

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, February 28, 2017 at 6:30 p.m. in Council Chambers, 201 N. Holly Avenue, Orange
3 City.

4
5 **CALL TO ORDER**

6
7 The meeting was called to order at 6:30 p.m. by Mayor Blair and roll call was taken.

8
9 **ROLL CALL**

10
11 **PRESENT:** Mayor Gary A. Blair; Vice Mayor O. William (Bill) Crippen; Council Members: Bill
12 O'Connor, Jeff Allebach, Jim Mahoney, Anthony J. Pupello, Evelyn Robinson; City Attorney Bill
13 Reischmann; City Manager Dale Arrington; City Clerk Gloria Thomas.

14
15 **INVOCATION/PLEDGE OF ALLEGIANCE--** The Invocation was given by Reverend Phyllis Bartle
16 from St. Jude's Episcopal Church followed by the Pledge of Allegiance.

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

19
20 **2. PRESENTATIONS/PROCLAMATIONS:**

21
22 **A. Proclamation – Gordan Janesky**

23
24 Mayor Blair read a proclamation into the record acknowledging Gordan Janesky for being a good
25 neighbor and a Good Samaritan. Mr. Janesky came forward to accept the award and to take photos with
26 council members.

27
28 **B. Department Presentation – Public Works**

29
30 Migdalia Hernandez, Public Work Director, discussed the goals and budget of the Public Works
31 department. Referring to a Power Point presentation (a copy of which is attached and becomes a
32 permanent part of these minutes) she discussed the resources, challenges and needs of the department.
33 Ms. Hernandez advised that her goal is to cross train all Public Works staff.

34
35 Ms. Hernandez communicated that the Public Works department is responsible for the streets, sidewalks,
36 fleet, storm water management, custodial, landscape and eight recreation parks around the City. She
37 stated the challenges were an aging water distribution system, aging sewer system, failing lift stations and
38 a large amount of iodine in the City's water. Also, the City's water treatment plan is obsolete and the
39 aging wells are failing. She stated another challenge was not being able to locate aging water pipes
40 underground around the City.

41
42 Ms. Hernandez explained funding challenges stating that she would continue to seek funding through the
43 State Revolving Funds (SRF). She explained construction costs and what the City has received from the
44 State for future projects including; Mill Lake, Carpenter Ave. design, Little French, Big French, Coleman
45 Park playground and sidewalks around the City.

46
47 A question and answer forum ensued between Ms. Hernandez and Council about investments into water
48 infrastructure, rate study and how the City will finance the cost.

1 Ms. Arrington responded that Ms. Hernandez is responsible for the infrastructure in the City and that all
2 over the United States cities are having issues with their water infrastructures.

3
4 Council Member Allebach expressed his excitement to hear about future plans for improving the water
5 issues in the City.

6
7 Council Member Robinson remarked that years ago the water company was privately owned so little was
8 done about the water issues.

9
10 Council Member Pupello complimented Ms. Hernandez on her presentation. He stated his concerns about
11 rate studies and the costs and affects that reclaimed water has on the basin.

12
13 Ms. Hernandez reiterated that the challenges and needs of the Public Works department were limited
14 funding for sidewalk projects, road resurfacing, paving, an aged fleet, an aging Public Works building
15 which is too small for the City's needs, and a lack of staffing.

16
17 Mayor Blair suggested allowing the University High School Bowling Team to give Citizen Comments at
18 this time. It was the consensus of the Council to proceed.

19
20 Carl Mohr, representative for University High School Bowling Team came forward to ask Council for a
21 financial contribution for their national high school bowling championship competition in Tennessee.
22 Council Member Pupello noted there is a process for requesting a donation and suggested that the
23 Bowling Team complete the application as soon as possible. Ms. Arrington stated that she would contact
24 the team to advise them of the process.

25 26 C. Department Presentation – Development Services

27
28 Becky Mendez, Development Services Director came forward to discuss the Development Services
29 department. Ms Mendez provided a detailed PowerPoint presentation (a copy of which is attached and
30 becomes a permanent part of these minutes) and introduced departmental staff. She advised that the
31 Development Services Department manages long range and current planning for the City through the
32 Comprehensive Plan and the Land Development Code. The department also assists with development
33 review and economic development and/or redevelopment. She noted that the Community Redevelopment
34 Agency (CRA) is also managed through the Development Services Department.

35
36 Ms. Mendez discussed the development process which may include the amendments to the Future Land
37 Use Map (FLUM), rezoning, site plan development and permitting. She briefly discussed the duties and
38 responsibilities of the Planning Commission and the Historic Preservation Board and how these boards
39 may affect some of the decisions that the Council makes. Ms. Mendez discussed the departmental goals
40 and challenges. She cited permit tracking software and site plan storage as departmental challenges.

41
42 Council Member Allebach recalled that the City was looking to provide businesses with a shorter turn-
43 around time to obtain a building permit. He asked if that was still a goal and if the issue of the software
44 pertained to that. Ms. Mendez responded that currently a site plan development order can be issued within
45 three (3) months of submitting an application.

46
47 Mr. Reischmann commented that Ms. Mendez has been able to work with the Volusia Growth
48 Management Committee (VGMC) to get a revocation of the certification requirement for all MX and PUD
49 rezoning in the City. He noted that Orange City was the only city required to have this certification.

1 In response to a question from Council Member O'Connor, Ms. Mendez advised that an administrative fee
2 is included when a developer submits an application. All the fees are collected and held in escrow until
3 the project is completed.

4
5 D. Department Presentation – Fire
6

7 Fire Chief Ronnie Long came forward, referring to a PowerPoint presentation (a copy of which is attached
8 and becomes a permanent part of these minutes) he explained the duties and responsibilities of the Orange
9 City Fire department noting that it includes the fire services the City provides to the City of DeBary.

10
11 Chief Long advised that the Fire Department manages three (3) fire stations with three (3) shifts working
12 24 hours on-duty and 48 hours off. The response time for emergency calls is less than 5 minutes, which is
13 why the Fire department has received an ISO 2 rating. The Fire department is committed to maintaining
14 its ISO 2 rating because it helps keep the cost of insurance premiums down for all properties in the City
15 and in DeBary. In addition the Fire Department is fully State certified in safety compliance.

16
17 Chief Long discussed the Fire Department's accomplishments. He noted that the department was able to
18 purchase a new rescue vehicle and equipment, repurpose a Utility Kubota vehicle, start a cancer
19 prevention initiative and open the new DeBary fire station.

20
21 Over the past year, the Fire department has inspected 98% of all commercial occupancies in the City,
22 provided fire-safety education to the community through school programs, car seat and smoke detector
23 installations, information booths at events, and the sharps disposal program. The Department is also
24 working on job shadowing programs with Seminole State and Daytona State College and a bio-med
25 cooperative instruction program at University High School.

26
27 Departmental challenges include staffing retention, lack of applicants for available positions, facility
28 spaces issues, expiring equipment, vehicles with high mileage and no pool vehicles.

29
30 Council Member O'Connor questioned what would happen if DeBary decided not to renew their fire
31 services contract with the City. Chief Long responded that at this time the City of DeBary has no
32 intentions of starting their own fire department.

33
34 Council Member O'Connor questioned whether the Fire Department would consider moving Fire Station
35 68 due to the traffic problems that exist in that area and the new development that will be building there
36 soon. Chief Long responded the property was donated to the Orange City Fire Department, he agreed
37 there may be other locations that would provide easier ingress/egress, but it may cost the City
38 substantially.

39
40 Council Member Mahoney commented that the development plan for the new development in that area
41 would require an additional right turn lane.

42
43 **3. CITIZEN COMMENTS:**
44

45 Shayanne Bray, 517 Harrison Avenue, came forward and stated that she is the new president of the
46 Orange City Little League. She introduced staff members who were present. Ms. Bright commented that
47 she is committed to reviving the baseball league and working closely with the City. She extended an
48 invitation to Council to attend the opening day ceremony on Saturday at 11:00 a.m. at Valentines Park.

1 Candice Cecil and Allan Thompson, came forward and stated that they are representatives for Collins
2 Dream Park and that they wanted invite the Council and anyone who wishes to attend a fund raising event
3 in Orange City on April 13th at the Draft House.
4

5 Patrick Diamon, 97 RoseHill Crescent Court, DeBary came forward. He noted that there is a “horrible
6 noise” coming from the newly opened car wash that is disturbing the community. Mayor Blair advised
7 Mr. Diamond to speak with Ms. Mendez or Ms. Arrington about the noise issue.
8

9 **4. CONSENT AGENDA:**

- 10 A. Change Order to Wharton-Smith Contract at Mill Lake Phase 3 for 4Cs
- 11 B. Approve July 26, 2016 Regular Meeting Minutes
- 12 C. Approve August 09, 2016 Regular Meeting Minutes
- 13 D. Approve February 14, 2017 Regular Meeting Minutes

14
15
16 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by Council**
17 **Member Pupello and passed by 7/0 roll call vote of the City Council.**
18

19 **5. ORDINANCES – FIRST READING:**

- 20
21 A. **Ordinance No. 570** An Ordinance of the City of Orange City, Florida; vacating
22 and abandoning a 15-foot utilities and drainage easement located within the
23 Country Woods plat, located at 675 Veterans Memorial Parkway, authorizing
24 execution of effecting documents as needed; providing for conflict; providing
25 for severability and providing an effective date.
26

27 Mr. Reichmann read the title of Ordinance No. 570 into the record.
28

29 **Council Member Mahoney moved that the City Council adopt Ordinance**
30 **No. 570 on first reading, seconded by Vice Mayor Crippen and passed by**
31 **unanimous 7/0 roll call vote of the City Council.**
32

- 33 B. **Ordinance No. 574** An Ordinance of the City of Orange City, Florida, annexing
34 certain real property into the corporate limits of the City of Orange City, Florida,
35 including to the centerline of all surrounding rights-of-way; said property being
36 generally located on the southwest corner of South Volusia Avenue and
37 Dogwood Avenue; consisting of 1.87 acres (parcel numbers 8015-02-00-0170,
38 8015-04-00-0010 and 8015-02-00-0220); redefining the boundaries of the City
39 of Orange City by amending the appropriate sections of the Code of Ordinances;
40 providing for notification and compliance with the voluntary annexation
41 provisions of Florida Statute 171.044; providing for assignment of a City
42 Council District; containing a repealer provision, a severability clause and
43 providing for an effective date.
44

45 Mr. Reichmann read the title of Ordinance No. 574 into the record.
46

47 **Council Member Mahoney moved that the City Council adopt Ordinance**
48 **No. 574 on first reading, seconded by Vice Mayor Crippen.**
49

1 Ms. Mendez advised that this is a voluntary annexation of the All Saints Community Church property
2 totaling 1.87 acres. The annexation is compact and contiguous to the City limits and does not create an
3 enclave. Ms. Mendez advised that the petition meets the statutory requirements pursuant to Florida
4 Statute 171.044. Staff recommends that Council approve Ordinance No. 574.

5
6 **Motion passed by unanimous 7/0 roll call vote of the City Council.**
7

8 **C. Ordinance No. 575** An Ordinance of the City Council of the City of Orange
9 City, Florida, amending Chapter 17.5, Vehicles for Hire, Article II, Wrecker,
10 Towing Services, Section 17.5-18, Rotation of Wrecker Service, and Section
11 17.5-19, Backup Wrecker Service of the Code of Ordinances; providing for
12 conflicts, severability, and effective date.

13
14 Mr. Reischmann read the title of Ordinance No. 575 into the record.

15
16 **Council Member Mahoney moved that the City Council adopt Ordinance**
17 **No. 575 on first reading, seconded by Vice Mayor Crippen.**
18

19 Greg Lariscy, Community Improvement Sergeant, came forward. He recalled that a towing ordinance was
20 adopted in 1983, which allowed wrecking companies to be placed on the rotation list to be called out to
21 remove disabled vehicles during emergencies. The rotation list worked well until 2000 when the City
22 contracted with the Volusia County Sheriff's office for dispatch. The Sheriff's office suggested the City
23 contract with a wrecking company like most of the other cities in the County. The Police Department has
24 been having problems with the response time of several of the towing companies on the rotation list and
25 wishes to enter into a contract with one towing company.

26
27 Sgt. Lariscy noted that if adopted Ordinance No. 575 would allow the City Manager to look at alternatives
28 other than a rotational wrecker service and to negotiate a contract that includes all the requirements the
29 City needs.

30
31 In response to questions from Council Member O'Connor, Sgt. Lariscy advised that citizens would be able
32 to request another towing company if they wished. There will be provisions to cancel the contract if the
33 wrecker company does not meet the necessary requirements.

34
35 Mayor Blair asked whether the wrecker company will have the equipment to tow large vehicles such as a
36 fire truck. Sgt. Lariscy responded in the affirmative.

37
38 **Motion passed by unanimous 7/0 roll call vote of the City Council.**
39

40 **6. PUBLIC HEARINGS:-** None at this time

41
42 **7. RESOLUTIONS:-** None at this time

43
44 **8. DISCUSSION AND ACTION:** None at this time

45
46 **9. REPORTS:** None at this time
47

48 **A. Mayor/City Council**

1 Mayor Blair reported on the various meetings and events that he attended. He noted that the ribbon
2 cutting for the card room is tomorrow.

3
4 Council Member Allebach mentioned that the Transportation Planning Organization (TPO) will meet next
5 week. Council Member Allebach announced that the River-to-Sea TPO is having a retreat about sea level
6 rise this Friday morning.

7
8 Vice Mayor Crippen reported that he attended the African American Heritage Festival and the dedication
9 of the Rosenwald plaque at the historical Orange City Colored School, currently known as the Coleman
10 Head Start. He acknowledged that Council Member Evelyn Robinson was being honored as an alumna.
11 He stated it was a great event.

12 13 **B. City Manager**

14
15 Ms. Arrington noted that the next Community Redevelopment Agency (CRA) Board meeting is scheduled
16 for March 28th. She asked whether Council wished to move the meeting time to 6:00 p.m. to coincide
17 with the City Council meeting that starts at 6:30 p.m.

18
19 **It was the consensus of the Council to hold the CRA Board meeting at 6:00 p.m.**

20
21 Ms. Arrington advised that Ms. Mendez is also working with the County on an amendment to the CRA to
22 allow façade grants to be paid with City contributions. She stated that she hopes the request will be heard
23 at the March 16th County Council meeting. A formal notice will be sent out to Council once the item is on
24 the County Council agenda.

25
26 Ms. Arrington advised that vacant property adjacent to replacement well #3 is for sale. The property is
27 zoned as a single family dwelling with a septic tank that has been grandfathered in. Ms. Arrington stated
28 that she will order a survey and environmental study and make an offer if it feasible. The contract will be
29 brought back to Council for approval. She noted that this will help with the properties around the Mill
30 Lake property.

31
32 Ms. Arrington mentioned that the card room grand opening is tomorrow. She noted that the University
33 High School, School of Government Mock Council meeting will be held in Council Chambers on
34 Thursday. She invited the Council to come and participate.

35
36 Ms. Arrington thanked the Council for their time and for listening to all of the department presentations.

37 38 **C. City Clerk**

39
40 Ms. Thomas advised that the County Council is hosting the State of the County Address on April 18th, at
41 the Ocean Center in Daytona Beach. The County Commission is asking if the City wants to become a
42 sponsor for \$250. She asked if Council wished to become sponsors, the City name will be mentioned
43 during the address and the name will be included in the program.

44
45 Council Member Pupello asked how this would benefit the City. Mayor Blair responded the City gets
46 exposure. It was the consensus of the Council to become sponsor for the "State of the County" address.

47
48 **Council Member Allebach moved that the City Council sponsor the Volusia**
49 **County "State of the County" presentation at the cost of \$250, seconded by**

1 **Council Member O'Connor and passed by unanimous voice vote of the City**
2 **Council.**

3
4 **D. City Attorney**

5
6 Mr. Reischmann advised that the legislature is considering a pending bill that would prohibit local
7 governments from enacting any future regulation of businesses within their jurisdiction. In addition, the
8 bill would sunset any existing regulation of businesses in the year 2020. He stated that the language is
9 problematic because it is not clear if this includes zoning and other land development regulations. Mr.
10 Reischmann stated that there are several other bills that preempt local governments from regulating their
11 jurisdictions and that he would keep Council apprized.

12
13 Ms. Arrington advised that staff is monitoring these bills and have submitted information to the Florida
14 League of Cities so they can make a good case arguing against this bill.

15
16 **10. NEW BUSINESS**

17
18 Vice Mayor Crippen requested an agenda item regarding an open-container ordinance. Ms. Arrington
19 recalled that in 2014 Council visited this idea but it was not approved. She stated that staff would do
20 research and present options to the Council.

21
22 Council Member Robinson observed that the Police department is under staffed. She asked how an open
23 container ordinance would be enforced. Ms. Arrington advised that the Police Department will enforce all
24 laws that are passed.

25
26 Council Member Pupello stated that he requested the open container ordinance in 2014 but it did not pass.
27 He stated he is willing to revisit the matter.

28
29 **Council Member O'Connor moved that City Manager bring forward a**
30 **Discussion and Action agenda item regarding an open container ordinance,**
31 **seconded by Vice Mayor Crippen and passed by voice vote of the City Council.**

32
33 **11. APPROVAL OF MINUTES—*See the Consent Agenda***

34
35 **12. COUNCIL COMMENTS**

36
37 Council Member Pupello stated it is important to engage in our community and thanked staff for their
38 presentations.

39
40 Council Member Robinson appreciated that Council Members were present at the Coleman School
41 dedication.

42
43 Council Member Allebach stated the ECHO board was visiting those who applied for grants and that he
44 was able to represent as both a hospital board member and a city council member. Council Member
45 Allebach stated that he was looking forward to the grand opening of the card room. He commented that
46 the African American festival was well done and organized well.

47
48 Vice Mayor Crippen thanked staff for their department presentations. It was an opportunity to see the
49 work that staff is doing making the City a better place to live, work, and play. The Vice Mayor spoke

1 about how decisions made in the past about water are now affecting the present. He made note that in the
2 Beacon it states that Blue Springs State Park was called the crown jewel of Orange City.

3
4 Council Member O'Connor mentioned that the key points of the presentations should be in the newsletter
5 so the members of the community will know what we are doing here in the City. Council Member
6 O'Connor stated that he attended the African American Heritage Festival. He suggested that it was little
7 disorganized and that if the group is receiving money from the City then a staff member should be present
8 to help organize. Council Member O'Connor stated that 127 people from Orange City were hired by the
9 card room. He advised that another job fair will be held on March 14th.

10
11 Council Member Mahoney commented on the assessment of the utilities rate study and that Council
12 should acknowledge what the Public Works director communicated.

13
14 Mayor Blair stated the Central Florida Letter Carriers is having a food drive in the City on May 13th.

15
16 **13. ADJOURN**

17
18 There being no further business to discuss, Mayor Blair adjourned the meeting at 9:36 p.m.

19
20
21
22 **RESPECTFULLY SUBMITTED:**

23
24 _____
25 Melani Brown, Deputy City Clerk
26

APPROVED ON:

March 14th, 2017
Date