

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, June 24, 2008 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3
4 Police Chief Baskoff came forward and discussed an incident that happened earlier today that involved a
5 shooting by an Orange City Police Officer. The victim in the shooting died as a result of his wounds.
6 There were no other injuries. He said that the incident is being investigated by the Florida Department
7 of Law Enforcement.

8
9 **CALL TO ORDER**

10
11 The Meeting was called to order at 7:00 p.m. by Mayor Strickland and roll call was taken.

12
13 **ROLL CALL**

14
15 PRESENT: Mayor Harley Strickland; Vice Mayor Jeff Allebach; Council Members; Tom Laputka,
16 Tom Abraham, Don Sherrill, Donald Sandford, Jim Mahoney; City Attorney William
17 Reischmann; Acting City Manager Chester Murray; City Clerk Deborah Renner

18
19 The Invocation was given by Jim Kerr, followed by the Pledge of Allegiance.

20
21 **1. PRESENTATIONS:** None at this time

22
23 **2. CITIZENS COMMENTS:**

24
25 John Kent, 841 Heather Lane, Board Member of the Orange City Little League came forward and
26 reported that District 19 won their tournament of champions for both the majors and the senior girls fast
27 pitch softball. He introduced the Coach of the team who called up several team members who were in
28 attendance. The team presented their signed game ball to the Mayor. Mayor Strickland thanked the
29 girls for the ball and for their hard work preparing for the tournament. Mr. Kent discussed the benefits
30 of the Little League program to the community, noting that 175 kids participated in last year's baseball
31 season. He said that the softball field is nearly completed and is due to open in July. Mr. Kent thanked
32 the Council for their support.

33
34 **3. CONSENT AGENDA:** None at this time

35
36 Mayor Strickland requested that agenda item 7A, Manager's Evaluation be pulled from the agenda.

37
38 **4. ORDINANCES – FIRST READING:**

39
40 **A. ORDINANCE NO. 351:** An ordinance of the City of Orange City, Volusia County,
41 Florida; amending Orange City Code Chapter 2, Administration, Article III, Boards,
42 Division 3, Historic Preservation Board, by eliminating Section 2-93(3), Section 2-103(9),
43 Section 2-105 and Section 2-106 in their entirety; and by adding Sections 2-107, 2-108, 2-
44 109, 2-110, 2-111, 2-112, and 2-113, allowing for and setting forth the requirements for
45 historic preservation easements; amending Chapter 8, Section 8.7 of the Orange City Land
46 Development Code, abating zoning regulations for restoration of historic properties in the
47 event of damage or destruction; establishing the application process for historic
48 preservation easements; providing for conflicts, severability and effective date.

1
2 **Council Member Sherrill moved to adopt Ordinance No. 351 on the first**
3 **reading, seconded by Council Member Laputka.**
4

5 Elaine Wilson came forward and provided a brief presentation on the revised Historic Preservation
6 ordinance. She said that the recommended changes had been incorporated. Ms. Wilson said that the
7 term limits for the Historic Preservation board members have been set to three years with a limit of three
8 consecutive terms, noting that that would result in all members becoming ineligible for reappointment.
9

10 Council Member Sherrill questioned the ineligibility of the current board members. Mr. Reischmann
11 advised that all members would be eligible for appointment at this time but could only serve two more
12 terms.
13

14 Ms. Wilson commented that at the Historic Preservation Workshop there was a question about the
15 method used to calculate the termination of a historic easement to the City, noting that language has
16 been included that would allow reduction of the property value at fifty-percent fair market value or fifty-
17 percent of the square footage. She said that she contacted the State regarding the ad valorem tax
18 exemption requirement that property must be regularly open to the public and was advised that that
19 exemption is at the discretion of the City.
20

21 Council Member Mahoney noted that he had received two copies of the ordinance and questioned the
22 difference between the two. Ms. Wilson responded that the first version had a fragment left out of
23 Section 2-104. (4) Local register of historic places, which addressed nomination of a historic location.
24

25 Al Blue, 447 N. Oak Avenue, came forward and noted that the ordinance does not place any
26 requirements on owners of historic properties. He spoke in favor of the ordinance and expressed
27 concerns that modern homes can be built in the historic areas. He asked whether a prohibition against
28 this was provided for in the ordinance.
29

30 Roy Lenois, 317 S. Volusia came forward and referenced Section 2-104. (b) Initiation of placement on
31 the local register. He spoke in favor of the ordinance and expressed his appreciation that this is not a
32 mandated program. He questioned the reference under subsection (c) (4) that talks about the 60 day
33 nomination process, specifically that the recommendation to the board must include owner objections.
34 Mr. Lenois stated, "Am I missing something in this ordinance, why would an owner object if he already
35 agreed to put it on the register?" Mr. Reischmann said that this ordinance is owner driven and cannot be
36 initiated unless the owner requests it.
37

38 Vice Mayor Allebach said that he interpreted subsection (c) (4) to be a mechanism for a property owner
39 to object to the board's negative findings. Mr. Reischmann agreed. He reiterated that this ordinance is
40 owner driven and is designed to include the property owner in the entire process.
41

42 Council Member Laputka said that he had the same concerns as Mr. Blue regarding modern homes
43 being built next to historic homes. Ms. Wilson advised that issue could be addressed by the Land
44 Development Code which states that a building needs to fit into its neighborhood. Mr. Reischmann said
45 that requiring a home owner to build historically accurate homes would provide legal challenges. He
46 explained that a Historic Preservation District must be designated and specific guidelines crafted. He
47 remarked that previously consultants had created a map of a proposed historic district for the City but
48 that it was virtually impossible to create a district that was contiguous.
49

1 Council Member Sherrill recalled that the previous versions of the HPB ordinance, if adopted would
2 have left the City open to potential lawsuits. He explained that the Council directed the HPB to write
3 the ordinance and to make it owner driven. Mr. Reischmann agreed, noting this ordinance encourages
4 property owners to seek historic designations and to dedicate easements, which will preserve the historic
5 property and provide benefits to the property owner.

6
7 **Motion passed by a 7/0 roll call vote of the Council**

8
9 **5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:**

- 10
11 **A. ORDINANCE NO. 315:** An ordinance of the City of Orange City, Florida transmitting an
12 administrative amendment to the City of Orange City Comprehensive Plan for the purpose
13 of improving the coordination of water supply and land use planning as required by
14 Chapter 163, F. S. The amendment consists of revisions to the Future Land Use Element;
15 Sanitary Sewer, Solid Waste, Storm Water Management, Potable Water and Natural
16 Ground Water Recharge Element; Conservation Element; Intergovernmental Coordination
17 Element; and the capital improvements element; providing for conflict and severability and
18 providing an effective date.

19
20 **Council Member Mahoney moved to adopt Ordinance No. 315 on the**
21 **second and final reading, seconded by Council Member Sherrill.**

22
23 Mr. Murray advised this ordinance is a Comprehensive Plan amendment mandated by the State. He said
24 staff originally submitted the amendment last year to the Florida Department of Community Affairs
25 (DCA), and the St. John's Water Management District (SJWMD) noting that these agencies requested
26 changes. Mr. Murray said that the underlined portions represent the recommended changes.

27
28 Mayor Strickland opened the public hearing by asking if anyone wished to speak in favor of or in
29 opposition to the proposed ordinance. No one appeared. The Mayor closed the public hearing.

30
31 Council Member Mahoney questioned the prohibition of the filling or refilling of pools referenced on
32 page 6. He questioned whether a pool could be drained for cleaning or repairs and then refilled. Mr.
33 Murray responded that would be interpreted as maintenance. Mr. Johnson concurred. Council Member
34 Mahoney commented that it is not specified in this ordinance, noting that the maintenance of sprinkler
35 systems is referenced. Mr. Reischmann commented that the section in question should recognize what
36 already exists in the City's water conservation ordinances.

37
38 Vice Mayor Allebach commented that this ordinance would better enable the City to enforce water
39 conservation issues, especially with people who take advantage of the rules and regulations. He said
40 that the "teeth" of the conservation ordinance is that it states that the filling or refilling of swimming
41 pools is prohibited.

42
43 Mr. Reischmann read from Section 17.3.84 from the Utility Code, noting that the language in the
44 proposed Ordinance does not contain the same verbiage.

45
46 Council Member Mahoney commented that this is the second reading and that corrections cannot be
47 made once the item is adopted. He questioned the best way to proceed. Mr. Reischmann expressed
48 concerns that other portions of the amendment may not be stated correctly.

1 Council Member Sherrill questioned the consequences if the amendment did not pass. Mr. Murray
2 commented that the amendment could be transmitted with the changes, and if there were objections it
3 could be addressed at that point.

4
5 Donald Sikorski, Planning Consultant came forward. In response to a question from Mr. Reischmann,
6 Mr. Sikorski stated there are no time constraints. He said that this amendment should have been
7 completed months ago however the City had not received the DCA's revisions until May. Mr. Sikorski
8 advised that if this amendment is adopted with changes, the City has ten days to transmit those changes.

9
10 Council Member Mahoney remarked that does not address the observation that there may be other
11 discrepancies between the two documents. He asked what would happen if a change was made this
12 evening and than later another discrepancy is observed. Mr. Sikoski responded that continuing the
13 hearing until the next meeting would give staff the opportunity to review the document.

14
15 Mr. Reischmann discussed the Council's options. He said the correction that was caught could be made
16 this evening and the ordinance be passed on second reading and sent back to the DCA with the changes.
17 The second option would be to continue this item to the next meeting to allow a study of the two
18 documents.

19
20 **Vice Mayor Allebach moved that second reading of Ordinance No. 315**
21 **be continued until the July 8, 2008 City Council meeting, seconded by**
22 **Council Member Sandford.**

23
24 **Motion passed by a 7/0 roll call vote of the Council**

- 25
26 **B. ORDINANCE NO. 354:** an ordinance of the City Council of the City of Orange City,
27 Florida, amending Chapter 2, Administration, of the Code of Ordinances of the City of
28 Orange City, Florida, by amending Article V, "Investment Plan" containing a repealer
29 provision, a severability clause and providing for an effective date.

30
31 **Council Member Mahoney moved to adopt Ordinance No. 354 on the**
32 **second and final reading, seconded by Vice Mayor Allebach.**

33
34 Christine Davis, Finance Director came forward and stated that the previously recommended changes
35 had been incorporated into the Investment Plan.

36
37 Mayor Strickland opened the public hearing by asking if anyone wished to speak in favor of or in
38 opposition to the proposed ordinance. No one appeared. The Mayor closed the public hearing.

39
40 **Motion passed by a 7/0 roll call vote of the Council**

- 41
42 **C. ORDINANCE NO. 355:** An ordinance of the City Council of the City of Orange City,
43 Florida; establishing guidelines for compliance with the national pollutant discharge
44 elimination system set by the United States Agency; Environmental Protection Guiding,
45 Regulating, and Controlling the design, construction, use and maintenance of any
46 development, disturbances or breaks of the top soil resulting from the movement of earth
47 on land in Orange City; providing for codification, conflicts, severability and effective
48 date.

49

1 **Council Member Sandford moved to adopt Ordinance No. 355 on the**
2 **second and final reading, seconded by Council Member Laputka.**

3
4 Paul Johnson, Public Works Director came forward and advised Council that the corrections discussed
5 at the last meeting were made.

6
7 Mayor Strickland opened the public hearing by asking if anyone wished to speak in favor of or in
8 opposition to the proposed ordinance. No one appeared. The Mayor closed the public hearing.

9
10 **Motion passed by a 7/0 roll call vote of the Council**

- 11
12 **D. ORDINANCE NO. 356:** An ordinance of the City of Orange City, Florida, amending
13 Sections of Chapter 17.3 Utilities of the code of ordinances of the City of Orange City,
14 Florida; providing for conflicts, severability and effective date.

15
16 **Vice Mayor Allebach moved to adopt Ordinance No. 356 on the second**
17 **and final reading, seconded by Council Member Sherrill.**

18
19 Ms. Davis and Mr. Johnson came forward. Ms. Davis advised Council that the changes recommended
20 at the last meeting had been incorporated.

21
22 Mayor Strickland opened the public hearing by asking if anyone wished to speak in favor of or in
23 opposition to the proposed ordinance. No one appeared. The Mayor closed the public hearing.

24
25 Council Member Sandford questioned the notification requirement for repair of wells. He asked how
26 long it would take to get approval. Mr. Johnson replied that it would be instantaneous.

27
28 In response to a question from Council Member Laputka, Mr. Johnson stated that the notification
29 requirement is a request to make repairs or to construct a well. He said the response would be based on
30 the availability of potable water or irrigation service in a given geographic area, noting that a permit
31 from the Health Department is still required.

32
33 Council Member Laputka questioned what objections, if any, would there be to such a request. Mr.
34 Johnson said that if City water service is available, it is preferable that the property owner is connected
35 to the City water system

36
37 In response to a question from Council Member Sandford, Mr. Johnson said that this ordinance
38 addresses repairs or construction of the well itself, not the mechanical components.

39
40 **Motion passed by a 7/0 roll call vote of the Council**

41
42 **6. RESOLUTIONS:**

- 43
44 **A. RESOLUTION NO. 480-08** A resolution of the City Council of the City of Orange City,
45 Florida, endorsing the designation of the "River of Lakes Heritage Corridor Scenic
46 Highway" as a Florida scenic highway and National scenic byway and the proposed
47 corridor management plan in accordance with FL Statute 335.093 and Rule 14.15.016,
48 F.A.C; authorizing city staff to participate in supporting efforts to designate and implement
49 designation; and providing for an effective date.

1
2 **Council Member Sandford moved to approve Resolution No. 480-08,**
3 **seconded by Council Member Sherrill.**
4

5 Vice Mayor Allebach spoke in favor of the resolution noting that participation in the River of Lakes
6 Heritage Corridor program designates Highway 17-92 as a scenic highway and offers opportunities to
7 obtain resources to enhance the highway. He remarked that this is one of the City's strategic goals and
8 that it will not cost the City anything to become a partner.
9

10 **Motion passed by a 7/0 roll call vote of the Council**
11

12 The City Clerk advised Council that a representative must be appointed. Mayor Strickland
13 recommended Mr. Allen James, Vice President of the Orange City Historical Society, as the
14 representative. He said he would speak with Mr. James to see if he is available.
15

- 16 **B RESOLUTION NO. 481-08:** A resolution of the City Council of the City of Orange City,
17 Florida, pursuant to Section 7, Section 12.16 (D) of Ordinance No. 355, establishing a fee
18 for inspections relating to construction site stormwater runoff; repealing all resolutions in
19 conflict herewith and providing for an effective date.
20

21 **Vice Mayor Allebach moved to approve Resolution No. 481-08, seconded**
22 **by Council Member Mahoney.**
23

24 Mr. Johnson came forward and stated that the purpose of this resolution is to establish fees for
25 inspections related to construction site stormwater runoff. He said these fees are authorized by
26 Ordinance No. 355 which established guidelines for compliance with the National Pollutant Discharge
27 Elimination System (NPDES) as set by the United States Environmental Protection Agency (EPA). Mr.
28 Johnson said that currently staff is conducting these inspections on a no fee basis, and that establishing
29 fees will offset the cost incurred by the City related to employee time and travel. Additionally, the
30 employees performing this service are certified inspectors and the City has incurred expenses related to
31 the training and certification process. He said that staff is recommending the fees as outlined in this
32 resolution.
33

34 Council Member Laputka questioned how the amount of the fee was determined. Mr. Johnson said that
35 a minimum of six inspections are required and that the sites must be re-inspected if there is over ½ inch
36 of rain. He said that staff estimated that approximately 10 inspections at a cost of \$25.00 each per acre
37 for a flat fee of \$250.00 is appropriate. Mr. Murray stated that this fee schedule could be easily
38 modified.
39

40 Joelle DeVane, 721 E. French Avenue came forward. She questioned how staff established the
41 suggested fee. Mr. Johnson said that it is a flat fee of \$250.00 calculated at \$25.00 for a minimum of six
42 inspections. In response to a question from Council Member Laputka, Ms. DeVane said that the \$250 is
43 a low amount. She said a minimum of four inspections a month and an inspection after every ½ inch of
44 rain is required. Ms. DeVane said there are companies that do these types of inspections for no less than
45 \$450 per month, per acre or more. Ms. DeVane spoke in favor of the resolution. She said it takes a lot
46 of time and there is a lot of work involved and that she wanted to make sure that the City is not taking
47 on the additional responsibilities that are required of contractors. She reiterated that the suggested fee is
48 very low.
49

1 Council Member Sherrill questioned whether after hearing from Ms. DeVane staff wanted to consider
2 pulling this agenda item until further research is done. Mr. Murray responded that staff wants the
3 opportunity to collect data on this process. He said that employees trained in this matter are already on
4 the job site every week looking at sewer lines, water lines, and plantings issues, etc. With the fee
5 schedule in resolution form, it is easy to modify. He said staff has no problem increasing the fee, but
6 data is needed in order to determine a reasonable amount.

7
8 In response to a question from Mayor Strickland, Mr. Murray said that six month is an appropriate time
9 to compile the necessary data. He reiterated that the City is receiving nothing for performing these
10 inspections at the present time. Mayor Strickland spoke in favor of approving this resolution and
11 allowing staff time to gather data and report back to the Council.

12
13 Ms. DeVane repeated her concerns that the City not take on the responsibilities of contractors. Mr.
14 Johnson said staff is not taking over the management of a contractor's project. He said the City is
15 constructing mechanisms to meet its requirements for the NPDES program. Mr. Murray agreed. He
16 cautioned the City is under mandate to have this program in place and charging fees for the service will
17 allow the City to recoup expenses.

18
19 In response to a question from Council Member Sandford, Mr. Johnson stated that if violations are
20 found, the contractor would be notified. He said the ordinance provides for penalties for non-
21 compliance, the matter would be turned over to Code Enforcement and a stop work order would be
22 issued.

23
24 Vice Mayor Allebach noted the City is making sure that it complies with the NPDES requirements. He
25 said that Ms. DeVane is managing the entire program for her company. He spoke in favor of approving
26 this resolution and to revisit it again in six months.

27
28 **Motion passed by a 7/0 roll call vote of the Council**

29
30 Council Member Sandford requested that the data be presented to Council once staff has had time to
31 study the issue. Mr. Murray said that the information would be tracked through a new computer
32 program beginning August 7th.

33
34 **C. RESOLUTION NO. 482-08:** A resolution of the City Council of the City of Orange City,
35 Florida, finding that there is a conflict between Orange City and Volusia County, Florida;
36 that Orange City has authorized its city attorney to initiate legal proceedings regarding such
37 conflict and that judicial proceedings are imminent; initiating conflict resolution proceedings
38 pursuant to Florida law; directing that the city attorney notify the primary conflicting
39 governmental entity and other governmental entities which may have a role in approving or
40 implementing any aspect of settlement pursuant to section 164.1052, Florida Statutes; and
41 providing for an effective date.

42
43 Mayor Strickland advised that the next two agenda items were brought forward based on discussions at
44 the last meeting. He explained that the City Manager was to meet with the County to ascertain if there
45 had been a resolution to Orange City's Closet Unit Response (CUR) agreement. He said that there had
46 been some word from Ms. Pat Northey that this issue was resolved. The Mayor asked Mr. Murray if
47 staff had a recommendation. Mr. Murray said that the resolutions are in tandem but that Mr.
48 Reischmann could advise Council on this issue. He said that Council directed staff at the last meeting to

1 prepare two resolutions that would initiate the mediation process and/or injunctive relief against the
2 County for revoking the City's Certificate of Public Convenience & Necessity (COPCN).
3

4 Vice Mayor Allebach asked whether the City currently has a COPCN to provide Advanced Life Support
5 Response (ALS). Mr. Reischmann responded in the negative. Mayor Strickland clarified that the issue
6 has not been confirmed. Chief Hoffman, Fire Department, came forward. He said that he had not heard
7 anything until late this afternoon and that he attempted to reach the county medical director to confirm
8 recent rumors, but was not successful.
9

10 Mayor Strickland suggested delaying action until it could be confirmed if this matter has been resolved.
11 He asked Mr. Reischmann to explain the options available to the Council. Mr. Reischmann said that
12 approving Resolution No. 482-08 would direct his office to initiate the dispute resolution process, which
13 would initiate meetings between the City Manager and the County Manager. If there is no resolution
14 from these meetings, the next step would be a meeting between the City Council and the County
15 Council noting that if there is still no resolution the final step would be to initiate litigation. Mr.
16 Reischmann said that Resolution No. 483-08 authorizes his office to seek an immediate court order
17 requiring that the Volusia County issue the City's COPCN for ALS response. He stated that another
18 option, as suggested by the Mayor, would be to delay taking any action until there was more information
19 available on exactly what is happening with the County. Mr. Murray questioned the timeframe required
20 for implementing the dispute resolution. Mr. Reischmann responded there is a five day notification
21 requirement and then thirty days to set up a meeting between the administrative heads of each
22 governmental agency.
23

24 Council Member Laputka questioned raising the issue of imminent danger since the City has been
25 without a COPCN for an extended length of time. Mr. Reischmann said that it may be raised as an
26 argument by Volusia County if and when the matter goes to court.
27

28 Mayor Strickland expressed his concern that the City delay taking action for two weeks until more
29 information is available. He said that the City Manager is not available this evening to provide more
30 information noting that staff has been working towards a better relationship between the City and the
31 County. He stated, "I would rather not stick my finger in their eye right now if it is not necessary."
32

33 Council Member Sandford voiced his concerns that the County had pulled the City's permit. He said
34 the City has ALS certified paramedics and firefighters who can't utilize those skills because of the
35 County's action noting that has put the citizens of Orange City in peril. He said that disservice has been
36 put upon the City by the County and is the root of the issue. He spoke in favor of taking steps to insure
37 that the County approves the City's COPCN.
38

39 In addition to the options that are being discussed, Council Member Mahoney suggested putting this
40 issue on the County Council's agenda and to talk about the issue in a public forum.
41

42 Vice Mayor Allebach said that he agreed with Council Member Sandford's comments. He felt that the
43 City waited two weeks and still does not have a firm commitment that the COPCN has been approved.
44 He stated "we need to start something." He spoke in favor of approving Resolution 482-08 noting that it
45 has been a two year struggle and that five days is ample time for the County to work it out.
46

47 Council Member Sherrill said that at the last WAV meeting, he spoke with a former County Council
48 member Jack Hayman. He said that Mr. Hayman thought that the matter had been resolved. Council

1 Member Sherrill said that he advised Mr. Hayman that the City Council plans to vote on taking this
2 matter to court at the next meeting.

3
4 Mayor Strickland suggested that the Council address the first resolution.

5
6 **Vice Mayor Allebach moved to approve Resolution No. 482-08, seconded**
7 **by Council Member Laputka.**

8
9 Council Member Laputka addressed the audience. He stated, "You have to understand that this affects
10 all the citizens in the City. We do not have our ALS license, it was pulled to be used as a bargaining
11 chip for something else that was not agreeable to us." He stated "I am outraged by it."

12
13 **Motion passed by a 6/1 roll call vote of the Council, with Mayor Strickland**
14 **voting no.**

15
16 **D. RESOLUTION NO. 483-08:** A resolution of the City Council of the City of Orange City,
17 Florida, finding that significant legal rights of the City will be compromised if a court
18 proceeding does not take place prior to compliance with dispute resolution proceedings under
19 Chapter 164, Florida Statutes, and that immediate danger to the health, safety, and welfare of
20 the public requires the city of Orange City's immediate action of filing the appropriate
21 lawsuits against Volusia county, and that, upon the filing of any lawsuits against Volusia
22 County, such lawsuits should not be abated due to the city's inability to comply with Chapter
23 164 of the Florida Statutes; providing for an effective date.

24
25 **Vice Mayor Allebach moved that Resolution 483-08 be removed from the**
26 **agenda, seconded by Council Member Mahoney.**

27
28 **Motion passed by a 7/0 roll call vote of the Council**

29
30 **7. DISCUSSION AND ACTION:**

31
32 **A. City Manager's Annual Evaluation**

33
34 *This agenda item was removed from the agenda.*

35
36 **B. Decision regarding Election Schedule**

37
38 Mayor Strickland said that this agenda item was discussed at the Charter Review Meeting yesterday. He
39 said a decision was made that the City stay with the odd year elections, noting that some changes would
40 be made and brought forward. Mr. Reischmann advised that staff will prepare an ordinance that would
41 change the length of time between elections and to consider adopting a different methodology for
42 elections which would allow City elections to be conducted in September. He said if there is a need for
43 a run-off that would be conducted in the November election.

44
45 **8. REPORTS:**

46
47 **A. City Manager**

48

1 Mr. Murray advised Council that there was a lightening strike to the OCU building over the weekend.
2 He asked Mr. Johnson to come forward and give an update. Mr. Johnson said that there was damage to
3 the control panel and speed sensor of the emergency generator. He said the parts came in today and that
4 prior to this meeting it was tested and put back in service. The variable frequency drive of pump three
5 was destroyed and must be replaced but that the pump itself was not damaged. He said it would take
6 about 10 days to get a replacement. Three surge protectors at the main plant and well site number three
7 were also destroyed and have been sent back to the manufacturer for potential warranty replacement.
8 He said replacement surge protectors were ordered. In addition, the air pressure tank that maintains
9 pressure in the system had a damaged pressure release valve that has been ordered. The automatic gate
10 opener at main plant was damaged and is back in operation. He said that pending the receipt of the
11 replacement parts, the plant will be operational by Friday. Mr. Murray thanked Mr. Johnson and his
12 staff for their quick response to this matter. He said the City's system was in no danger.

13
14 Mr. Johnson reported that the lights for the softball field are scheduled to be installed July 7th. The
15 grand opening for the splash pad in Veterans Memorial Park will be held on July 5th. In addition, the
16 Firework Extravaganza will also take place on July 5th. Mr. Johnson said that the Community
17 Development Based Grant (CDBG) paving project on West Graves Avenue from Carpenter to
18 Sparkman Avenues were completed today and that work was also completed on the surfacing of the new
19 basketball court at Valentine Park.

20
21 Mr. Murray advised that a notice that the Council would be addressing new utility fees at the next
22 meeting was put on the Utility bills and mailed to customers today. He said that it may generate calls
23 and that customers should be encouraged to come to the next meeting for more information.

24
25 B. Mayor/City Council

26
27 No further report.

28
29 C. City Clerk

30
31 Ms. Renner said that she will be away at the annual city clerk's conference next week and that Ms.
32 Williams, Deputy City Clerk, will attend the Charter Review Committee.

33
34 Council Member Mahoney commented that when there is a change at second reading of an ordinance,
35 he would prefer that only the version with the changes be included in the agenda packet. He said if staff
36 is not able to have the final version of the document ready, that item should be moved to the next
37 agenda.

38
39 D. City Attorney

40
41 No further report.

42
43 **9. APPROVAL OF MINUTES** June 10, 2008 Regular Council Meeting

44
45 **Vice Mayor Allebach moved to approve the minutes of the June 10, 2008**
46 **Regular Council Meeting, seconded by Council Member Laputka and passed**
47 **by a unanimous 7/0 voice vote of the Council.**
48

1 **10. COUNCIL COMMENTS**

2
3 Vice Mayor Allebach invited everyone to attend the July 4th activities being held on July 5th at Valentine
4 Park.

5
6 Council Member Laputka gave an update on the “We Care” program. He said that 206 boxes were sent
7 overseas. He said that the boxes started to arrive within the first week. He said that attempts to set up a
8 video feed failed because the system that the military was using had been compromised. Council
9 Member Laputka said that the effort put forth by the volunteers was commendable.

10
11 Council Member Sherrill said that there were a lot of individuals contributing to the We Care Program
12 he noted that the Volusia County Baptist Church helped with the effort. He suggested that thank you
13 letters be sent to the corporate sponsors. Mayor Strickland agreed.

14
15 Mayor Strickland said that it is an excellent program, noting that many donations had been received.

16
17 **11. ADJOURNMENT**

18
19 There being no further business, Mayor Strickland adjourned the meeting at 9:01 p.m.

20
21
22 **RESPECTFULLY SUBMITTED:**

23
24
25
26 Gloria Williams
27 Deputy City Clerk

APPROVED ON:

7/08/08