

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,  
2 held on Tuesday, November 18, 2008 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 **ROLL CALL**

10  
11 **PRESENT:** Mayor Harley Strickland; Vice Mayor Jeff Allebach; Council Members; Tom Laputka,  
12 Tom Abraham, Don Sherrill, Jim Mahoney; City Attorney William Reischmann; Interim  
13 City Manager Chester Murray, City Clerk Deborah Renner

14  
15 **ABSENT:** Council Members Donald Sandford and Jim Mahoney

16  
17 The Invocation was given by Mayor Strickland, followed by the Pledge of Allegiance.  
18

19 **1. PRESENTATIONS:** None at this time

20  
21 **2. CITIZENS COMMENTS:**

22  
23 Greg Barnes, 693 Placid Run Road and Gina Holmes, 670 Placid Run Road, came forward and stated  
24 that they are two of three board members for the Blue Springs Villas Homeowners Association. Mr.  
25 Barnes said that due to the number of foreclosures and/or non-payment of dues in the subdivision, they  
26 are requesting that the assessment for street lights in the development be assessed to the property taxes  
27 of each home rather than to the Homeowners Association (HOA). Mr. Barnes said that he has  
28 previously spoken with Paul Johnson, Public Works Director and he asked what the process would be to  
29 make this change. Mr. Murray asked that Mr. Barnes provide his contact information to Linda Snyder  
30 and said that he would be in contact with them regarding the process.  
31

32 Al Blue, 447 N. Oak, came forward and noted that there is a sign on a local locksmith's property  
33 encouraging people not to stuff their money in their mattress, but to buy a safe instead. He stated, "I  
34 kind of wondered where the City's money was, but I might be over that." Mr. Blue commended the  
35 public works staff for the maintenance of the City's property and of City roads. He observed that there  
36 is a noticeable difference when leaving DeLand and entering Orange City. Mr. Blue next stated, "The  
37 white garbage trucks seem to be doing a better job than the green garbage trucks." He thanked the  
38 company for a job well done. Next, Mr. Blue stated that the "police presence" in the neighborhoods is  
39 "most appreciated." Mr. Blue reported that the right of way disturbed by a private company during the  
40 installation of cables has not been restored to its prior condition. He questioned whether or not the  
41 individuals applying for permission to install the cable are instructed to return the right of way to its  
42 prior condition. Mr. Blue asked, "Should a citizen have to go out there and resod his own right of  
43 way?" Mr. Murray responded that to his knowledge, a ditch dug by a four-inch trencher does not  
44 require resodding. Mr. Blue said that the hole is large enough that when a man is standing in it, it is up  
45 to his hips. Mr. Murray asked Mr. Blue if he met with Mr. Johnson. Mr. Blue responded that he did.  
46 He reiterated his original question as to whether there is a requirement for the company to resod the area  
47 which was disturbed.

1 Mr. Reischmann advised that additional information is required in order to render an opinion on this  
2 matter. He questioned whether the utilities are in the right of way pursuant to a franchise agreement or  
3 an easement. Mr. Blue stated that there is a franchise agreement. Mr. Reischmann responded that the  
4 agreement must be reviewed to determine the terms. Mr. Murray said that he met with Mr. Johnson this  
5 morning regarding this issue and he was assured that it would be handled. Mr. Blue stated, "I would  
6 think, Mr. Mayor, that when the City issues a permit for a disturbance of a right of way by any  
7 company, they would require on that permit that they resod the area." Mr. Blue noted that the sand and  
8 gravel dull the blades of the mowers. Mr. Blue reported that there are now twelve vacant houses within  
9 a block and a half of his home that are still being assessed for garbage pickup. He said that he received  
10 a bill from the tax assessor's office for \$259 for payment for next year in advance. Mr. Blue noted that  
11 the City, not the residents, is the customer of the garbage company, therefore, the City should resolve  
12 any problems that the residents experience. He advised that he read the contract and found no  
13 requirement for the City to pay for service to houses that are vacant. Mr. Blue maintained that these  
14 payments amount to \$45,000 annually.

15  
16 **3. CONSENT AGENDA:** None at this time

17  
18 **4. ORDINANCES – FIRST READING:**

- 19  
20 **A. ORDINANCE NO. 368:** An ordinance of the City Council of the City of Orange City,  
21 Florida, providing for a non-exclusive franchise to 4 Jays Management, Inc. for the  
22 collection and disposal of commercial trash, garbage, recyclable materials and other  
23 refuse within the city limits; providing for definitions, terms condition, rates, compliance  
24 with laws, arbitration, standards of performance, collection regulation operations, hours,  
25 routes, penalties, accounting, complaint resolutions; containing a repealer provision; a  
26 severability clause and providing for an effective date.

27  
28 Vice Mayor Allebach read the title of Ordinance No. 368 into the record.

29  
30 **Council Member Laputka moved to approve Ordinance No. 368 on**  
31 **first reading, seconded by Council Member Sherrill.**

32  
33 Mr. Murray explained that the City's commercial garbage haulers operate on individual franchise  
34 agreements which must be renewed each year. He advised that there will be eight or nine ordinances to  
35 be read for these contract renewals. Mr. Murray stated that the ordinances are identical with the  
36 exception of the Company name. Mr. Reischmann noted that state law requires that the title be read on  
37 two separate days for the adoption of all ordinances.

38  
39 **Motion passed by unanimous 5/0 roll call vote of the Council.**

- 40  
41 **B. ORDINANCE NO. 369:** An ordinance of the City Council of the City of Orange City,  
42 Florida, providing for a non-exclusive franchise to Waste Pro for the collection and  
43 disposal of commercial trash, garbage, recyclable materials and other refuse within the  
44 city limits; providing for definitions, terms condition, rates, compliance with laws,  
45 arbitration, standards of performance, collection regulation operations, hours, routes,  
46 penalties, accounting, complaint resolutions; containing a repealer provision; a  
47 severability clause and providing for an effective date.

1 Vice Mayor Allebach read the title of Ordinance No. 369 into the record.

2  
3 **Council Member Laputka moved to approve Ordinance No. 369 on**  
4 **first reading, seconded by Vice Mayor Allebach and passed by**  
5 **unanimous 5/0 roll call vote of the Council.**  
6

- 7 **C. ORDINANCE NO. 370:** An ordinance of the City Council of the City of Orange City,  
8 Florida, providing for a non-exclusive franchise to Container Rental Company, Inc.  
9 (CRC) for the collection and disposal of commercial trash, garbage, recyclable materials  
10 and other refuse within the city limits; providing for definitions, terms condition, rates,  
11 compliance with laws, arbitration, standards of performance, collection regulation  
12 operations, hours, routes, penalties, accounting, complaint resolutions; containing a  
13 repealer provision; a severability clause and providing for an effective date.  
14

15 Vice Mayor Allebach read the title of Ordinance No. 370 into the record.

16  
17 **Council Member Laputka moved to approve Ordinance No. 370 on**  
18 **first reading, seconded by Council Member Sherrill and passed by**  
19 **unanimous 5/0 roll call vote of the Council.**  
20

- 21 **D. ORDINANCE NO. 371:** An ordinance of the City Council of the City of Orange City,  
22 Florida, providing for a non-exclusive franchise to Sunshine Recycling Inc. for the  
23 collection and disposal of commercial trash, garbage, recyclable materials and other  
24 refuse within the city limits; providing for definitions, terms condition, rates, compliance  
25 with laws, arbitration, standards of performance, collection regulation operations, hours,  
26 routes, penalties, accounting, complaint resolutions; containing a repealer provision; a  
27 severability clause and providing for an effective date.  
28

29 Vice Mayor Allebach read the title of Ordinance No. 371 into the record.

30  
31 **Council Member Sherrill moved to approve Ordinance No. 371 on**  
32 **first reading, seconded by Council Member Laputka and passed by**  
33 **unanimous 5/0 roll call vote of the Council.**  
34

- 35 **E. ORDINANCE NO. 372:** An ordinance of the City Council of the City of Orange City,  
36 Florida, providing for a non-exclusive franchise to Russo and Sons, Inc. Environmental  
37 Services for the collection and disposal of commercial trash, garbage, recyclable  
38 materials and other refuse within the city limits; providing for definitions, terms  
39 condition, rates, compliance with laws, arbitration, standards of performance, collection  
40 regulation operations, hours, routes, penalties, accounting, complaint resolutions;  
41 containing a repealer provision; a severability clause and providing for an effective date.  
42

43 Vice Mayor Allebach read the title of Ordinance No. 372 into the record.

44  
45 **Council Member Laputka moved to approve Ordinance No. 372 on**  
46 **first reading, seconded by Council Member Sherrill and passed by**  
47 **unanimous 5/0 roll call vote of the Council.**  
48

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47

**F. ORDINANCE NO. 373:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Emerald Waste Services, LLC (EWS) for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms condition, rates, compliance with laws, arbitration, standards of performance, collection regulation operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause and providing for an effective date.

Vice Mayor Allebach read the title of Ordinance No. 373 into the record.

**Council Member Sherrill moved to approve Ordinance No. 373 on first reading, seconded by Vice Mayor Allebach and passed by unanimous 5/0 roll call vote of the Council.**

**G. ORDINANCE NO. 374:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Orlando Waste Paper Co., Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms condition, rates, compliance with laws, arbitration, standards of performance, collection regulation operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause and providing for an effective date.

Vice Mayor Allebach read the title of Ordinance No. 374 into the record.

**Council Member Laputka moved to approve Ordinance No. 374 on first reading, seconded by Vice Mayor Allebach and passed by unanimous 5/0 roll call vote of the Council.**

**H. ORDINANCE NO. 375:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Services of Florida, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits proving for definitions, terms condition, rates, compliance with laws, arbitration, standards of performance, collection, regulation operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause and providing for an effective date.

Vice Mayor Allebach read the title of Ordinance No. 375 into the record.

**Council Member Sherrill moved to approve Ordinance No. 375 on first reading, seconded by Council Member Laputka and passed by unanimous 5/0 roll call vote of the Council.**

**5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:** None at this time.

**6. RESOLUTIONS:**

- 1           **A. RESOLUTION NO. 497-08:** A resolution of the City Council of the City of Orange  
2           City, Florida, authorizing the Interim City Manager to execute an agreement with  
3           Davidson Fixed Income Management to serve as the city's investment advisor; and  
4           providing for an effective date.  
5

6 Vice Mayor Allebach read the title of Resolution No. 497-08 into the record.  
7

8                   **Vice Mayor Allebach moved to adopt Resolution No. 497-08, seconded**  
9                   **by Council Member Laputka.**  
10

11 Mr. Murray noted that there is “financial turmoil sweeping the nation.” He said that the City has been  
12 seeking an investment strategy that would keep the funds liquid and offer the highest security available.  
13 The recommended plan will move the City’s money into Federal Treasury Bills (T-Bills) on a daily  
14 basis. Mr. Murray explained that a money market fund is in the name of the bank in a trust account.  
15 The bank acts as a “holding agent” for the City. Staff is recommending that the funds be held in Wells  
16 Fargo Bank which will purchase the T-Bills in the City’s name. He elaborated that this means the  
17 federal government will recognize Orange City, not the bank, as the holder of the notes. Mr. Murray  
18 advised that the cost for the bills will be minimal as will the returns on the investment. He said that he  
19 is convinced that this is the best plan for the City at this time.  
20

21 Mayor Strickland noted that a revised version of the resolution had been provided to Council and  
22 questioned what the changes were. Christine Davis, Finance Director, responded that an error in the  
23 title had been corrected. She stated that changes were also made to the agreement and a corrected  
24 version of that was included in the agenda packet.  
25

26 In response to a question from Mayor Strickland, Mr. Reischmann stated that the only part of the  
27 agreement that he had an issue with was Item 4 and that it had been stricken from the draft. He said that  
28 the final agreement should state that the fees are covered within the 9 basis points in the City’s  
29 investment agreement with D.A. Davidson. He said that he could see no reason not to proceed as long  
30 as the fees are clearly identified in the final agreement. Mr. Reischmann referenced Items 1 and 2 for  
31 information as to the difference between an investment advisor and a custodian.  
32

33 Jeff Larson, D.A. Davidson, Orange City’s investment banker, came forward. He explained that the arm  
34 of his firm that handles investment banking has already been retained by the City. Mr. Larson explained  
35 that even though the City may purchase investments through his firm, they go directly to the City’s  
36 custodian, or trustee as required by the recently updated investment policies. The securities are held in  
37 the City’s name. Mr. Larson explained that his firm negotiated down the purchase fees and that out of  
38 the nine basis points received by D.A. Davidson, Wells Fargo, the City’s custodian, will receive one.  
39 Mr. Larson advised that Wells Fargo is buying Wachovia. Mr. Larson said that the securities the City  
40 will be purchasing are “highly liquid” and that the City will get the benefit of the best yield available in  
41 U.S. Treasuries. Mr. Murray reiterated that the funds from the securities would be paid straight to the  
42 City without having to go through Wells Fargo. Mr. Larson noted that this requires a high degree of  
43 fiduciary responsibility.  
44

45 Mr. Reischmann asked Mr. Larson to explain what the term “nominee” in Section 2 means. He clarified  
46 that D.A. Davidson will tell Wells Fargo that they are holding the securities in the City’s name.  
47

1 Vice Mayor Allebach noted that this topic has been under discussion by the Council for some time now.  
2 He said that, essentially, the City is putting its money “into a safe” because the rate of return is so low  
3 for T-Bills. He discussed the risk associated with having the funds in a pool and not issued in the City’s  
4 name. Mr. Murray said that eventually, the market will return to “normal” and then the City will have  
5 more options as to how to invest its money. Vice Mayor Allebach asked whether Council Member  
6 Mahoney had discussed this agreement with Mr. Murray. Mr. Murray responded that Council Member  
7 Mahoney did ask a number of questions and that, to the best of his knowledge, is very comfortable with  
8 the steps the City is taking.

9  
10 Mayor Strickland asked whether all of the money was moved in and out every day. He asked at what  
11 point the City could leave the money in an account for thirty or sixty days. Mr. Larson responded that  
12 Council has already approved two other investment vehicles, the Local Government Investment Pool  
13 and AIM. He said that these are for longer term investments and are still viable options. Mr. Murray  
14 stated that he would not be comfortable moving any money until he reviews the revenues at the end of  
15 the first quarter of the fiscal year.

16  
17 **Motion passed by unanimous 5/0 roll call vote of the Council.**

- 18  
19 **B. RESOLUTION NO. 513-08:** A resolution of the City Council of the City of Orange  
20 City, Florida, amending the City Council Rules & Procedures; repealing all resolutions or  
21 parts of resolutions in conflict herewith and providing for an effective date.

22  
23 Vice Mayor Allebach read the title of Resolution No. 513-08 into the record.

24  
25 **Vice Mayor Allebach moved to adopt Resolution No. 513-08, seconded**  
26 **by Council Member Laputka.**

27  
28 Mr. Reischmann stated that at the direction of the City Council, the Charter Officers had made changes  
29 to the Council’s Rules & Procedures. Mr. Reischmann thanked the City Clerk for her work organizing  
30 the changes and expressed that he hoped the revisions have created some order to the new Council Rules  
31 and Procedures while at the same time achieving the objectives regarding the changes requested by  
32 Council.

33  
34 Mr. Reischmann clarified that the main change to the document was in Section 2 which deals with the  
35 Agenda. A new Section 3 sets forth the order of the agenda and the agenda contains two new sections;  
36 one dealing with absences and the other providing an opportunity to bring forward new agenda items.  
37 Mr. Reischmann noted that the previous Section 6 was deleted because the information was moved to  
38 other sections. The final change was clarification in Section 8 regarding the source of Roberts Rules of  
39 Order as discussed by Council previously.

40  
41 Mr. Murray said that the revised document provides more clarification as to the purpose of each Section  
42 of the agenda than the previous Rules & Procedures provided.

43  
44 In response to a question from Council Member Laputka, Mr. Reischmann said that the changes to the  
45 agenda would begin with the next Council meeting.

46

1 Mayor Strickland said that he would like to have the Speaker's Request Form modified to include more  
2 detail about the process and he asked whether that would have to be included in the Rules & Procedures.  
3 Mr. Murray responded that staff would just implement that change.

4  
5 Mayor Strickland noted that during the past year, he has invited people to do the invocation at the start  
6 of the meetings. In addition, he and other Council Members have given the invocation themselves. The  
7 Mayor noted that it is time consuming to schedule people to come to the meeting and he asked if anyone  
8 else would be willing to assume this responsibility. Council Member Sherrill responded that he has four  
9 associate pastors at his church and that he would be willing to talk with them about coming on a rotating  
10 basis. Council Member Laputka said that it should be scheduled ahead of time prior to the publishing of  
11 the agenda. The Mayor said that Council Member Abraham was the only other Council Member to  
12 invite someone to do the invocation and he suggested that it is important to have a variety of people  
13 from the community to come. Mayor Strickland suggested that the City Clerk be responsible for  
14 scheduling someone to do the invocation each week. Mr. Reischmann advised that although many cities  
15 have an invocation as part of their agenda, many simply observe a moment of silence. He cautioned that  
16 it is important that no one particular religion is favored over another during the invocations. The City  
17 Clerk said that she would look into lining people up for this purpose.

18  
19 Council Member Laputka said that he like the revised Rules & Procedures. Vice Mayor Allebach felt  
20 that they would be helpful for new Council Members.

21  
22 Mr. Murray noted that there are still issues which were discussed during the charter review which are  
23 not addressed in the Rules & Procedures. He said that these would be brought to the Council separately  
24 for consideration.

25  
26 **Motion to adopt Resolution No. 513-08 passed by unanimous 5/0 roll**  
27 **call vote of the Council.**

- 28  
29 C. **RESOLUTION NO. 514-08:** A resolution of the City Council of the City of Orange  
30 City, Florida, declaring certain firearms as property surplus; authorizing disposal of the  
31 property; repealing all resolutions in conflict herewith and providing an effective date.

32  
33 Vice Mayor Allebach read the title of Resolution No. 514-08 into the record.

34  
35 **Council Member Laputka moved to adopt Resolution No. 514-08,**  
36 **seconded by Council Member Sherrill.**

37  
38 Chief Baskoff came forward and said that during the course of the year, surplus firearms are  
39 accumulated. Some have become obsolete and must be disposed of and some are acquired through  
40 seizure in association with the commitment of crimes. The police department must seek a court order to  
41 have seized weapons converted to the City's ownership. The proposed resolution allows for the proper  
42 and legal disposal of these surplus or obsolete weapons in accordance with Florida Statutes. One  
43 method of disposal is to have the Sheriff's Department destroy the weapons. Alternately, as has  
44 sometimes been done in the past, the weapons can be sold. The weapons must be sold to someone who  
45 has a federal firearms license. The Chief said that the funds generated from the sale of these weapons is  
46 not significant, however, it is put into a fund to be used toward the purchase of new weapons. Chief  
47 Baskoff noted that since the preparation of Resolution No. 514-08 and the accompanying Exhibit "A",  
48 additional weapons have been discovered which need to be added to the list.

1 Mr. Reischmann advised that the resolution must be amended to include these additional weapons. He  
2 suggested language for the amendment, "To approve Resolution No. 514-08 with the amended Exhibit  
3 "A" to include not only the four shotguns referenced therein, but the additional weapons described in the  
4 public meeting."  
5

6 **Vice Mayor Allebach moved to amend Resolution No. 514-08 by**  
7 **expanding Exhibit "A" to include the weapons described by the Chief**  
8 **of Police as additional surplus weapons, seconded by Council Member**  
9 **Sherrill and passed by unanimous 5/0 voice vote.**  
10

11 Council Member Laputka suggested that the proceeds from the sale of these weapons be donated to the  
12 Police Explorers. Mr. Murray advised that Council could designate where the money would go. Chief  
13 Baskoff said that currently it is placed in the general fund. The Chief said that he would ask Council at  
14 a later date if they would like to designate funds for the Explorers.  
15

16 **Motion to adopt Resolution No. 514-08 as amended passed by**  
17 **unanimous 5/0 roll call vote of the Council.**  
18

## 19 **7. DISCUSSION AND ACTION:**

### 20 **A. Citizen Questionnaire Results '08**

21  
22  
23 Angel Smith, Community Relations Coordinator came forward and advised that the responses to the  
24 Citizen Questionnaire are in and that 78% of the respondents said that the quality of life in Orange City  
25 is either "excellent, very good, or good." Ms. Smith said that the questionnaire, consisting of 57  
26 questions was mailed to City residents in March or April 2008 along with the Town newsletter. Ms.  
27 Smith advised that the completed questionnaires were returned to the City via fax, mail or email and that  
28 the survey is also available on the City's web site. She said that the survey results are available online  
29 or they can be picked up at City Hall. Over 65% of survey responses were positive toward the  
30 performance of City Staff and over 85% of respondents gave a positive rating for the services provided  
31 by the City. Ms. Smith said that the survey will be made available online on a continuous basis in order  
32 to provide the City with a mechanism for constant feedback on its performance.  
33

34 Vice Mayor Allebach noted that the return rate for the survey was 1% and he asked Ms. Smith if that  
35 was in the range she had expected. Ms. Smith responded by characterizing the return as "fair." Mr.  
36 Murray suggested that perhaps the survey was "a little too detailed" and may have overwhelmed some  
37 of the respondents.  
38

39 Mayor Strickland said that he was hoping for at least a 4% return. He agreed that there were "way too  
40 many items" on the survey. He suggested that phone polling may have produced a better result. The  
41 Mayor commended staff for their efforts to begin this process.  
42

43 Council Member Abraham asked why the questionnaire was designed only for the residents of the City  
44 and not for the businesses. Ms. Smith responded that the survey was mailed out to the approximately  
45 10,000 addresses on the City's mailing list. She clarified that there is no way to tell who responded to  
46 the survey. Mayor Strickland added, "We don't know what the sample really represents."  
47

1 Vice Mayor Allebach noted that the positive responses to crime prevention and response to medical  
2 emergencies is 84% and 86%.

3  
4 Mr. Murray said that overall, the responses were positive, noting that people often take the opportunity  
5 to say negative things on an anonymous basis.

6  
7 Council Member Abraham asked why the Council had to approve the survey. Mr. Murray and Mayor  
8 Strickland responded that this was an informational item and Council's approval and/or action is not  
9 needed.

10  
11 **B. Strategic Plan Quarterly Report**

12  
13 Ms. Smith stated that the quarterly report being presented is for the final quarter of Fiscal Year 07/08.  
14 She said that the next report would be for the first quarter of FY 08/09.

15  
16 Council Member Laputka said that he liked the way the report was done.

17  
18 Council Member Abraham asked whether improvements to the City's dirt roads are part of the strategic  
19 plan. Ms. Smith responded that the action items in the strategic plan were developed during the  
20 meetings held last year. Council Member Abraham questioned whether the City could be part of the  
21 County's contract for dirt road improvements if any are planned in adjacent areas. Mr. Murray  
22 responded that the City works with the County at every opportunity. He explained that the City owns  
23 six miles of dirt roads and that any improvements to these roads would constitute a capital improvement  
24 item that must be approved by Council. He said that, currently, there are no funds designated for paving  
25 any of the dirt roads.

26  
27 Mayor Strickland said that he felt the quarterly report is very helpful. Vice Mayor Allebach said that  
28 perhaps the City could look at developing a plan to pave all City roads within ten years. Council  
29 Member Sherrill concurred. Mayor Strickland noted that at one of the meetings, Council had discussed  
30 moving forward with a five-year paving plan which may be condensed into three years. Mr. Murray  
31 clarified that was a resurfacing plan. He said that plans at moving forward on the resurfacing program  
32 were started because of the opportunity to take advantage of a "super good" asphalt price. He suggested  
33 that if it is the desire of Council to consider some paving, he would offer some recommendations for  
34 Council to consider during the budget preparations for next year. He noted that the City has  
35 recommended a sidewalk plan in the past and it proved to be a "very effective" way to accomplish the  
36 goals. Mr. Murray suggested that this may be a situation for a special taxing district. Mayor Strickland  
37 expressed that he felt it was helpful to keep the budget tied to the strategic plan. Mr. Murray concurred  
38 and stated that it could be blended during the budget process.

39  
40 It was the consensus of Council that the format of the report was very helpful. They thanked Ms. Smith  
41 for a job well done.

42  
43 **8. REPORTS:**

44  
45 **A. City Manager**

46

1 Mr. Murray reported that additional surplus from the Police Department will be disposed of through  
2 either sale at auction or donation. He advised that the City of Lake Helen has expressed an interest in  
3 some of the City's used police cars, noting that they generally don't bring much revenue at auction.  
4

5 **It was the consensus of Council to offer to donate some of the City's**  
6 **used police cars to the City of Lake Helen if they would like to receive**  
7 **them.**  
8

9 Mr. Murray noted that copies of the proposed revised personnel policies have been distributed to  
10 Council both by email and by hard copy. He explained that there will be three documents to review:  
11 one is the current version, one is a strike-thru/underline version of the changes and one is the proposed  
12 new version. Mr. Murray said that he would like to present the new Personnel Policies and Procedures  
13 for first reading at the second meeting in January. In the meantime, he said that he would seek direction  
14 from Council at the December meeting as to whether they would like a workshop prior to that. Mr.  
15 Reischmann said that his department has been working with staff during the rewrite of the Manual.  
16

17 Mr. Murray announced that staff is once again conducting an "Operation We Care" for the troops  
18 overseas. Ms. Smith is heading the project. The last day to contribute items is December 2<sup>nd</sup>. Ms.  
19 Smith said that if anyone has a specific person that they would like to request that items be sent to, they  
20 need to get that information to her. She said that packages will be sent to units in bulk packaging this  
21 time. Council Member Laputka noted that 207 boxes of donated items were sent out last July.  
22

23 Mayor Strickland asked when a report from the outcome of the Workshop held on November 7<sup>th</sup> would  
24 be forthcoming. Mr. Murray responded, "We don't have the next step formulated right now." He said  
25 that he anticipates meeting with Seminole County during the next two weeks.  
26

27 In regard to the GEL matter, strategy is being formulated with DEP. Mr. Watts is scheduling a meeting  
28 with Vivian Garfein from the DEP. He will be accompanied by Kelly Eger. Mr. Reischmann said that  
29 he would check on the meeting and will provide an update via email. Mayor Strickland expressed his  
30 concern that things would slow down over the holidays. Mr. Murray said that is likely.  
31

32 Council Member Laputka noted that Orange Avenue and South Thorpe have changed. He asked the  
33 City Manager to provide an update. Mr. Murray said that staff has made a significant effort. He said  
34 the police department has started a program of video surveillance which has proved to be very "efficient  
35 and cost-effective and effective in deterring some nefarious activities." Mr. Murray observed that for  
36 the first time in a long while, children are playing in the area. Council Member Laputka noted that the  
37 people who live in those neighborhoods don't come outside as they are afraid because of the drug  
38 activity and other crimes in the area. Council Member Laputka noted that, due to the efforts of the  
39 police, this is starting to change and he commended the City Manager for turning this problem around.  
40 Mr. Murray responded that the video surveillance provides police cruisers with live streaming video of  
41 these areas twenty-four hours per day. He noted that the program has also been very cost effective.  
42

43 Council Member Sherrill noted that Council had recently received a copy of an article by Mike Thomas  
44 that appeared in the Orlando Sentinel regarding the problems local governments are experiencing due to  
45 home foreclosures. He asked Mr. Murray if Orange City is having a problem with abandoned properties  
46 falling into disrepair. He questioned whether an ordinance is needed to require the bank to register with  
47 the City following a foreclosure action. Mr. Murray said that he sent a copy of the article to the Code  
48 Enforcement department last week. He said that Sgt. Lariscy's response was that currently, the City

1 does not have any real problems in this area. Should it become an issue in the future, staff will bring  
2 forward an ordinance with regulations to protect the neighborhoods.

3  
4 **B. Mayor/City Council**

5  
6 There were no further reports at this time.

7  
8 **C. City Clerk**

9  
10 The City Clerk reported that she received an email from Ann McFall, Supervisor of Elections today  
11 confirming the February 17<sup>th</sup> date for the election. Ms. Renner stated that the County Canvassing  
12 Board will be canvassing the votes for the election as required by state law. She said that she will be  
13 working on a sample brochure discussing the referendum election.

14  
15 **D. City Attorney**

16  
17 The City Attorney had no further report.

18  
19 **9. APPROVAL OF MINUTES: October 28, 2008 Regular Meeting**

20  
21 **Vice Mayor Allebach moved to approve the minutes of the October 28,**  
22 **2008 Regular Council Meeting, seconded by Council Member Laputka**  
23 **and passed by a unanimous 5/0 voice vote of the Council.**

24  
25 **10. COUNCIL COMMENTS**

26  
27 Council Member Abraham said that he has discussed the issues of the homeless in Orange City with a  
28 few of the Citizens. He said that at the Advanced Institute for Elected Municipal Officials (IEMO) in  
29 Gainesville, a DeLand Council Member discussed what they are doing about this problem. Council  
30 Member Abraham said that he personally asked one of the City's homeless people where he would go  
31 on a cold night. In addition, he witnessed two people seeking shelter near the Freshco store. He was  
32 also told some time ago that there were teenagers living behind K-Mart because they had been kicked  
33 out of their homes. Council Member Abraham asked what Orange City has done or is doing to address  
34 this problem. He expressed his concern that there could be liability issues for the City if one of these  
35 people were to be attacked and he asked Mr. Reischmann to comment. Mayor Strickland said that he  
36 has heard of cities where homeless people who still owned a vehicle were provided a safe place to park  
37 and sleep for the night. The Mayor noted that there are people in the community conducting scams,  
38 citing one particular instance where a pregnant woman with blond hair and a young child is panhandling  
39 from people in Veterans Memorial Park and at some of the gas stations in the area. Mayor Strickland  
40 urged people to give their funds to recognized agencies, not to people on the street.

41  
42 Council Member Laputka noted that the "drug-free zone" sign has been placed in various areas around  
43 the City.

44  
45 Council Member Sherrill commented that in the future, issues surrounding water conservation will  
46 surface. He advised that if the City's conservation efforts are too effective, the Water Management  
47 District (WMD) could cut its Consumptive Use Permit (CUP) allocation. Many of the cities in the State  
48 are banding together and demanding that the Governor install elected, rather than appointed Boards to

1 run the Water Management Districts. Council Member Sherrill noted that the Utility Company must  
 2 generate enough revenue to meet its financial obligations and he suggested that if the City’s CUP is  
 3 lowered, it could have a significant impact on revenues. He urged Council to stay on top of this  
 4 situation and predicted that it could end with a law suit between the cities and the WMD.

5  
 6 Vice Mayor Allebach wished everyone a Happy Thanksgiving and stated, “Try to remember, if someone  
 7 you know needs a little help, reach a little deeper if you’ve got it.”

8  
 9 Mr. Murray noted that City employees are also having a food drive for Thanksgiving and that donations  
 10 from the public are accepted.

11  
 12

13 **11. ADJOURNMENT**

14  
 15 There being no further business, Mayor Strickland adjourned the meeting at 8:44 p.m.

16  
 17

18 **RESPECTFULLY SUBMITTED:**

**APPROVED ON:**

19  
 20

21  
 22 Deborah Renner, CMC  
 23 City Clerk  
 24

\_\_\_\_\_