

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, April 12, 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 Robin Drage;
12 City Manager Jamie Croteau; City Clerk Deborah Renner
13

14 **INVOCATION**

15
16 The Invocation was given by Pastor Lisa Degrenia, Community United Methodist Church of Debary,
17 followed by the Pledge of Allegiance.
18

19 The City Manger requested to move agenda item 8-A to the next Council meeting. Mayor Strickland
20 noted that a proclamation and a presentation were added to the agenda.
21

22 **1. ABSENCES:** (None at this time)
23

24 **2. PRESENTATIONS/PROCLAMATIONS:** Proclamation – Donald Sherrill
25

26 Mayor Strickland asked for a moment of silence to recognize the passing of former Council Member Don
27 Sherrill. Council Member Laputka read a proclamation into the record recognizing Mr. Sherrill’s
28 contributions to the citizens of Orange City through his service on the City Council and at his church. Mr.
29 Sherrill’s family came forward to accept the proclamation.
30

31 Presentation to Police Department for
32 participation in a fundraiser for John
33 Kent
34

35 Rob Pellan came forward and said that he had organized a "poker run" as a fundraiser for his
36 brother-in-law John Kent following his recent illness. He thanked Council Member Allebach for the
37 support of the Manatee Festival. Mr. Pellan also recognized the Orange City Police Department for their
38 support. Mr. Pellan stated that Mr. Kent had helped organize and build the girls softball field at Valentine
39 Park.
40

41 Earth Day Proclamation
42

43 Council Member Laputka read a proclamation into the record proclaiming April 22, 2011 as Earth Day in
44 the City and urging citizens to celebrate the earth and commit to building a sustainable and green
45 economy.
46

47 Dr. Sorenson, Volusia County Health
48 Dept. (Re: SW Volusia Health
49 Leadership Group & LIP Project)

1 Dr. Sorenson was not present at the meeting.

2
3 Mayor Strickland noted City Attorney Bill Reichmann was not present and that Attorney Robin Drage was
4 taking his place.

5
6 **3. CITIZEN COMMENTS:**

7
8 Ron Saylor, 361 Dixson Street came forward and said that he recently read that in addition to changing the
9 batteries annually, smoke detectors should be replaced every 8-10 years. Mr. Saylor noted that Carpenter
10 Avenue is a county road on the way to the school and does not have any sidewalks. He said the sidewalk
11 on the south side of Sandy Pines is overgrown, forcing the school children to go in the street. Mr. Saylor
12 suggested that the City cut a path through that area. Mr. Saylor advised that the speed limit on the way to
13 the school is 25 in the City and 30 in the county.

14
15 **4. CONSENT AGENDA:**

- 16
17 a) **RESOLUTION NO. 635-11:** A resolution of the City Council of the City of
18 Orange City, Florida, acknowledging and approving a third 12-month extension of
19 the Development Order for the Sparkman Ridge preliminary subdivision plat, said
20 plat containing the specifications to divide a 50.72 acre parcel into 94 single family
21 residential lots and 108 townhouse residential lots, said parcel located on the
22 northwest corner of West Rhode Island Avenue and south Sparkman Avenue,
23 Orange City, Florida; repealing all resolutions or parts of resolutions in conflict
24 herewith and providing for an effective date.
25
26 b) **RESOLUTION NO. 636-11:** A resolution of the City Council of the City of
27 Orange City, Florida, acknowledging and approving a third 12-month extension of
28 the Development Order for the Sparkman Ridge site plan containing the
29 specifications to develop a 50.72 acre parcel into 94 single family residential lots
30 and 108 townhouse residential lots, said parcel located on the northwest corner of
31 West Rhode Island Avenue and south Sparkman Avenue, Orange City, Florida;
32 repealing all resolutions or parts of resolutions in conflict herewith and providing
33 for an effective date.
34
35 c) Minutes of March 22, 2011 Regular Council Meeting

36
37 Council Member Abraham requested that items a) and b) be removed from the Consent Agenda.

38
39 **Council Member Allebach moved to approve the Consent Agenda as**
40 **amended, seconded by Council Member Blair and passed by a 7/0 roll call**
41 **vote of the Council.**

42
43 Council Member Allebach read the title of Resolution No. 635-11 into the record.

44
45 **Council Member Laputka moved to approve Resolution No. 635-11, seconded by**
46 **Vice Mayor Crippen.**

47
48 Council Member Allebach read the title of Resolution No. 636-11 into the record.

49

1 **Council Member Laputka moved to approve Resolution No. 636-11, seconded by**
2 **Vice Mayor Crippen.**

3
4 Jim Kerr, City Planner, came forward. Council Member Abraham asked whether any money had been paid
5 back to the City from the developer of this project. Mr. Kerr responded in the affirmative. He explained the
6 payments are being made annually through a non-ad valorem tax assessment. Council Member Abraham
7 questioned whether the payments are being made and if the City anticipates the debt being paid in full. Mr.
8 Kerr responded that the payment has not been made for the 2010 tax year. Ms. Croteau verified that the
9 previous years' assessments had been paid by the property owner. In response to a further question from
10 Council Member Abraham, Mr. Kerr verified that no work has been done on the project.

11
12 In response to a question from Council Member Blair, Mr. Kerr advised a developer can request a maximum of
13 seven extensions. He advised that this is the third extension for this project. Council Member Abraham
14 questioned whether the property owner had sent a letter requesting the extension and stating the reasons for the
15 request. Mr. Kerr responded that there is an application form and process to request the extension. He said
16 that the reason for the extension request is that new homes are not selling at this time. Mr. Kerr noted that
17 there are currently three approved subdivisions in the City which have not been started yet for this reason.
18 Council Pupello questioned what would happen if the extension was not granted. Mr. Kerr responded the site
19 plan and preliminary plat approvals will expire and the developer would have to restart the site plan process
20 and pay additional fees.

21
22 **Motion to approve Resolution No. 635-11 passed by unanimous 7/0 roll call vote**
23 **of the Council.**

24
25 **Motion to approve Resolution No. 636-11 passed by unanimous 7/0 roll call vote**
26 **of the Council.**

27
28 **5. ORDINANCES - FIRST READING:** (None at this time)

29
30 **6. PUBLIC HEARINGS:**

- 31
32 **A. ORDINANCE NO. 453:** An ordinance of the City of Orange City, Florida,
33 annexing the Laxmi Property into the corporate limits of the City of Orange
34 City, Florida; said property being generally located on the west side of North
35 Volusia Avenue, approximately 50 feet south of West Minnesota Avenue,
36 containing approximately 2.7 acres; in accordance with the voluntary
37 annexation provisions of Florida Statute 171.044; redefining the boundaries
38 of the City of Orange City by amending the appropriate sections of the code
39 of ordinances; containing a repealer provision, a severability clause and
40 providing for an effective date.

41
42 Council Member Allebach read the title of Ordinance No. 453 into the record.

43
44 **Council Member Laputka moved to adopt Ordinance No. 453 on second**
45 **and final reading, seconded by Vice Mayor Crippen.**

46
47 Mr. Kerr said there have been no changes since the first reading. He remarked that annexing this property
48 will extend the boundaries of the city up to Minnesota Avenue.

49

1 Mayor Strickland opened the public hearing by asking if anyone wanted to speak for or against the
2 proposed ordinance. No one appeared. The mayor closed the public hearing.

3
4 **Motion passed by unanimous 7/0 roll call vote of the Council.**

5
6 **7. RESOLUTIONS:**

- 7
8 **A. RESOLUTION NO. 634-11:** A resolution of the City Council of the City
9 of Orange City, Florida, authorizing the City Manager to enter into an Urban
10 and Community Forestry Grant Memorandum of Agreement with the State
11 of Florida, Department of Agriculture and Consumer Services, Division of
12 Forestry and providing for an effective date.

13
14 Council Member Allebach read the title of Resolution No. 634-11 into the record.

15
16 **Council Member Laputka moved to adopt Resolution No. 634-11,**
17 **seconded by Vice Mayor Crippen.**

18
19 Paul Johnson, Public Works Director, came forward and advised that during the tree board meeting it was
20 suggested that the City needed a tree inventory and tree maintenance plan. Staff investigated and found
21 an Urban Forestry Grant which could be used to fund the project. The grant requires a 50% match of City
22 funds. Mr. Johnson noted that some years ago, a study was conducted to identify hazardous trees in the
23 City. He said that he had received an initial estimate of about \$10,000 for the inventory, plus an additional
24 \$3,000 in computer costs. The cost would include a software program to track maintenance of the tree
25 inventory.

26
27 Council Member Blair asked whether diseased trees were identified as part of the inventory. Mr. Johnson
28 responded in the affirmative.

29
30 Vice Mayor Crippen noted the benefits of having such a program to manage the City's tree inventory by
31 tracking age, condition, and other factors.

32
33 Council Member Allebach summarized that the entire project would cost \$13,000 and the grant would pay
34 for half of that amount.

35
36 Council Member Laputka noted that recently two trees on Carpenter were dropping branches on the
37 sidewalk which kids use to get to/from school. He said that the trees were taken down promptly and
38 observed that the proposed program would help to identify hazards such as this in the future.

39
40 **Motion to adopt Resolution No. 634-11 passed by unanimous 7/0 roll call**
41 **vote of the Council.**

42
43 **8. DISCUSSION AND ACTION:**

- 44
45 **A. N. Holly Avenue Drainage Issues** (*This item was removed from the agenda at*
46 *the request of the City Manager*)

47
48 **9. NEW BUSINESS:**

49

1 Mayor Strickland noted that information was available from a number of sources regarding disposal of
2 unused prescription drugs. He asked that a comprehensive list of options be compiled and made available
3 to inform the public.

4
5 **10. REPORTS:**

6
7 A. City Manager

8
9 Ms. Croteau observed that a meeting is scheduled for Saturday to discuss the 17-92 corridor and
10 transportation within the City. She advised that the meeting is open to the public. The meeting will begin
11 at 9:00 a.m.

12
13 Ms. Croteau announced that the quarterly newsletter was mailed out today.

14
15 The City will be having a tree planting on April 29th at 9:30 a.m. in recognition of Arbor Day. A tree will
16 be planted in the median on West Graves Avenue with the help of the Orange City Elementary School
17 Garden Club.

18
19 Ms. Croteau noted that the City's paving plan for this year included resurfacing of Rebecca Lane,
20 Commed Blvd., and Briarwood. The work on those streets has been completed and the project came in
21 significantly under budget. Ms. Croteau said that staff has been looking at additional paving to be done
22 with the remaining funds. She said that one potential road would be the alley in front of Council
23 Chambers after the drainage project for the Police Department has been completed. She advised that the
24 drainage project will be presented on the next agenda. In response to a question from Council Member
25 Pupello, Ms. Croteau stated that \$70,000 had originally been budgeted for repaving the three streets
26 mentioned previously. The actual cost for the repaving was \$39,100.

27
28 In response to a question from Council Member Allebach, Ms. Croteau said that DOT is reviewing the
29 City's irrigation plans for U.S. 17-92 and once they are approved, the City will issue a bid for the work.

30
31 B. Mayor/City Council

32
33 Vice Mayor Crippen reported that he attended the River of Lakes Heritage Corridor meeting. He said that
34 the Corridor Management Entity has established a line of credit at TD Bank to begin extending "mini
35 grants." He said that the old school in Seville is now officially the Village Improvement Association of
36 Seville Community Resource Center. There will be a ribbon cutting ceremony on May 22nd at 11:00 a.m.
37 The Vice Mayor said the 1st Annual Bazaar of the DeLeon Springs Community Association was a success.
38 He remarked these types of functions are good opportunities to share information about the Manatee
39 Festival and the Farmer's Market. Vice Mayor Crippen announced 2013 will be the 500th anniversary of
40 Spain's relationship with Florida. The King and Queen of Spain will be coming to Florida in 2013 as
41 well.

42
43 Council Member Allebach reported on a recent Transportation Planning Organization (TPO) meeting. He
44 recalled that at the last City Council meeting he briefly spoke about the importance of having projects
45 ready to go in case funding becomes available. He said several local business owners were surveyed and
46 stated intermodal methods of transportation such as walking and bike trails bring in most of their
47 customers. Council Member Allebach felt the City could benefit from such a program and suggested the
48 matter be discussed at the meeting on Saturday. Ms. Croteau advised the City plans to submit a grant
49 application to the TPO to fund a trail along Blue Springs Avenue.

1 Council Member Allebach reported that he attended a sustainable water meeting hosted by myregion.org
2 and the Volusia League of Cities. He said a representative from the St. John's River Water Management
3 District (SJRWMD) did a presentation. Council Member Allebach remarked SJRWMD is recommending
4 diversification of water supplies, to include water sources such as surface, and/or desalination plants, not
5 just the aquifer. A combination will mitigate some of the costs. Either way, water prices are going to
6 continue to go up. Council Member Allebach stated it was a very informative meeting. He voiced his
7 concerns that the solutions are being considered by professional planners for all of Florida, not just
8 Southwest Volusia.

9
10 Council Member Laputka reported the Sustainable Committee had a meeting and over 40 people attended.
11 He said the support from the City was wonderful. He commended Michael Wright and Bob Storke for
12 their help in putting the meeting together. Several ideas were considered. The Committee plans to bring
13 back the Master Gardener and possibly do some workshops in the park, perhaps in conjunction with the
14 Friday farmers market.

15
16 Vice Mayor Crippen said he heard a discussion on the radio about national water shortages. Las Vegas
17 gets its water shortage from Lake Meade and is offering an incentive of \$40,000 per acre if a property
18 owner will remove their grass and put in Xeriscaping.

19
20 Council Member Pupello said the Farmer's Market has been re-opened for six weeks now and it has really
21 grown. There is a diverse group of vendors with a variety of products, including fruits and vegetables
22 from local growers. Friday seems to be a very good time. Council Member Pupello stated the Farmer's
23 Market was well received and is a benefit to the community.

24
25 Mayor Strickland reported he will be going to Tallahassee for the Florida League of Mayors, "Mayor's
26 Mean Business", meeting this weekend. He said it is the first time this type of meeting has been done.
27 Mayors statewide will have an opportunity to meet with the governor and their elected representatives
28 regarding local issues and pending legislation. He said John Wanamaker will attend as his business
29 person.

30
31 Mayor Strickland said Congressman Mica is still concerned about SunRail. Debarry and Deltona have
32 adopted a resolution and Lake Helen is also considering doing a resolution. Mayor Strickland said he sent
33 a letter to Governor Scott outlining Orange City's efforts with regard to SunRail. Mayor Strickland
34 recalled that he attended a hearing of the Transportation Committee in Maitland where Congressman Mica
35 wanted some suggestions and practical ways to cut some of the red tape. Attendees were not allowed to
36 speak. The Mayor said he sent a two-page follow-up letter and asked that it be entered into the record of
37 that public hearing.

38
39 C. City Clerk

40
41 Ms. Renner reported that the Laserfiche software was installed last week. Staff started putting the
42 resolutions and ordinances in the system today. It will take some time to build the database, but work will
43 continue on it steadily.

44
45 D. City Attorney

46
47 No further report.

48
49 **11. APPROVAL OF MINUTES: (Consent Agenda)**

12. COUNCIL COMMENTS

Council Member Abraham recited a quotation from Martin Luther King, Jr.

Vice Mayor Crippen praised the workshop hosted by the Sustainable Water Committee.

Council Member Allebach expressed his regret at the passing of Council Member Sherrill. He urged everyone to call Representative Alan Hayes regarding the deregulation of several industries by the State government. The bill was already passed by the Senate, however, he suggested everyone contact Representative Hayes and ask him to slow the bill down. Council Member Allebach said the Sustainable Water Committee meeting was great. He said has not been able to get to the farmer's market.

Council Member Pupello thanked everyone who attended tonight's meeting. He said the Water Committee Workshop was well done. Council Member Pupello noted that Council is a collegial body that gets things done in spite of differences of opinion. He stated, "The future of Orange City is bright." Council Member Pupello remembered Don Sherrill and the assistance that he provided him when he was elected to office. He stated, "I truly am going to miss him."

Council Member Laputka noted that Don Sherrill was the caregiver to his wife for several years at a cost to him financially and to his health but he came to the meetings even though he was tired. He stated, "He will be missed." Council Member Laputka passed around information about a young man who was accepted to attend a leadership conference in June and who is raising money. Council Member Laputka said he would like everyone to contribute. Council Member Laputka said he would put copies in each Council Member's mailbox.

Council Member Blair spoke about Don Sherrill. He said he was a "super guy" and that he will miss his emails. Council Member Blair said he attended the water committee meeting and it was "super." Council Member Blair said the Historic Preservation Board is failing. He said he talked with Ms. Stettner about it and she seems really interested. He spoke in favor of salvaging the board and to get some new blood in there with her guidance and direction. Council Member Blair said the shoulder on French is bad again. He said he sent pictures to the City Manager and asked her to continue working with the County with regard to the matter.

Mayor Strickland stated "Ditto."

13. ADJOURN

There being no further business, Mayor Strickland adjourned the meeting at 8:12 p.m.

RESPECTFULLY SUBMITTED:

Gloria Thomas, CMC
Deputy City Clerk

APPROVED ON:

April 26, 2011
Date