

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Tuesday, September 14, 2010 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3
4 **CALL TO ORDER**

5
6 Mayor Strickland called the meeting to order at 7:00 p.m. and roll call was taken.

7
8 **PRESENT:** Mayor Harley Strickland; Vice Mayor Tom Laputka; Council Members Tom Abraham,
9 Anthony J. Pupello, O. William (Bill) Crippen; City Attorney William Reischmann; City Manager Jamie
10 Croteau; City Clerk Deborah Renner

11
12 **ABSENT:** Council Members Gary A. Blair, Jeff Allebach

13
14 Invocation was given by Andy Bowen, Mosaic Unitarian Universalist Church, followed by the Pledge of
15 Allegiance.

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

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19 **2. PRESENTATIONS/PROCLAMATIONS:** Proclamation – Recognizing Roger Lunsford

20
21 Vice Mayor Laputka read a proclamation into the record recognizing Roger Lunsford for his heroic
22 assistance in apprehending a suspect involved in a serious crime. Interim Police Chief Ross presented the
23 proclamation to Mr. Lunsford thanking him for his help.

24
25 **Sustainable Water Committee Update**

26
27 Michael Wright, Chairman Sustainable Water Committee came forward and gave an update on the activities
28 of the Sustainable Water Committee. Mr. Wright displayed a PowerPoint Presentation (a copy of which is
29 attached and becomes a permanent part of these minutes) and provided a brief history of his background.
30 He said he is a former air force weather forecaster and a CPA with municipal finance experience.

31
32 Mr. Wright said the Sustainable Water Committee does not believe there is a real water shortage in the area.
33 He discussed the amount of rainwater, surface water and sub terrain water that is in the State and the
34 problems or issues associated. Mr. Wright said the problem is the cost of processing alternate sources of
35 water for human consumption. He discussed the criteria for finding a solution, noting action is required at a
36 higher level, not just Orange City. Everyone should have a part in paying for the costs, including Federal
37 and State governments, not just Volusia County residents. Mr. Wright concluded by suggesting that we
38 must continue to challenge the SJRWMD mandates and seek greater involvement of the State legislature.
39 Promote landscaping that does not require irrigation and improve water retention. As a last resort, consider
40 investing to increase the use of surface water as a source for potable water. He cautioned against investing
41 money in the proposed desalinization projects and privatizing proposals.

42
43 The Council thanked Mr. Wright his presentation and stated it was very informative. Vice Mayor Laputka
44 suggested the Committee look into possible water conservation plans to implement in the City. Mr.
45 Reischmann advised the committee was formed as a fact-finding group by resolution. Additional tasks may
46 require an amendment to the resolution. He said that he would look into the matter.

47
48 **3. CITIZEN COMMENTS:** None at this time

1 **4. CONSENT AGENDA:**

- 2
- 3 a) August 2, 2010 Workshop Meeting Minutes
- 4 b) August 23, 2010 Budget Workshop Minutes
- 5 c) August 24, 2010 Regular Meeting Minutes
- 6 d) Contract for Animal Control Services
- 7 e) **RESOLUTION NO. 619-10:** A resolution of the City Council of the City of
- 8 Orange City, Florida, authorizing the City Manager to execute a contract with
- 9 DeBeaubian, Knight, Simmons, Mantzaris, and Neal, LLP to act as the City's
- 10 Code Enforcement Hearing Officer; repealing all resolutions in conflict herewith
- 11 and providing for an effective date.
- 12

13 **Vice Mayor Laputka moved to approve the Consent Agenda, seconded by**

14 **Council Member Crippen and passed by a 5/0 roll call vote of the Council.**

15

16 **5. ORDINANCES – FIRST READING:** None at this time

17

18 **6. PUBLIC HEARINGS:**

19

- 20 **A. ORDINANCE NO. 428:** An Ordinance of the City of Orange City, Florida,
- 21 annexing the Mazzola property into the corporate limits of the City of Orange
- 22 City, Florida; said property being generally located on the east side of North
- 23 Volusia Avenue, approximately 200 feet north of East New York Avenue,
- 24 containing approximately 19.69 acres; in accordance with the voluntary
- 25 annexation provisions of Florida Statute 171.044; redefining the boundaries of
- 26 the City of Orange City by amending the appropriate sections of the Code of
- 27 Ordinances; containing a repealer provision, a severability clause and providing
- 28 for an effective date.
- 29

30 Vice Mayor Laputka read the title of Ordinance No. 428 into the record.

31

32 **Council Member Crippen moved to adopt Ordinance No. 428 on second**

33 **and final reading, seconded by Council Member Pupello.**

34

35 Mayor Strickland opened the Public Hearing by asking if anyone wished to speak for or against the

36 proposed ordinance.

37

38 Jim Kerr, City Planner came forward and reported there were no changes since the first reading. He noted

39 the owners were present and asked the Mazzola's to come forward. Mr. Kerr advised the property is located

40 in District 4. Council Member Pupello welcomed the Mazzola's to Orange City.

41

42 Henry Durica 1310 E. Lansdowne Avenue came forward and asked what the long-term plans for the

43 property were. He questioned why the property annexed into the City and asked Council to seek answers

44 before the property is annexed. Mr. Kerr advised there are no plans for development at this time. The

45 property will continue as a mobile home community.

46

47 There being no further requests to speak, the Mayor closed the public hearing.

1 **Motion passed by a 5/0 roll call vote of the Council.**

2
3 **7. RESOLUTIONS:** *(See Consent Agenda)*

4
5 **8. DISCUSSION AND ACTION:**

6
7 **A. Train Station**

8
9 Ms. Croteau provided an update on the City's efforts to have a Sun-Rail train station located in Orange
10 City's planning area. She recalled Council adopted a resolution supporting the location of a train station in
11 the City and forwarded it to Congressman Mica and the Department of Transportation earlier this year. She
12 said staff learned the Congressman would introduce an amendment to the transportation bill during the next
13 legislative session requesting an additional train station for Volusia County and that the County would
14 determine where the train station would go. Staff discussed the requirements for the location of the station
15 with the County and was advised the train station must be in an area with room for "transit-oriented"
16 development. Ms. Croteau recommended resubmitting the resolution to Volusia County, Congressman
17 Mica and the Department of Transportation stating the City's interest without suggesting a location. She
18 said staff is seeking Council's input on the matter.

19
20 Vice Mayor Laputka recalled his understanding of the events leading to this point and what remains to be
21 done. He said Congressman Mica's office told him the City must submit a plan to the County, including
22 renderings of the proposed station, the economic impact and the reasons why the station should be located
23 here. Ms. Croteau noted the information that staff received was different, but that she would get
24 clarification from Congressman Mica's office.

25
26 Mayor Strickland discussed his understanding of the next steps to secure the train station. He said Chairman
27 Bruno and County Member Kelly recommended resubmitting the resolution to the County formally
28 documenting the City's request. He discussed the political climate surrounding the passing of the
29 transportation bill, noting the County did not have the full support of the County Council when it passed.
30 The County must have a plan in place within the next 18 months, which gives the City time to make its
31 request in January. Mayor Strickland suggested that Council affirm their commitment and talk with the
32 County Council about the City's desire to have a train station and to ask the business community and
33 residents to assist. He said the City does not have the population to justify the location of a train station in
34 the City but the County is willing to work with the City to make sure residents from the surrounding
35 communities have direct access to the station. Mayor Strickland said Council Member Kelly has offered his
36 support and would like to talk to Council about this matter.

37
38 Vice Mayor Laputka expressed his concerns that the City should be doing more at this time. He felt that a
39 plan should be in place and ready to go once the County makes its determination. He asked what that would
40 require. Ms. Croteau responded staff could develop a plan if the County was to commit to including a train
41 station in the City. She said it is difficult to formulate a plan until the location of the station is determined,
42 as the plan must include development of the surrounding area. If the County makes a decision by
43 December, the City would have enough time to develop a plan. Ms. Croteau said the County is not in
44 agreement where the station will go. Congressman Mica's office noted that regardless of what Orange City
45 does, he would seek authorization for an additional train station, as Federal funding could be sought at a
46 future time. Vice Mayor Laputka again urged staff to have a plan. Mayor Strickland observed that it is a
47 matter of timing and there will be some significant changes within the next 30 days. The Vice Mayor

1 cautioned against delaying the matter and suggested that staff do whatever can be done at this point to avoid
2 losing the opportunity.

3
4 Council Members Crippen, Pupello and Abraham agreed that it is important to move forward at this time.
5 Council Member Pupello said he could support resubmitting the cover letter without suggesting a specific
6 location. Council Member Abraham noted County Council Member Pat Northey is coordinating a
7 committee with regard to this matter. He suggested that someone from the City attend those meetings.

8
9 Vice Mayor Laputka reiterated it is important to be ready to move forward once the location of the train
10 station has been determined. Mayor Strickland suggested the City Manager consider preparing a Request
11 for a Proposal (RFP) as that will begin a dialogue about the process. Ms. Croteau confirmed the direction
12 Council wished to proceed. She said staff would resend the letter to the parties discussed and work on an
13 RFP or piggy-back off of an existing agreement for planning services for the train station.

14
15 **9. NEW BUSINESS:** None at this time.

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17 **10. REPORTS:**

18
19 **A. City Manager**

20
21 Ms. Croteau advised staff would provide an update on the Seth French House at the next Council meeting.
22 She reported the City has withdrawn its intent to participate in the Community Challenge Grant with
23 DeLand and various cities on the west side of the county because the East Central Florida Regional
24 Planning Council felt it would hurt DeLand's chances for a HUD grant.

25
26 Ms. Croteau reported on the Mayors and Managers meeting for Volusia County. She said the discussion
27 was about fire consolidation and a report recently published. Ms. Croteau said that Orange City Fire
28 services were discussed because of the contract with Debary. It was suggested that Orange City is
29 subsidizing Debary. Staff does not feel that is the case and is working on a report providing the number of
30 fire calls to Debary, the City and the County to substantiate that fact. Ms. Croteau said it costs the City \$1.5
31 million to run two fire stations. That equates to \$750,000 each and Debary pays approximately \$930,000.
32 Mayor Strickland noted the County fire station 31 (located in Orange City) was recommended for closure by
33 this report. He said that Port Orange's "unfunded liability" is about \$40 million dollars. Ms. Croteau
34 explained that "unfunded liability" for pensions applies to the portion of a pension plan that funds future
35 benefits. Port Orange has a private pension plan, and has a large amount of unfunded pension liabilities that
36 are beginning to hurt them. As a result, consolidation is being pushed for some of the other municipalities.
37 Orange City's Fire Department is one of the lowest funded departments in the County and there are no
38 problems with the services provided. Ms. Croteau noted a consolidation of services would increase
39 taxpayer costs. It is not something the City wants to consider at this time. Vice Mayor Laputka said the
40 report indicates that Orange City citizens are "short-handed" when the fire fighters are serving Debary and
41 he does not feel that is true. Ms. Croteau agreed with Vice Mayor Laputka. She stated it is an unfair
42 statement and the numbers will prove that. She noted the method used to calculate the cost of fire services
43 per citizen by city is also misleading as Debary has an 80% residential tax base while Orange City has a
44 70% commercial tax base. Mayor Strickland noted the report is lengthy. He said a copy is available in the
45 City Clerk's office for anyone who wished to see it.

46
47 Ms. Croteau reported on a contingency transport meeting. She said a number of the cities have pushed to
48 take over emergency medical transport in Volusia County. Orange City does not provide that service at this

1 time. Ms. Croteau said staff felt it would be costly to support a contingency transport program and would
2 prefer not to participate at this time. She said staff would continue providing EVAC services and monitor
3 the situation.

4
5 Ms. Croteau reported Fire Chief Herb Hoffman is retiring after 19 years of service. Angel Smith,
6 Community Services Coordinator has accepted an Assistant City Manager position in Wisconsin. A
7 reception is being planned in their honor.

8
9 **B. Mayor/City Council**

10
11 Vice Mayor Laputka said he attended a Blue Spring Working Group meeting. The main topic of discussion
12 was conservation. He said he has information that he will share with Council. Seven people were there
13 representing Orange City.

14
15 Council Member Crippen reported on a River of Lakes Heritage Corridor meeting. He said the County of
16 Volusia is working on sending in a request on the "branding" for the heritage corridor. The City of Sanford
17 and Seminole County is planning to apply for inclusion in the River of Lakes Heritage Corridor. Council
18 Member Crippen said the Board of Directors is looking for four new members. More information is
19 available if anyone is interested.

20
21 Mayor Strickland reported on a meeting at the airport at which technology called "Next Gen" was
22 discussed. "Next Gen" is a GPS technology that will replace the use of radar in aviation throughout the
23 world. He said Embry Riddle is actively involved in this technology, so it has great potential for our area
24 and for the future.

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26 **C. City Clerk**

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28 No further report.

29
30 **D. City Attorney**

31
32 No further report.

33
34 **11. APPROVAL OF MINUTES: (See Consent Agenda)**

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37 **12. COUNCIL COMMENTS**

38
39 Vice Mayor Laputka congratulated Evelyn Robinson on her vacation and welcomed her back.

40
41 Council Member Pupello noted that YMCA Soccer registration is taking place now.

42
43 Council Member Crippen told a story about his neighbor and the assistance he received from two Orange
44 City Police Officers. Council Member Crippen stated, "That was a wonderful humanitarian effort that they
45 took money from their pockets to make sure this fellow had food." Council Member Crippen thanked
46 Police Officers Cavida and Reynolds for their dedication and humanitarianism.

47

1 Mayor Strickland reminded everyone of the budget meeting tomorrow. He related a story of a small town in
2 California that was paying their city manager \$780,000 a year and their council members in excess of
3 \$100,000 each. Mayor Strickland said he wanted to tell this story because someone was spreading the
4 rumors that he was making \$45,000 as Mayor of Orange City, however he receives \$20 a day in
5 compensation. He stated, "If you think I should make that kind of money please come to the budget
6 meeting tomorrow and let's talk about it."

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8

9 **13. ADJOURN:**

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11 There being no further business, Mayor Strickland adjourned the meeting at 8:36 p.m.

12
13 RESPECTFULLY SUBMITTED:

APPROVED:

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15
16 _____
17 Gloria W. Thomas, CMC
18 Deputy City Clerk

September 28, 2010
Date

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