

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,  
2 held on Tuesday, August 23, 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 Tom  
11 Laputka, Tom Abraham, Anthony J. Pupello, Gary A. Blair; City Attorney Bill Reischmann; City Manager  
12 Jamie Croteau; City Clerk Deborah Renner

13  
14 **ABSENT:** Council Member Jeff Allebach

15  
16 **INVOCATION**

17  
18 The Invocation was given by Chaplain Jaci Perrin, Fish Memorial Hospital, followed by the Pledge of  
19 Allegiance.

20  
21 **3. CITIZEN COMMENTS:**

22  
23 Joseph Marcial, 249 Abbeyville Street, Deltona came forward. He said understands that Orange City is  
24 currently contemplating contracting with AECOM to assist in planning for the City. Mr. Marcial said he is  
25 an architect and there are several local residents that have the same knowledge and expertise to assist in  
26 this project for a lower cost. Mayor Strickland suggested that Mr. Marcial contact the City Manager to  
27 further discuss his concerns.

28  
29 David R. Durant, 415 Clark Street, came forward and distributed copies of a letter he received from former  
30 Council Member Bob Cardone dated April 2001 regarding the use of CDBG funds. He read the letter into  
31 the record and urged Council to contribute to the African American Festival.

32  
33 Michelle Polgar, 585 Montclair Ave came forward and announced there will be a candidate forum  
34 Thursday August 25<sup>th</sup> 6-8 p.m. at the Dickinson Library. She urged everyone to attend.

35  
36 **4. CONSENT AGENDA:** (None at this time)

37  
38 **5. ORDINANCES - FIRST READING:** (None at this time)

39  
40 **6. PUBLIC HEARINGS:** (None at this time)

41  
42 **A. RESOLUTION NO. 651-11:** A resolution of the City of Orange City, Florida,  
43 relating to the construction and funding of the Sparkman Avenue Extension  
44 project; providing authority and definitions; establishing annual assessments for  
45 the fiscal year beginning October 1, 2011; approving an assessment roll for the  
46 fiscal year beginning October 1, 2011; establishing the lien associated therewith;  
47 directing that the assessment roll be certified to the Volusia County Tax Collector;  
48 providing for collection of the assessments pursuant to the Uniform Assessment  
49 Collection Act; providing severability and an effective date.

Council Member Laputka read the title of Resolution No. 651-11 into the record.

**Vice Mayor Crippen moved to approve Resolution No. 651-11, seconded by Council Member Laputka.**

Christine Davis, Finance Director, advised this is the third year of the Sparkman Ridge Annual Assessment Program. She said all regulatory requirements have been met. Staff is requesting that Council adopt Resolution No. 651-11.

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

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

- B. RESOLUTION NO. 652-11:** A resolution of the City of Orange City, Florida, relating to the collection and disposal of solid waste in the City of Orange City, Florida; reimposing solid waste service assessments against assessed property located within the City of Orange City, Florida, for the fiscal year beginning October 1, 2011; approving the rate of assessment; approving the solid waste assessment roll; and providing an effective date.

Council Member Laputka read the title of Resolution No. 652-11 into the record.

**Vice Mayor Crippen moved to approve Resolution No. 652-11, seconded by Council Member Laputka.**

Ms. Davis advised this resolution will set the annual rate for solid waste services for tax year 2011. Noting that the preliminary rate resolution established the maximum rate at \$191, she stated this resolution will further reduce the rate to \$190.20. As required, notices were mailed to residents that were never billed for solid waste due to either annexation or new homes being built. Ms. Davis said staff is requesting that Council adopt Resolution No. 652-11.

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

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

**7. RESOLUTIONS:**

- A. RESOLUTION NO. 650-11:** A resolution of the City Council of the City of Orange City, Florida, adopting a revised fee schedule for building permit fees; providing for conflicts; providing for severability; and providing an effective date.

Vice Mayor Crippen read the title of Resolution No. 650-11 into the record.

**Council Member Laputka moved to adopt Resolution No. 650-11, seconded by Council Member Blair.**

1 Wendy Hickey, Planning and Zoning Analyst came forward. She said while reviewing the Building Code,  
2 staff discovered a statement explaining how construction costs are calculated was omitted from the fee  
3 schedule. Resolution No. 650-11 will correct that error by adding a statement indicating that construction  
4 costs are based on the International Code Council Building Safety Journal Standards.  
5

6 Mayor Strickland opened the public hearing by asking if anyone wanted to speak for or against the  
7 proposed resolution. The mayor closed the public hearing.  
8

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

10  
11 **8. DISCUSSION AND ACTION:**

12  
13 **A. Curb Appeal Award Program**

14  
15 Sgt. Greg Lariscy, Code Enforcement Supervisor, came forward. He said the staff would like to implement  
16 a curb appeal award program that recognizes home and business owners who take extra pride in the  
17 appearance of their property. The program would solicit recommendations from the public. A committee  
18 consisting of staff from various departments will review the submittals and select a winner on a bi-monthly  
19 basis. Sgt. Lariscy discussed the criteria that would be considered. He said the winner will be recognized  
20 on the city web site, given a yard sign to display and will be formally awarded at a Council meeting. The  
21 funding required to implement the program is \$1,100 and will be used to purchase gift certificates from  
22 local businesses.  
23

24 Council Member Laputka noted a similar program in the Sanford historical area that is very successful.  
25 Council Member Blair thanked staff for bringing this program forward. Mayor Strickland noted there are  
26 several differences in the yards around the city and expressed his hope the evaluation criterion would not  
27 be rigid to the point where some homes would be ruled out. Sgt. Lariscy agreed. Mayor Strickland stated  
28 this program can also be a way of reactivating a "garden club" mentality. He suggested a gardener be  
29 appointed to the committee. Vice Mayor Crippen questioned whether pictures of the winning yards would  
30 be placed on the web site. Sgt. Lariscy responded in the affirmative. Council Member Pupello questioned  
31 the term of the committee members. Sgt. Lariscy said that has not yet been decided. Council Member  
32 Laputka asked whether there was enough funding to start the program, Sgt. Lariscy said there was.  
33

34 Ms. Croteau commented that last year staff undertook a right-of-way awareness program to get people to  
35 recognize the importance of having nice curb appeal and maintaining their property. This project is just  
36 another step in that direction. The funding can come from the Community Improvement budget. Ms.  
37 Croteau thanked staff for thinking ahead and trying to continue the goal of beautifying the city. She said  
38 Council's approval to use the funds is all that is required at this time. It is anticipated the program will start  
39 on October 1<sup>st</sup>.  
40

41 **Council Member Blair moved that the Council approve the Curb Appeal**  
42 **Beautification Award Project funding for \$1,100, seconded by Council**  
43 **Member Laputka, and passed by a 6/0 roll call vote of Council.**  
44

45 **B. Prescription Drug Drop-Off Program**

46  
47 Commander Frank Ubinski, Police Department, came forward and remarked the Center for Disease  
48 Control reported that more than 20,000 people die from prescription drug overdose. It is the second  
49 leading cause of accidental deaths in America. The improper disposal of prescription drugs contributes to

1 this serious problem. According to an Associated Press investigation in 2008, a vast array of  
2 pharmaceuticals including antibiotics and mood stabilizers has been found in drinking water supplies. This  
3 is due to people flushing expired or unused medications down the toilet or by pouring them down sink  
4 drains.

5  
6 Commander Ubinski said the Police Department wishes to provide a safe way to dispose of prescription  
7 medications by implementing a Prescription Drug Drop-off Program. On the first Wednesday of every  
8 month anyone can anonymously drop off their unwanted medications at the Police Department. No  
9 identification is required and no questions will be asked. All medications are to be enclosed in a standard  
10 secure container or in plastic bags. Liquid medications must be enclosed in a secured container and placed  
11 in a plastic bag. Syringes will not be accepted as this would create a hazardous situation for staff.  
12 Commander Ubinski concluded by stating staff received verbal confirmation of a grant application that will  
13 provide a collection box for these medications. Once the collection box is received and installed, the hours  
14 of operation will expand to 8 a.m. to 5 p.m. Monday through Friday.

15  
16 Council Member Blair noted Council recently attended the Volusia League Dinner when the seriousness of  
17 this matter was discussed. He said he learned that 7.4 people die per day in this State as a result of drug  
18 abuse. Council Member Blair stated, "That really stuck with me."

19  
20 Council Member Laputka agreed. He said the term "drug tourist" was used as a lot of people are coming to  
21 Florida because the drugs are obtainable. Council Member Laputka questioned how the success of this  
22 program would be measured. Commander Ubinski responded the drugs would be weighed daily and  
23 compared to what other agencies collected. In response to a further question from Council Member  
24 Laputka, Commander Ubinski said a press release announcing the program will be issued and flyers will be  
25 strategically placed throughout the city. He discussed the other ways being considered to advertise the  
26 program. Council Member Laputka suggested this information be placed at the middle and high schools.

27  
28 Mayor Strickland recommended contacting the Parents Associations about this program. He talked about  
29 his concerns with the methods the State is suggesting for people to dispose of prescription drugs. He said  
30 people talk about drug pushers, but not about the doctors who prescribe these medications. The Mayor  
31 recalled that some time ago a local pharmacy was working on developing a similar program. He said he  
32 can support this program and expressed his hope this program will set an example for the rest of the  
33 County.

34  
35 In response to a question from Vice Mayor Crippen, Lt. Ubinski said the collected pharmaceuticals will be  
36 incinerated and residents with used syringes will be referred to the Fire Department. The Vice Mayor  
37 suggested that information be provided with the flyer.

38  
39 Chief Chris Johnson, Fire Department came forward and explained the Fire Department is required by  
40 State law to dispose of all medical waste. The minimum pick-up is every 28 days. Currently people are  
41 required to bring their used syringes to the Department of Health, but a local location would be more  
42 convenient for our residents. The Vice Mayor reiterated it would be important to advertise this service.

43  
44 Ms. Croteau said this program does not require Council authorization to implement. Staff wanted Council  
45 to be aware of this new program.

46  
47 **C. Discuss Purchasing Policies (Requested by Council Member Abraham)**  
48

1 Council Member Abraham distributed copies of Ordinance No. 153 which is the Purchasing Policy for the  
2 city (a copy of which is attached and becomes a permanent part of these minutes). He said he wanted  
3 Council to review this policy because he has concerns with the way money is spent. He alleged that,  
4 “After October 1<sup>st</sup> when the budget is approved...somebody gets some money very, very liberally and  
5 freely...” and he is concerned. The ordinance was adopted in 2003 and has not been reviewed since that  
6 time. There was very little discussion in the minutes when the ordinance was passed. The former interim  
7 city manager recommended that the spending limit be increased from \$5,000 to \$25,000. Council Member  
8 Abraham said he would like that amount lowered to a more “reasonable amount.” He cited the hiring of  
9 consultants for the goal setting sessions as a matter that Council should have been consulted on. He stated  
10 “consultants should be hired according to Florida State Law 287.055” and questioned if that law was  
11 complied with. Council Member Abraham stated he is really concerned. He asked whether the city has  
12 CCNA contracts with anybody at this time.

13  
14 Mr. Reischmann responded staff follows the State regulations for CCNA contracts. He explained what a  
15 CCNA contract is noting that it requires a formal bid. He said these types of contracts are for engineers,  
16 surveyors and other types of professions specifically identified in F.S. Chapter 287.055 and do not apply to  
17 general consultants. Currently, the city has a pool of consulting engineers under a continuing services  
18 contract. Rather than the city having to go out for bid to retain the services needed for a particular project,  
19 staff will go to its pool of engineers and issue a Request for Qualifications (RFQ). He said the consultant  
20 that Council Member Abraham is referring to does not require a bid as it is a more limited type of  
21 consultant.

22  
23 Ms. Croteau recalled that Council recently approved continuing service contracts for engineers. Currently,  
24 there is a bid out for a planning firm and that should come before Council soon. She stated, the city goes  
25 through this process periodically and Council has voted on those continuing service contracts.

26  
27 Council Member Abraham questioned whether AECOM has a contract with the city. Ms. Croteau  
28 responded in the negative. She said a bid for a planning firm was issued. The bids are back and will be  
29 reviewed shortly. She said she anticipates bringing the matter forward some time in September for  
30 approval. Council Member Abraham noted that AECOM were the consultants who conducted the  
31 meetings about redevelopment. He asked if they were invited to continue. Ms. Croteau responded they  
32 were not. She said AECOM would have to bid for the contract as the other planning firms do.

33  
34 Vice Mayor Crippen thanked Council Member Abraham for bringing this matter to Council’s attention. He  
35 expressed his understanding that staff is currently reviewing the policy. He noted that Council Member  
36 Blair was on the Council at that time and questioned why the change was made. Council Member Blair  
37 responded it was to give the City Manager a little more flexibility.

38  
39 Council Member Laputka agreed the change was to provide more flexibility and to allow the City Manger  
40 to function without having to seek Council’s authorization for every purchase. He said it is not a license  
41 for any reason other than to keep the business of the city moving forward. If things were not in order,  
42 Council would know about it. He said that today purchasing prices are higher and this policy should reflect  
43 that. He commended Council Member Abraham for bring this matter forward at this time, and stated, “I  
44 don’t see any deficits.”

45  
46 Council Member Pupello also thanked Council Member Abraham for bringing this matter forward for  
47 discussion. He stated his belief the policy is ethical and that the City Manager was well within her capacity  
48 and performing her duties appropriately when she hired the consultants.

1 Council Member Abraham stated the economy was “in good times in 2003...we are passing through and  
2 have not yet recovered from this recession.” He maintained that ethics in purchasing, whether it is  
3 followed or not, could be a continuing question when there is a continuing contract with a consultant like  
4 that.

5  
6 Addressing Council Member Abraham, Council Member Blair asked, “Are you insinuating that there is  
7 some type of ethics violation?” Council Member Abraham responded, “I do not know, I don’t suspect  
8 anything like that, but there are other cities where such issues have come up.” Budgeted money can be  
9 used by the City Manager at her discretion up to the amount of \$25,000. When additional money is  
10 allocated there is no explanation to the Council when the money is used. He stated, “There is an  
11 appearance of something wrong, even the appearance of an error cannot be tolerated by current ethics  
12 standards.” Council Member Blair noted everything is public record and that anyone can get a copy of  
13 every cent that is spent. He stated, “To even suggest that the City Manager or anyone is unethical is not  
14 proper to do at this time.” Council Member Abraham said that is not what he said. He clarified, “I am  
15 reviewing the purchasing code and enlightening you.” He said Council has accountability to the citizens.  
16 Council Member Blair said he understands accountability, however, he stated, “I would suggest that if  
17 maybe you spend time with the City Manager, she would explain a little more as to where the money is  
18 being spent.”

19  
20 Ms. Croteau said she follows the Purchasing Code it is very standard when compared to other cities in  
21 Volusia County. She pointed out that on several occasions staff has brought forward contracts for  
22 Council’s approval. Ms. Croteau stated, “If you (*Council*) can point to some place where the city’s  
23 Purchasing Code is not being enforced, staff would be happy to look into it. But, I will tell you I believe  
24 that every member of the staff works very hard to stay within their budget, to follow the guidelines, and I  
25 do not think there is anything improper here.”

26  
27 Mayor Strickland questioned whether the requirement that anything costing over \$10,000 must have a  
28 written or verbal quote is realistic. Ms. Croteau said that it was. She said staff looked at what other cities  
29 are doing and found it to be consistent. She noted a temporary employee, certified in purchasing, is  
30 looking at the Purchasing Code and has suggested a few changes.

31  
32 Mr. Reischmann discussed the intent and the procedures in the Purchasing Code. He concluded by stating  
33 everything that is purchased is done with the intent and methodology set forth in the purchasing code.

#### 34 35 **D. Carpenter Avenue Stormwater**

36  
37 Paul Johnson, Public Works Director, came forward. He recalled that last year residents asked Council to  
38 consider funding to correct some of the water issues on Carpenter Avenue. He displayed aerial views of  
39 the location and described the problems the property owners are having. He said the front and side yards of  
40 470 Carpenter Avenue are completely eroded because of stormwater run-off. Staff considered a plan that  
41 would correct the problem but was unable to obtain all the easements necessary to complete the project.  
42 An alternate plan that would require ripping up sidewalks and parts of the roadway was also considered,  
43 but it not a viable project as it would cost over \$270,000 to complete.

44  
45 Mr. Johnson said the property next door to the affected property recently became available for sale. Staff  
46 asked a consulting engineer to look at the property to see if it was usable as a retention pond and he agreed  
47 that it is. Mr. Johnson detailed the methodology contemplated to get the rain water to flow to the pond. He  
48 stated his opinion that this system is a good solution to the problem. It would cost about \$90,000 to  
49 complete and would be a significant cost savings from the other projects considered. He stated staff is

1 seeking Council's authorization to purchase the home at 460 S. Carpenter at the property appraiser's "just  
2 value" of \$34,000 and to demolish the house to build a retention pond. In addition, staff is asking that  
3 Council waive the requirement that the property be appraised. Mr. Johnson said a representative from  
4 Pegasus Engineering is present to answer Council's questions.

5  
6 David Hamstra, Project Manager, Pegasus Engineering came forward. He acknowledged the water issues  
7 with Carpenter Avenue. He said several attempts to secure an easement to correct the problem were  
8 unsuccessful. When the staff spoke about the potential acquisition of this property, Pegasus evaluated  
9 whether it can properly capture and transport the water to the Marshall Pond system. He discussed the  
10 benefits of this project noting that it could provide an outlet to solve future problems with flooding in  
11 Marshall Park. He answered Council's questions with regard to the technical aspects of the proposed  
12 project.

13  
14 In response to a question from Mayor Strickland, Mr. Johnson advised that his cost estimates for the  
15 project include an outside company demolishing the building. He explained the limitations as to who can  
16 demolish a building and noted that staff will assist with digging the pond.

17  
18 Vice Mayor Crippen divulged the home being considered for purchase belonged to his cousin. He said he  
19 spoke with the city attorney and was informed there is no conflict of interest and that he could vote on this  
20 matter. Council Member Abraham confirmed what the costs of the project would be. He said he could  
21 support this project.

22  
23 Council Member Pupello acknowledged this project is a "tremendous" cost savings. He noted the city is  
24 considering installing a pipe that will extend to Marshall Park sometime in the future. He asked why not  
25 just install the pipe directly to the park now. Mr. Hamstra responded it would be more expensive to pipe  
26 the water all the way to the park. Another benefit to having the pond is that the water could be pre-treated  
27 before it is shipped to Marshall Pond and it would provide additional storage to the water shed.

28  
29 In response to a question from Mayor Strickland, Ms. Croteau, said a motion is required to purchase the  
30 property and move forward with this project.

31  
32 Council Member Pupello noted that money was allocated in the current budget for this neighborhood. He  
33 questioned how that would be addressed. Ms. Croteau explained a portion of the funding was used for  
34 engineering fees for this project. She said she does not anticipate the sale to move forward until after  
35 October and there will be additional funding at the start of the budget year.

36  
37 As a point of order, Mr. Reischmann advised that the motion should include the request that the appraisal  
38 fee be waived.

39  
40 **Council Member Blair moved that Council authorize the City Manager to**  
41 **enter into an agreement to purchase the property at 460 S. Carpenter Avenue**  
42 **and waive the appraisal fee requirement as well as the additional engineering**  
43 **costs, seconded by Council Member Pupello and passed by a 6/0 roll call vote**  
44 **of the Council.**

#### 45 46 **E. City Manager's Evaluation**

47  
48 Mayor Strickland advised the evaluations have been completed and submitted to the city clerk. Ms. Renner  
49 said she received an evaluation form from everyone. She said she compiled the ratings in a summary sheet,

1 which was disturbed as part of the agenda packet. The summary sheet lists the rating given by each  
2 Council Member for each category along with an average rating.

3  
4 Henry Durica, 1310 E. Lansdowne Avenue came forward. He said he reviewed the prior evaluations that  
5 Council completed. He said it appeared that several Council Members wished the former city managers  
6 were still here, which is “sad.” Mr. Durica said reviving the farmers market, movies in the park and  
7 annexing properties are some of the things Ms. Croteau has accomplished during her tenure with the city.  
8 He recalled that for four years residents have come before Council asking for a reduction in the trash bill  
9 but were advised that would not be possible until the next contract. However, Ms. Croteau was able to get  
10 a 26% reduction four months into the job. Mr. Durica spoke about professionalism and decorum at city  
11 council meetings. He noted problems hearing council’s discussions because of the poor quality of the  
12 microphones and suggested that staff look into purchasing a better system. He said he attended the  
13 community meetings hosted by Sgt. Lariscy, and urged everyone to attend as it is very educational. Mr.  
14 Durica suggested employee morale has improved significantly since Ms. Croteau was hired. He stated,  
15 “You did right in choosing Ms. Croteau. She is a breath of fresh air and professional for the City of  
16 Orange City.”

17  
18 Mayor Strickland noted that Council Member Blair asked this matter to be brought forward and asked if he  
19 had further comments. Council Member Blair stated it was a “pretty good process,” and that he is glad  
20 everyone participated. He stated his rating of the city manager appears to be low and he explained how he  
21 arrived at that rating. Council Member Blair said he spoke with Ms. Croteau and explained that “meets  
22 expectations” is a very good rating. It leaves room for improvement. He expressed his hope that the public  
23 understands that he does appreciate the services of the city manager.

24  
25 Council Member Laputka said the revised evaluation form was easier to work with, however the leadership  
26 category was difficult to rate because he did not have the data. Council Member Laputka thanked the City  
27 Clerk for preparing the summary. Council Member Pupello agreed the form was simpler this time. He  
28 said the summary was a nice “comparable” and that he looks forward to the next evaluation form being  
29 more specific to Orange City.

30  
31 Council Member Abraham discussed his methodology for evaluating the city manager. He said he has  
32 several concerns that he discussed with her. Council Member Abraham said he is optimistic that Ms.  
33 Croteau will become a “more improved” manager. He said he disagrees with the citizen’s comment about  
34 the former managers.

35  
36 Vice Mayor Crippen thanked Council Member Blair for asking that this matter be brought forward. He  
37 said he has seen significant improvement in the way the city does business. He said a good leader  
38 surrounds themselves with the “best and brightest” individuals and that is what is occurring in the city right  
39 now. He stated “kudos” for hiring a Development Services Director that has brought a lot of innovation  
40 and new solutions to some old problems.

41  
42 Mayor Strickland stated he agreed with the “positive” comments made about the evaluation. He expressed  
43 his hope that next year the form will be revised so that it is more appropriate for Orange City.

44  
45 **9. NEW BUSINESS:** *None at this time*

46  
47 **10. REPORTS:**

48  
49 **A. City Manager**

1  
 2 Ms. Croteau announced the movie “Despicable Me” will be shown at Movies in the Park on Friday  
 3 September 2<sup>nd</sup>. The Fire Association will be selling pizza. It is a free event and everybody is invited. Ms.  
 4 Croteau advised that salary adjustments in the Police Department are required due to inequities found  
 5 during the reorganization of the department. It is within the city manager’s purview to do salary  
 6 adjustments up to 5% within a 12 month period and at least one of the adjustments will be over that  
 7 percentage. Ms. Croteau said she needs a consensus from the Council to move forward and make the  
 8 necessary salary adjustments.

9  
 10 **It was the consensus of the City Council that the City Manager make one-**  
 11 **time adjustments to Police Department salaries not to exceed 10%.**  
 12

13 Council Member Blair suggested the water provided for the meeting did not taste good. He asked if the  
 14 machine that provides the ice had been cleaned out. Ms. Croteau responded she would check into it.  
 15 Council Member Blair asked for an update on the bus bench signs. Ms. Croteau said initially staff sent a  
 16 letter to the bus bench company asking them to cease installing bus benches within city limits as the  
 17 advertising signs do not meet city code, but there was no response. The city attorney sent a second letter  
 18 and the company acknowledged their error and agreed to meet with staff to discuss how to resolve the  
 19 matter amicably. Ms. Croteau said staff will continue to follow-up and report back to Council.

20  
 21 Council Member Blair said a citizen brought to his attention a large limb that has been in front of a fire  
 22 hydrant for over a week now. The citizen said he spoke with the Fire Department but was advised that it  
 23 was not their place to move it. The limb is still blocking the hydrant creating a public safety hazard. Ms.  
 24 Croteau responded she would look into the matter.

25  
 26 Council Member Blair said the same citizen was very concerned that his email address was given out by  
 27 the Utility Department. He received unsolicited emails about the upcoming elections and had to request  
 28 that his email address be removed from his account to avoid it being disclosed. Council Member Blair  
 29 asked if it is legal for the Utility to release that information. Mr. Reischmann responded that it was. He  
 30 said information collected by the Utility is public record. Generally, these types of applications have a  
 31 disclaimer letting people know that the information they provide on the application is public record and is  
 32 subject to disclosure under Chapter 119 of the Florida Statutes. Council Member Blair stated his belief that  
 33 customers need to know that their information can be released if it is requested. Ms. Croteau said staff will  
 34 look into having a disclosure statement on the forms.

35  
 36 Council Member Blair asked for an update on the status of evaluation forms for the city attorney and city  
 37 clerk. Ms. Renner reported Mr. Reischmann provide her with a sample form for city attorneys. She said  
 38 she is working on getting forms from other city clerks and that she anticipates having sample forms for the  
 39 next meeting. Council Member Abraham suggested the city attorney is not an employee and should not be  
 40 evaluated. Council Member Blair disagreed noting the he is a Charter employee as are the city manager  
 41 and the city clerk.

42  
 43 **B. Mayor/City Council**

44  
 45 **C. City Clerk**

46  
 47 No further report.

48  
 49 **D. City Attorney**

1 No further report.

2

3 **11. APPROVAL OF MINUTES:**

**July 26, 2011**

4

5 **Vice Mayor Crippen moved to approve the minutes of the July 26, 2011 Regular**  
6 **Meeting, seconded by Council Member Pupello and passed by a unanimous 6/0**  
7 **voice vote of the Council.**

8

9 **12. COUNCIL COMMENTS**

10

11 Council Member Abraham wished Council Member Allebach a speedy recovery.

12

13 Vice Mayor Crippen said there were a number of residents representing Orange City at the County Council  
14 redistricting meeting today. He stated "I look forward to maps 12, 13, 14 or however many more there are  
15 going to be before we could come to some kind of resolution of this."

16

17 Council Member Blair asked that everyone keep Council Member Allebach in their prayers.

18

19 Council Member Laputka agreed.

20

21 Council Member Pupello thanked everyone who attended.

22

23 Mayor Strickland said he attended the joint meeting of the School Board and the County Council regarding  
24 redistricting. Map 11 had the most votes because Lake Helen bused their people in an attempt to influence  
25 the County Council. Mayor Strickland said it is still important that everyone write letters urging the  
26 County Council to select Map 10. It was the consensus of Council that the Mayor speak on behalf of the  
27 Council regarding this matter.

28

29 **13. ADJOURN**

30

31 There being no further business, Mayor Strickland adjourned the meeting at 9:13 p.m.

32

33 RESPECTFULLY SUBMITTED:

APPROVED:

34

35

36 \_\_\_\_\_  
37 Gloria Thomas, CMC  
Deputy City Clerk

September 14, 2011  
Date