

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Wednesday, September 12, 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, Jim Mahoney, Anthony J. Pupello, Evelyn Robinson; City Attorney William
12 Reischmann; City Manager Dale Arrington; City Clerk Gloria Thomas.
13

14 **ABSENT:** None at this time
15

16 **INVOCATION/PLEDGE OF ALLEGIANCE**

17
18 The Invocation was given by Pastor Rhode Sheppard – Rey de Reyes Christian Church, followed by the
19 Pledge of Allegiance.
20

21 **I. SPECIAL PUBLIC HEARING ON ADOPTION OF MILLAGE RATE AND BUDGET FOR**
22 **FISCAL YEAR 2018/2019**
23

24 **Mayor’s Opening Comments:**

25
26 The City of Orange City intends to adopt a millage rate and budget for Fiscal Year 2018/2019.
27 The rolled-back rate is 7.6222 and the proposed millage rate is 8.0340 mills which is 5.40%
28 above the rolled-back rate as provided by the Property Appraiser of Volusia County.
29

30 **First Reading of Budget & Millage Ordinances:**

31
32 William Reischmann, City Attorney, read the titles of Ordinance No. 607 and Ordinance No. 608 into the
33 record.
34

35 A. **ORDINANCE NO. 607** - An ordinance of the City Council of the City of Orange City,
36 Florida, certifying the millage rate for fiscal year 2018-2019 on all taxable property
37 located within the City of Orange City, Volusia County, Florida; repealing all
38 ordinances or parts of ordinances in conflict herewith; and providing for an effective
39 date.
40

41 B. **ORDINANCE NO. 608** - An ordinance of the City Council of the City of Orange City,
42 Florida, adopting the annual budget for the 2018-2019 fiscal year beginning October 1,
43 2018, and ending September 30, 2019; authorizing subsequent amendments by
44 resolution; repealing all ordinances or parts of ordinances in conflict herewith; and
45 providing for an effective date.
46

47 **Staff Presentation**
48

1 Christine Davis, Finance Director and Delvin Moore, Finance Manager, provided a PowerPoint
2 presentation (a copy of which is attached and becomes a permanent part of the minutes) that described the
3 FY 2018/2019 budget development.
4

5 Ms. Davis provided a brief history of the budget activities to date. She discussed the ad valorem taxable
6 value for properties in Orange City. She explained the budget challenges noting that the Communication
7 tax has declined from 2009 to 2013 due to legislative changes and exemptions. Ms. Davis stated that City
8 ad valorem will decrease by approximately \$70,000 if Amendment 1 passes in November.
9

10 Next, Ms. Davis reported that budget challenges were insufficient revenues to fund new positions, low
11 property values coupled with a slow recovery, external threats, and unknown or developing issues. She
12 provided a budget summary of the General Fund and noted that the City has a balanced budget for the
13 current and proposed fiscal year.
14

15 Ms. Davis discussed the Utilities and the Stormwater Enterprise Fund. Ms. Davis noted that as the fiscal
16 year ends a calculation of unfinished projects with a sizable carry-forward balance will be presented to
17 Council in the November, December timeframe.
18

19 Ms. Davis presented a summary comparison of the various funds that comprise the budget. She stated that
20 the major funds are the General Fund, Utility Enterprise Fund, and Stormwater Enterprise Fund. Other
21 funds include the Impact Fee, Forfeiture, Solid Waste, and Sparkman Special Assessment Funds, as well as
22 the CRA Fund and the Shadow Ridge Street lighting Special Assessment Fund.

23 Ms. Davis reported the following items included in the budget:

- 24 ▪ Maintain Current Operations
 - 25 ▪ 3% COLA (\$183K)
 - 26 ▪ School Marshal (\$23,105)
 - 27 ▪ Police Union Shift Differential (\$10,000)
 - 28 ▪ Construction Project Coordinator Position – 75% (\$62K)
 - 29 ▪ Contingency Fund (Increased from \$75K to \$125K)
 - 30 ▪ Sponsorships & Contributions (\$20K)
 - 31 ▪ Pledge to Neighborhood Center (\$15K)
 - 32 ▪ Continued Funding for Special Events (\$58K)
 - 33 ▪ Replacement Computers, Servers, & Software Updates (\$100K)
 - 34 ▪ Remaining Funds for Financial Software – GF (\$75K)
 - 35 ▪ 6 Vehicle Replacements (\$233K)
 - 36 ▪ Streets & Sidewalks (\$250K)
 - 37 ▪ City Hall Building Assessment (\$50K)
- 38

39 Ms. Davis discussed the following items not included in the budget:

- 40 ▪ 9 New Positions/1 Reclasse (\$606K Including Capital)
- 41 ▪ New City Events
- 42 ▪ Deferred Building Maintenance (\$250K)
- 43 ▪ Deferred 7 Replacement Vehicles (\$226K)
- 44 ▪ Dirt Road Paving (\$270K)
- 45 ▪ New Buildings (\$9.6M)
- 46 ▪ Deferred Park Improvements (\$85K)
- 47 ▪ Deleted Replacement Generator at PD (\$25K)
- 48 ▪ Reduce Contingency (\$8,105)

1 Ms. Davis noted the staff positions requested that were not funded in this year's budget.

2
3 Ms. Davis recalled that the tentative millage rate was established at 8.0570 mills in July. This rate was used
4 for the TRIM notices. She noted that based on discussions at the August Budget workshop 8.034 mills
5 would be levied. She compared the two millage rates noting the 8.034 mills would generate \$300,304 in
6 revenue. She stated that the Fire Assessment Fee is a revenue option that could be considered.

7
8 Ms. Davis reported that the average taxable value for a single family residence is \$537/year or \$45 month.

9
10 Ms. Davis concluded her presentation by discussing the finalization of the FY 2018/19 budget.

11 12 **Open Special Public Hearing**

13
14 Mayor Blair opened the public hearing by asking if anyone wanted to speak for or against Ordinance No's.
15 607 and 608.

16 17 **Close Special Public Hearing**

18
19 There being no requests to speak, the Mayor closed the special public hearing.

20 21 **Council Discussion**

22
23 Council Member Mahoney stated that he advocated for the tentative rate in the event that there were
24 hurricanes. He is supportive of the proposed millage rate.

25 26 **II. ADOPTION OF THE MILLAGE RATE AND BUDGET FOR FISCAL YEAR 2018/2019 ON** 27 **FIRST READING**

28
29 A. Ordinance No. 607 (Millage Ordinance) is voted on first.

30
31 **Council Member Mahoney moved to adopt Ordinance No. 607 on first reading,**
32 **seconded by Council Member O'Connor and passed by a 7/0 roll call vote of the**
33 **City Council.**

34
35 B. Ordinance No. 608 (Budget Ordinance) is voted on second.

36
37 **Council Member Mahoney moved to adopt Ordinance No. 608 on first reading,**
38 **seconded by Vice Mayor Crippen and passed by a 7/0 roll call vote of the City**
39 **Council.**

40 41 **III. ANNOUNCEMENT OF PROPOSED MILLAGE RATE**

42
43 Mayor Blair read the following statement into the record:

44
45 The City of Orange City's proposed millage rate for Fiscal Year 2018/2019 is 8.034 mills
46 which is above the rolled-back rate of 7.6222 as provided by the Property Appraiser of Volusia
47 County and reflects an increase of 5.40% in ad valorem taxes. The final Budget Hearing will
48 be held on September 25, 2018 in Council Chambers, 201 N. Holly Avenue, at 6:30 p.m.

1 End special public hearing and resume regular meeting format.

2
3 **1. ABSENCES:**

4
5 Shall the absence of Council Member Jeff Allebach on August 14, 2018 and August 28, 2018 be excused?

6
7 **Council Member Mahoney moved to approve the absence of Council**
8 **Member Jeff Allebach on August 14, 2018 and August 28, 2018, seconded**
9 **by Council Member O’Connor, motion passed by a unanimous voice vote**
10 **of the City Council.**

11
12 **2. PRESENTATIONS/PROCLAMATIONS:**

13
14 A. W. French Ave Shared Use Path/Bridge (“Big French”) Project Update

15
16 Raul Palenzuela, City Engineer, came forward and introduced Mikal Hale, Vice President/Civil
17 Engineering Senior Project Manager for Traffic Engineering Data Solutions, Inc. (TEDS).

18
19 Mr. Hale provided a detailed PowerPoint presentation (a copy of which is attached and becomes a
20 permanent part of these minutes) with a status update of the Big French project. Mr. Hale reported that the
21 engineering design is 60% complete. He noted that the preliminary geotechnical investigation, the right of
22 way map and title investigation has been completed. Mr. Hale reported that the meeting with FDOT LAP,
23 Blue Spring State Park and City staff has been completed. He stated that a required meeting with Central
24 Florida Rail Commission and FDOT/SunRail is complete. Mr. Hale advised of the challenges arising from
25 bridge design requirements.

26
27 Mr. Palenzuela provided Council with the main issues with the project, which led council members to ask
28 several questions and express their concerns regarding the project.

29
30 Mr. Palenzuela provided Council with the following three options:

- 31 1. Continue with the current design
- 32 2. Lower the current bridge
- 33 3. Reduce the height difference

34
35 Mr. Palenzuela reported that the design and work is on track, all the different agencies have been supportive
36 and responsive.

37
38 Ms. Arrington reiterated the three options that Mr. Palenzuela provided to Council.

39
40 Mayor Blair stated that Mr. Palenzuela delivered an excellent presentation and discussion from Council.

41
42 **3. CITIZEN COMMENTS:** None at this time

43
44 **4. CONSENT AGENDA:**

- 45
46 A. Sewer Manholes Rehabilitation
- 47 B. Approve August 28, 2018 City Council Meeting Minutes

48

1 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by**
2 **Council Member Allebach, and passed by a 7/0 roll call vote.**

3
4 **5. ORDINANCES – FIRST READING:** None at this time

5
6 **6. PUBLIC HEARINGS:** None at this time

7
8 **7. RESOLUTIONS:**

- 9
10 A. **Resolution No. 920-18** A resolution of the City Council of the City of Orange City,
11 Florida, approving the Florida Hospital Fish Memorial Site Plan, consisting of 121,040
12 square-foot addition on a 74.2 acre parcel, located at 1055 Saxon Boulevard, Orange
13 City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and
14 providing for an effective date.

15
16 Mr. Reischmann read the title of Resolution No. 920-18 into the record. He advised Council that this is a
17 quasi-judicial matter and that all ex-parte communication shall be disclosed. Mr. Reischmann noted for
18 the record there were no disclosures.

19
20 Becky Mendez, Development Services Director provided a PowerPoint presentation (a copy of which is
21 attached and becomes a permanent part of these minutes) that discussed the Florida Hospital Fish Memorial
22 Site Plan application. She noted that due to the size of the project, City Council and Planning Commission
23 approval is required. Ms. Mendez provided a background history of the property.

24
25 Ms. Mendez stated that the TRC approved the site plan application with conditions on July 3, 2018. She
26 stated that the application has been reviewed for compliance with the master campus plan and the addition
27 and net bed increase is consistent with the allowable usage.

28
29 Ms. Mendez stated that staff recommends Council approve Resolution No. 920-18 as drafted with the
30 following conditions:

- 31 1. Revise the site plan submitted on July 26, 2018 to comply with the remaining staff comments as detailed
32 in TRC staff memo dated August 16, 2018.
- 33 2. Construction of the Florida Hospital Fish Memorial Bed Tower Addition must be in general compliance
34 with the Overall Master Plan attached as Exhibit A to this resolution. Minor amendments and
35 adjustments will and do occur for compliance with the provisions herein and the processes established
36 by the Land Development Code.
- 37 3. Transportation concurrency requirements pursuant to F.S. 163.3180 and the City's Comprehensive Plan
38 will be satisfied with construction of a "pipe-lined" proportionate fair share capacity improvement
39 project(s) valued at \$189,507. At this time, a pipe-lined facility has not been identified for construction.
40 The staff suggests construction of the 8-foot wide Threadgill Place trail between Saxon and Harley
41 Strickland as generally described in the 2018 Trails Master Plan and Corridor Feasibility Study. If the
42 applicant chooses to construct this trail as their prop share facility, no further City Council action is
43 required, the improvement is eligible for City transportation impact fee credits, and it qualifies as a
44 mobility enhancement. Construction of any other prop share facility may require a Transportation
45 Mitigation Agreement under separate cover to be approved by City Council.
- 46 4. The applicant shall provide two mobility enhancements as required in policy 1.6.6 of the Capital
47 Improvements Element of the Comprehensive Plan prior to issuance of a Certificate of Occupancy.

- 1 5. An 800 megahertz system shall be provided so that emergency services can communicate inside the
2 building, per chapter 11 of the NFPA. Either a penetrator or repeater system from Communication
3 International in Daytona Beach can be used.
- 4 6. Site plan development order is contingent on FEMA approval of CLOMR-F, unless otherwise modified
5 by TRC.
- 6 7. The hospital is required to abandon the existing irrigation wells and connect to the city's reclaimed
7 water system for irrigation of the entire hospital campus, except for the community garden area, unless
8 otherwise amended by the TRC.
- 9 8. Payment to the tree mitigation fund in the amount of \$11,447.46 must be made prior to issuance of a site
10 plan development order. The amount may vary as the site plan is revised to comply with technical
11 comments.
- 12 9. There are two live oaks around pond one that may not survive the nearby construction activity and
13 regrading. The two trees shall be inspected by city staff 12 months after the Development Order is
14 issued. If the trees are dead, diseased, or dying, payment into the tree fund in the amount of \$2,395.98
15 will be required.

16
17 Mayor Blair opened the public hearing by asking if anyone wanted to speak for or against the proposed
18 ordinance, no one appeared. The Mayor closed the public hearing.

19
20 George Huddleston, Civil Engineer, came forward and thanked Council. He stated that he was available
21 to answer any questions.

22
23 Council Member Allebach inquired if the applicant was satisfied with their experience in working with
24 staff. Mr. Meddlesome stated that he was very pleased with the flexibility and work of city staff.

25
26 Council Member O'Connor inquired about flood prevention plans for the property due to past issues with
27 the ponds on the property overflowing.

28
29 Mr. Huddleston replied that the ponds on the property have since been updated to withhold storm water.

30
31 Council Member Mahoney questioned what the alternatives are being considered in lieu of a new trail.

32
33 Mr. Huddleston replied that improvement for pedestrian activity external to the site has been included in
34 the plan. There will be a pedestrian connection from the front entrance to Veterans Memorial.

35
36 Council Member Pupello stated that he appreciates what is being achieved on the property. He stated his
37 concerns about the ingress and egress for the trail planned for Threadgill Place. He suggested there may
38 be unintended challenges for this location.

39
40 Council Member Pupello entered into a question and answer forum with Ms. Mendez concerning storm
41 water construction and usage.

42
43 **Council Member Allebach moved to approve Resolution No. 920-18, seconded by**
44 **Vice Mayor Crippen, and passed by a 7/0 roll call vote.**

- 45
46 B. **Resolution No. 921-18** A resolution of the City Council of the City of Orange City,
47 Volusia County, Florida, appointing one member to the Orange City Historic

1 Preservation Board Seat 2; repealing all resolutions or parts of resolutions in conflict
2 herewith; and providing for an effective date.

3
4 Mr. Reischmann read Resolution No. 921-18 into the record.

5
6 Emil "Skip" Scipioni, 435 N. Oak Ave., came forward and stated that he would love to serve on the Historic
7 Preservation Board.

8
9 Council Member Pupello asked Mr. Scipioni if he had a construction or development background. Mr.
10 Scipioni replied that he does not have a construction background however, his background is in real estate,
11 licensed community association manager and currently the sales manager for Four Star Homes. He stated
12 that he has always been interested in restoring homes.

13
14 Council Members welcomed Mr. Scipioni and thanked him for the willingness to serve on the board.

15
16 **Council Member Mahoney moved to approve Resolution No. 921-18, seconded by**
17 **Vice Mayor Crippen, and passed by a 7/0 roll call vote.**

18
19 C. **Resolution No. 922-18** A resolution of the City of Orange City, Florida, relating to the
20 provision of stormwater management services; confirming the preliminary rate
21 resolution; imposing stormwater service assessments against certain real property
22 within the incorporated area of the City of Orange City established as the stormwater
23 service area for the fiscal year beginning October 1, 2018; approving the stormwater
24 service assessment roll; and providing for an effective date.

25
26 Mr. Reischmann read Resolution No. 922-18 into the record.

27
28 **Council Member Allebach moved to approve Resolution No. 922-18, seconded by**
29 **Vice Mayor Crippen.**

30
31 Ms. Davis reported that Resolution 922-18 will set the final assessment resolution for stormwater. She
32 reported that no changes have been made since adoption of the preliminary rate Resolution 910. The rate
33 for the 2018 stormwater will be \$13.05 per EBU. Ms. Davis stated that staff recommends Council approve
34 Resolution 922-18 as presented.

35
36 Council Member O'Connor stated that he would like to see a credit for the citizens that want to install
37 gutter systems to reduce the amount of phosphates that run into the drains.

38
39 Ms. Arrington replied that would require another stormwater assessment plan, which is not included in this
40 year's budget.

41
42 **Motion passed by a 7/0 roll call vote.**

43
44 D. **Resolution No. 923-18** A resolution of the City of Orange City Florida, relating to
45 the collection and disposal of solid waste and recovered materials in the City of
46 Orange City, Florida; reimposing solid waste service assessments against assessed
47 property located within the City of Orange City, Florida, for the fiscal year beginning

1 October, 2018; approving the rate of assessment; approving the solid waste
2 assessment roll; and providing for an effective date.

3
4 Mr. Reischmann read Resolution No. 923-18 into the record.

5
6 **Council Member Allebach moved to approve Resolution No. 923-18, seconded**
7 **by Vice Mayor Crippen.**

8
9 Ms. Davis reported that Resolution 923-18 will be the final step in establishing the annual rate resolution
10 for the solid waste. She stated that no changes have been made since the rate resolution was adopted in
11 July, 2018. The rate is set at \$167.52 per year or \$13.96 per month. Ms. Davis stated that staff recommends
12 Council approve Resolution 923-18 as presented.

13
14 **Motion passed by a 7/0 roll call vote.**

- 15
16 E. **Resolution No. 924-18** A resolution of the City of Orange City, Florida, relating to
17 the provision of street lighting services; facilities and programs throughout the
18 Shadow Ridge Street Lighting assessment area; providing authority and definitions:
19 approving the updated street lighting assessment roll; providing for the reimposition
20 of the street lighting assessments; providing for collection of the assessments pursuant
21 to the uniform assessment collection act; providing for the effect of this resolution;
22 providing for severability and an effective date.

23
24 Mr. Reischmann read Resolution No. 924-18 into the record.

25
26 **Council Member Mahoney moved to approve Resolution No. 924-18, seconded**
27 **by Vice Mayor Crippen.**

28
29 Ms. Davis reported that Resolution 924-18 will serve as the final rate resolution for the Street Lighting
30 assessment program for the Shadow Ridge subdivision. She stated no changes have been made since the
31 preliminary reading in July. Per lot rate is set at \$192.00. Ms. Davis stated that staff recommends Council
32 approve Resolution 924-18 as presented.

33
34 Council Member Mahoney asked if any disclosure was given to new property owners.

35
36 Ms. Davis replied that an annual notice is sent to homeowners.

37
38 **Motion passed by a 7/0 roll call vote.**

39
40 **8. DISCUSSION AND ACTION:** None at this time

41
42 **9. REPORTS:**

43
44 **A. City Manager**

45
46 Ms. Arrington reminded Council that there will be a CRA meeting on September 25th at 6:00 p.m. followed
47 by a Council meeting at 6:30 p.m. Ms. Arrington stated that a Street Lighting report will most likely be
48 available in December.

1 Council Member Pupello asked for the balance of the tree bank and how the funds are spent. Ms. Arrington
2 and Ms. Mendez replied that the balance is approximately \$30,000 and purchased trees are planted on
3 public property.

4
5 A discussion ensued between Council and Ms. Mendez concerning the live oak trees on hospital property
6 and the tree bank formula.

7
8 **B. City Clerk**

9
10 No report at this time

11
12 **C. City Attorney**

13
14 No report at this time

15
16 **10. NEW BUSINESS:**

17
18 **11. APPROVAL OF MINUTES:** See Consent Agenda

19
20 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

21
22 Mayor Blair acknowledged that Joe Hern, President Deland/Orange City Alliance Chamber was present.
23 Mayor Blair congratulated Council Member Allebach on the most TPO surveys completed. Mayor Blair
24 noted that he attended the Mayors Round Table on Monday. The discussion included water being a regional
25 issue. He stated that Abby Johnson, St. Johns River Management District was a speaker at the meeting.
26 Mayor Blair also attended the Vystar Ribbon Cutting, both Vice Mayor Crippen and Council Member
27 O'Connor were present. The Mayor advised that he was nominated for the Public Works Committee
28 through the Florida League of Cities.

29
30 Council Member Pupello commented that adopting the budget is the most important thing the Council
31 does. He appreciated the different views and discussions within the Council. He encouraged Council to ask
32 questions and share ideas even if they are different. Council Member Pupello voiced his discouragement
33 that citizens did not come to the meeting to voice their opinions about how the budget is spent. He stated
34 that he is proud to live in a functional city.

35
36 Council Member Robinson stated that she was feeling a bit under the weather.

37
38 Council Member Allebach stated that he was opposed to the School Guardianship program because it is
39 double taxation. He appreciated the Street Lighting program. Council Member Allebach stated that he had
40 a great vacation in Europe. He encouraged people to vote on Election Day, November 6, 2018. Council
41 Member Allebach announced that he will participate in the dunk tank the National Night Out on October
42 2nd.

43
44 Vice Mayor Crippen reported on the River of Lakes meeting held yesterday in Council Chambers. He
45 announced Cora Burcham from Save the Manatee was the guest speaker. He suggested she come and
46 deliver a presentation to Council on saving the manatees. He announced there will be a live TV stream in
47 the manatee run called manatv.com. Vice Mayor Crippen announced that someone made a comment to

1 him stating that the Orange City Council could tell the surrounding city councils how to act with dignity
2 and civility. He stated that the City has a great City staff.

3
4 Council Member O'Connor thanked Mr. Haas from John Knox Village for attending the meeting. He
5 commented that he learned a lot from reading the manhole report. Council Member O'Conner reported that
6 he attended a ribbon cutting at Nuwati Bodywork in the City and the Vystar Credit Union ribbon cutting.
7 He stated it is an honor to sit on the Council. He appreciated staff for the work they did with the budget
8 this year.

9
10 Council Member Mahoney stated that the budget is the single most important policy that the Council enacts.
11 He appreciated staff for their work on the budget.

12
13 Mayor Blair stated that he attends a lot of events and would encourage more participation from Council.
14 He stated that in the 1990's there were about 1200 manatees and now there are 6000. He questioned the
15 shortage of manatees that was reported.

16
17 Vice Mayor Crippen clarified that when the power plants retire, warm water will not be put into the rivers
18 and the manatees will be confused as to where to go when it gets cold to stay warm so they are worried
19 about a massive die off.

20
21 **13. ADJOURN:**

22
23 There being no further business, Mayor Blair adjourned the meeting at 09:02 p.m.

24
25
26 **RESPECTFULLY SUBMITTED:**

27
28 _____
29 Melani Beringer
30 Deputy City Clerk

APPROVED ON:

09-25-2018
Date