

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, March 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, Anthony J. Pupello, Evelyn Robinson, Jim Mahoney; City Attorney William
13 Reischmann; City Manager Dale Arrington; City Clerk Gloria Thomas.

14
15 **INVOCATION/PLEDGE OF ALLEGIANCE**

16
17 The Invocation was given by Reverend Raphael Dessieu-Orange City Methodist Church

18
19 Mayor Blair advised that agenda item 8A be moved forward to follow the Consent Agenda.

20
21 **1. ABSENCES:**

22
23 Shall the absence of Council Member Jim Mahoney on March 14, 2017 be excused?

24
25 **Vice Mayor Crippen moved to excuse Council Member Jim Mahoney's**
26 **absence on March 14, 2017, seconded by Council Member Pupello and passed**
27 **by a 7/0 voice vote of the City Council.**

28
29 **2. PRESENTATIONS/PROCLAMATIONS:**

30
31 A. Auditor Report FY 2015/16

32
33 Kelly Leary, CPA, McDirmit, Davis & Company came forward and provided a detailed PowerPoint
34 presentation advising Council of the results of the City's September 30th, 2016 annual audit (a copy of
35 which is attached and becomes a permanent part of these minutes). Ms. Leary noted the audit opinion
36 was unmodified and that no single audit was performed because grant review did not exceed the
37 threshold. She stated the City received a Certificate of Achievement for the 16th year in a row.

38
39 Ms. Leary explained in detail key points from each slide of the presentation. She explained the 1.1%
40 decrease of the General Fund revenues and the 8.4% increase of expenditures and suggested that was
41 due to the capital outlay expenses. She stated this was the first time the General Fund has had a slight
42 decrease in some time however, this was planned in the budget.

43
44 Ms. Leary advised that there was no new debt for the current year. The City used some of the State
45 Revolving Fund (SRF) loan funding. One of the larger revenue sources was from receiving funds from
46 fire services provided to the City of DeBary.

47

1 Ms. Leary noted that there was an increase in both the revenue and expenses for the Enterprise Fund. A
2 storm water fund was established. Ms. Leary commented that SBA investment earnings were still low.
3 All City funds are now invested in Florida Prime and Florida Safe which are rated AAAM.

4
5 She concluded by stating that the City is run well and the Finance Department is doing a great job by
6 keeping up with everything.

7
8 **Vice Mayor Crippen moved that the City Council accept the Auditor's Report**
9 **for FY 2015/2016 as presented, seconded by Council Member Pupello and**
10 **passed by a 7/0 roll call vote of the City Council.**

11
12 **3. CITIZEN COMMENTS:** None at this time.

13
14 **4. CONSENT AGENDA:**

- 15
16 A. Approval of Fireworks Contract
17 B. Approve March 14, 2017 Regular Meeting Minutes

18
19 **Council Member Mahoney moved to approve the Consent Agenda, seconded by**
20 **Vice Mayor Crippen and passed by a 7/0 roll call vote of the City Council.**

21
22 **5. ORDINANCES – FIRST READING:** None at this time

23
24 **6. PUBLIC HEARINGS/ SECOND READING**

- 25
26 A. **Ordinance No. 567** An Ordinance of the City of Orange City, Florida, amending
27 the official zoning map for 152.38 acres owned by Orange Dale Venture LLC and
28 Orangedale Plat Right-of-Way from Volusia County Urban Single Family
29 Residential (R-4) to Mixed Planned Unit Development (MPUD) for property
30 known as Parc Hill; adopting the Master Development Plan; providing for conflict;
31 providing for severability and providing for an effective date.

32
33 Mr. Reischmann read the title of Ordinance No. 567 into the record.

34
35 **Vice Mayor Crippen moved to approve Ordinance No. 567 on second and final**
36 **reading, seconded by Council Member Allebach.**

37
38 Becky Mendez, Development Service Director, explained that the ordinance was first presented to
39 Council on Jan. 24, 2017. Council recommended approval and authorized staff to submit the application
40 to the Volusia Growth Management Commission (VGMC). The VGMC certified the amendment
41 rezoning as consistent on March 8th 2017. Ms. Mendez stated the Master Development Plan is the same
42 as presented at first reading. Staff recommends that Council adopt the rezoning at second and final
43 reading finding that the rezoning meets all of the criteria with the condition that the development
44 agreement be recorded within six months of rendition.

45
46 Council Member Allebach stated that it has been his experience that VGMC has cancelled its two month
47 waiting period for development after submission and asked if that was still in effect. Ms. Mendez replied
48 that was correct.

49

1 Mayor Blair opened the public hearing by asking if anyone wished to speak on this matter.

2

3 Mark Watts, Attorney, Cobb Cole, 351 E. New York Ave, DeLand came forward to answer questions.

4

5 Council Member O'Connor stated the traffic flow that will be affecting emergency vehicles trying
6 getting out of the stations onto our busy roads is a major concern for him.

7

8 Mr. Watts responded that they are still working on the framework considering the traffic flow plan.

9

10 Pat Sintell, 720 Biscayne Drive, stepped forward and asked for clarification of the road patterns in her
11 neighborhood.

12

13 Mr. Watts replied that Junior St. will not be constructed to follow through to Leavitt Ave in order to
14 avoid creating a north/south straightaway. Routes for traffic are planned to go through Junior St to
15 Veterans Memorial without the use of Harley Strickland Blvd. It states in the developers agreement that
16 after a year the Developer will review the traffic flow and advise if further traffic route changes are
17 needed.

18

19 Mr. Reischmann pointed out that the traffic plan was described on page 21 of the staff report.

20 Dave Green, 375 Grant Plaza Drive, came forward and suggested the developer consider an alternative
21 instead of the entrance on his street because it would cause inconvenient traffic in his neighborhood.

22

23 Mr. Watts discussed the traffic flow plans and the connection points.

24

25 A citizen came forward and stated he lives at the extreme end of Veterans Memorial Parkway and was
26 informed of the development from the newspaper. He voiced his concerns about section 8 or subsidized
27 housing allotments planned for the development.

28

29 Charles Calcheck, 770 E Ridge Dr., asked if an environmental impact study was completed on the
30 property. Mark Watts responded that a report to determine the animal population and protected species
31 is attached to the agenda item.

32

33 Council Member Pupello pointed out that these questions have already been presented and answered and
34 that the property owners have the right to develop the property.

35

36 Mr. Reischmann clarified that tonight's action is for rezoning the property to a PUD.

37

38 An unknown citizen came forward and asked for a time frame when the project will begin and if the
39 plans could be viewed.

40

41 Ms. Mendez advised that all the agenda items are on the City's website and that Development Services
42 staff is available to answer any questions citizens may have. . She reiterated that tonight's action is for
43 rezoning the property to a PUD. She explained the development review process and noted that the
44 development order will come forward at a future time

45

46 Council Member O'Connor stated he has the same traffic concerns as the citizens because this is his
47 district and he lives in the neighborhood as well.

48

Motion passed on second reading and final reading by a 7/0 roll call vote of the City Council.

B. Ordinance No. 576 An Ordinance of the City Council of the City of Orange City Florida, pursuant to the Section 2.05 of the City Charter increasing the compensation of the Mayor to a salary of \$1,000.00 per month and Council Members to a salary of \$833.34 per month; providing for automatic salary adjustments; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date.

Mr. Reischmann read the title of Ordinance No. 576 into the record.

Vice Mayor Crippen moved to approve Ordinance No. 576 on second and final reading, seconded by Council Member Allebach.

Council Member Mahoney stated that he does not support this Ordinance.

Motion passed on second reading by a 5/2 roll call vote of the City Council with Council Member Mahoney and Mayor Blair voting “no”.

7. RESOLUTIONS:

A. Resolution No. 858-17 Appointing a Planning Commission member to fill vacant seat #5. A Resolution of the City Council of Orange City, Florida, appointing a member to fill vacant seat #5 on the Orange City Planning Commission for a term to expire on December 31, 2018; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

Mr. Reischmann read the title of Resolution 858-17 into the record.

Council Member Robinson recommended Tom Laputka to fill seat #5 on the Planning Commission.

Council Member Allebach moved to approve Resolution No. 858-17 and appoint Tom Laputka for Seat No. #5 on the Planning Commission, seconded by Council Member Mahoney and passed by a 7/0 roll call vote of the City Council.

8. DISCUSSION AND ACTION:

A. Consideration of Sponsorship Request

Danielle Fitzpatrick, Public Information Coordinator, came forward to discuss consideration of a sponsorship for the University High School Boys Bowling Team. The bowling team is requesting \$2000.00 to help pay for their upcoming bowling tournament trip to Tennessee. Ms. Fitzpatrick stated that staff recommends Council award \$1000.00 of the remaining \$2000.00 in the sponsorship budget thus leaving a balance of \$1000.00 for any future requests.

1 Council Member Pupello asked if there were any known future sponsorship requests. Ms. Fitzpatrick
2 replied she communicated with a representative of the school and there were no known requests at this
3 time.

4
5 Council Member Mahoney asked if they could anticipate requests to come in at the beginning of the
6 year or do they come in throughout the year. Ms. Fitzpatrick replied that it was the first fiscal year for
7 these types of scholarships.

8
9 **Vice Mayor Crippen moved to approve the sponsorship request from the**
10 **University High School Boys Bowling Team, as presented, seconded by Council**
11 **Member O'Connor and passed by a 7/0 roll call vote of the City Council.**

12
13 **9. REPORTS:**

14
15 **A. Mayor/City Council**

16
17 Mayor Blair complimented those who prepared the food at the Strategic Planning meeting on Saturday.
18 Mayor Blair discussed several events and meeting that he has attended. He advised that he spoke with
19 the new leaders of the Little League concerning Valentine Park. He commented that the Little League
20 must have a finalized contract if they wish to continue using City facilities.

21
22 Council Member Allebach reported that he was not able to attend the Transportation Planning
23 Organization (TPO) meeting due to conflicting appointments. Council Member Allebach stated that he
24 sent a video to Council about the topics of discussion that were the effects of technology and how it
25 could drastically change our world in the next couple of years. Mayor Blair suggested appointing an
26 alternate TPO member to attend the meetings in Council Member Allebach's absence.

27
28 Mr. Reischmann recalled that the alternate typically was the Vice Mayor. Mayor Blair suggested Vice
29 Mayor Crippen.

30
31 **Council Member Allebach moved that Vice Mayor Crippen to be appointed the**
32 **alternate TPO member, seconded by Council Member O'Connor and passed by**
33 **a 7/0 voice vote of the City Council.**

34
35 Council Member O'Connor reported that there will be an Open House event on April 28th provided by
36 the Career Source of Flagler/Volusia County. He noted that Career Source will be presenting a new
37 program that will allow Firefighters and Police Officers to provide a card to troubled young adults that
38 will allow them the opportunity to receive free education from Daytona State College. He stated that
39 Council Members will receive an invitation to this event shortly.

40
41 **B. City Manager**

42
43 Ms. Arrington announced that the Police Department voted in the International Union of Police
44 Associations. The City and the Union will be collaborating to develop the Police Department's first
45 contract.

46
47 Ms. Arrington reported that the Development Services department will be holding a workshop to review
48 the design plans for Little French in Council Chambers on April 27, 2017 at 6:00 p.m. This will allow
49 citizens to be aware of the plan and its impact.

1
 2 Ms. Arrington stated that there has been a lot of discussion from the Volusia County Council Chair and
 3 at the bi-monthly Mayors meeting about the need to increase transportation funding for road-way
 4 systems in Volusia County. She announced two meetings were being held on this subject on April 13th,
 5 The Eggs and Issues Breakfast and then a luncheon at John Knox Village. She recommended Council
 6 attend at least one of the meetings in order to be informed of a possible half cent sales tax increase.
 7

8 Council Member O’Connor asked if the compensation package that was voted on at the previous
 9 meeting will have any impact on the voting of the Police Union. Ms. Arrington replied no, it would not
 10 be discussed.

11
 12 **C. City Clerk** None at this time

13
 14 **D. City Attorney**

15
 16 Mr. Reishmann reported on a “legislative attack” on home rule in Tallahassee. He stated there were
 17 approximately 20 to 30 bills pending that are trying to remove zoning regulations from local
 18 governments, phasing out business taxes and preempting many areas of legislation. Mr. Reischmann
 19 stated that this has been one of the most extensive legislative efforts to reduce the powers of
 20 municipalities that he’s witnesses since he has been in practice. He encouraged everyone to follow the
 21 League of Cities stating that they are supportive and active to protect the rights of local governments.
 22

23 **10. NEW BUSINESS:**

24
 25 Mayor Blair passed the gavel to Vice Mayor Crippen. He noted that he spoke with Mayor Apgar
 26 regarding the funding for homelessness.

27
 28 Mayor Blair requested a Discussion & Action agenda item allowing the City to begin donating \$15,000
 29 to the City of DeLand for the homeless initiative starting next fiscal year. It is a five year commitment.
 30

31 **Mayor Blair moved that staff bring forward an agenda item discussing**
 32 **funding for the homelessness issue, seconded by Council Member Pupello,**
 33 **passed by a 7/0 voice vote of the City Council.**
 34

35 Ms. Arrington stated that the matter will be discussed at the April 11th meeting.
 36

37 **11. APPROVAL OF MINUTES** See Consent Agenda

38
 39 **12. COUNCIL COMMENTS:**

40
 41 Council Member Mahoney appreciated the feedback during the Parc Hill conversation regarding
 42 individual property rights.
 43

44 Council Member O’Connor thanked staff for their presentations. He stated that he looks forward to
 45 continue serving his community.
 46

47 Vice Mayor Crippen stated that the wildlife survey for the Parc Hill property showed no evidence of
 48 bears. He complimented the Strategic Planning session held last Saturday. Vice Mayor Crippen inquired

1 when the open container law issue would be on the Agenda. Ms. Arrington replied the open container
2 item would be included on the next meeting's agenda.

3
4 Council Member Allebach stated that the Strategic Planning meeting was very well done. He
5 appreciated the conversations from staff.

6
7 Council Member Robinson also enjoyed the Strategic Planning meeting. She stated she was excited
8 about the future CRA plans.

9
10 Council Member Pupello thanked the citizens that came to the meeting. He stated it is critical to be part
11 of the community.

12
13 **13. ADJOURN:**

14
15 There being no further business to discuss, Mayor Blair adjourned the meeting at 8:29 p.m.

16
17 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

18
19 _____
20 Melani Brown, Deputy City Clerk

Date

21