

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

4
5 **CALL TO ORDER:** The meeting was called to order at 7:00 p.m. by Mayor Strickland and roll call
6 was taken.

7
8 **ROLL CALL**

9
10 **PRESENT:** Mayor Harley Strickland; Vice Mayor Bill Crippen; Council Members Tom Laputka
11 Anthony Pupello, Tom Abraham, Gary Blair; City Manager Jamie Croteau; City Attorney
12 William Reischmann; City Clerk Deborah Renner

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

15
16 **INOVATION**

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

20
21 **1. SPECIAL PUBLIC HEARING ON THE ADOPTION OF THE BUDGET AND**
22 **MILLAGE RATE FOR FISCAL YEAR 2011/2012**

23
24 **MAYOR’S OPENING COMMENTS:**

25
26 Mayor Strickland read the following statement into the record: “The City of Orange City intends to
27 adopt a budget and millage rate for Fiscal Year 2011/2012. The proposed millage rate is 7.0757 mills
28 which is below the rolled-back rate as provided by the Property Appraiser of Volusia County and
29 reflects a decrease in ad valorem taxes.”

30
31 **PUBLIC HEARING – FIRST READING**

32
33 **A. ORDINANCE NO. 467:** An ordinance of the City of Orange City, Florida,
34 certifying the millage rate for fiscal year 2011-2012 on all taxable property
35 located within the City of Orange City, Volusia County, Florida; containing a
36 repealer provision; a severability clause and providing for an effective date

37
38 Council Member Laputka read the title of Ordinance 467 into the record.

39
40 **Vice Mayor Crippen moved to adopt Ordinance No. 467 on first reading,**
41 **seconded by Council Member Laputka.**

42
43 **B. ORDINANCE NO. 468:** An ordinance of the City of Orange City, Florida,
44 adopting the annual budget for the 2011-2012 fiscal year beginning October 1,
45 2011, and ending September 30, 2012; authorizing subsequent amendments
46 by resolution; repealing all inconsistent ordinances or parts thereof; and
47 providing for an effective date

48
49 Council Member Laputka read the title of Ordinance 468 into the record.

Vice Mayor Crippen moved to adopt Ordinance No. 468 on first reading, seconded by Council Member Laputka.

Christine Davis, Finance Director, came forward and advised that this is the first of two budget hearings, with the second and final hearing to be held at 7:00 p.m. on September 27, 2011. She provided a power point presentation (a copy of which is attached and becomes a permanent part of these minutes) on the budget highlights. She reviewed the details of the proposed budget and discussed the items that were funded.

Ms. Davis stated the proposed budget for FY 2011-2012 is balanced at 7.0757 mills. In addition, the General Fund was decreased 2.2% from last year. Ms. Davis advised that ad valorem is the largest source of revenue although alone, it is not enough to cover the cost of public safety. Orange City gets about \$309 from an average tax bill of \$1,051.91. This equates to \$25.80 per month or \$.85 per day which is lower than last year. The largest portion goes to the School Board followed by Volusia County and the West Volusia Hospital Authority. Orange City has the second lowest daily operating costs when compared with DeLand, Deltona, and unincorporated Volusia County.

Ms. Croteau thanked staff for their work on the budget. She noted that although the millage rate went up, the average cost that the homeowner pays for taxes has gone down.

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

Pat Moran, Orange City Shuffleboard Club, came forward and thanked the Council and City Manager for allocating funds to improve the Shuffleboard Club.

C. FINAL ADOPTION OF BUDGET AND MILLAGE RATE FOR FISCAL YEAR 2011/2012

(1) Ordinance No. 467 (Millage Ordinance) is voted on

Motion to adopt Ordinance No. 467 passed by a 6/0 roll call vote of the Council.

(2) Ordinance No. 468 (Budget Ordinance) is voted on

Motion to adopt Ordinance No. 468 passed by a 6/0 roll call vote of the Council.

D. ANNOUNCEMENT OF PROPOSED MILLAGE RATE

Mayor Strickland read the following statement into the record: The proposed millage rate for the City of Orange City for Fiscal Year 2011-2012 is 7.0757 mills which is below the rolled-back rate as provided by the Property Appraiser of Volusia County and reflects a decrease in ad valorem taxes.

E. ANNOUNCEMENT OF THE DAY, DATE, TIME AND PLACE OF SECOND PUBLIC HEARING AND FINAL ADOPTION OF ABOVE ORDINANCES

1 Mayor Strickland read the following statement into the record: Second Reading and Public Hearings for
2 Ordinance No.'s 467 and 468 will be held during the second regular City Council meeting on Tuesday,
3 September 27, 2011 at 7:00 p.m. in Council Chambers at 201 N. Holly Avenue, Orange City, FL.
4

5 Mayor Strickland closed the special public hearing and convened the regular meeting.
6

7 **1. ABSENCES:** Shall the absence of Council Member Allebach on August 23rd be excused?
8

9 **Council Member Blair moved to excuse the absence of Council Member**
10 **Allebach from the August 23, 2011 meeting, seconded by Vice Mayor**
11 **Crippen and passed with a unanimous voice vote of 6/0.**
12

13 **2. PRESENTATIONS/PROCLAMATIONS:** None at this time
14

15 **3. CITIZEN COMMENTS:** None at this time
16

17 **4. CONSENT AGENDA:** None at this time
18

19 **5. ORDINANCES - FIRST READING:**
20

21 **A. ORDINANCE NO. 465:** An ordinance of the City of Orange City, Florida,
22 amending the Orange City Code of Ordinances, Appendix A, the Orange City
23 Land Development Code; specifically amending Chapter 13, Flood Hazard
24 Management; to formally adopt the most current edition of the National Flood
25 Insurance Program (NFIP) Floodplain Management Regulations that meet the
26 standards set forth in Title 44 of the Code of Federal Regulations (44 CFR),
27 Section 60.3; adopting the firm panels for the City of Orange City by amending
28 the appropriate sections of the Code of Ordinances; containing a repealer
29 provision, a severability clause and providing for an effective date.
30

31 Vice Mayor Crippen read the title of Ordinance No. 465 into the record.
32

33 **Council Member Laputka moved to adopt Ordinance No. 465 on first**
34 **reading, seconded by Council Member Pupello.**
35

36 Jim Kerr, City Planner came forward and advised this ordinance will amend Chapter 13 of the Land
37 Development Code, to modify flood prevention requirements. He stated these requirements have been
38 in place for some time. It enables property owners to purchase flood insurance as protection against
39 flood losses. FEMA identifies flood hazard areas and will not offer flood insurance to communities that
40 do not have these regulations. Staff and the Planning Commission have reviewed the appropriate
41 sections and found no adverse impacts. Mr. Kerr concluded by stating staff recommends Council adopt
42 this ordinance thereby amending the flood prevention requirements in the Land Development Code.
43

44 Henry Durica, 1310 E. Lansdowne, came forward and said he reviewed these requirements with the
45 Planning Commission. He said it a very good regulation, however, he questioned whether manufactured
46 home owners are aware that they need to raise their home if it is flooded. Mr. Durica suggested that is
47 something Council should address before the ordinance is adopted.
48

1 In response to a question from Mayor Strickland, Ms. Croteau responded staff could send out a notice
2 before the second reading, if it is Council's desire. However, public hearings are the opportunity for
3 residents to come forward with their concerns. Ms. Croteau stressed that this ordinance needs to be
4 adopted by the end of September or people will not be able to get flood insurance if they want it.

5
6 Vice Mayor Crippen discussed his concerns. He questioned whether people who live in manufactured
7 homes are aware of these regulations. Ms. Stettner, Development Services Director came forward and
8 stated these regulations are not new, they have been in place for some time. It is the same standard
9 process that anyone living in a flood zone would have to follow.

10
11 **Motion passed by a 6/0 voice vote of the Council.**

- 12
13 **B. ORDINANCE NO. 466:** An Ordinance of the City of Orange City, Florida
14 repealing Ordinance No. 259 which adopted the Classification and Pay Plan
15 for the City of Orange City; containing a repealer provision, a severability
16 clause and providing for an effective date.

17
18 Council Member Abraham read the title of Ordinance No. 466 into the record.

19
20 **Council Member Laputka moved to adopt Ordinance No. 466 on first**
21 **reading, seconded by Vice Mayor Crippen.**

22
23 Pennie Traber, Human Resource Manager, came forward and noted this matter was briefly discussed
24 during the budget workshops. Staff is recommending that Council consider repealing the current step
25 pay plan and instituting a broadband pay plan. She discussed the differences between the two pay plans.
26 She said the step plan is too structured and only rewards an employee for longevity not job performance.
27 While the proposed broadband pay plan offers more flexibility because it is grouped by ranges. If the
28 current step pay plan were repealed, the broadband plan could be adopted by resolution at the next
29 Council meeting. Staff recommends that Council approve Ordinance No. 466, repealing the current
30 classification and pay plan.

31
32 Council Member Abraham stated the step plan exists in all the cities. He questioned whether these plans
33 are the same under State law. Ms. Croteau responded that most cities have done away with the step
34 plans and now utilizes the broadband pay plan. The broadband plan allows more flexibility. She
35 provided a scenario of an employee who received a certification or license that could be compensated
36 based on the new credentials under the proposed plan.

37
38 Vice Mayor Crippen commented the State of Florida has moved to the broadband plan from the step
39 plan. He said it makes better sense in terms of hiring, because you can compensate someone at a higher
40 rate, based on their qualifications and experience.

41
42 Council Member Pupello spoke in support of the program. He said he owns his own business and his
43 wages are based on how well he does the job, not how long. He stated that would be an improvement
44 for the City.

45
46 **Motion passed by a 6/0 roll call vote of the Council.**

- 47
48 **6. PUBLIC HEARINGS:** None at this time
49

1 **7. RESOLUTIONS:**

- 2
- 3 **A. RESOLUTION NO. 654-11:** A resolution of the City Council of the City of
4 Orange City, Florida, pursuant to section 4.12 of the City Charter canvassing
5 the votes and declaring the results of the General Election held in the City of
6 Orange City on September 13, 2011; repealing all resolutions in conflict
7 herewith and providing for an effective date.

8

9 **Council Member Laputka moved to approve Resolution No. 654-11,**
10 **seconded by Council Member Blair, and passed by a 6/0 roll call vote of**
11 **the Council.**

- 12
- 13 **8. DISCUSSION AND ACTION:** None at this time

14

15 **9. NEW BUSINESS:**

16

17 **10. REPORTS:**

18

19 **A. City Manager**

20

21 Ms. Croteau reported one lane will be closed on Enterprise Road for about two weeks while the County
22 is repairing the road. Ms. Croteau reported the next issue of the newsletter will be published at the end
23 of the month. It will feature several city sponsored events coming up in October. The Halloween event
24 will include the pet costume contest again this year. She asked Council to contact her if there is
25 anything they would like to include in the newsletter. Ms. Croteau reported staff is working on updating
26 all documents to include a statement alerting customers that email addresses provided to the City are
27 public record and could be released as part of a public record request.

28

29 Referring to the matter of flood prevention insurance, Mayor Strickland asked Ms. Croteau whether
30 people who live in mobile home parks should be contacted about the regulations and the requirement to
31 raise the property if the park were to be flooded. Ms. Croteau disagreed as the property owners would
32 be notified about the requirement when they apply for a permit to do repairs. It would be a matter for
33 the mobile home park owners to address, not the mobile home owner.

34

35 **B. Mayor/City Council**

36

37 Mayor Strickland reported that he attended a 10th anniversary program for September 11th at the Orange
38 City Nursing and Rehab Center. Mayors from Orange City, DeBary and Deltona were there as was
39 Gloria Thomas, Deputy City Clerk who spoke about her personal experience living in New York City at
40 the time of the event. He stated, "It was a really moving and wonderful ceremony."

41

42 Mayor Strickland reported that he and Vice Mayor Crippen attended a meeting at the local West Volusia
43 Board of Realtors Association. The realtors succeeded in setting a "Guinness" record for the number of
44 realtors attending the meeting at the same time. He stated, "It was really pretty good."

45

46 Mayor Strickland commented that today the County Council made a decision on the redistricting map.
47 He provided a brief history of what has occurred thus far. A public hearing was held today and the
48 County chose Map 9 which divides DeBary into two county districts. The School Board has not yet

1 made a decision on their district map. Mayor Strickland stated the County Council's decision could be
2 challenged because they failed to finalize this matter timely as mandated in the County Charter.

3
4 Vice Mayor Crippen reported on the River of Lakes Heritage Corridor Scenic Highway Corridor (The
5 Corridor) meeting that he attended. He said the Florida Bicycle Association has moved their state
6 headquarters to DeLand, which could benefit Orange City because it will attract more people to the area.
7 The DeLand Chamber of Commerce has set up a bicycling trails committee to coordinate a series of
8 bicycle tours in downtown DeLand. The East Central Florida Planning Council is evaluating the
9 importance of bicycling and trails for east central Florida. A consultant group has just completed a
10 study of the St. John's River to the Sea Loop and what it will take to make the entire loop "shovel
11 ready" when funding becomes available. The report will be sent to the Department of Transportation.
12 The Vice Mayor spoke about other bicycle tours or events being planned and stated this is indicative of
13 how important the corridor highway is to the City. He said he will leave a video and maps for anyone to
14 view in the Clerk's office. In response to a question from Council Member Pupello, Vice Mayor
15 Crippen said that City of Sanford and Seminole County were incorporated into the Corridor.

16 17 C. City Clerk

18
19 Ms. Renner noted that Mary Swiderski's father passed away and that she sent flowers on behalf of the
20 City Manager and Council. She said Ms. Swiderski sent a very nice thank you note and read the note to
21 the Council. Ms. Renner reported on yesterday's election. She said there were three people running in
22 the mayor's race and there was no clear winner. The top two vote getters, Mayor Strickland and Council
23 Member Laputka, will have their names on a ballot in a run-off election to be held November 8th which
24 is a scheduled meeting date for this Council. Noting that typically the second meeting in November is
25 cancelled due to the holiday she suggested the regular meeting date be moved to November 15th. At that
26 meeting, the results of the election will be certified and the new council members will be sworn in. Ms.
27 Renner said if Council agrees a resolution would be prepared to make it official. Mr. Reischmann
28 agreed. Ms. Renner advised a resolution would be brought forward soon.

29 30 D. City Attorney

31
32 No further report.

33 34 11. APPROVAL OF MINUTES: August 15, 2011 Budget Workshop

35
36 **Vice Mayor Crippen moved to approve the minutes of the August 15,**
37 **2011 Budget Workshop, seconded by Council Member Laputka and**
38 **passed by a unanimous 6/0 voice vote of the Council.**

39
40 August 23, 2011 Regular City Council Meeting

41
42 **Vice Mayor Crippen moved to approve the minutes of the August 23,**
43 **2011 Regular City Council Meeting, seconded by Council Member**
44 **Laputka and passed by a unanimous 6/0 voice vote of the Council.**

45 46 12. COUNCIL COMMENTS

47
48 Council Member Blair congratulated Council Member Abraham on his "victory." He also thanked the
49 others who participated, the winners and the losers. He stated "good luck to everybody."

1 Council Member Laputka said Council Member Allebach wanted him to express his admiration and
2 thanks for the hard work staff did with the budget. Council Member Allebach has followed the process
3 from his hospital bed and now he is convalescing at home. Council Member Laputka thanked Vice
4 Mayor Crippen for keeping the Council informed about the Corridor program.

5
6 Council Member Pupello congratulated Council Member Abraham on his reelection. He welcomed
7 Michael Wright and Ron Saylor to the Council. Council Member Pupello said he was part of the
8 Canvassing Board last night and that it was the first time that he audited votes and it was interesting.
9 Council Member Pupello thanked the citizens who came out this evening. Council Member Pupello said
10 the Farmer’s Market is doing well. There are about 15 vendors, which is pretty good. He relayed a
11 story of two different couples, tourists, at the Farmer’s Market during the Labor Day weekend with
12 cameras taking pictures of the vendors. He said one of the couples came because they saw a sign that
13 the watermelon was \$3 and it costs \$9 in the grocery store. He stated, “They were glad that we had the
14 Farmer’s Market and I think that is a little snapshot of what something like a farmers market can do for
15 our community a tourist point, something that people can come and do and enjoy.”

16
17 Vice Mayor Crippen asked staff to provide an update on the status of Miller Lake at the next meeting.
18 Vice Mayor Crippen congratulated Council Member Abraham on his reelection and welcomed Michael
19 Wright and Ron Saylor to the Council. He stated, “Looking forward to lots of fun guys.” The Vice
20 Mayor said he too was a part of the canvassing board yesterday. He said the novelty wore off fairly
21 quickly as each individual ballot was fed into the voting machine. However, he said it was a very
22 “ennobling” process to see how seriously the privilege of voting is protected. The Vice Mayor wished
23 that more people had come out to vote. He said there will be another election November 8th and he
24 suggested that citizens tell everyone they see that voting is one of the most important things the citizens
25 can do.

26
27 Council Member Abraham thanked Council for their congratulations and he thanked everyone who
28 voted. He said the weather has been good and there have been no hurricanes which made Election Day
29 very peaceful and comfortable for the voters to come out. He stated, “So we need to thank God for such
30 good weather.”

31
32 Mayor Strickland thanked everybody for coming to the meeting. He congratulated the newly elected
33 officials and stated, “I would just like to remind you that you now have the curse, and that curse is called
34 government in the sunshine.” Mayor Strickland recognized two “future leaders and possible politicians”
35 in the audience. He said these two young men are working on merit badges and one of the requirements
36 is that they attend these kinds of meetings.

37
38 **13. ADJOURNMENT**

39
40 There being no further business, Mayor Strickland adjourned the meeting at 8:04 P.M.

41
42 RESPECTFULLY SUBMITTED

APPROVED ON:

43
44 _____
45 Gloria Thomas, CMC, Deputy City Clerk

September 27, 2011
Date