

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, March 14, 2017 at 6:30 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 6:30 p.m. by Mayor Blair and roll call was taken.

8
9 **ROLL CALL**

10
11 **PRESENT:** Mayor Gary A. Blair; Vice Mayor O. William (Bill) Crippen; Council Members: Bill
12 O'Connor, Jeff Allebach, Anthony J. Pupello, Evelyn Robinson; City Attorney Debra S. Babb-Nutcher;
13 City Manager Dale Arrington; City Clerk Gloria Thomas.

14
15 **INVOCATION/PLEDGE OF ALLEGIANCE**

16
17 The Invocation was given by -- Morris Sullivan-Volusia Buddhist Fellowship

18
19 **I. ACCEPTANCE OF AGENDA FORMAT FOR THE MARCH 14, 2017 REGULAR CITY**
20 **COUNCIL MEETING**

21
22 **Council Member O'Connor moved that the City Council accept the agenda**
23 **format for the March 12, 2017 Regular City Council Meeting, seconded by**
24 **Vice Mayor Crippen and passed by a 6/0 roll call vote of the City Council.**

- 25
26 **1. ABSENCES:** Council Member Mahoney
27
28 **2. PRESENTATIONS/PROCLAMATIONS:** None at this time
29
30 **3. CITIZEN COMMENTS:**

31
32 Clint and Riley Sprague representatives for Collins Dream Park (CDP) came forward to mention future
33 fund raisers that were planned for the skate park in the City. The Spragues thanked Council for taking
34 the park into consideration.

35
36 **4. CONSENT AGENDA:**

- 37
38 A. Federal Bureau of Investigations National Academy Association Training Conference
39 B. Approval of Contract to Purchase Property Adjacent to Well 3R
40 C. Approve Ranking List for RSQ-Q020-0-2017 Professional Design Services for the West
41 French Avenue Shared Use Path Project
42 D. Minutes August 15, 2016 Budget Workshop City Council Meeting
43 E. Minutes February 28, 2017 Regular City Council Meeting

44
45 **Council Member Pupello moved to approve the Consent Agenda, seconded**
46 **by Council Member Robinson and passed by a 6/0 roll call vote of the City**
47 **Council.**

48
49 **5. ORDINANCES – FIRST READING:**

1
 2 A. **Ordinance No. 576** An Ordinance of the City Council of the City of Orange City Florida,
 3 pursuant to the Section 2.05 of the City Charter increasing the compensation of the Mayor to a
 4 salary of \$1,000.00 per month and Council Members to a salary of \$833.34 per month;
 5 providing for automatic salary adjustments; repealing all ordinances or parts of ordinances in
 6 conflict herewith; and providing for an effective date.

7
 8 *See Discussion and Action Section 8.A.3. for Approval of Ordinance No. 576- Amending*
 9 *Compensation of the Mayor and Council Members.*

10
 11 **6. PUBLIC HEARINGS:-**

12
 13 A. **Ordinance No. 570** An Ordinance of the City of Orange City, Florida; vacating
 14 and abandoning a 15-foot utilities and drainage easement located within the
 15 Country Woods plat, located at 675 Veterans Memorial Parkway, authorizing
 16 execution of effecting documents as needed; providing for conflict; providing for
 17 severability and providing an effective date.

18
 19 Ms. Babb-Nutcher read the title of Ordinance No. 570 into the record

20
 21 **Vice Mayor Crippen moved to approve Ordinance 570, seconded by Council**
 22 **Member Pupello.**

23
 24 Becky Mendez, Development Service Director came forward and declared no changes were
 25 made to Ordinance No. 570 since first reading. She advised that staff recommends Council
 26 adopt the Ordinance on second and final reading.

27
 28 Council Member Pupello asked if the owner of the property was present. Ms. Mendez
 29 responded “no”.

30
 31 **Ordinance No. 570 passed on second reading with a 6/0 roll call vote of the City**
 32 **Council.**

33
 34 B. **Ordinance No. 574** An Ordinance of the City of Orange City, Florida, annexing
 35 certain real property into the corporate limits of the City of Orange City, Florida,
 36 including to the centerline of all surrounding rights-of-way; said property being
 37 generally located on the southwest corner of South Volusia Avenue and Dogwood
 38 Avenue; consisting of 1.87 acres (parcel numbers 8015-02-00-0170, 8015-04-00-
 39 0010 and 8015-02-00-0220); redefining the boundaries of the City of Orange City
 40 by amending the appropriate sections of the Code of Ordinances; providing for
 41 notification and compliance with the voluntary annexation provisions of Florida
 42 Statute 171.044; providing for assignment of a City Council District; containing a
 43 repealer provision, a severability clause and providing for an effective date.

44
 45 Ms. Babb-Nutcher read the title of Ordinance No. 574 into the record

46
 47 Ms. Mendez came forward and declared no changes were made to Ordinance No. 574 since first
 48 reading. She stated that staff recommends Council adopt the Ordinance on second and final reading.

1 **Council Member O’Connor moved to approve Ordinance 574, seconded by Vice**
 2 **Mayor Crippen.**

3
 4 Council Member Pupello asked if the owners of the property were present. Ms. Mendez replied ‘no’. He
 5 inquired about past code violations on the property. Ms. Mendez confirmed they were only parking
 6 violations. She explained the property was in unincorporated County at the time.

7
 8 **Ordinance No. 574 passed on second reading with a 6/0 roll call vote of the City**
 9 **Council.**

10
 11 C. **Ordinance No. 575** An Ordinance of the City Council of the City of Orange City,
 12 Florida, amending Chapter 17.5, Vehicles for Hire, Article II, Wrecker, Towing
 13 Services, Section 17.5-18, Rotation of Wrecker Service, and Section 17.5-19,
 14 Backup Wrecker Service of the Code of Ordinances; providing for conflicts,
 15 severability, and effective date.

16
 17 Ms. Babb-Nutcher read the title of Ordinance No. 575 into the record

18
 19 **Council Member O’Connor moved to approve Ordinance 575, seconded by Vice**
 20 **Mayor Crippen.**

21
 22 Deputy Police Chief, Wayne Miller, came forward and stated that no changes were made since the first
 23 reading of Ordinance 575 and that staff recommends Council adopt the Ordinance on second and final
 24 reading.

25
 26 **Ordinance No. 575 passed on second reading with a 6/0 roll call vote of the City**
 27 **Council.**

28
 29 **7. RESOLUTIONS: None at this time**

30
 31 **8. DISCUSSION AND ACTION:**

32
 33 A. Compensation Study

34
 35 1. Presentation of Compensation Study

36
 37 Andy McNeill, Human Resources/Risk Manager came forward to give a brief overview. Mr. McNeill
 38 noted that the consultant was present to discuss the methodology and discuss any questions that Council
 39 may have.

40
 41 Mr. McNeill advised that the City has been working with Evergreen Solutions, since August 2016 to
 42 develop a new pay plan which included a review and update of job descriptions and benchmarking jobs
 43 with similar position in local jurisdictions. After six (6) months of collaboration with the management
 44 team and consultants looking at implementation options, staff feels confident that the proposed pay plan
 45 which increases starting pay for many of the positions will help with both retention and recruitment. If
 46 approved, eighty-four (84%) of the funding is allocation to employees earning less than \$50,000 and
 47 sixty-one (61%) percent of that is slated for first responders. He introduced Ms. Buck.

48

1 Cornell Buck, Project Director, Evergreen Solutions, LLC came forward and provided a detailed
2 PowerPoint presentation of compensation study results. Ms. Buck discussed the study process, the
3 methodology and results in detail as well as the position grade assignments, implementation options,
4 costs and strategy.

5
6 Ms. Buck advised that salary data was collected from 18 cities and counties that perform similar types of
7 work. Forty-one (41) of the City's current positions were surveyed to gather salary data, both ranges
8 and actual salaries. In addition, positions were matched against similar peer positions to ensure that
9 comparable duties are performed.

10
11 Overall, City salaries are below the minimum of salary ranges, but above when compared to market
12 midpoints and maximums. The average actual salaries are also behind the overall averages of the same
13 positions.

14
15 Exempt and non-exempt pay plans were compared to similar size peer groups to determine the spread of
16 the pay ranges from starting to maximum pay. The City has varying pay ranges, some up to 125%,
17 which is considerably large when compared to the peers groups at approximately 60%. As a result it is
18 recommended that the City increase the number of pay grades from 14 to 21.

19
20 In addition, it is recommended that pay grades in the Police Department are reduced from three (3) to
21 two (2) eliminating pay grade 81 and allowing more flexibility. Also, decreasing the number of pay
22 grades from four (4) to three (3) in the Fire Department and eliminating the unused part-time Firefighter
23 pay grade.

24
25 Next, Ms. Fox discussed the slotting methodology used in the study. She advised that positions were
26 slotted into the proposed pay structure based on market data differential and consideration for internal
27 equity. The position ranges were matched with the market midpoint and the existing relationships
28 between positions was maintained. The proposed pay ranges are based on the current placement and
29 position salary range. All employee positions were moved to the new pay ranges with the condition that
30 employees earning less than \$50,000 are placed at 100% of the increase for their current range.
31 Employee making \$50,000 to \$75,000 are placed at 75% and employees earning \$75,000 to \$100,000
32 placed at 50%. Employees making over \$100,000 would not be impacted at this time.

33
34 Council Member O'Connor questioned the number of employees that fall within the ranges. He felt that
35 there are only a small percentage of employees that fall within the \$75,000 to \$100,000 salary range.
36 Ms. Arrington agreed stating that the vast majority of employees earn less than \$50,000.

37
38 Mr. McNeill commented that 75% of the employees earn less than \$50,000, 14% earn \$50,000 to
39 \$75,000, 5% over \$75,000 to 100,000 and only 3% earn over \$100,000. He noted these figures do not
40 include contract employees such as the city manager and city clerk.

41
42 Council Member O'Connor remarked that he wanted the public to understand that the majority of the
43 employees are going to be getting 100%.

44
45 Ms. Fox noted that under the implementation option, the current range placement would be a total cost
46 of \$363,133.27 for 96 employees at an average cost of \$3,782.64 per employee.

47
48 Ms. Fox advised Council the new pay plan can be implemented with the conditions previously stipulated
49 or without. The total cost without conditions is \$363,133.27, an average cost of \$3,782.64 per

1 employee. The total cost with conditions is \$328,220.52, an average cost of \$3,418.96 per employee.
2 She noted that these costs are salary only and does not include fringe benefits and are recurring costs,
3 not a lump sum adjustment. To implement the plan, Council must adopt a resolution of the proposed
4 compensation structure.

5
6 Ms. Fox concluded by reminding Council of the importance of adjusting salaries annually, based on the
7 Consumer Price Index (CPI), when it is financially feasible. She recommended that moderate scale
8 market surveys are conducted at regular intervals and a comprehensive classification and compensation
9 study is done every five years to ensure the City keeps pace with the job market.

10
11 In response to a question from Council Member O'Conner, Ms. Arrington advised that on the average
12 the starting pay for each position was below 6.7% when compared to the peer groups. She
13 recommended that Council adopt the proposed pay plan as it will address all of the inequities that
14 currently exist.

15
16 Vice Mayor Crippen spoke in support of adopting the new pay plan because it will help make the City
17 more competitive and help to recruit and retain employees.

18
19 Ms. Arrington requested that Council approve Resolution No. 857-17 which amends the pay plan by
20 replacing the pay plan and pay scales for all employees. She distributed a revised resolution, (a copy of
21 which is attached and becomes a permanent part of these minutes) noting that the fire fighters and fire
22 lieutenant positions were exempted from this action because they are currently negotiating a collective
23 bargaining agreement with the City which includes their salaries. Once the negotiations are concluded
24 staff will bring back revisions to this pay to include them.

25
26 In addition, staff is requesting Council adopt Ordinance No. 576 which will increase the amount of
27 compensation paid to council members and the mayor up to \$10,000 and \$12,000 respectively. This
28 was benchmarked against 12 other cities and found that the City Council is significantly underpaid when
29 compared to cities of a similar size and population. The last time Council adjusted their salary was 13
30 years ago, a provision was placed in the ordinance that allows the pay awarded to council members to
31 automatically be linked to any cost of living adjustment that is given to employees in the future.

32
33 Lastly, Council needs to make a motion to accept the current range placement method for implementing
34 the pay plan as it relates to existing city employees. Ms. Arrington noted that staff looked at several
35 options for implementing this pay plan however this seems the most fair. The funding to implement the
36 plan was included in last year's budget. A large majority of this funding will be held for the fire fighters
37 and once negotiations are completed and there is a contract, the money will be disbursed to them.

38
39 In response to a question from Vice Mayor Crippen, Ms. Arrington advised that the cost to replace the
40 pay plan include FICA, Medicare, FRS and Workmen's Comp for all employees, including the fire
41 fighters. However, the fringe benefits are not included because it is dependent upon the employee
42 position and may vary.

43
44 2. Approval of Resolution No. 857-17 Amending the Pay Plan

45
46 Ms. Babb-Nutcher read the title of Resolution No. 857-17 into the record.

47
48 **Council Member Pupello moved to adopt Resolution No. 857-17,**
49 **seconded by Council Member Robinson.**

1 Gary Conroy, International Brotherhood of Teamsters came forward. He stated that he represents the
2 fire fighters and suggested that the “last minute” resolution was distasteful. He urged Council to adopt
3 the original resolution, not the revised version excluding the fire fighters from the study.
4

5 Council Member Allebach remarked that the pay plan had issues that created the discrepancies and
6 disparities. He observed that starting salaries were low and questioned how long it would take for an
7 employee to reach the mid-range of their salary range. Ms. Arrington responded that typically if the
8 City was giving raises every year an employee could reach the maximum range within 30 years and the
9 mid-range within 15 years of employment. Most city employees are at the 50% range instead of the
10 75% range of their pay range. The beginning ranges in the new pay plan were reduced down and the
11 ending range was increased. The salaries are still not comparable, but are closer than before. She noted
12 that practices such as not routinely giving performance evaluations linked to merit increases and not
13 providing COLA increases have contributed to this problem. Currently, there is no sequential way to
14 achieve the maximum amount in any pay range.
15

16 Council Member Pupello asked if the fire fighters would receive their salary compensation at a later
17 time if the new pay plan is adopted. Ms. Arrington stated that is unknown at this time. The money will
18 be set aside until union negotiations have concluded because the fire fighters have asked to negotiate
19 their pay in addition to several other items. Whatever is agreed upon the contract will be brought
20 forward for Council approval. Ms. Arrington apologized to Mr. Conroy for putting out the revised
21 resolution however the labor attorney recommended that the City not make any changes to fire fighters
22 pay at this time.
23

24 Mr. Conroy stated that the study was supposed to look at all employees to bring them up to mid-range.
25 He suggested that this action has nothing to do with the negotiations. He again urged the Council to not
26 pass the resolution that exempts the fire fighters.
27

28 Council Member O’Connor clarified that the negotiations with the fire fighters was based on the current
29 pay plan. If this was to go forward without the fire fighter clause, it would be their new base for
30 collective bargaining in the future. Ms. Arrington responded in the affirmative. She remarked that the
31 last meeting was in November and staff is waiting for them to present further changes that they want
32 considered. Ms. Arrington noted that it is important to look at the union contract as a whole. The fire
33 fighters have requested many changes, including renegotiating their salaries. She reiterated that monies
34 allocated for the fire fighters will be held until the collective bargaining negotiations have concluded.
35

36 As a point of order, Council Member Allebach noted that this is not the forum to negotiate the fire
37 contract. He remarked that the fire fighters voted to enter into collective bargaining negotiations
38 including their salaries last year, which excludes them from these actions today. He spoke in support of
39 moving this matter forward.
40

41 Council Member Pupello questioned whether the fire fighters pay can be given to them retroactive from
42 today, if the new pay was adopted. Ms. Arrington responded that it could be considered during the
43 negotiations and presented to Council for consideration once an agreement is reached. She confirmed
44 that there has been no contact with the union since November. Council Member Pupello spoke in
45 support of adopting the new pay plan.
46

47 **Motioned passed by a 7/0 roll call vote of the City Council.**
48

3. Approval of Ordinance No. 576 Amending Compensation of the Mayor and Council Members

Ms. Babb-Nutcher read the title of Ordinance No. 576 into the record.

Vice Mayor Crippen moved that Council adopted Ordinance No. 576, seconded by Council Member Pupello.

Council Member Pupello suggested that this is a difficult decision to make. He applauded the level of details in understanding where council member salaries are in comparison to our peers. He noted that the provision for an increase over time will prevent future Councils from having to have this discussion. He thanked staff for their efforts.

Vice Mayor Crippen commented that the proposed rate seemed outlandish but it has been 13 years since Council received increased compensation. He too appreciated the level of details and efforts that went into the study.

Council Member O'Connor agreed stating that he too will support this action.

Council Member Robinson commented that employees are dedicated. Even though they are unpaid they have a sense of dedication and longevity. She stated that she appreciates that.

Mayor Blair stated, "We don't do this job for the money." He recalled being on the Council and getting paid \$50 per meeting. He stated that he is having a hard time voting to give him a pay raise.

Motion passed by 6/1 roll call vote of the City Council with Mayor Blair voting "no".

4. Approval of the "Current Range Placement" method for implementation

Council Member Allebach moved to approve the "Current Range Placement" method for implementation as shown on attachment D, excluding police and fire fighters, seconded by Council Member Robinson and passed by 6/0 roll call vote of the City Council.

Council Member O'Connor thanked staff for the great job done in putting together this presentation and bringing the employees into completion with their peers.

Council Member Crippen noted that he has spoken with several professional people who have interacted with Orange City administration staff and they have always remarked about how competent and prompt our staff is. He stated, "I give kudos to staff because they are underpaid and they stayed.

9. REPORTS:

A. Mayor/City Council

Mayor Blair distributed Yankee Candle fund raiser flyers in support of the police explorers. He announced that he attended a ribbon cutting for the Kids and Family, a pediatric special care for special needs kids. He attended the radio show and reviewed the Agenda. He visited the Little League field and

1 stated he was embarrassed by the conditions. He stated he will not be able to attend the State of the
2 Region on Thursday being held at John Knox Village due to his scheduled surgery. He stated the
3 University School of Government requested evaluations from Council of their recent visit.
4

5 Vice Mayor Crippen reported that the River of Lakes meeting was held in the Council Chambers on
6 Monday. He is planning to attend the Rotary Club and City Government meetings to request funds for
7 brochures of the Bartram Trail. He announced plans to install informative, interpretive panels at the
8 Gemini Springs and Blue Springs bike trails. He announced the new board members of the River of
9 Lakes. He commented on the memorial service of Bill Dreggors.
10

11 Council Member Pupello inquired about the costs of the interpretive panels. Vice Mayor Crippen
12 responded \$3,000.
13

14 Council Member Allebach reported that he attended the Transportation Planning Organization (TPO)
15 retreat. They discussed the sea level rise and how it will affect coastal cities. He voiced appreciation
16 towards Mayor Blair for attending the ribbon cuttings held throughout the city.
17

18 Council Member O'Connor reported that he attended the ribbon cuttings of Jakes 29 restaurant located
19 in the new Orange City Card room and at Crunch Fitness on Friday evening in Deltona. He also attended
20 the Bike Rally in Deland as well as the Sam Swope charity ride. He announced that several new big
21 businesses will be opening in Orange city in the upcoming months including an engineering firm
22 affiliated with Coldwell banker. He requested that more detailed information about the Mill Lake project
23 be included in the newsletter emails to citizens.
24

25 **City Manager**

26

27 Ms. Arrington announced she emailed Council invitations to the Volusia County Council meeting on
28 Thursday between 9 and 10am. They are considering adoption of the CRA plan that would award the
29 City with a grant to fund façade and property improvements. Also, an invitation to attend the State of the
30 County at the Ocean Center in Daytona on Tuesday, March 18th and to inform the City Clerk if they
31 would like to attend.
32

33 Ms. Arrington reminded Council of the strategic planning session on March 25th. She stated from 8:00-
34 8:30a.m. breakfast will be provided followed by the meeting beginning at 8:30a.m.
35

36 Council Member Pupello stated that the strategic planning meeting would be open to the public.
37

38 Mayor Blair stated that he received a letter from the League of Cities explaining the Environmental
39 Stewardship Award and he would like to submit the Mill Lake Project.
40

41 Ms. Arrington recommended waiting until the project was completed before submitting for an award.
42

43 Mayor Blair announced on Thursday, April 27th there will be a business meeting followed by a golf
44 tournament on Friday, April 28th sponsored by Florida Hospital.
45

46 Council Member Allebach clarified Thursday, April 27th was actually a networking business dinner
47 meeting also sponsored by Florida Hospital.
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49 Council Member Pupello asked to have that event entered onto Councils calendars.

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B. City Clerk- None at this time

C. City Attorney-

Ms. Babb-Nutcher announced that Mr.Reischmann was on vacation in Paris.

10. NEW BUSINESS: None at this time

11. APPROVAL OF MINUTES See Consent Agenda

12. COUNCIL COMMENTS:

Council Member O’Connor stated he was having a medical procedure to take care of blockage in his heart. He thanked staff for the hard work they did on the compensation study.

Vice Mayor Crippen applauded staff for taking the steps necessary to bring salaries up to the correct level.

Council Member Allebach stated he was pleased about the status of the Orange City Poker Room. He commented that the parking lot is always full. He attended the Manatee Festival meeting and stated that funding for the DARE program and the Manatee College scholarships are already budgeted for the year.

Council Member Robinson showed appreciation towards staff for the Compensation study.

Council Member Pupello stated the City made the right move with the pay plan and commented that the fire fighters are important to the City.

Mayor Blair appreciated staff and council for the new pay plan.

13. ADJOURN:

There being no further business to discuss, Mayor Blair adjourned the meeting at 8:35 p.m.

RESPECTFULLY SUBMITTED:

APPROVED ON:

Melani Brown, Deputy City Clerk

03/28/2017
Date