

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,  
2 held on Tuesday, January 23, 2018 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, Anthony J. Pupello, Evelyn Robinson, Jim Mahoney; City Attorney William  
12 Reischmann; City Manager Dale Arrington; City Clerk Gloria Thomas.

13  
14 **INVOCATION/PLEDGE OF ALLEGIANCE**

15  
16 The Invocation was given by Pastor DJ Craine-Faith Community Church

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

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

21  
22 **A. Presentation of Christmas Parade and Lighting Winner Awards**

23  
24 Danielle FitzPatrick came forward and thanked the judges and participants of the Christmas parade. She  
25 presented awards to the University High School cheerleaders, Volusia County Baptist Church, Tuckers  
26 Tree and Bobcat, Orange City Fire Cadets and the Sorosis Club.

27  
28 Ms. FitzPatrick thanked the Historic Board for judging the Holiday Lighting Contest and announced that  
29 the winners were, Most Innovative, 307 S. Oak Ave., Best Use of Color, 585 W. Lansdowne Ave. and  
30 Best Overall 1833 Monastery Rd.

31  
32 **B. State of the City**

33  
34 Dale Arrington, City Manager, came forward to deliver a PowerPoint presentation discussing the State of  
35 the City (a copy of which is attached and becomes a permanent part of these minutes). Ms. Arrington  
36 noted that the City maintained its strategic plan goals and objectives. The City is in good financial position  
37 with low debt and a healthy reserve. Ms. Arrington reported that the debt will increase in 2019 due to the  
38 replacement of several water lines throughout the City. She noted that the City still has very good reserves  
39 at \$5.89 million.

40  
41 Ms. Arrington reported that the City has been awarded a certificate of achievement for the Comprehensive  
42 Annual Report for the past 16 years and the distinguished budget award for the past 10 years. Ms.  
43 Arrington reported updated statistics from the Development Services Department.

44  
45 Ms. Arrington discussed how the City has positioned itself as a "hub" for employment within SW Volusia  
46 County. She noted the number of people employed in the City that reside in other areas.

47  
48 Ms. Arrington commented that while the amount of recorded police calls may seem high the City is not a  
49 dangerous place to work and live. The City is the dining and retail hub of the SW Volusia County thus,

1 resulting in higher retail thefts. Ms. Arrington reported that of the 7,629 fire calls, an estimated 5,500 were  
2 medical issues. She noted the most important aspect of the Fire and Police departments were the  
3 engagement with the community.

4  
5 Ms. Arrington reported that the Utility Department has been very busy. She noted that the City has over  
6 4,100 residential and commercial water connections that include miles of pipes and fire hydrants. She  
7 noted that improvements have been made at both Coleman and Mill Lake Park. Ms. Arrington announced  
8 the ribbon cutting at Mill Lake Park on February 2<sup>nd</sup>. She noted that the Adopt A Road and Adopt A Park  
9 program has been reinvigorated. Ms. Arrington reported the many different events the City hosts  
10 throughout the year. She reported that this year the City has increased its community outreach through  
11 new social media websites.

12  
13 Ms. Arrington reported capital improvements and grants awarded for FY 16/17. She concluded the  
14 presentation with the City's upcoming and continuing projects.

### 15 16 **3. CITIZEN COMMENTS:**

17  
18 Vice Mayor Crippen requested to move agenda item 8A forward. It was the consensus of the Council to  
19 do so.

20  
21 Vice Mayor Crippen reported that an application for the vacant seat on the Planning Commission was  
22 received by Sarah Mazzie. Ms. Mazzie formerly served on the Historic Preservation Board. Vice Mayor  
23 Crippen nominated Ms. Mazzie to fill the position.

24  
25 **Vice Mayor Crippen moved to appoint Sarah Mazzie to fill the vacant seat on**  
26 **the Planning Commission Board, seconded by Council Member Pupello and**  
27 **passed by a 7/0 roll call vote of the City council.**

28  
29 Mayor Blair reviewed page 8 of the Council Rules and Procedures. He noted the following procedure of  
30 order; the city attorney will read the ordinance and resolution titles into the record, council members will  
31 make and second a motion staff will provide a report, public comments, council discussion and roll call.

### 32 33 **4. CONSENT AGENDA:**

- 34  
35 A. Approval of Second Extension of Lease Agreement for Dickinson Park  
36 B. Approval of Memorandum of Understanding with the Village Improvement Association for  
37 Albertus Cottage  
38 C. Budget Amendment FY 2017/2018 Resolution No. 893-17  
39 D. Florida Department of Environment Protection (FDEP) Agreement No. LP64202, Amendment  
40 No. 1  
41 E. Fourth of July Fireworks Contract  
42 F. Approve January 09, 2018 Regular Meeting Minutes

43  
44 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by**  
45 **Council Member O'Connor.**

46  
47 Council Member Mahoney noted a typographical error on item 4A. The fifth "Whereas" should read 1998  
48 instead of 1978.

1 **Motion passed by a 7/0 roll call vote of the City Council.**

2  
3 **5. ORDINANCES – FIRST READING:**

4  
5 None at this time.

6  
7 **6. PUBLIC HEARINGS/ SECOND READING**

8  
9 **A. Ordinance No. 594** An ordinance of the City Council of the City of Orange City,  
10 Florida, changing the zoning classification for the John Knox Village Property  
11 located at 12 Westlake Drive, consisting of approximately 27.72 acres, from  
12 Mobile Home Park (MH-1) to Medium Density Residential (R-2); repealing all  
13 ordinances or parts of ordinances in conflict herewith; and providing for an  
14 effective date.

15  
16 Mr. Reischmann read the title of Ordinance No. 594 into the record. He noted this is a quasi-judicial  
17 matter and asked if there were any ex-parte communication to disclose.

18  
19 Council Member O’Connor noted that he is on the board of directors at John Knox Village. He attended  
20 a meeting following the first reading however, Ordinance No. 594 was not discussed. He stated that he is  
21 a non-paid volunteer. Council Member O’Connor and Mr. Reischmann both agreed there is not a conflict  
22 of interest.

23  
24 **Council Member Allebach moved to approve Ordinance No. 594, seconded by**  
25 **Vice Mayor Crippen**

26  
27 Becky Mendez, Development Service Director, reported that no changes have been made since first  
28 reading and staff recommends Council approval of Ordinance No. 594 on second and final reading.

29  
30 **Motion passed by a 7/0 roll call vote of the City Council.**

31  
32 **B. Ordinance No. 595** An ordinance of the City Council of the City of Orange City,  
33 Florida, changing the zoning classification for property location at 940 and 1000  
34 East Rose Avenue, including additional rights-of-way, consisting of  
35 approximately 1.33 acres, from Mobile Home Park (MH-1) to Medium Density  
36 Residential (R-2); repealing all ordinances or parts of ordinances in conflict  
37 herewith, and providing for an effective date.

38  
39 Mr. Reischmann read the title of Ordinance No. 595 into the record. He noted that this is a quasi-judicial  
40 matter and asked if there were any ex-parte communication to disclose. He noted for the record there  
41 were none.

42  
43 **Council Member Allebach moved to approve Ordinance No. 595, seconded by**  
44 **Vice Mayor Crippen.**

45  
46 Ms. Mendez reported no changes have been made since first reading and staff recommends Council  
47 approval of Ordinance No. 595 on second and final reading.

48

1 Conrad Stone, 1000 E. Rose Ave., came forward and commented that he measured his property line. Mr.  
2 Stone's home is 30 feet away he would like this information on public record to avoid any future  
3 discrepancies.

4  
5 Council Member Mahoney clarified Mr. Stone's concerns that the zoning is changing from a non-  
6 conforming use to a conforming use and in the process a non-conforming structure is being created by  
7 virtue of the set back of the property. He asked if a survey would address Mr. Stone's concerns, if he  
8 chose to develop his property. Ms. Arrington replied that a survey would clarify the record.

9  
10 **Motion passed by a 7/0 roll call vote of the City Council.**

11  
12 C. **Ordinance No. 596** An ordinance of the City Council of the City of Orange City,  
13 Florida, amending the official zoning map by changing the zoning classification of  
14 property located at 2300 East Graves Avenue, consisting of 38.7 acres, known as  
15 the Orange City RV Park, from the Mixed Use Suburban (MX-2) to Planning Unit  
16 Development (PUD); approving the PUD Master Development Plan Repealing all  
17 ordinances or parts of ordinances in conflict herewith; and providing for an  
18 effective date.

19  
20 Mr. Reischmann read the title of Ordinance No. 596 into the record. He noted that this is a quasi-judicial  
21 matter and asked if there were any ex-parte communication to disclose. He noted for the record there  
22 were none.

23  
24 **Vice Mayor Crippen moved to approve Ordinance No. 596, seconded by**  
25 **Council Member O'Connor.**

26  
27 Ms. Mendez reported no changes have been made since first reading and staff recommends Council  
28 approve Ordinance No. 596 on second and final reading.

29  
30 **Motion passed by a 7/0 roll call vote of the City Council.**

31  
32 D. **Ordinance No. 597** An ordinance of the City Council of the City of Orange City,  
33 Florida, amending the National Pollution Discharge Elimination System (NPDES)  
34 guideline definition of construction activity; repealing all ordinance or parts of  
35 ordinances in conflict herewith; and providing for an effective date.

36  
37 Mr. Reischmann read the title of Ordinance No. 597 into the record. He noted this is a legislative matter.

38  
39 **Council Member Mahoney moved to approve Ordinance No. 597, seconded by**  
40 **Vice Mayor Crippen**

41  
42 Raul Palenzuela, City Engineer, reported no changes have been made since first reading and staff  
43 recommends Council approval of Ordinance No. 597 on second and final reading.

44  
45 **Motion passed by a 7/0 roll call vote of the City Council.**  
46

1 E. **Ordinance No. 598** An ordinance of the City Council of the City of Orange City,  
 2 Florida, changing the title of City code chapter 10.5 from “Leisure Services” to  
 3 “Parks And Recreation”; adopting new sections 10.5-18 and 10.5-19 of the City  
 4 code regulating use of City parks; creating a new section 10.5-23; and replacing  
 5 the term “Leisure Services Division” in chapter 10.5., article III of the City code  
 6 with “Parks And Recreation Department”; repealing all ordinances or parts of  
 7 ordinances in conflict herewith; and providing for an effective date.  
 8

9 Mr. Reischmann read the title of Ordinance No. 598 into the record. He noted this was a legislative matter.  
 10

11 **Vice Mayor Crippen moved to approve Ordinance No. 598, seconded by**  
 12 **Council Member Pupello.**  
 13

14 Mr. Palenzuela reported that no changes have been made since first reading and staff recommends  
 15 Council approve Ordinance No. 598 on second and final reading.  
 16

17 **Motion passed by a 7/0 roll call vote of the City Council.**  
 18

19 **7. RESOLUTIONS:**  
 20

21 None at this time  
 22

23 **8. DISCUSSION AND ACTION:**  
 24

25 A. Resolution No. 894-18 Appointment of Seat #6 to the Planning Commission  
 26

27 Mr. Reischmann read the title of Resolution No. 894-18 into the record.  
 28

29 **Vice Mayor Crippen moved to approve Resolution No. 894-18, seconded by**  
 30 **Council Member Pupello and passed by a 7/0 roll call vote of the City Council.**  
 31

32 B. Discussion and Staff Direction to Amend the Land Development Code by Updating  
 33 Definitions of Industrial/Manufacturing uses and Assigning Those Uses to Zoning  
 34 Classifications in Certain Circumstances  
 35

36 Ms. Mendez advised that Chapter 8, industrial uses in the zoning matrix, of the Land Development Code  
 37 needed updates. She noted that the City’s industrial zone was full and there is a need to expand to other  
 38 areas. Ms. Mendez requested Council’s direction to move forward and schedule a discussion item with  
 39 the Planning Commission.  
 40

41 Jean Feher, 111 Gull Ct. Casselberry, and Jill Sparr, business partners from American Craft Distillery  
 42 came forward. Mr. Feher stated that he would like to move his company into Orange City however, he  
 43 has concerns about opening a business in the industrial zone. Mr. Feher requested for a change in the  
 44 zoning to allow the opening of a micro distillery in a more convenient area.  
 45

46 Council Member O’Connor asked if American Craft Distillery was the same type of business as the  
 47 Copper Bottom Distillery in Daytona.  
 48

49 Ms. Sparr replied that all of the product is made by a master distiller and the batches are smaller.

1 Council Member Allebach agreed with updating the industrial zone within the City.

2  
3 Council Member Pupello noted that he and Mr. Feher had a conversation about the opportunities to impact  
4 new updated businesses and fill the empty spaces within the City. He is excited and appreciates his  
5 enthusiasm.

6  
7 ~~Council Member Mahoney thought the Comprehensive Plan excluded this particular use. He stated~~  
8 Council Member Mahoney commented that he is an advocate for a more current Land Development Code  
9 but it should be consistent with the Comprehensive plan.

10  
11 Ms. Arrington recapitulated that Ms. Mendez primary responsibility is to present Council with land use  
12 ordinances that are consistent with the Comprehensive Plan.

13  
14 Vice Mayor Crippen commented that “artisanal businesses” is an appropriate term used by Council  
15 Member Pupello. Vice Mayor Crippen noted that 500,000 people a year come to visit the manatees.

16  
17 Council Member Pupello appreciated staff for their efforts on this matter.

18  
19 **Council Member Allebach moved to authorize staff to move forward with an**  
20 **Ordinance for discussion with the Planning Commission, seconded by Vice**  
21 **Mayor Crippen and passed by a unanimous voice vote of the City Council.**

22  
23 C. Charter Review

24  
25 Mr. Reischmann noted that Council Member Pupello requested a Charter Review discussion at the last  
26 city council meeting. He advised that the Charter can be amended by a petition brought forward by 10%  
27 of the electorate according to Chapter 166 of the Florida Statute. He stated that Council could initiate the  
28 process for a Charter amendment. Mr. Reischmann reiterated the process needed to amend the Charter.

29  
30 A lengthy discussion ensued between Council including opinions of reviewing and amending the Charter.

31  
32 Council Member Pupello, Council Member Robinson and Council Member O’Connor would approve a  
33 Charter Review.

34  
35 Council Member Allebach, Vice Mayor Crippen, Council Member Mahoney and Mayor Blair noted that  
36 they do not see a need for a Charter Review at this time.

37  
38 Mr. Reischmann advised that there were no motions made about this subject.

39  
40 **9. REPORTS:**

41  
42 **A. Mayor/City Council**

43  
44 Mayor Blair reported that he attended the State of the County address with Council Member O’Connor,  
45 Ms. Arrington and other staff members. He attended the Team Volusia meeting with Council Member  
46 Allebach and Council Member O’Connor. Mayor Blair attended the Deland/Orange City Alliance awards  
47 banquet and led the pledge. He announced the Manatee Festival this weekend and the EMS military expo  
48 at University High School will be held on Friday. He announced the Mayor’s Fitness Challenge begins  
49 Monday January 29<sup>th</sup> and the Mill Lake Ribbon cutting on February 2<sup>nd</sup>.

1 Council Member Allebach announced the Manatee Festival this weekend.

2  
3 Vice Mayor Crippen reported that he has been telling his customers about the Manatee Festival.

4  
5 Council Member O'Connor reported that he attended 3 grand openings throughout the City.

6  
7 Council Member Pupello reported that he attended 2 Martin Luther King events and represented the City.

8  
9 **B. City Manager**

10  
11 Ms. Arrington reported that Valentine Park is being prepared for the Manatee Festival. She announced  
12 that a site visit occurred today for Collins Dream Park from the Echo Advisory Board.

13  
14 **C. City Clerk**

15  
16 Ms. Thomas reported the remaining time slots available for the Manatee Festival sign-up sheet. She  
17 announced Ms. Debbie Renner's memorial service on Saturday February 3<sup>rd</sup> at the community center in  
18 Debary.

19  
20 **D. City Attorney**

21  
22 Mr. Reischmann reported that there are 18 bills pending with unfunded mandates and 20 bills pending for  
23 preemption. He noted there is a proposal for the Constitutional Review Committee to preempt any  
24 regulation of any businesses that do not do business solely within the City limits.

25  
26 **10. NEW BUSINESS:**

27  
28 None at this time

29  
30 **11. APPROVAL OF MINUTES** See Consent Agenda

31  
32 **12. COUNCIL COMMENTS:**

33  
34 Council Member Mahoney stated there was good discussion this meeting. He thanked Mr. Feher for  
35 attending the meeting.

36  
37 Council Member O'Connor stated there was good discussion. He thanked everyone that attended the  
38 meeting. He noted that he receives a lot of compliments about the City's Council.

39  
40 Council Member Pupello recommended that everyone contact their representatives. He reported that Ms.  
41 Shawn Cochran, visited Tallahassee and represented the West Volusia Board of Realtors. Ms. Cochran  
42 distributed Council Member Pupello's business card to those representing Volusia County. As Ms.  
43 Cochran handed out the cards she remarked "home rule". He summarized the information provided during  
44 the State of the City presentation and portrayed his pleasure. Council Member Pupello voiced his  
45 appreciation for the opportunity to serve.

46  
47 Council Member Robinson voiced her appreciation for staff and the Council.

1 Council Member Allebach stated that the City is very motivated to continue with the improvement of the  
2 City. He stated that the Manatee Festival is going to be a great event and encouraged everyone to go on  
3 the Facebook page and support the festival.

4  
5 Vice Mayor Crippen agreed with other Council's statement. He noted that the State of the City was an  
6 excellent report. He voiced his appreciation that the City is known to be business friendly. He thanked  
7 staff and Ms. Cochran for representing the City in Tallahassee.

8  
9 Mayor Blair stated that the State of the City address was one of the best that he has heard.

10  
11 **13. ADJOURN:**

12  
13 There being no further business to discuss, Mayor Blair adjourned the meeting at 08:58 p.m.

14  
15 **RESPECTFULLY SUBMITTED:**

**APPROVED ON:**

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

**02/13/2018**

\_\_\_\_\_  
Date