

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,  
2 held on Tuesday, May 23, 2017 at 6:30 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 6:30 p.m. by Mayor Blair and roll call was taken.

7  
8 **ROLL CALL**

9  
10 **PRESENT:** Mayor Gary A. Blair; Vice Mayor O. William (Bill) Crippen; Council Members Bill  
11 O'Connor, Jeff Allebach, Jim Mahoney, Anthony J. Pupello, Evelyn Robinson; City Attorney Bill  
12 Reischmann; City Manager Dale Arrington; City Clerk Gloria Thomas.

13  
14 **INVOCATION/PLEDGE OF ALLEGIANCE**

15  
16 The Invocation was given by Ronald Merchant, Debarry/Orange City Seventh Day Adventist, followed  
17 by the Pledge of Allegiance.

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

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

22  
23 **A. Citizen Budget Input**

24  
25 Christine Davis, Finance Director, came forward and provided a detailed PowerPoint presentation (a  
26 copy of which is attached and becomes a permanent part of these minutes) that discussed the budget  
27 process. Ms. Davis advised that the purpose of this presentation is to solicit public input regarding  
28 budget priorities for the coming fiscal year in compliance with the requirements of the City Charter.

29  
30 Ms. Davis explained the nature of city government budgeting. She defined the budget as a plan of  
31 revenue estimates and forecasts which takes into consideration the level of services provided to the  
32 citizenry. She talked about the TRIM process and reviewed the various revenue and expense funds  
33 making up the City budget in relation to overall City funding. The City's fiscal year runs from October  
34 1st through September 30th. She advised that by state law the City may levy up to 10 mills.

35  
36 Ms. Davis discussed the various revenue streams which make up the general fund. She noted that the  
37 State sets a maximum levy for ad valorem at 10 mills. The tentative millage rate, which must be set in  
38 July, is considered the maximum millage rate. There are exemptions to the ad valorem assessment such  
39 as homestead, senior, widow and disability. Ms. Davis explained that the "roll back rate" is the millage  
40 rate that, if levied, would generate the same amount of revenue as the previous year and would be  
41 considered "revenue neutral."

42  
43 Ms. Davis displayed a historical chart showing the taxable values and ad valorem revenue for past nine  
44 years, noting that in 2016 the average residential property owner with a millage rate of 7.45 paid  
45 \$32.33/month (or \$388/year) to fund City operations. Ms. Davis concluded her presentation.

46  
47 Mayor Blair asked any citizen that wished to comment to come forward at this time. There were no  
48 requests to speak.

49

1 Council Member Robinson left the meeting at 6:45 p.m.

2  
3 **3. CITIZEN COMMENTS:**

4  
5 **4. CONSENT AGENDA:**

- 6
- 7 A. B024-0-2017/DRS; Mill Lake Park Phase 2 Contract Award
- 8 B. Authorize Construction, Engineering and Inspection Services for the Blue Springs Nutrient
- 9 Reduction Project Mill Lake Phase 2, Work Order No. 058-17
- 10 C. FQ025-0-2017/DRS, Purchase and Installation of Two High Speed Pumps for the South
- 11 WTP; Contract Award
- 12 D. Collective Bargaining Agreement Between City of Orange City and Teamsters Local Union
- 13 385 Representing Orange City Professional Firefighters
- 14 E. Approval of the May 09, 2017 Regular Meeting Minutes
- 15

16 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by Council**  
17 **Member Pupello and passed by a 6/0 roll call vote of the City Council.**

18  
19 **5. ORDINANCES – FIRST READING:** None at this time

20  
21 **6. PUBLIC HEARINGS:** None at this time

22  
23 **7. RESOLUTIONS:**

- 24
- 25 A. **Resolution No. 860-17** A Resolution of the City Council of the City of Orange City, Florida,
- 26 acknowledging and approving the final plat for Shadow Ridge Phase 2, consisting of 79 lots
- 27 on a 32.7-acre property, located south of Leavitt Avenue, approximately 1,290 feet south of
- 28 its intersection with Rhode Island Avenue, Orange City, Florida; providing for conditions of
- 29 approval; providing for conflict; and providing for an effective date.
- 30

31 Mr. Reischmann read the title of Resolution No. 860-17 into the record.

32  
33 **Council Member Pupello moved to approve Resolution No. 860-17, seconded by**  
34 **Vice Mayor Crippen**

35  
36 Becky Mendez, Development Services Director, came forward and provided a detailed PowerPoint  
37 presentation (a copy of which is attached and becomes a permanent part of these minutes) that discussed  
38 the final plat for Shadow Ridge Phase 2. Ms. Mendez requested that the Council approve Resolution  
39 860-17 with the following conditions:

- 40 1. The subdivision must be maintained in compliance with the approved construction plans.
- 41 2. The Declaration of Covenants, Conditions and Restrictions shall be recorded prior to or
- 42 immediately after the plat.
- 43 3. The Articles of Incorporation and Bylaws for the Shadow Ridge Phase 2 Home Owner’s
- 44 Association shall be filed prior to or immediately after the plat.
- 45 4. The infrastructure improvements for the development must be inspected and accepted by city
- 46 staff prior to the recording of the plat.
- 47 5. The developer must submit a maintenance guarantee in the amount of 15% of the construction of
- 48 the infrastructure improvements for a period of one year.
- 49 6. Prior to recording, the final plat shall be revised to address staff comments.

1  
2 Council Member O'Connor asked for an update about the change orders issued. Ms. Mendez replied that  
3 the developer requested modifications to site grating, which were corrected, and the Planning  
4 department requested a change to the plan sheet to reflect those changes.  
5

6 Doug Prodoehl, a representative for the developer of Shadow Ridge Phase 2, came forward to answer  
7 Council questions pertaining to the drainage on the western side of the development. Mayor Blair asked  
8 Mr. Prodoehl to explain the work that was needed to address the drainage issue. Mr. Prodoehl responded  
9 that a catch basin was installed to reroute the stormwater, which created additional swales. As a result  
10 additional stormwater pipes and sod was installed.  
11

12 **Motion passed by a 6/0 roll call vote of the City Council.**  
13

14 **B. Resolution No. 861-17** An appeal of the Planning Commission decision to deny the  
15 Beachcomber Wellness Center, LLC application for Conditional Use approval of an Assisted  
16 Living Facility.  
17

18 Mr. Reischmann read the title of Resolution No. 861-17 into the record. He noted for the record that this  
19 was a quasi-judicial matter.  
20

21 **Council Member Mahoney moved to approve Resolution No. 861-17, seconded by**  
22 **Council Member Pupello**  
23

24 Mayor Blair discussed the format of the hearing. He noted that staff would give a presentation and then  
25 the applicant may present their case. Mayor Blair opened the public hearing.  
26

27 Mr. Reischmann asked that any ex-parte communication on this topic be disclosed at this time.  
28

29 Council Member Pupello noted that he attended the Planning Commission meeting when this matter was  
30 first discussed. He stated that he received several emails from the public and the applicant's attorney.  
31

32 Council Member Allebach stated he received emails as well as phone calls from Mary Wait and Jessica  
33 Webb.  
34

35 Vice Mayor Crippen stated he received emails as well as phone calls from John Simmons.  
36

37 Council Member Mahoney stated he received a call from Mary Waits.  
38

39 Council Member O'Connor advised that he received emails and phone calls from Mr. Woods, Mary  
40 Waits and an un-named Orange City resident.  
41

42 Mayor Blair noted that he received several letters, emails and phone conversations from several  
43 constituents and citizens.  
44

45 Ms. Mendez, came forward and provided a detailed PowerPoint presentation (a copy of which is  
46 attached and becomes a permanent part of these minutes) discussing the Planning Commission's  
47 decision to deny the Beachcomber Wellness Center, LLC conditional use application for an Assisted  
48 Living Facility (ALF). Ms. Mendez provided details of past conditional use applications for the Alling  
49 House property and the reason why the property is now zoned Office Transitional. Ms. Mendez stated

1 that the Planning Commission denied the conditional use request based on criteria F, G and H in Section  
2 3.7.4 of the Land Development code which states that the application would generate undue traffic  
3 congestion, would create a nuisance, be dangerous to the public and would materially alter the character  
4 of the neighborhood. Following the denial the applicant filed an appeal on May 5, 2017, sending the  
5 hearing to City Council for a final decision. Ms. Mendez requested Council approve Resolution 861-17  
6 with the following 12 conditions:

- 7 1. The use is described as a residential drug and alcohol addiction treatment facility where adult  
8 clients stay for a 28-day program, licensed through the Department of Children and Families,  
9 and shall not allow any outpatient treatment services or uses.
- 10 2. The maximum number of clients served at any one time on the property shall not exceed 20.
- 11 3. The uses permitted on property include counseling, group sessions, exercise and other holistic  
12 treatment opportunities, with the exception that all outdoor group activities are limited to the  
13 hours of 8 a.m. to 8 p.m. daily.
- 14 4. The Beachcomber facility must be licensed with the Florida State Department of Children and  
15 Family Services before beginning to serve clients and receive Joint Commission accreditation  
16 within 12 months of rendition.
- 17 5. The facility will not begin to service clients until a minimum of 13 outdoor surveillance  
18 cameras are properly permitted in accordance with the attached location map.
- 19 6. At least one employee shall be present on premises 24 hours a day, including an overnight  
20 employee to monitor the premises and surveillance cameras.
- 21 7. The existing chain link and stockade fencing shall be replaced with white picket and/or white  
22 panel fencing that is consistent with the Florida Vernacular architectural style of the buildings  
23 and existing picket fence on property. A separate fence building permit shall be reviewed and  
24 approved by the Historic Preservation Board before issuance.
- 25 8. Any new or existing structure repair or replacement shall comply with a Florida Vernacular  
26 architectural style and requires approval from the City's Historic Preservation Board.
  - 27 • The buildings, fencing and landscaping must be maintained to avoid demolition by  
28 neglect.
  - 29 • The detached garage shall only be used for storage and vehicle parking.
  - 30 • The wellhouse shall only be used for storage and maintained in its current location  
31 along the east property line.
  - 32 • The third floor of the main house shall not be used as patient lodging.
- 33 9. Permanent ground or wall signs shall not contain any commercial message. The ground sign is  
34 limited to a hanging-panel blade style sign, not to exceed nine square feet in copy area. One  
35 wall sign, not to exceed 2 square feet in copy area is allowed. Temporary signs are not  
36 permitted.
- 37 10. Maintain a maximum of 14 parking spaces (including one handicapped parking space) in  
38 accordance with the parking plan attached.
- 39 11. The property owner shall connect to central sanitary sewer if it becomes available
- 40 12. A Department of Health permit to upgrade the existing septic system is required before the  
41 business can begin serving clients.

42  
43 Vice Mayor Crippen asked Ms. Mendez what Florida statute that explains what an assisted living facility  
44 is. Mr. Reischmann responded that Chapter 400 of the Florida statutes regulates ALF's.

45  
46 Council Member O'Connor asked for the guest count after the additional houses (cabins) were added to  
47 the Alling House. Ms. Mendez replied that the conditional use did not cap the maximum number of  
48 guests and that the amount of guests was based on the fire code. Council Member O'Connor asked if the  
49 average trips were based on the guests count equaling thirty-three (33). Ms. Mendez replied that it was

1 based on an eighty (80) percent occupancy rate of 8 units. The Institute of Transportation Engineers  
2 (ITE) manual states that ALF's generate .056 average daily traffic (ADT) per unit. Council Member  
3 O'Connor asked why staff categorized the Beachcomber facility as an ALF. Ms. Mendez responded that  
4 the Beachcomber is a residential facility and when all of the definitions are combined in the zoning  
5 code, the Planning Department concluded that the facility was an ALF.

6  
7 Council Member Mahoney clarified that a residential treatment facility is considered a group home in  
8 the zoning code. Ms. Mendez responded that was correct.

9  
10 Michael Woods, Cobb Cole, attorney for the Beachcomber Wellness Facility, came forward, introduced  
11 the owners of the Beachcombers facility, and showed a video that presented details about their Delray  
12 Beach location, and the surrounding neighborhood.

13  
14 Frank Bryan, 848 S. 7<sup>th</sup> St. Boynton Beach, Director of the Beachcomber, came forward and introduced  
15 his family members that help run the business. Mr. Bryan revealed that he grew up in the Central Florida  
16 area. He stated that one in four children will be addicted to opioids within their lifetime. Mr. Bryan  
17 introduced former patients of the facility. He stated the reason they chose Orange City for their business  
18 was due to Central Florida being the fastest growing population in the state and that the City was close  
19 to major highways and airports.

20  
21 Mr. Woods stated that the Beachcomber facility was designed as a treatment center. He presented the  
22 patients daily schedule of events. He stated the facility is not a sober house, detox center or flop house.  
23 Mr. Woods discussed the details of the Beachcomber application. He stated that originally his client  
24 requested a maximum of 25 patients however the number of patients allowed was reduced to 20. The  
25 applicant would like to increase the maximum number of patients to 21 patients. In addition the  
26 applicant would like to request the 8 a.m. to 8 p.m. timeframe for outdoor activities be extended to 9  
27 p.m.

28  
29 Mr. Woods stated his concern about enforceability of the requirement to get Joint Commission  
30 Accreditation. He addressed the parking issue, noting that the applicant was able to establish additional  
31 parking at a nearby businesses should it be necessary. Mr. Woods addressed criteria F, G and H of the  
32 conditional use application which were the Planning Commission's basis for denial. He explained why  
33 that was problematic, stating that criterion F does not address parking, it addresses traffic which are  
34 opposite issues. Mr. Woods stated that criterion G and H involves the American with Disability Act  
35 (ADA) and if the basis of denial is the nature of treatment being provided it is a violation of the ADA.

36  
37 Joe Bryan, 4493 N. Ocean Blvd, came forward to address the concern about children surrounding the  
38 property. He stated he has 4 children that have all helped out at the Beachcomber. The patients are not  
39 allowed to bring cars. The patients are seen at a detox facility and are evaluated by an outside source  
40 prior to being admitted into the facility. All residents are driven to their needed destinations after the end  
41 of their treatment.

42  
43 Council Member O'Connor asked where most of the patients lived. Mr. Bryan replied Florida, the  
44 average age is 42. Council Member O'Connor asked about the relapse rate. Mr. Bryan replied out of 16  
45 patients, two have previously attended the Beachcomber.

46  
47 Council Member Mahoney observed that there seems to be a contradiction between the definitions of a  
48 group home, which is equivalent to an ALF, and a residential treatment facility in the comprehensive  
49 plan. The comp plan states that a residential treatment facility is not a group home and it is not an ALF.

1 He stated there seems to be a conflict with the zoning for this facility and the comp plan supersedes the  
2 zoning code.

3  
4 Mr. Woods replied the applicant has taken that route due to the City's determination that the facility is a  
5 consistent use under the comprehensive plan. Mr. Woods stated he struggled with how the City came to  
6 that conclusion.

7  
8 Council Member Mahoney commented that it appears the definition the City is basing this use on states  
9 that it is not a residential treatment facility.

10  
11 Mr. Woods responded that was the City's determination which is why the Beachcomber continued with  
12 the contract to purchase the Alling House property.

13  
14 Mr. Woods requested a five minute recess. Mayor Blair called for a five minute recess at 8:28 p.m.,  
15 reconvening at 8:40 p.m.

16  
17 Mr. Reischmann addressed Council Member Mahoney's concerns about a conflict with the zoning and  
18 the Comprehensive Plan. He stated that this was not a conversion of an older residence into a group  
19 home, this is a conditional use established business converting into another business therefore the  
20 policy/section in the comprehensive plan does not apply. Mr. Reischmann advised that it was  
21 acceptable for the Development Services Director to accept this application and treat it as an ALF and  
22 not be inconsistent with the Code or the Comprehensive Plan.

23  
24 Mayor Blair noted that every new conditional use application is treated on an individual basis  
25 application. Mr. Reischmann agreed with Mayor Blair.

26  
27 Council Member O'Connor asked Ms. Mendez if the number of patients that could drive themselves to  
28 the treatment center and traffic flow was considered, before a decision was made. Ms. Mendez replied it  
29 was calculated in average daily trips by the IT trip generation manual. For an ALF 2.02 trips per nine  
30 units was calculated.

31  
32 Mayor Blair opened the public hearing by asking if anyone wanted to speak for or against the proposed  
33 matter.

34  
35 Chris Kaufteil, 5506 NW 61<sup>st</sup> Ave. Coral Springs, stated that he received treatment at the Beachcomber  
36 in 2015 and is now an employee. He spoke in favor of approving the facility.

37  
38 Paul Gurule, 1001 W. Commercial Blvd, Fort Lauderdale, received treatment at the Beachcomber and is  
39 now an employee. He too spoke in favor of the facility.

40  
41 Jonathan Ardman, 4493 N. Ocean Blvd Delray Beach, stated that he is a recovering addict and now the  
42 benefits coordinator at the Beachcomber. He spoke in favor of the facility.

43  
44 Chloe Kovacs, 4493 N. Ocean Blvd Delray Beach, recovering addict and now the Yoga teacher at the  
45 Beachcomber also spoke in favor of the facility.

46  
47 Colleen Atkinson, 555 Sumner Ave. Orange City, passed out information about the licensing regulations  
48 for an ALF as opposed to a drug rehab facility (a copy of which is attached and becomes a permanent  
49 part of these minutes). She spoke in opposition of the Beachcomber facility.

1 Fred Heller, 138 E. French Ave. Orange City, stated no one contacted him about the facility. He heads  
2 the Christ for Prisoners ministry which is located across the street from the Alling House. He spoke in  
3 opposition of the Beachcomber facility.

4  
5 Debbie Neller, 709 N. Leavitt Ave. Orange City, voiced her concern that the City is trying very hard to  
6 define the facility as an ALF. She too spoke in opposition of the Beachcomber.

7  
8 Grady Ricca, 1131 S.E. 4<sup>th</sup> St. Boynton Beach, Assistant Clinical Director at the Beachcomber attended  
9 the facility in 2012. He spoke in favor of the facility.

10  
11 Joe Fiorello, 1850 Homewood Blvd Delray Beach, stated that he works for a competitor of the  
12 Beachcomber. He spoke in favor of the facility.

13  
14 Michael Flood, 644 Potter Rd Boynton Beach, an alumnus of the Beachcomber spoke in favor of the  
15 facility.

16  
17 Harley Strickland, 315 W. University Ave. Orange City, stated this community is in need of a facility  
18 such as this one. He spoke in favor of the Beachcomber.

19  
20 Victoria Holmes, 240 Water St. Lake Helen, Coordinator of NOPE had a son that passed away from  
21 drug addiction. She spoke in favor of the Beachcomber.

22  
23 Phillip Larsen, 439 E. French Ave. Orange City, expressed concern about the amount of people and  
24 traffic. He spoke in opposition of the Beachcomber.

25  
26 Jan Rule, 346 N. Volusia Ave. Orange City, stated that she is the new owner of Kids World and is  
27 concerned about the safety for the children in the neighborhood. She spoke in opposition of the  
28 Beachcomber.

29  
30 John Simmons, 208 S. Ridgewood Ave. Deland, stated that he has been sober for 35 years and spoke in  
31 favor of the Beachcomber.

32  
33 Jerry Kinzler, 2256 Winter Woods Blvd. Winter Park, worked with the owner's father and has referred  
34 patients to the Beachcomber. He spoke in favor of the facility.

35  
36 Sharon Orr, 3355 Poneta Ave. New Smyrna, read a letter from the mother of a daughter who was a  
37 patient at the Beachcomber. She spoke in favor of the Beachcomber.

38  
39 Casey Santos, 950 Thorpe Ave. Orange City, takes walks with her children past the Alling House. She  
40 stated the City Council has a job to protect homeowners and neighborhoods in the City. She spoke in  
41 opposition of the Beachcomber.

42  
43 Leanna Parrish, 349 E. Graves Ave. Orange City, read statistics about the effect that substance abuse  
44 treatment centers have on home values in surrounding neighborhoods. She spoke in opposition of the  
45 Beachcomber.

46  
47 Deveda Prochilo, 238 E. Rose Ave. Orange City, read criterion G from the Land Development Code  
48 which pertains to creating a public hazard or nescience. She spoke in opposition of the Beachcomber.

49

1 Lisa Husor, 2487 S. Volusia Ave. Orange City, business owner in the City stated that she is a registered  
2 nurse certified in addictions medicine. She spoke in favor of the Beachcomber.

3  
4 Sly Salaiz, 2487 S. Volusia Ave., therapist for the Pathfinders Treatment Center. Spoke in favor of the  
5 Beachcomber.

6  
7 Dianne Wodz, 1775 Neighbors Dr., DeLand, homeowner of one of the properties behind the Alling  
8 House felt she was not given proper notice of the meeting. She spoke in opposition of the Beachcomber.

9  
10 Jeremy Brown, E. French Ave. Orange City, noted his concern with the zoning and location of the  
11 Beachcomber. Mr. Brown stated that he is the father of three children and spoke in opposition of the  
12 Beachcomber.

13  
14 Debra Richards, 278 E Minnesota Ave. Orange City, owner of The Lions Roar, a company adjacent to  
15 the Alling House, spoke in favor of the Beachcomber.

16  
17 Kim Fontaine, 540 N. Thorpe Ave. Orange City, stated that she was concerned about the traffic issue.  
18 She spoke in opposition of Beachcomber.

19  
20 Nan Hill, 215 E. French Ave. Orange City, owner of the Alling House described the details of the Alling  
21 House property. She spoke in favor of the Beachcomber.

22  
23 Mr. Woods talked about the property values rising in Delray Beach. He stated there will be a full time  
24 chief on staff. The parking lot will not be full. Mr. Woods stated the City has an opportunity to allow an  
25 outstanding business to come into the community. It would be a shame to deny the conditional use  
26 application.

27  
28 Council Member Mahoney asked Mr. Woods if the Bryan family will be operating the facility in Orange  
29 City. Mr. Woods replied in the affirmative. Council Member Mahoney stated the facility will have to  
30 have joint accreditation to operate.

31  
32 Council Member Pupello asked Mr. Bryan about future growth plan. Mr. Bryan responded he prefers to  
33 keep the facility small. Council Member Pupello commented that if the accreditation is not achieved  
34 then the project would not be complete. He stated the number of clients should be defined.

35  
36 Council Member Mahoney referred to the Comprehensive plan stating that the maximum number of  
37 patients that the facility is allowed to have at one time is 20. Ms. Mendez responded that was the way  
38 the condition was written in the Resolution. The maximum number of clients served at any one time on  
39 the property is to not exceed 20. Council Member Mahoney asked if the facility applied for an increase  
40 in patient numbers in the future would that application be denied. Ms. Mendez responded they could  
41 apply for another conditional use to be presented to the Planning Commission. Council Member  
42 Mahoney asked if that request would not be compatible with the comprehensive plan.

43  
44 Mr. Reischmann advised that a development order would need to be issued if it is not consistent with the  
45 comprehensive plan.

46  
47 Ms. Mendez responded that the applicant could apply for a map amendment and change the future  
48 designation and apply for a corresponding rezoning. This would be the only way an applicant could get  
49 more density.



1 Council Member Pupello stated the curfew time should be changed from sunrise to sunset. He  
2 commented that the applicant stated a legitimate concern about the parking issue. He noted that the  
3 Alling house is a historical home and no changes should be made without proper approval.  
4

5 Vice Mayor Crippen announced that the house values in Delray do not compare to the house values in  
6 Orange City. He felt that a facility like this is needed in the City but not in the Historical district. He  
7 stated he supports the Beachcomber but just not at that location.  
8

9 Council Member O'Connor commented there would be more traffic flow with the alumni meetings and  
10 outpatient needs. Mr. Woods replied the traffic flow is based on the IT trip generation manual.  
11

12 Mayor Blair closed the public hearing.  
13

14 Council Member Mahoney stated that if he is to approve the application then the number of clients must  
15 be limited to 20 patients and the time frame for joint accreditation must be kept at 12 months. He stated  
16 he would not support anything that deviates from staff recommendations.  
17

18 Mr. Reischmann noted there is a motion for approval on the table including all the conditions in the  
19 Resolution. If Council wished to change the conditions then the motion would need to be withdrawn.  
20

21 Council Member Pupello commented the conditions should not be changed.  
22

23 Council Member Allebach reported that the office transitional zoning began 20 years ago in order to  
24 protect the historic homes in the City. He stated his concern about the character of the neighborhood  
25 changing.  
26

27 Council Member Pupello pointed out that the issue seemed to be the zoning of this property as office  
28 transitional.  
29

30 Mayor Blair reported that he was opposed to the application based on Section 3.7.4 criteria H "that it  
31 will materially alter the character and surrounding neighborhoods and adversely affect the value of  
32 surrounding land and structures and buildings".  
33

34 **Motion failed by a 5/1 roll call vote of the City Council with Council**  
35 **Members O'Connor, Allebach, Pupello, Vice Mayor Crippen and**  
36 **Mayor Blair voting "no".**  
37

38 **Council Member Pupello moved to affirm the decision of the Planning**  
39 **Commission to deny the Beachcombers conditional use permit,**  
40 **seconded by Vice Mayor Crippen and passed by a 6/0 roll call vote of**  
41 **the City Council.**  
42

43 Mayor Blair called a recess at 10:43 p.m., reconvening the meeting at 10:53 p.m.  
44

45 **8. DISCUSSION AND ACTION:** None at this time  
46

47 **9. REPORTS:**  
48

49 **A. Mayor/City Council**

1 Mayor Blair reported that he attended the John Knox Village for Nursing Home Week and presented the  
2 home with a proclamation. He announced the upcoming League of Cities Dinner as well as the NAACP  
3 dinner.

4  
5 Council Member O'Connor reported that he attended a legislative breakfast with David Santiago and  
6 David Simmons at a "Meet and Greet" in Deland where he met several new Orange City residents. He  
7 noted that he attended several other events.

8  
9 **B. City Manager**

10  
11 Ms. Arrington announced she received an invitation to preview a new Ivy Hawn private school  
12 interested in locating to Orange City. She will be sending an invite to the Council. Ms. Arrington  
13 announced that the League of Cities award banquet will be held on Thursday. Two nominees from  
14 Orange City, Bob Storke and Carolyn Dorton will receive awards. She announced that the City offices  
15 will be closed on Monday May 29<sup>th</sup> in observance of Memorial Day. Ms. Arrington advised that she will  
16 be attending the Florida City County Managers Association meeting in South Orlando next week so she  
17 would not be able to attend the NAACP event.

18  
19 **C. City Clerk**

20  
21 No report at this time

22  
23 **D. City Attorney**

24  
25 Mr. Reischmann requested that Council submit all notes taken from the meeting to the City Clerk in case  
26 of a public records request.

27  
28 **10. NEW BUSINESS:**

29  
30 None at this time

31  
32 **11. APPROVAL OF MINUTES:** See Consent Agenda

33  
34 **12. COUNCIL COMMENTS:**

35  
36 Council Member Pupello stated that Pastor Merchant prayed for the betterment of the community. He  
37 stated there is a need for a business similar to the Beachcomber just not in the proposed neighborhood.  
38 He commented that municipal government works for the people.

39  
40 Council Member Allebach suggested that the Beachcomber find another location in the City. He  
41 announced the Florida Hospital Fish Community Garden meeting at the Gateway Center of the Arts on  
42 Wednesday at 5:30 p.m.

43  
44 Vice Mayor Crippen reiterated what Council stated. He announced that the May 14<sup>th</sup> issue of the  
45 Orlando Sentinel mentioned Blue Springs.

46  
47 Council Member O'Connor expressed his hope that the community sees Council listened to their  
48 concerns. He thanked the community for coming out.

49

1 Council Member Mahoney asked to keep Council Member Robinson in their prayers. He stated his  
2 frustration about the comprehensive plan definition. Council Member Mahoney would like the  
3 inconsistencies of the comprehensive to be addressed.

4  
5 Mayor Blair asked everyone to keep Council Member Robinson in their thoughts. He commented about  
6 Memorial Day noting that his Grandfather died in WWII.

7  
8 **13. ADJOURN:**

9  
10 There being no further business, Mayor Blair adjourned the meeting at 11:06 p.m.

11  
12  
13  
14 **RESPECTFULLY SUBMITTED:**

15  
16 \_\_\_\_\_  
17 Melani Brown  
18 Deputy City Clerk

**APPROVED ON:**

**June 13, 2017**

\_\_\_\_\_  
Date