

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, June 14, 2011 at 7:00 p.m. in Council Chambers, 201 N. Holly Avenue, Orange City.

3
4 **CALL TO ORDER**

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

7
8 **ROLL CALL**

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

13
14 **ABSENT:** Council Member Gary Blair

15
16 **INVOCATION**

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

19
20 **1. ABSENCES:** None at this time.

21
22 **2. PRESENTATIONS/PROCLAMATIONS:** Helen Cauthen, Team Volusia

23
24 Helen Cauthen, President, Team Volusia came forward and made a presentation on the progress of
25 Team Volusia. She said Team Volusia is a public-private partnership formed last year to bring County
26 and City governments and private businesses together to promote economic development. Orange City
27 has been a member since its inception. Ms. Cauthen distributed copies of the first quarterly report for
28 Team Volusia (a copy of which is attached and becomes a permanent part of these minutes). She said
29 there are 61 partners, 11 from the public and 40 from the private sector and all are actively involved.
30 Currently, the group is working on an interactive, searchable website and database which will highlight
31 all the partners. In addition, the group is working with the Volusia County Department of Economic
32 Development and the CEO Business Alliance to identify companies interested in locating in Volusia
33 County. Team Volusia is looking to market Volusia County as a national business destination. Ms.
34 Cauthen concluded by stating economic development is a long term process. It is a team sport and it is
35 important that the partners work together. The first year has been spent putting systems in place. The
36 anticipated result will be new jobs and new capital investments. Most of the work will be done by
37 September 1st.

38
39 Council Member Laputka stated his opinion that the concept of Team Volusia is a good idea, but he said
40 he has not seen any progress as yet. He questioned what has been accomplished thus far. Ms. Cauthen
41 responded that some of the companies that Team Volusia is working with will be at the Coke Zero 400
42 race in Daytona over the July 4th weekend. This will provide an opportunity to showcase the economic
43 possibilities in Volusia County. She said she attended the governor's business development mission to
44 Canada and described it as "well thought out". "Matchmaker sessions" were scheduled for everyone
45 who attended. Team Volusia presented Volusia County as a low cost alternative, strategically located
46 between Jacksonville and Orlando with an average wage earning slightly lower than other metropolitan
47 areas for several occupational categories. She stated, "I felt like we made some good inroads."

1 Mayor Strickland asked what Team Volusia's relationship is with the Governor's Economic
2 Development program. Ms. Cauthen responded that the Governor was present and took an active role
3 by making himself available to talk to companies before and after they spoke with the individual groups.
4 From an economic development standpoint, having the governor taking a leadership role garners
5 interest and attention from potential companies.

6
7 Mayor Strickland questioned what the marketing approach is for Team Volusia. Ms. Cauthen recalled
8 that Benedict Advertising sent a survey to elected officials. She said she anticipated Benedict will
9 present an update at the next board meeting as to the status of the project.

10
11 Council Member Allebach expressed his concern that Volusia County would be known for cheap wages.
12 He said that while it could be a selling point to get businesses to come to the County, it should not be.
13 Ms. Cauthen agreed. She said that is not the impression she intends to convey. However, she stated it is
14 more appealing to companies looking to hiring engineers if the salaries are slightly less than the
15 surrounding areas.

16 17 A. Stettner - Growth Management Update

18
19 Alison Stettner, Development Services Director, came forward and provided a power point presentation
20 regarding legislative changes related to growth management (a copy of which is attached and becomes a
21 permanent part of these minutes). She said the Community Planning Act (HB7207) repealed 9J-5, a
22 lengthy administrative ruling that all planners across the State had to follow. Most of the requirements
23 for 9J-5 have been incorporated into the Community Planning Act (CPA), so that it has all the required
24 elements for the comprehensive planning process.

25
26 She discussed the major element changes of the CPA. She said the plans are now based on a 10 year
27 plan horizon instead of 20 years and the financial feasibility requirement has been deleted. Ms. Stettner
28 likened it to a vision plan. Programs implemented by another agency are no longer required to be
29 implemented in the comp plan and future land uses must now address antiquated subdivisions. Energy
30 efficiency, land use, and greenhouse gas emissions requirements were deleted. Land uses are required to
31 be modified to provide a spectrum of housing choices. Sprawl indicators from 9-J5 are incorporated and
32 new provisions for walkable communities were added.

33
34 Ms. Stettner said the CPA deleted the requirement for a public school facility element and has made
35 transportation, schools and parks & recreation concurrency optional. She pointed out that Council will
36 consider a mobility plan later this evening even though it is no longer a requirement of the Comp Plan.
37 Annual review of the capital improvement element of the comp plan is no longer considered an
38 amendment and does not require adopting an ordinance. School concurrency has big changes that affect
39 local jurisdictions, the school board and the county, and the ramifications are still not known. In
40 response to a question from Mayor Strickland, Ms. Stettner advised concurrency involves offsetting the
41 impacts of an element, such as transportation, by making sure that there is adequate infrastructure in
42 place at the time of development.

43
44 Ms. Stettner described the plan amendment process. She said it has been modified to allow for large
45 scale amendments at any time and the amendments must be adopted within 180 days of receiving
46 agency comments. The limitation for small scale amendments increased to 120 acres annually and text
47 changes associated with future land use amendments are permitted. Ms. Stettner concluded by stating
48 the changes also allow a two year extension for all permits, including local permits, if applied for. Any

1 permits that expire between January 1, 2012 and January 1, 2013 will get an automatic two year
2 extension, if applied for in writing to the City. The applicant must notify the City in writing by
3 December 31st.

4
5 Mr. Reischmann noted that it now going to be easier for comp plan amendments to be found compliant
6 because the standards are less strict. Mayor Strickland questioned if these changes have any impact on
7 the Volusia County Growth Management Commission, Ms. Stettner responded that they do not.

8
9 Council Member Allebach spoke in support of the changes. He said it makes it easier to make
10 amendments to the comp plan and local governments must take responsibility for their comp plan.
11 Council Member Pupello asked if any applicants notified the city asking for an extension of their
12 permits. Ms. Stettner responded "no." She said staff anticipated that may create some form of backlog
13 with future development.

14
15 **3. CITIZEN COMMENTS:**

16
17 **4. CONSENT AGENDA:** None at this time

18
19 **5. ORDINANCES - FIRST READING:**

- 20
21 **A. ORDINANCE NO. 456:** An Ordinance of the City of Orange City, Florida,
22 transmitting and adopting an administrative amendment to the City of Orange
23 City Comprehensive Plan for the purpose of amending the Capital
24 Improvements Element to the update and revise the text including the five-
25 year capital improvement program; providing for conflict and severability
26 and providing for an effective date.

27
28 Council Member Allebach read the title of Ordinance No. 456 into the record.

29
30 **Council Member Laputka moved to adopt Ordinance No. 456 on first**
31 **reading, seconded by Vice Mayor Crippen.**

32
33 Jim Kerr, City Planner came forward and said Ordinance No. 456 is an amendment to the Capital
34 Improvements Elements (CIE) of the Comp Plan. The purpose of the CIE is to identify the capital
35 improvements needed to implement the City's Comp Plan and to insure that the adopted level of
36 services are maintained for services such as transportation, sewer, potable water, and schools. He
37 displayed a power point slide of the Five Year Capital Improvement Program (a copy of which is
38 attached and becomes a permanent part of these minutes) noting that it is directly associated with the
39 budget. Mr. Kerr pointed out a correction to page 17 of the CIE stating that it would be changed by
40 second reading.

41
42 Ms. Stettner advised there are several new policies in the CIE related to transportation mobility and
43 new concurrency standards for transportation. The changes are identified by underline. The design
44 standards relate directly to the quality of the level of service and allow more mobility options for
45 developers specific to their projects.

46
47 Mayor Strickland asked Paul Johnson, Public Works Director, to come forward. He noted the ongoing
48 concerns about sewer and water and questioned whether the CIE budget is realistic with regard to these

1 issues. He asked Mr. Johnson to discuss how the CIE budget was developed. Mr. Johnson said the ten
2 year plan for the Utility was recently updated and it took into consideration sewer, water and
3 stormwater issues. The budgeted amount is cumulative and reflects potential costs over a 10-year
4 period. Mayor Strickland noted the sewer problems along Carpenter Avenue.” He asked Mr. Johnson
5 to discuss plans for the project. Mr. Johnson responded that when the Carpenter Avenue project was
6 designed, it was thought that impact money would pay for it. Unfortunately, there has been a
7 significant decrease in the impact fee funding due to the economy. Ms. Croteau advised that funding
8 for the Carpenter Avenue project is in the 2012/2013 budget. Mayor Strickland said he just wanted to
9 verify that.

10
11 Mayor Strickland asked Christine Davis, Finance Director to come forward. He asked if anything had
12 occurred in terms of the City’s economic forecast since this plan was developed. Ms. Davis responded
13 “no.”

14
15 **Motion passed by a 6/0 roll call vote of the Council.**

- 16
17 **B. ORDINANCE NO. 462:** An Ordinance of the City Council of the City of
18 Orange City, Florida, amending Chapter 10, Offenses – Miscellaneous,
19 Article I, In General, Section 10-4; Chapter 10, Offenses – Miscellaneous,
20 Article II, Noise, Section 10-26 (7); and Chapter 10.5, Leisure Services,
21 Article II, Use Regulations, Section 10.5-19 (8) to conform with the Joe
22 Carlucci Uniform Firearms Act; providing for severability, conflicts and
23 effective date.

24
25 Council Member Allebach read the title of Ordinance No. 462 into the record.

26
27 **Council Member Laputka moved to adopt Ordinance No. 462 on first**
28 **reading, seconded by Vice Mayor Crippen.**

29
30 Sgt. Greg Lariscy, Code Enforcement Supervisor came forward. He stated adopting Ordinance No. 462
31 removes all firearm regulatory language from the Code. He said the Legislature passed the Joe Carlucci
32 Firearm Act in 1987, a law that gives the State control of all laws related to firearms and that prohibits
33 local jurisdictions from passing similar laws. It was felt at the time that the law had no “teeth,” and
34 Orange City and various other cities passed firearm laws of their own. In 2011, the legislature revised
35 the Joe Carlucci Act making it a civil offense to try to enforce a local firearm ordinance. Fines of up to
36 \$5,000 may be assessed for these violations. A violation can be cause for termination and the Governor
37 may remove an elected official from office for violating this law. Sgt. Lariscy said the purpose of this
38 ordinance is to amend the Code to be consistent with State law. He acknowledged that he received
39 several calls regarding this agenda item, and said state statutes cover the items being removed from the
40 Code. Sgt. Lariscy concluded by assuring Council that this change will not make Orange City the “wild,
41 wild, west.”

42
43 Council Member Laputka confirmed that the stricken language is covered by state law. Mayor
44 Strickland asked whether State statute addresses items such as BB guns and toy guns. Sgt. Lariscy
45 responded in the affirmative, noting that it would be more prudent to enforce the State statute.

46
47 Council Member Allebach expressed his concern regarding this action. He provided a scenario of an
48 Orange City resident witnessing someone firing a gun in the unincorporated area of the city and nothing

1 being done because it is legal to fire a gun in those areas. Sgt. Lariscy responded that State laws
2 regarding firearm infractions supersede city and county laws. It is against the law in the State of Florida
3 to fire a weapon in a public place except when hunting or defending yourself. Council Member
4 Allebach said this could open the door to recklessness. He likened it to the City's ongoing struggle to
5 maintain home rule. However, he stated, the City's hands are tied. Sgt. Lariscy advised that the intent
6 of this act is to provide uniform firearms laws in the State. Ms. Croteau advised that offenders can still
7 be arrested under the firearms act.

8
9 Council Member Abraham said he is more concerned about students bringing guns to the school. He
10 asked if there is anything in this statute that would address this concern. Sgt. Lariscy responded that
11 State statute is very clear about where you may or may not carry a firearm, and firearms are not
12 permitted at school functions or public functions. Mr. Reischmann said many school districts have a
13 zero tolerance policy regarding firearms. If they are caught on school campus with any type of weapon
14 they are immediately suspended.

15
16 **Motion passed by a 5/1 roll call vote of the Council, with Council Member**
17 **Allebach voting "no."**

- 18
19 C. **ORDINANCE NO. 463:** An ordinance of the City of Orange City, Florida,
20 annexing the McDonald's property into the corporate limits of the City of
21 Orange City, Florida; said property being generally located on the west side of
22 Enterprise Road, approximately 600 feet south of South Volusia Avenue,
23 containing approximately 1.38 acres; in accordance with the voluntary
24 annexation provisions of Florida Statute 171.044; redefining the boundaries of
25 the City of Orange City by amending the appropriate sections of the code of
26 ordinances; containing a repealer provision, a severability clause and
27 providing for an effective date.

28
29 Council Member Allebach read the title of Ordinance No. 463 into the record.

30
31 **Council Member Laputka moved to adopt Ordinance No. 463 on first**
32 **reading, seconded by Council Member Allebach.**

33
34 Jim Kerr, City Planner, came forward and provided a power point presentation (a copy of which is
35 attached and becomes a permanent part of these minutes). Mr. Kerr advised that this annexation is for
36 the McDonald's located on Enterprise Road. He noted the location on a map. He stated the property is
37 1.38 acres and is contiguous to the city limits. Staff recommends that the property be annexed into the
38 City.

39
40 Council Member Laputka observed that McDonalds will be closing down for remodeling soon. He said
41 he saw the new image, noting that it has additional seating and is "quite extraordinary."

42
43 Council Member Pupello stated this is "a feather in our cap." He said that the area along Enterprise
44 Road and U.S. 17-92 has "been a long time coming." He thanked Development Services for their efforts
45 and stated, "I appreciate it."

46
47 **Motion passed by a 6/0 roll call vote of the Council.**
48

1 **6. PUBLIC HEARINGS:**

2
3 **A. ORDINANCE NO. 423:** An ordinance of the City of Orange City, Florida,
4 amending Ordinance 90-05-08, as amended, said ordinance being Orange
5 City’s Comprehensive Plan; amending the Comprehensive Plan and Future
6 Land Use Map of the City of Orange City; in accordance with the
7 requirements set forth in Chapter 163, Florida Statutes; providing for
8 transmittal to the State Land Planning Agency; providing a conflicts clause
9 and severability clause and providing for an effective date.

10
11 Council Member Allebach read the title of Ordinance No. 423 into the record.

12
13 **Council Member Laputka moved to adopt Ordinance No. 423 on second**
14 **reading, seconded by Council Member Allebach.**

15
16 Mr. Kerr displayed a power point presentation (a copy of which is attached and becomes a permanent
17 part of these minutes) and advised that Ordinance No. 423 is an EAR based amendment to the Comp
18 Plan. He described the Comp Plan as a two part document consisting of the future land use map and a
19 text document that depicts how the City should look in 20 years. He said the State adopted the Growth
20 Management Act in 1985 and required every city and county to amend its comp plan to be consistent.
21 He discussed comp plan amendments that occurred over the last few years, such as water, school and
22 EAR amendments. Mr. Kerr showed Council a power point slide of the changes to the Future Land Use
23 Map, noting that it includes properties that have annexed into the City since 2004. He explained the
24 comp plan review process and listed the changes to the text document. Mr. Kerr said staff recommends
25 that Council approve this ordinance, thereby adopting the Comp Plan.

26
27 Mayor Strickland opened the public hearing by asking if anyone wanted to speak for or against the
28 proposed ordinance, no one appeared. The mayor closed the public hearing.

29
30 **Motion passed by a 6/0 roll call vote of the Council.**

31
32 **B. ORDINANCE NO. 460:** An ordinance of the City of Orange City, Florida,
33 annexing the Carroll Wetherington property into the corporate limits of the
34 City of Orange City, Florida, said property being generally located on the west
35 side of North Volusia Avenue, approximately 50 feet south of West New
36 York Avenue, containing approximately 2.67 acres; in accordance with the
37 voluntary annexation provisions of Florida Statute 171.044 redefining the
38 boundaries of the City of Orange City by amending the appropriate sections of
39 the code of ordinances; containing a repealer provision, a severability clause
40 and providing for an effective date.

41
42 Council Member Allebach read the title of Ordinance No. 460 into the record.

43
44 **Council Member Laputka moved to adopt Ordinance No. 460 on**
45 **second reading, seconded by Vice Mayor Crippen.**

46
47 Mr. Kerr displayed a power point slide of annexations that have taken place over the past 8 months,
48 noting that the City limits are now extended all the way up the SR 472. He said the property under

1 consideration is a little over 2½ acres, on the southwest corner of New York Ave and U.S. 17-92. Staff
2 recommends annexation of this property.

3
4 Mayor Strickland opened the public hearing by asking if anyone wanted to speak for or against the
5 proposed ordinance.

6
7 Joe Hopkins, Daytona Beach, came forward and said he is representing the property owner. He said he
8 did not have a presentation, but that he would answer any questions Council may have.

9
10 Referring to a sign posted on the property, Council Member Laputka asked if the facility would meet its
11 fall opening date. Mr. Hopkins said he anticipates opening sometime in the late fall or early winter. In
12 response to a further question from Council Member Laputka, Mr. Hopkins said the structures on the
13 property would be relocated and dismantled. He said he has talked with the Fire Chief about the
14 possibility of doing training exercises on those structures. Council Member Pupello asked how many
15 jobs would become available once the business opened. Mr. Hopkins responded he anticipates hiring 8-
16 12 employees.

17
18 There being no further requests to speak, the mayor closed the public hearing.

19
20 **Motion passed by a 6/0 roll call vote of the Council.**

21
22 **7. RESOLUTIONS:**

- 23
24 **A. RESOLUTION NO. 643-11:** A resolution to establish a “Complete Streets
25 Policy” to integrate bicycling, walking, and public transit with the City’s
26 transportation programs, projects, policy initiatives, goals and objectives;
27 presenting guidelines for routinely incorporating complete streets into practice
28 and to report annually on complete streets implementation.

29
30 Council Member Allebach read the title of Resolution No. 643-11 into the record.

31
32 **Council Member Laputka moved to adopt Resolution No. 643-11,**
33 **seconded by Vice Mayor Crippen.**

34
35 Ms. Stettner said the Comp Plan adopted earlier this evening added a policy and definition for a
36 Complete Streets plan. If adopted, Resolution No. 643-11 would fully endorse such a plan for the City.
37 A complete streets plan considers all modes of transportation and creates more mobility and walkability
38 throughout the City. It will help with public transit uses, bicyclists and pedestrians of all ages and
39 abilities, as well as motorists. The benefit of a complete streets plan is that it improves safety, provides
40 connections to businesses and communities, and promotes a healthier lifestyle. It also reduces
41 congestion and greenhouse gas emissions and it makes fiscal sense. Ms. Stettner listed the various
42 issues to consider when contemplating a complete streets implementation. She said many of the
43 improvements can be incorporated into major transportation projects. In conclusion, Ms. Stettner said
44 these types of programs are tailored precisely to the community. The plan looks at what the community
45 needs are. It is a visioning process that looks at all factors so that all modes of transportation can be
46 accommodated in the appropriate location, at the appropriate time.

47
48 Henry Durica, 1310 E. Lansdowne came forward and distributed newspaper articles about complete

1 streets programs to Council (a copy of which is attached and becomes a permanent part of these
2 minutes). He read portions of the articles. Addressing Ms. Stettner, he said the presentation was great.

3
4 **Motion passed by a 6/0 roll call vote of the Council.**

5
6 **8. DISCUSSION AND ACTION:** None at this time.

7
8 **9. NEW BUSINESS:** None at this time.

9
10 **10. REPORTS:**

11
12 A. City Manager

13
14 Ms. Croteau announced that Interim Fire Chief Johnson is now the permanent Fire Chief for the City.
15 Mr. Johnson came forward and said he really enjoys working for the City. He thanked Ms. Croteau for
16 the opportunity.

17
18 Ms. Croteau said she wished to invite a representative from the Florida League of Cities Legislative
19 Committee to discuss the new laws that were recently enacted. She said she felt it is something that
20 would be beneficial for Council. It was the consensus of the Council that the City Manager invite
21 someone from the Legislative Committee to speak to Council. Ms. Croteau said she anticipated having
22 someone come in August.

23
24 Ms. Croteau reported the Randy & Randy Duo will perform at the Father's Day celebration in Dickinson
25 Park, June 19th 6-8 p.m. Ms. Croteau advised that the Independence Day celebration has been scheduled
26 for July 2nd from 4 – 9 p.m. at Valentine Park. She said it will be similar to last year with vendors and
27 inflatables and bungee jumping for the children. She noted that there is currently a ban on all fireworks
28 in Volusia County due to the very dry nature of the State, so staff is waiting to see if the fireworks will
29 be cancelled.

30
31 In response to a question from Council Member Laputka, Ms. Croteau advised that the project at 201
32 Oak Avenue is on hold. She explained the project was started without a plan and that staff is currently
33 developing a plan to bring forward at a later time.

34
35 B. Mayor/City Council

36
37 Vice Mayor Crippen reported on the River of Lakes Heritage Corridor Scenic Highway Corridor
38 Management Entity (the Corridor) meeting on June 13th. He said Ms. Stettner attended the meeting with
39 him. The group is proceeding slowly. Currently, everything is on hold to see if the City of Sanford and
40 Seminole County will join the group. It appears they are interested, but must appear before the
41 Department of Transportation Scenic Highway Committee in October. The Corridor is considering
42 requesting letters of support from the communities involved August 1st in order to have it included with
43 the final application. More information is forthcoming. This matter will be on the agenda for the
44 upcoming summit.

45
46 The Vice Mayor reported the marketing committee is discussing familiarization tours of the local area in
47 September when the Main Street program will bring 250 people to area. The Corridor is also looking
48 into linking the River of Lakes to the City's home page and Ms. Stettner is working on putting

1 information about the City on the River of Lakes Facebook page. Vice Mayor Crippen said County
2 Council Member Andy Kelly talked about funding that may be available from the TPO, but he did not
3 have any other details. The marketing committee is also working on a new brochure and is considering
4 asking members to distribute it with water bills. Also, the group is trying to raise money and is
5 considering membership dues of \$50 per year.

6
7 Council Member Allebach reported that he attended the general meeting for the West Volusia Realtor's
8 Association. Several people from local governments were invited. The group asked questions about
9 SunRail. He expressed his hope that the Realtor's Association will be helpful in creating a solution to
10 some of the backlog of properties. He suggested the Realtor's Association could express their support
11 of SunRail by emailing, writing letters and calling Governor Scott.

12
13 Council Member Allebach said he went to the North Central Regional meeting for myregion.org. It is a
14 planning group working to create more uniform regulations and cooperation between businesses and
15 governments. The procedures seem to be different at each location and it extremely frustrating for
16 businesses. He stated local governments need to look at ways to make the process more uniform, faster
17 and easier for businesses trying to get a permit to do business within their jurisdiction.

18
19 Mayor Strickland said that due to the census results, district boundaries for State and County office
20 holders are going to be changing. Several meetings will be scheduled to discuss the matter. He
21 suggested that everyone pay attention to these meetings because it could affect the City. He said he
22 hopes the issue will be discussed at the summit meeting scheduled for July 16th in Deltona. Mayor
23 Strickland said the University High School Booster Club has people who wish to fund a stadium at the
24 high school, but the school board does not want to accept. He spoke about the problems the school
25 board had with a stadium on the east side of the County. The Mayor said he hopes this matter is also on
26 the agenda for the summit meeting.

27
28 C. City Clerk

29
30 Ms. Renner provided an update on the upcoming elections. She said qualifying begins in two weeks.
31 So far, four candidates have completed their paperwork. Two have declared to run for Mayor and two
32 for council members from District 1 and District 3. An announcement was placed on the web site about
33 the election. In addition, Ms. Renner said she plans to call the newspapers to see if a notice about
34 elections will be published. She said she hopes it will get a response. In response to a question from
35 Mayor Strickland, Ms. Renner said qualifying is July 5-15th, the general election is September 13th and
36 the runoff is November 8th.

37
38 D. City Attorney

39
40 Mr. Reischmann discussed the use of iPads with the Council. He noted a function on the iPad called
41 Face Time that could be used for two way conference calls. He warned Council to be careful of the use
42 of that function as it is subject to the sunshine laws. In addition, he said the notes function is not backed
43 up to the server. He suggested saving notes that may be classified as a public record.

44
45 Mr. Reischmann noted there is an upcoming election. He said that recently a comment was made about
46 Section 2.06 of the Charter which states Council cannot enact or create new polices or obligations for
47 the City during the interval between the General Election and the swearing in of the newly elected
48 members of the Council. He said there is a conflict between the language in Section 2.06 and Section

1 4.03. Some concerns were expressed with regard to what Council can do during the interval between
2 the general election and the swearing in of new Council Members. Mr. Reischmann said that under the
3 current situation, Council can adopt a budget because it specified in Section 7.04 that must done by
4 September 30th. Mr. Reischmann advised that Council could chose to fix the unintended consequences
5 of these charter changes by amending the Charter to clarify the language. He discussed the ways to do
6 this and stated it can be done at the discretion of the Council.
7

8 Council Member Abraham said he does not see a problem with the Charter. He said the budget must be
9 adopted by October 1st. Council Member Allebach said it could be a problem in the future. He asked
10 what is required to get the language change passed during the upcoming election. Ms. Renner stated
11 that it is too late to address that issue for the next election.
12

13 Council Member Pupello noted that not every district has a declared candidate for the election. He
14 asked how that would be dealt with. Mr. Reischmann responded that a vacancy would be created once
15 the seated council member's term expires and that it would be filled in accordance with the procedures
16 set forth in the Charter. In response to a further question Mr. Reischmann said a Council Member has
17 the ability to refuse the salary associated with the position if that is their desire.
18

19 Mayor Strickland commented that there appears to be "no teeth" in the charter regarding enforcement of
20 violations. He asked what the consequences of a violation would be. Mr. Reischmann noted that
21 several state laws address remedies for charter violations.
22

23 11. APPROVAL OF MINUTES:

May 24, 2011 Regular Meeting

24
25 **Council Member Allebach moved to approve the minutes of the May 24,**
26 **2011 Regular Meeting, seconded by Council Member Laputka and**
27 **passed by a unanimous 6/0 voice vote of the Council.**
28

29 May 24, 2011 Workshop Meeting

30
31 **Council Member Allebach moved to approve the minutes of the May 24,**
32 **2011 Workshop Meeting, seconded by Council Member Pupello and**
33 **passed by a unanimous 6/0 voice vote of the Council.**
34

35 May 31, 2011 Special Meeting

36
37 **Council Member Allebach moved to approve the minutes of the May 31,**
38 **2011 Special Meeting, seconded by Council Member Pupello and passed**
39 **by a unanimous 6/0 voice vote of the Council.**
40

41 12. COUNCIL COMMENTS

42
43
44 Council Member Abraham noted an article written by George Will of the Washington Post with the title,
45 "Is Constitutional Lawmaking a Travesty?" In the article, Mr. Will suggests that democracy in America
46 is dying. He asked anyone with thoughts on this message to share them with him via email.
47

1 Council Member Crippen thanked those present in the audience tonight. He noted that Mr. Kerr sent a
2 letter to those present at the alley meeting. He said that he was pleased at the attendance at that meeting
3 and encouraged everyone to participate in the budget process which is approaching.

4
5 Council Member Allebach noted that City workers assisted the County in fixing storm damage which
6 occurred today on Fern which is located outside the City limits. He praised the teamwork involved in
7 this effort. Council Member Allebach noted the importance of tending to the maintenance details such
8 as edging the flower beds in the City and praised Public Works for their efforts in this area. He said that
9 he was told by a reporter recently that the paper wouldn't send them to the meetings anymore because
10 nothing exciting happens.

11
12 Council Member Pupello stated that the "alley" meeting was great. He advised that it was
13 well-attended, noting that the Council Chambers was full. Council Member Pupello said, "I'd like to
14 see our Council Meetings the same way." He thanked the audience for attending. Council Member
15 Pupello noted that the farmer's market is doing "very well." He encouraged people to attend.

16
17 Council Member Laputka reported that the Orange City Senior Girls softball team won the tournament
18 and that they would be present at the next meeting to accept a proclamation. He asked whether the
19 agenda items could be displayed to the audience as they are shown on the iPads for Council.

20
21 Mayor Strickland advised that he again heard the author of the book *Seamless Cities* and that he
22 discussed streetlights. A switch to LED streetlights cost \$450,000 to implement, however, they made a
23 return on their investment in three years. In addition, the building of "doggie parks" was one of the
24 most successful things they did in St. Petersburg. Mayor Strickland said that the Transportation
25 Committee of which Rep. John Mica is Chair is looking for a solution that will generate enough support
26 to pass.

27
28 **13. ADJOURNMENT**

29
30 There being no further business, Mayor Strickland adjourned the meeting at 9:21 p.m.

31
32
33 RESPECTFULLY SUMMITTED:

APPROVED:

34
35 _____
36 Gloria Thomas, CMC
37 Deputy City Clerk

Date