

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, January 09, 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 Sensei Morris Sekiyo Sullivan-Volusia Buddhist Fellowship

17
18 Council Member Pupello requested that Agenda Item 8C be brought forward on the agenda. It was the
19 consensus of Council to hear agenda item 8C.

20
21 Danielle FitzPatrick, Public Information Coordinator, noted that this is a sponsorship request for fiscal
22 year 2017/18. Ms. FitzPatrick reported that the Greater Union Life Center has requested a \$1,000 donation
23 from the City. The donation will help with the costs associated with a countywide Martin Luther King, Jr.
24 celebration in January 2018. She noted that DeLand is also providing \$750 and waving permit fees. Staff
25 recommends that Council award \$1,000 of nonrecurring sponsorship funds to the Greater Union Life
26 Center. This will completely deplete the allotted funds for FY 17/18 nonrecurring requests.

27
28 Council Member Pupello requested that the agenda item be moved back to its original location on the
29 agenda. He noted that the applicant was not present as he was scheduled to appear at a later time. It was
30 the consensus of the Council to move agenda item 8C back to its original order.

31
32 **1. ABSENCES:** None at this time

33
34 **2. PRESENTATIONS/PROCLAMATIONS:** None at this time

35
36 **3. CITIZEN COMMENTS:**

37
38 Dale Atchley, 1395 Monastery Rd., came forward to voice his opinion about recent decisions from Council
39 that increased taxes and expenditures for the City.

40
41 **4. CONSENT AGENDA:**

- 42
43 A. Donation of Extrication Equipment to Seminole State College
44 B. Authorize Work Order No. 11 to Killebrew, Inc., for Dixon Street Water Main Connection
45 C. Authorize the Purchase of a 10,000-Gallon Hydropneumatic Tank from Dixie Tank Company,
46 Jacksonville
47 D. Acceptance of Easements – Florida Hospital Fish Sanitary Lift Station
48 E. Contract Approval to Deltona Sod Services, Inc. for the Installation of Sod at Valentine Park Post
49 Hurricane Irma

1 F. Approve December 12, 2017 Regular Meeting Minutes

2
3 **Vice Mayor Crippen moved to approve the Consent Agenda, seconded by**
4 **Council Member Pupello and passed by a 7/0 roll call vote of the City Council.**

5
6 **5. ORDINANCES – FIRST READING:**

7
8 A. **Ordinance No. 594** An Ordinance of the City Council of the City of Orange City,
9 Florida, changing the zoning classification for the John Knox Village Property
10 located at 12 Westlake Drive, consisting of approximately 27.72 acres, from Mobile
11 Home Park (MH-1) to medium density residential (R-2); repealing all ordinances or
12 parts of ordinances in conflict herewith; and providing for an effective date.

13
14 Mr. Reischmann read the title of Ordinance No. 594 into the record. He noted this is a quasi-judicial
15 matter and asked if there were any ex-parte communication to disclose.

16
17 Council Member O'Connor reported that he is a board member and volunteers with John Knox Village.

18
19 Mr. Reischmann noted that there is no conflict of interest due to Council Member O'Connor's volunteer
20 status.

21
22 Mayor Blair noted that he had a brief discussion with Joe Trainer informing Mr. Trainer that the item
23 would be presented at this meeting.

24
25 Becky Mendez, Development Services Director, provided a detailed PowerPoint presentation (a copy of
26 which is attached and becomes a permanent part of these minutes.) Ms. Mendez reported that this
27 application is a rezoning request from Mobile Home Park (MH-1) to Medium Density Residential (R-2)
28 zoning classification for the property known as the Pine Forest Mobile Home Park. She noted that JKV
29 (John Knox Village) purchased the property in 2014 and wishes to phase out the mobile home park and
30 construct a duplex development with amenities consistent with the R-2 zoning. Ms. Mendez stated that
31 staff recommends Council approve Ordinance No. 594 at first reading and schedule second and final
32 reading for January 23, 2018.

33
34 Lorraine Blobelt, 2300 E. Graves Ave., voiced her concerns regarding the future residency of the Pine
35 Forest Village residents.

36
37 Joe Rudolph, Consultant for JKV, noted that communication from JKV to the residents was made 12
38 months prior. Management has tried to accommodate the residents by locating available mobile home
39 placement. Mr. Rudolph noted that no complaints have been brought forward from the residents to JKV
40 or Development Services.

41
42 Vice Mayor Crippen voiced his concerns regarding the pine trees in the area.

43
44 **Council Member Mahoney moved to approve Ordinance 594 on first reading,**
45 **seconded by Vice Mayor Crippen and passed by a 7/0 roll call vote of the City**
46 **Council.**

47
48 B. **Ordinance No. 595** An Ordinance of the City Council of the City of Orange City,
49 Florida, changing the zoning classification for property location at 940 and 1000 East

1 Rose Avenue, including additional rights-of-way, consisting of approximately 1.33
2 acres, from Mobile Home Park (MH-1) to Medium Density Residential (R-2); repealing
3 all ordinances or parts of ordinances in conflict herewith, and providing for an effective
4 date.

5
6 Mr. Reischmann read the title of Ordinance No. 595 into the record. He noted that this is a quasi-judicial
7 matter and asked if there were any ex-parte communication to disclose. He noted for the record there
8 were none.

9
10 Ms. Mendez noted that this is the administrative zoning for JKV. She reported that the JKV property left
11 two remnant parcels on the north side that are zoned MH-1. Ms. Mendez stated that staff recommends
12 approval of Ordinance No. 595 at first reading and schedule second and final reading for January 23, 2018.

13
14 Conrad Stone, 1000 E. Rose Ave., came forward to voice his concern about the current zoning markings
15 of his property. Ms. Mendez noted that the house was built in the 1960's predating any zoning code. A
16 zoning classification was added in the late 80's that was not consistent with the existing use.

17
18 **Council Member Mahoney moved to adopt Ordinance No. 595 on first reading,**
19 **seconded by Vice Mayor Crippen and passed by a 7/0 roll call vote of the City**
20 **Council.**

- 21
22 C. **Ordinance No. 596** An Ordinance of the City Council of the City of Orange City,
23 Florida, amending the official zoning map by changing the zoning classification of
24 property located at 2300 East Graves Avenue, consisting of 38.7 acres, known as the
25 Orange City RV Park, from the Mixed Use Suburban (MX-2) to Planning Unit
26 Development (PUD); approving the PUD Master Development Plan Repealing all
27 ordinances or parts of ordinances in conflict herewith; and providing for an effective
28 date.

29
30 Mr. Reischmann read the title of Ordinance No. 596 into the record. He noted that this is a quasi-judicial
31 matter and asked if there were any ex-parte communication to disclose. He noted for the record there
32 were none.

33
34 Ms. Mendez reported that Ordinance No. 596 was a PUD (Planned Unit Development) rezoning. Ms.
35 Mendez provided a zoning history of the property. She noted that the property owners have previously
36 applied for permits to add structures and redevelopment to the recreational facilities. Unfortunately
37 Development Services have had to deny the permits due to the zoning classifications. Ms. Mendez noted
38 that rezoning will make the property conforming and eligible for building permits and the PUD rezoning
39 includes the preliminary plan in the development agreement. She stated that staff recommends Council
40 approve Ordinance No. 596 and schedule second and final reading for January 23, 2018.

41
42 A citizen came forward and noted that he owns a manufactured home in the Orange City RV Park and
43 voiced his concern about the resale value of his home. A discussion ensued between the citizen and the
44 applicant discussing the value and purpose of the home.

45
46 As a point of order, Mr. Reischmann, noted that the subject matter was a personal issue and the citizen
47 would need to discuss the matter with the applicant.

48 Marietta Willets came forward and stated that the zoning at hand affects the citizens that live in the RV
49 Park.

1
2 Council Member O'Connor stated that this is a non-conforming property. He voiced his concern about a
3 fence that was installed along Graves Ave. and Kentucky Ave. He asked how the fence was installed if
4 the property is non-conforming.

5
6 Ms. Mendez replied that there was an existing wood stockade fence on the property that was destroyed
7 during a hurricane two years ago. Ms. Mendez noted that there are non-conforming use provisions that
8 allows for maintenance. Therefore, the RV Park was allowed to replace the fence along Kentucky Ave.
9 Council Member O'Connor asked if the new camp ground style would include park homes. Ms. Mendez
10 responded "yes".

11
12 Council Member Mahoney clarified that the action being taken will not force the current full time residents
13 out of their homes.

14
15 Ms. Mendez stated that was correct and that the rezoning will allow the property owners to improve the
16 property by adding additional structures.

17
18 **Council Member Mahoney moved to adopt Ordinance No. 596 on first reading,**
19 **seconded by Council Member O'Connor and passed by a 6/1 roll call vote of the**
20 **City Council with Council Member Pupello voting "no."**

- 21
22 D. **Ordinance No. 597** An Ordinance of the City Council of the City of Orange City,
23 Florida, amending the National Pollution Discharge Elimination System (NPDES)
24 guideline definition of construction activity; repealing all ordinance or parts of
25 ordinances in conflict herewith; and providing for an effective date.

26
27 Mr. Reischmann read the title of Ordinance No. 597 into the record. He noted this is a quasi-judicial
28 matter and asked if there were any ex-parte communication to disclose. He noted for the record there
29 were none.

30
31 Raul Palenzuela, City Engineer, reported Ordinance No. 597 is to amend the prior Ordinance No. 406 due
32 to the DEP's audit of the City's NPDES system. The audit discovered that one of the thresholds was
33 incorrectly stated in the Ordinance. He reported that Ordinance No. 406 states that any development of 5
34 acres or more acquired the threshold for this requirement. The correct acreage should read 1 acre or more.
35 Mr. Palenzuela stated that staff recommends Council approval and schedule second reading for January
36 23, 2018.

37
38 **Council Member Mahoney moved to adopt Ordinance No. 597 on first reading,**
39 **seconded by Vice Mayor Crippen and passed by a unanimous 7/0 roll call vote**
40 **of the City Council.**

- 41
42 E. **Ordinance No. 598** An Ordinance of the City Council of the City of Orange City,
43 Florida, changing the title of City code Chapter 10.5 from "Leisure Services" to
44 "Parks And Recreation"; adopting new sections 10.5-18 and 10.5-19 of the City code
45 regulating use of City parks; creating a new section 10.5-23; and replacing the term
46 "Leisure Services Division" in chapter 10.5., article III of the City code with "Parks
47 And Recreation Department"; repealing all ordinances or parts of ordinances in
48 conflict herewith; and providing for an effective date.

49

1 Mr. Reischmann read the title of Ordinance No. 598 into the record.

2
3 Ashley Gay, Parks and Facilities Superintendent, noted that the previous rules were revised in 2011 under
4 Ordinance No. 462. City Council requested that the current park rules be reviewed prior to the opening of
5 the Mill Lake pedestrian pathway. Staff reviewed the revisions with Council at the December 12, 2017
6 meeting. Ordinance No. 598 was prepared following direction from Council and proposes to repeal and
7 replace Ordinance No. 462. Ms. Gay stated that staff recommends Council approval of Ordinance 598 and
8 schedule second and final reading for January 23, 2018.

9
10 **Council Member Allebach moved to adopt Ordinance No. 598, seconded by Vice**
11 **Mayor Crippen and passed by a 7/0 roll call vote of the City Council.**

12
13 **6. PUBLIC HEARINGS/ SECOND READING**

14 None at this time

15
16
17 **7. RESOLUTIONS:**

- 18
19 A. **Resolution No. 887-18** A Resolution of the City Council of the City of Orange City,
20 Florida, approving the Preliminary Plat for the Sparkman Ridge subdivision, consisting
21 of 153 lots on a 48.92-acre parcel, located at 1075 West Rhode Island Avenue;
22 providing for conditions of approval; providing for conflict; and providing for an
23 effective date.

24
25 Mr. Reischmann read the title of Resolution No. 887-18 into the record.

26
27 Ms. Mendez noted that this was a preliminary plat and is adopted by resolution. She reviewed the
28 preliminary plat process. Ms. Mendez provided an extended history of the preliminary plat for Sparkman
29 Ridge subdivision. She then provided the specifics of the subdivision.

30
31 Stephanie Taylor, 45 Park Avenue, came forward to express concerns about the traffic issues that a new
32 development could cause in that area.

33
34 Council Member Pupello voiced his concerns about the number of students reported in the traffic study.

35
36 Council Member Mahoney noted that the amount of the proportionate share for Sparkman Ridge is much
37 less than that of Parc Hill. Ms. Mendez replied that this was due to the maximum development potential
38 of the Parc Hill PUD. Council Member Mahoney asked for clarification of the assessments that were being
39 referenced that have been fulfilled. Ms. Mendez replied that Sparkman Ave. construction is eligible for
40 City transportation impact fee credits.

41
42 A discussion ensued between Ms. Mendez, Council Member Mahoney and Mr. Reischmann referring to
43 Sparkman Ave., impact fees and the traffic impact of Sparkman Ridge.

44
45 Council Member O'Connor commented that if the developer had not completed the Sparkman Ave.
46 addition there would not be access to the schools. Council Member O'Connor noted that he has an issue
47 with approving Resolution 887-18 before the traffic flow has been concluded.

48

1 A discussion ensued between Council and Ms. Mendez discussing the traffic concerns on Rhode Island
2 and Sparkman Ave.

3
4 **Council Member Allebach moved to adopt Resolution No. 887-18, seconded by**
5 **Vice Mayor Crippen and passed by a 7/0 roll call vote of the City Council.**
6

7 **B. Resolution No. 892-18** A Resolution of the City Council of the City of Orange City,
8 Florida, approving the Local Agency Program (LAP) Agreement for constructions of
9 the W. French Avenue sidewalk from Valentine Park to N. Carpenter Avenue with the
10 Florida Department of Transportation; repealing all resolutions or parts of resolutions
11 in conflict herewith; and providing for an effective date.
12

13 Mr. Reischmann read the title of Resolution No. 892-18 into the record.
14

15 Ms. Mendez reported that documents for the LAP agreement intended for construction of Little French
16 are now awaiting approval from Council. She stated that staff recommends Council approve Resolution
17 No. 892-18 and forward the LAP agreement to FDOT.
18

19 **Council Member Allebach moved to adopt Resolution No. 892-18,**
20 **seconded by Council Member Mahoney and passed by a 7/0 roll call vote**
21 **of the City Council.**
22

23 **8. DISCUSSION AND ACTION:**

24 25 A. 2018 Special Events Calendar – Holiday Event Options 26

27 Ms. FitzPatrick presented the 2018 Special Events calendar with two options for the Holiday event. She
28 stated that staff recommends Council choose the option to hold the Light Up event on November 30 and
29 the Christmas Village and Parade on December 8, allowing staff and the community a break between each
30 event.
31

32 **It was the consensus of the City Council to proceed with staff's recommendation.**
33

34 B. FY 2018/19 Budget Development Calendar 35

36 Delvin Moore, Accounting Manager, provided the final published budget document for fiscal year
37 2017/18 to Council. Mr. Moore noted that the Budget Development Calendar serves as a roadmap for
38 producing a balanced budget that not only supports the Council's vision but the City's strategic plan. Mr.
39 Moore presented the requested timeline for proposed department presentations and the timeline for
40 strategic planning and goal setting workshops. Mr. Moore stated that staff is seeking Council direction
41 regarding the strategic workshop. He noted the discussion points would include whether or not Council
42 feels that a strategic workshop is warranted for this year. Mr. Moore provided suggestions for a preferred
43 facilitator.
44

45 Council discussed their preference for a facilitator.

46 **It was the consensus of the City Council to proceed with the FY 2018/2019 Budget**
47 **Development Calendar.**
48

49 C. Consideration of Sponsorship Request FY 17/18

1
2 Mario Davis, representative for the Greater Union Life Center, came forward to request a \$1000.00
3 donation to help with the funds for a countywide Martin Luther King, Jr. celebration in January 2018.
4

5 Council voiced their opinions and concerns about supporting the request.
6

7 **Council Member O'Connor motioned to support the Greater Union Life Center**
8 **with a \$500.00 donation, seconded by Council Member Pupello and passed with a**
9 **4/3 roll call vote of the City Council with Council Member Allebach, Mahoney and**
10 **Robinson voting "no".**
11

12 9. REPORTS:

13 A. Mayor/City Council

14
15
16 Mayor Blair reported that he attended a ribbon cutting at JKV Magestic Oaks Park, the police explorer
17 banquet and the employee luncheon. He urged Council to attend more events. Mayor Blair handed out
18 information pertaining to the Elected Officials Roundtable that he and Ms. Arrington attended. (a copy of
19 which is attached and becomes a permanent part of these minutes).
20

21 Ms. Arrington presented the results of a survey poll that referred to an increase in a county wide sales tax.
22 The poll revealed that the ½ cent sales tax levied for an unspecified amount of time garnered the most
23 support. Ms. Arrington reported that the survey revealed that the people wanted better water quality and
24 less traffic congestion. Ms. Arrington reviewed all the items that were presented at the Elected Officials
25 Roundtable meeting.
26

27 Vice Mayor Crippen requested to schedule the February River of Lakes meeting in the Council chambers.
28 He also requested to schedule a short meeting with Cindy Sullivan in April discussing the conversion of
29 septic tanks to municipal sewers.
30

31 Vice Mayor Crippen reported that Dino Ferry is a new member to the River of Lakes. The city of Deltona
32 is delivering a short presentation about the improvements of the community center on Lake Shore Dr. in
33 March. Vice Mayor Crippen announced there are three gentlemen kayaking the length of the St. Johns
34 River. He looks forward to the Manatee Festival and noted that Blue Spring is very important to the City.
35

36 Council Member Allebach reported that he attended the City's employee luncheon. He noted that the large
37 amount of Manatee's brought in a lot of visitors to Blue Spring Park over the past weekend. He noted the
38 traffic at the entrance of the park causes a lot of issues.
39

40 B. City Manager

41
42 Ms. Arrington passed out invitations to the ribbon cutting for Mill Lake Park. She reported that flyers will
43 be created reminding citizens of the correct procedures for disposing of recyclables.
44

1 **C. City Clerk**

2
3 Mayor Blair requested that the City Clerk provide a signup sheet for Council members to work the tent
4 for the Manatee Festival.

5
6 **D. City Attorney**

7 Mr. Reischmann requested to allow the labor council to conduct an executive session with regard to union
8 issues in February.

9
10 Council decided to hold an executive session on February 27, 2018.

11
12 Vice Mayor Crippen asked Mr. Reischmann about the newspaper article referring to legislature interfering
13 with the municipal CRA's.

14
15 Ms. Arrington responded by explaining the process for opposing legislatures threats to the municipals
16 CRA.

17
18 Mr. Reischmann noted that the amount of Bills being presented in Tallahassee are increasing. He
19 suggested to request a meeting with elected officials in the area to understand the philosophy of these
20 Bills.

21
22 **10. NEW BUSINESS:**

23
24 Council Member Allebach would like to partner with the City Manager and Team Volusia to bring more
25 businesses into the City.

26
27 **It was the consensus of the Council to bring an agenda item forward sometime in**
28 **the future.**

29
30 Council Member Pupello noted that he would like Council to give staff direction to update the industrial
31 zoning. Council Member Pupello suggested that it was time for a Charter review.

32
33 A discussion ensued about the process for updating the Charter.

34
35 **It was the consensus of the Council to bring forward an agenda item about Charter**
36 **review at a later date.**

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

39
40 **12. COUNCIL COMMENTS:**

41
42 Council Member Pupello thanked the audience.

43
44 Council Member Robinson commented that she is happy to be back and thanked the people at the meeting.

45
46 Council Member Allebach thanked staff for their efforts.

47
48 Vice Mayor Crippen thanked the residents of John Knox Village for staying through the whole meeting.
49 He addressed the rise of the utility tax to 10%.

1 Council Member O'Connor addressed the citizen that commented about the tax rate increase.

2

3 Council Member Mahoney commented that the City is not forcing anyone out of their homes by approving
4 Ordinance No. 596.

5

6 **13. ADJOURN:**

7

8 There being no further business to discuss, Mayor Blair adjourned the meeting at 10:02 p.m.

9

10 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

11

12 _____
13 Melani Brown, Deputy City Clerk

Date

