Strickland voting "no."**

1
2 **6. PUBLIC HEARINGS:** None at this time
3

4 **7. RESOLUTIONS:**
5

- 6 **A. RESOLUTION NO. 615-10:** A resolution of the City Council of the City of
7 Orange City, Florida, acknowledging and accepting the devise of real and personal
8 property, pursuant to Item IV in the Last Will and Testament of Harriett French
9 Hayman Boyd; repealing all resolutions in conflict herewith; and providing for an
10 effective date.

11
12 Council Member Allebach read the title of Resolution No. 615-10 into the record.
13

14 **Vice Mayor Laputka moved to approve Resolution No. 615-10, seconded**
15 **by Council Member Crippen.**
16

17 Ms. Croteau advised that as directed by Council at the August 2nd Workshop staff prepared Resolution
18 No. 615-10 accepting ownership of the Seth French House. Once adopted, staff will formulate a plan to
19 refurbish the house and develop a program for the museum. Staff is seeking Council's approval to move
20 forward with accepting the bequest of the Seth French house.
21

22 Council Member Crippen shared a number of comments for use of the house. He noted that several
23 examples were provided with the agenda packet and referenced a newspaper article about the historic
24 nature of Enterprise. He suggested that staff do some "serious" research over the next four months.
25

26 Council Member Pupello said he is encouraged by the number of citizens that signed the petition Ms.
27 Blair circulated. Citizen participation is critical to making this project successful. He suggested that
28 staff contact and work with the citizens who are interested in the helping.
29

30 Council Member Abraham commented that he could not support this action as he has serious concerns
31 about the financial impact. He stated, "Failure is not an option." If the City starts this project and
32 invests money in it, it must be successful. He suggested a museum would not attract the younger
33 generation. He asked that "creativity" and "intelligence" be applied when considering a program for the
34 museum.
35

36 Paul Rasch, 2058 Kings Richards Court came forward and noted the condition of the clubhouse at the
37 shuffleboard courts and suggested the Seth French house could end up like that. He stated his opinion
38 that it is something the City cannot afford at this time.
39

40 **Motion passed by a 5/2 roll call vote of the Council, with Council**
41 **Member Abraham and Mayor Strickland voting "no."**
42

43 **8. DISCUSSION AND ACTION:**
44

- 45 **A. Community Watch Program**
46

47 Sgt. Greg Lariscy, Code Enforcement came forward to talk about the concept of a community watch
48 program. He said typically a community watch program consists of neighborhood residents that come
49 together with the common goal of making their neighborhood safer by teaming with local law

1 enforcement. Community watch programs are similar to neighborhood watch programs however
2 neighborhood watch programs are more narrow in their focus and are not always successful due to a
3 lack of participants. Staff is recommending Council consider a community watch program for Orange
4 City. It would provide all residents an opportunity to meet on a regular basis with city administrative
5 personnel, elected officials and local law enforcement to discuss their safety concerns. Sgt. Lariscy
6 noted this concept is working in other communities and staff is requesting Council's support for a
7 similar program in Orange City.

8
9 In response to a question from Mayor Strickland, Sgt. Lariscy advised that staff did not consider a trial
10 period, but if the community program does not work it would revert back to the neighborhood watch
11 format for those neighborhoods that are still interested. Mayor Strickland said he likes the concept, he
12 asked that Council be kept informed.

13
14 Vice Mayor Laputka spoke in support of this program, he discussed the success of the program in
15 Daytona Beach suggesting that it empowers and develops a sense of safety in the residents.

16
17 Council Member Abraham questioned whether residents from the unincorporated areas of the City could
18 participate. Sgt. Lariscy responded in the affirmative noting he has received several calls from residents
19 in the County area who have expressed a desire to participate in this group.

20
21 **It was the consensus of the City Council to proceed with the formation of**
22 **a Community Watch program.**

23
24 **B. Designating Park Drive as a One-Way Street**

25
26 Interim Police Chief Ross came forward to provide an overview of the traffic issues on Park Drive. He
27 noted that Council Member Crippen had received complaints from residents about excessive traffic and
28 had expressed an interest in making Park Drive a northbound one-way road. The Police Department
29 studied the traffic patterns and interviewed the residents in the neighborhood. Chief Ross attributed the
30 traffic problems to the two schools in the area coupled with a short-cycling light at Blue Springs and the
31 lack of a turn lane at that location as the problem. He suggested that this may contribute to other
32 problems as an outgrowth. Chief Ross said he contacted the Department of Transportation to have the
33 timing on the traffic light changed but found that could cause other traffic problems. He discussed what
34 it would require to make this change. Chief Ross concluded by stating staff has no objection to making
35 the street one-way if it is the desire of the Council.

36
37 Mayor Strickland acknowledged the ongoing traffic issues. He said that he is "uncomfortable" with the
38 proposed solution. Chief Ross validated the Mayor's concerns. He said the long-term solution would be
39 for the DOT to reactivate the traffic sensors that were buried when the road was built. However, due to
40 on-going construction, DOT cannot do that at this time. Currently, the sensors on the camera light
41 monitor the traffic lights. Once school starts, staff plans to contact the DOT to talk about the possibility
42 of slowing down the traffic on Volusia Avenue and synchronization of the traffic lights as ways to
43 relieve the traffic problems.

44
45 Vice Mayor Laputka and Council Member Allebach felt the traffic issues will increase once school
46 opens, and suggested monitoring the traffic before making any changes. Chief Ross agreed noting the
47 high school is a definite unknown.

48

1 Council Member Blair suggested placing officers on duty when school lets out to monitor the traffic for
2 60 days. Chief Ross advised officers will be on site and will work to help relieve the congestion and
3 educate the parents.

4
5 Council Member Crippen said he could support waiting until the impacts are known. He agreed the
6 ultimate solution would be to fix the intersection. He suggested clearing away the right-of-way to
7 remove visual impediments on Park Avenue in the meantime. Chief Ross said he would continue to
8 research and monitor the situation.

9
10 **C. Use of Senez Field at Valentine Park**

11
12 John Davis, Parks & Rec. Superintendent came forward and advised that the Volusia Titans, an AAU
13 football team has requested to use Senez Field at Valentine Park for practice and games. He noted that
14 he observed 150 kids on the field practicing the other night. Mr. Davis said staff feels this would be a
15 great program for the City and is seeking Council's approval for the City Manager to sign the
16 agreement.

17
18 Council Member Allebach noted the contract is typical for the use of public facilities. In response to a
19 query from Mayor Strickland, Mr. Davis advised that the reference to the "Water Authority of Volusia"
20 in Item 8i has been changed to Saint John's River Water Management District as WAV is no longer in
21 existence.

22
23 Mr. Davis advised that he conducted a survey of the fees charged for these types of uses (a copy of
24 which is attached and becomes a permanent part of these minutes) of public facilities and found no
25 municipality collected a fee. He noted a large percentage of the participant's fees are paid through
26 scholarships so these groups are really just breaking even.

27
28 Council Member Pupello said he likes the idea of allowing the Titans to use the field. He suggested that
29 staff review the overall policy on the use of public facilities. Ms. Croteau responded staff recognized a
30 need to update the policy and will be meeting tomorrow to discuss the matter. Council Member Pupello
31 noted the contract indicates the Titans will have equipment stored in the park, he asked how that will
32 work. Mr. Davis advised that the City has no liability as the Titans would bring a locked storage
33 container that they will insure and maintain. In addition, staff will work with the Little League to make
34 sure the Titans are able to use the concession stand.

35
36 Council Member Blair questioned the type of containers to be used. Tom Cooley, President of the
37 Titans came forward and advised that it is a shed donated by a local business owner.

38
39 Council Member Abraham asked if there were plans to introduce soccer to the children. He noted he
40 was impressed with the American's performance at the World Cup. Mr. Cooley noted he would be
41 meeting with the YMCA to talk about a soccer program.

42
43 **Council Member Allebach moved that the City Council authorize the**
44 **City Manager to execute an agreement with the Volusia Titan AAU**
45 **Football League for the use of the Senez Field at Valentine Park,**
46 **August 1, 2010 to July 31, 2011, seconded by Council Member Blair and**
47 **passed by a 7/0 voice vote of the City Council.**

48
49 **9. NEW BUSINESS:**

1 Council Member Blair requested that bike racks be installed at City facilities. He said it might
2 encourage people to ride and lock their bikes. Ms. Croteau said she would look into the matter.
3

4 Council Member Blair noted the Mayor has a different phone then the rest of the Council. He suggested
5 that if all Council Members had one, they could replace the need for laptops. Ms. Croteau said she
6 spoke with the IT Manager and was told the monthly bill would increase \$30 per month per council
7 member. Ms. Croteau said she would look into the matter and bring it forward at a later time.
8

9 **10. REPORTS:**

10 **A. City Manager**

11 Ms. Croteau announced the City is hosting a free Music in the Park concert at Dickinson Park on
12 Saturday, August 14 at 7:00 p.m.
13

14 Ms. Croteau said the City of DeLand asked Orange City to participate in an economic development
15 grant in partnership with DeLand, DeBary, Deltona and Orange City. The grant is a community HUD
16 grant that funds “grey field development” and programs for underserved populations. The City must
17 make a decision whether to participate as the grant is due August 23rd. Staff met with DeLand officials
18 yesterday. DeLand has hired a consultant to write the grant application. The matching grant would
19 provide \$250,000 and the four cities would contribute \$50,000 collectively and that can include in-kind
20 services. The grant provides funding for planning. The City could consider using those funds for the
21 overlay districts or to rewrite the code so it is more effective. Ms. Croteau said staff is seeking Council
22 authorization to participate.
23

24 In response to a question from Council Member Blair, Ms. Croteau said she does not know exactly what
25 the City would have to contribute. She stated her opinion that the costs would minimal as DeLand is
26 paying for the consultant.
27

28 **Council Member Allebach moved that the City Council give the City
29 Manager permission to participate in this grant application, seconded by
30 Council Member Crippen and passed by a unanimous 7/0 voice vote of
31 the Council.**
32
33
34

35 Ms. Croteau said staff is seeking assistance from Council Members who wish to work with staff on the
36 Seth French House. She said it is in the planning process right now and she does not know what is
37 required but wished to extend an invitation to Council Member Laputka or any other Council Member
38 interested. Vice Mayor Laputka and Council Members Crippen and Blair agreed to assist.
39

40 Vice Mayor Laputka said he spoke with Gina Holmes, President of the Home Owners Association
41 (HOA) of Blue Springs Villas. The HOA is having problems paying for and maintaining the streetlights
42 in the development because most of the homes are vacant. He recalled that some time ago, Ms. Holmes
43 came before Council and asked if the City would consider a special taxing district to pay for the
44 maintenance of the streetlights. He said he wished to know the status of that request. Ms. Davis said a
45 special taxing district was considered. She explained the costs were calculated based on a monthly
46 recurring fee assessed for each property to get the lights turned back on and then to maintain the lights
47 going forward.
48

1 Ms. Holmes came forward and stated the streetlights were off for a short period. She said she paid the
 2 bill to get them back on. Ms. Holmes said previously the HOA asked the City to consider taking over
 3 the maintenance of the streetlights and to put the cost on the tax roll. Originally, she was told a small
 4 administrative fee would be assessed but it turned out to be \$100 per household to put it on the tax roll
 5 and \$26,000 a year for the streetlights, which is too costly. Ms. Holmes asked Council to consider
 6 requiring builders to provide streetlights for all future developments because it is cheaper. She said she
 7 would be meeting with Ms. Croteau and hopes that she could provide some assistance. Ms. Holmes said
 8 she just wanted Council to be aware of what happened.

9
 10 **B. Mayor/City Council**

11
 12 Council Member Crippen reported on the South West Volusia Health Alliance meeting. The discussion
 13 centered on focus study groups and survey questions to ask people about how they feel about access to
 14 health care. Council Member Crippen said he plans to invite Dr. Roger Accardi to attend the next
 15 meeting.

16
 17 Vice Mayor Laputka reported on the “Perfect Storm” Workshop several Council Members attended last
 18 week. Growth management and potential issues with the proposed Amendment 4 were some of the
 19 issues discussed. The Vice Mayor said he provided information for those who did not attend. It was a
 20 good gathering and very well attended.

21
 22 Mayor Strickland reported on a VCOG Executive Committee meeting during which Mr. Arrington
 23 spoke. At the time, Mr. Arrington was under the impression there was additional HUD funding
 24 available and suggested everyone apply for it. However, the East Central Planning Council plans to
 25 apply for a grant to use it for transportation and only one governing agency can apply at a time. Mayor
 26 Strickland said he appreciated Mr. Saylor’s comments about recycling. There seems to be a movement
 27 throughout the Country with regard to recycling. Mayor Strickland said he is aware of an impressive
 28 recycling program in Orange Tree Village. He noted that instead of government intervention regarding
 29 recycling he would rather look at rewarding people who are doing it.

30
 31 **C. City Clerk**

32
 33 No further report.

34
 35 **D. City Attorney**

36
 37 Acting City Attorney Robyn Drage said she had no report. She thanked Council for allowing her the
 38 opportunity to be present this evening.

39
 40 **11. APPROVAL OF MINUTES:** July 27, 2010 Regular Meeting

41
 42 **Vice Mayor Laputka moved to approve the minutes of the July 27, 2010**
 43 **Regular Meeting, seconded by Council Member Crippen and passed by**
 44 **unanimous 7/0 voice vote of the Council.**

45
 46 **12. COUNCIL COMMENTS**

47
 48 Council Member Abraham made the following statement, “About 65 years of peace for nations not
 49 indulging in any war because of August 6 and August 9, 1945 Hiroshima and Nagasaki occurred. Sixty-

1 five years have passed but today in the absence of great leaders in some countries, the World is again
2 moving into the brink of some disastrous situation...all nations need to pray and remember these nations
3 in prayer so that evil will be out of our way and we can have a peaceful world.”

4
5 Vice Mayor Laputka thanked the Orange City Police Department for their efforts with the “National
6 Night Out” program last week. He said it was hot but it was a great evening.

7
8 Council Member Allebach agreed with the Vice Mayor’s comments. He stated, “The snow cones were
9 good.” Council Member Allebach said five City employees are involved with a “biggest loser”
10 challenge with other cities in the County; the team is making a great effort to represent the City well.
11 Council Member Allebach said he plans to invite representative from the hospital to the Manatee
12 Festival to talk about health and nutrition and to help the community start January 2011 off right.
13 Council Member Allebach said he likes the idea of recycling. He stated, “I just think that’s what we
14 need to do, we need to be for stuff, instead of against stuff. Let’s be for getting better.”

15
16 Council Member Pupello thanked all staff involved in the “National Night Out.” He stated, “Well
17 done.” Council Member Pupello said the City as a whole is doing well but there is always room for
18 improvement, he stated, “I like the direction we are heading in.”

19
20 Council Member Crippen agreed with the previous comments. He said his wife is “rabid” about
21 recycling...but it is really good.” Council Member Crippen said the National Night Out was well
22 attended this year. He stated, “The fact that we have that splash pad in that park, right out there for the
23 world to see and it is being used constantly, makes me very proud to be a resident of Orange City.”

24
25 Council Member Blair also felt the “National Night Out” was good. He thanked all the departments
26 involved and stated “I really enjoyed it.”

27
28 **13. ADJOURN**

29
30 There being no further business, Mayor Strickland adjourned the meeting at 8:40 p.m.

31
32 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

33
34
35
36
37 _____
38 Gloria W. Thomas, CMC
Deputy City Clerk

August 24, 2010
Date