

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, December 12, 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 Pastor Deren Harper-Immanuel Presbyterian

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

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

22
23 A. Florida League of Cities 20 years of Service Award to Council Member Allebach

24
25 Mark Sittig, representative for Florida League of Cities, came forward and presented Council Member
26 Allebach with an award for 20 years of service.

27
28 B. 2017 Institute for Elected Municipal Officials Certificate of Completion to Council Member
29 Allebach

30
31 Mayor Blair presented Council Member Allebach with a certificate of Completion for the 2017 Institute
32 of Elected Municipal Officials.

33
34 C. Presentation from HDR Engineering, Inc. regarding update on the Trails Master Plan Study and
35 selection of the top four ranked projects

36
37 Becky Mendez, Development Services Director, came forward to introduce Jamie Krzeminski,
38 representative for HDR Engineering.

39
40 Mr. Krzeminski came forward to discuss a PowerPoint presentation (a copy of which is attached and
41 becomes a permanent part of these minutes) that provided an update on the trails master plan study, the
42 purpose of the study and the methodology used. He noted that HDR Engineering is at the conclusion of
43 the first two tasks of the trails masterplan. The first task was to develop a preliminary trail network and
44 the second to score and rank in a top 4 priority list.

45
46 Mr. Krzeminski described the study with existing facilities, parks and trails. He defined a trail as an 8ft
47 wide sidewalk noting there are several sidewalks that do not qualify as a trail.

48
49 Mr. Krzeminski discussed the ranking of potential projects as;

- 1 1. Graves Central – Trail along Graves Ave. to connect east and west through the center of the
- 2 community.
- 3 2. Blue Springs – Trail along Blue Springs Ave. to connect the Mill Lake Park to the Spring to Spring
- 4 Trail.
- 5 3. Thorpe – Trail along Thorpe Ave. connecting north and south focused on Mill Lake Park
- 6 4. Leavitt Central – Trail connecting Graves Central to Orange City Elementary School
- 7

8 Mr. Krzeminski stated that the next steps needed are questions or comments from Council and approval
9 to move forward with the trail feasibility for the top four projects including the design of the trails.

10
11 Council Member Mahoney noted his concerns that a preliminary cost estimate was not included. He
12 suggested there could potentially be expenditures not utilized. He asked why an estimated cost was not
13 included as a criteria when weighting the priority list.

14
15 Mr. Krzeminski replied estimated cost components could be added and at this point it would be a mild
16 cost.

17
18 Ms. Arrington stated that she is leery of doing an unstructured estimate based on a centerline measurement
19 when there is more to consider.

20
21 Council Member Allebach commented that if a trail needs to be built to improve the community then the
22 money is not the object.

23
24 Council Member Mahoney stated that he fears an expenditure could be authorized but the funds are not
25 available.

26
27 Ms. Arrington noted that the City has not budgeted for anymore trails than those that are currently in
28 progress. She stated that in order to build these trails grant funds will have to be applied for.

29
30 Council Member Allebach reported that there are funds available from the TPO for the fiscal year.

31
32 Council Member O'Connor stated that he was surprised safety and connectivity ranked low. He noted that
33 Orange City is one city and he doesn't think there should be a percentage just because of the location.

34
35 Council Member Mahoney asked if Council wanted to change any of the weighting's. Council Member
36 O'Connor replied that he was not comfortable and he will vote no.

37
38 Council Member Pupello stated that there is a working product and a lot of potential. No votes do not
39 achieve the working product. He noted that the list should be re-prioritized.

40
41 Council Member Pupello suggested that the list be re-prioritized.

42
43 A conversation ensued between Council and Mr. Krzeminski discussing the reasons for the order of the
44 priority list.

45
46 Ms. Arrington clarified that the subject matter is moving forward with item number 3 and completion of
47 a bike/pedestrian study.

48
49 A lengthy conversation ensued discussing the option to re-weight the priority list.

1 Mayor Blair asked Mr. Reischmann about the procedure needed to change the weighting of the priority
2 list. Mr. Reischmann responded that a consensus would be needed from Council if they would like a
3 consultant to revise the report.

4
5 Council Member O'Connor noted that this is a City wide project and only 3 of the 4 have 100% rating for
6 the CRA. This is citywide tax payer money to be spent and it needs to be addressed.

7
8 Mr. Reischmann noted that a motion should be made to change on one of the several proposals made to
9 change the weightings. He suggested different examples for motions that could be made.

10
11 Council Member Mahoney suggested a motion to remove the CRA weight to 0 and add a second part of
12 that weight to add 10% of the CRA to a safety bucket.

13
14 A lengthy discussion between Ms. Mendez, Council and Ms. Arrington concerning the suggested changes
15 to the weighted percentages.

16
17 Ken Allen, 234 E. Graves Ave., came forward to report about a meeting at the Deland courthouse. He
18 noted that the location of the trail was discussed and that Volusia County is invested in the trail to trail
19 project.

20
21 **Council Member Allebach motioned to recall the discussion for the Trails Master**
22 **Plan Study after the Resolution section of the Agenda, seconded by Council**
23 **Member Mahoney and passed by a consensus voice vote of the City Council.**

24
25 Ms. Mendez reported that 10% was decreased for the location within the CRA boundary and increased
26 the connectivity criteria number 2 from 10% to 20%.

27
28 Mr. Krzeminski noted that when those changes are made the top 2 projects, Graves Central and Blue
29 Springs Ave., stay the same. Number 3 would be the Road Island West project and the Threadgill project
30 would move to the 4th ranked project.

31
32 Council member Allebach asked where priority number 3 and 4 were relocated.

33
34 Mr. Krzeminski responded that number 3 was moved to number 5 and number 4 was moved to number
35 8.

36
37 Ms. Mendez noted that staff is requesting that Council accept the ranking, either modified or as presented
38 originally.

39
40 **Council member Allebach moved to approve Trails Master Plan Study and selection**
41 **of the top four ranked projects as presented, seconded by Council Member**
42 **Mahoney and passed by a 7/0 roll call vote of the Council.**

43
44 **3. CITIZEN COMMENTS:**

45
46 Kaleb Richmond, 589 Gilmorestage Rd., asked council if they know when the sidewalks will be cleaned
47 or built for the kids that walk or bike to school.

48

1 Mayor Blair referred to Ms. Arrington for a response. Ms. Arrington responded that she was not aware of
2 the starting point nor destination. However, there are a number of sidewalks within the City for pedestrian
3 usage. Ms. Arrington asked Mr. Richmond for his opinion of where sidewalks may be needed.
4

5 Mr. Richmond noted there are no sidewalks or bike lanes within Sparkman Ave. leaving the children to
6 bike or walk in the road. Ms. Arrington responded that Sparkman Ave. is within the County limits.
7

8 John Faye, 10th St., stated that he sees signs stating “Blue Springs” and “Blue Spring”. He asked for
9 clarification of the correct spelling. Mayor Blair responded that the correct spelling is “Blue Spring.”
10

11 Anthony Arbach, 725 Jenkin Dr., asked if the City plans on building more schools to accommodate the
12 growth that will come after the new developments are completed.
13

14 Jamie Arbach, 725 Jenkin Dr., inquired if speed bumps could be installed on her street.
15

16 Ms. Arrington responded that the City Council voted not to allow speed bumps within the City and referred
17 Ms. Arbach to a PowerPoint presentation on the City’s website explaining the process. She noted that
18 speed bumps cause more problems than they solve.
19

20 Bill Carengenis, 602 Chambers Way, HOA president of Country Village, commented about the condition
21 of Kentucky Ave. He asked for Councils’ assistance to get that area improved.
22

23 **4. CONSENT AGENDA:** None at this time.
24

25 **5. ORDINANCES – FIRST READING:** None at this time.
26

27 **6. PUBLIC HEARINGS/ SECOND READING**
28

- 29 A. **Ordinance No. 592** An ordinance for the City of Orange City Florida; adopting and
30 providing for the levy of taxes on purchase of electricity within the corporate limits
31 of Orange City, Florida; providing for the collection thereof by the seller; payment
32 thereof by the seller to the City of Orange City, Florida; containing a penalty for the
33 violation by the seller or purchaser; a severability clause; providing for codification;
34 and providing for an effective date.
35

36 Mr. Reischmann read the title of Ordinance No. 592 into the record.
37

38 **Vice Mayor Crippen motioned to adopt Ordinance No. 592 on second and final**
39 **reading, seconded by Council Member Allebach.**
40

41 Christine Davis, Finance Director, reported there have been no changes to Ordinance No. 592 since first
42 reading and staff recommends Council approval on second and final reading.
43

44 Council Member Mahoney commented that he has been asked why he supports passage of this ordinance.
45 He stated that the City adopted the 2018 budget at 8.065 mils and the ad valorem revenue is 4.7 million.
46 He noted that the total cost for public safety equals 4.892 million. He noted that other sources of revenue
47 are obviously needed.
48

1 Vice Mayor Crippen noted that Orange City's rates are lower than most in the County. The City is just
2 now beginning to charge the same rates as other municipalities.

3
4 Council Member Pupello commented that Mr. Mahoney's statement was excellent. He stated that he
5 appreciates the opportunity for the City to look outside the ad valorem to pay for City services.

6
7 Mayor Blair voiced his disapproval for Ordinance No. 592.

8
9 **Motion passed by a 6/1 roll call vote of the City Council with Mayor Blair voting**
10 **"no".**

11
12 B. **Ordinance No. 593** An ordinance of the City Council of the City of Orange City,
13 Florida; updating the five-year schedule of capital improvements for fiscal years
14 2017-2022; repealing all ordinances of parts of ordinances in conflict herewith; and
15 providing for an effective date.

16
17 Mr. Reischmann read the title of Ordinance No. 593 into the record.

18
19 **Council Member Mahoney motioned to adopt Ordinance No. 593 on second and**
20 **final reading, seconded by Vice Mayor Crippen.**

21
22 Ms. Mendez noted there were no changes to Ordinance No. 593 since first reading and staff recommends
23 Council approval on second and final reading.

24
25 **Motion passed by a 7/0 roll call vote of the City Council.**

26
27 C. **Resolution No. 882-17** A resolution of the City of Orange City, Florida electing to
28 use the uniform method of collecting non-ad valorem special assessments levied
29 within the incorporated area of the city; stating a need for such levy; providing for the
30 mailing of this resolution; and providing for an effective date.

31
32 Mr. Reischmann read the title of Resolution No. 882-17 in the record.

33
34 **Vice Mayor Crippen motioned to approve Resolution No. 882-17, seconded by**
35 **Council Member Mahoney.**

36
37 Ms. Davis reported that Resolution No. 882-17 will serve as an annual notice of intent. This is the 15th
38 year that the City has adopted such a Resolution that will allow developers to utilize the non-ad valorem
39 portion of the tax bill for collection. Ms. Davis stated that staff recommends Council approve Resolution
40 No. 882-17 and staff will complete the process by notifying the Volusia County Property Appraiser's
41 office and the State of Florida.

42
43 **Motion passed by a 7/0 roll call vote of the City Council.**

44
45 **7. RESOLUTIONS:**

46
47 A. **Resolution No. 886-17** A resolution of the City Council of the City of Orange City,
48 Florida, urging Parques Reunidos Servicios Centrales, S.A., the owner and operator of
49 Miami Seaquarium to retire Lolita, the endangered ORCA Whale from her small Tank

1 at Miami Seaquarium, and move her to a sea pen in the Pacific Northwest as soon as
2 possible; and direct the City Clerk to transmit a copy of this resolution to Fernando
3 Eiroa, President and CEO of Parques Reunidos Servicios Centrales, S.A. expressing our
4 concern for the future health, safety and welfare of the endangered Orca Lolita.
5

6 Mr. Reischmann read the title of Resolution No. 886-17 in the record.
7

8 **Council Member Allebach motioned to approve Resolution No. 886-17,**
9 **seconded by Council Member O'Connor.**
10

11 Council Member Mahoney noted that he has an issue with resolutions being brought to Council where
12 staff has not provided an analysis. He stated that if Council is to make a decision there should be facts
13 provided. Council Member Mahoney stated that he is in favor of the resolution but has concerns about
14 the process.
15

16 Council Member Pupello agreed and noted his disapproval.
17

18 **Motion passed by a 4/3 roll call vote of the City Council with Council Member**
19 **Pupello, Council Member Robinson and Vice Mayor Crippen voting "no".**
20

- 21 B. **Resolution No. 888-17** A resolution of the Community Redevelopment Agency (CRA)
22 Board of Orange City, Florida relating to the State Revolving Fund Program;
23 authorizing the annual debt service and funding construction elements in the CRA not
24 eligible for funding through SRF and transfer of such funds to the Orange City General
25 Fund for payment of infrastructure improvements in accordance with the CRA adopted
26 plan; repealing all resolutions in conflict herewith and providing for an effective date.
27

28 Mr. Reischmann read the title of Resolution No. 888-17 into the record.
29

30 **Council Member Allebach moved to adopt Resolution No. 888-17, seconded by**
31 **Vice Mayor Crippen.**
32

33 Mr. Palenzuela reported that this Resolution is a continuation from the CRA meeting and nothing is needed
34 to be added.
35

36 **Motion passed by a 7/0 roll call vote of the City Council.**
37

38 **Vice Mayor Crippen motioned to allow Mayor Blair to call a special meeting later**
39 **in December, if necessary, to approve the execution of the SRF agreement, seconded**
40 **by Council Member O'Connor.**
41

42 Council Member Pupello asked what the process is if Mayor Blair was unavailable. Mr. Reischmann read
43 from Section 2.06 of the Charter and discussed what is required.
44

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

- 47 C. **Resolution No. 890-17** A resolution of the City Council of the City of Orange City,
48 Florida, approving and authorizing the execution of a Purchasing Care Agreement
49 between the City and SunTrust Bank and authorizing a purchasing card program;

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

3
4 Mr. Reischmann read the title of Resolution No. 890-17 into the record.

5
6 **Vice Mayor Crippen moved to adopt Resolution No. 890-17, seconded by Council**
7 **Member Pupello.**

8
9 David Santiago, Purchasing Manager, provided a description of the City's current purchasing program
10 using credit cards. Mr. Santiago noted that SunTrust Bank has a more updated purchasing card program
11 and discussed the details. He stated that staff is recommending Councils' approval of Resolution No. 890-
12 17.

13
14 Council Member Allebach asked about the process to protect the City against fraud or inappropriate usage
15 of the purchasing cards with the new program.

16
17 Mr. Santiago responded that the proposed purchasing card program has a real time application to track
18 day to day usage.

19
20 Council Member O'Connor asked who was responsible for negotiating the fees in the contract.

21
22 Mr. Santiago responded that the SunTrust proposal was negotiated using a Fort Lauderdale proposal. The
23 contract was generated by the City of Fort Lauderdale.

24
25 A discussion ensued between Council and City Manager about the benefits and oppositions of Council
26 having an assigned purchasing card.

27
28 **Motion passed by a 7/0 roll call vote of the City Council.**

29
30 **8. DISCUSSION AND ACTION:**

31
32 A. Request for Council Direction on Amendments to the Rules Regulating Use of Public Parks

33
34 Ms. Arrington noted that sections 10.5-18 and 10.5-19 of the City Code provide rules and regulations for
35 the use of City parks. The City Council asked staff to review these rules prior to the opening of Mill Lake
36 Park Phase 3. A staff committee, comprised of representatives from Parks and Facilities, Public Works,
37 Development Services, Police, Finance and the City Manager's office, reviewed the rules and made
38 recommendations for their update.

39
40 Ms. Arrington reported the proposed changes to the City's park rules.

41
42 Council Member Pupello noted that the rule pertaining to pets should be stated very clearly.

43
44 Ms. Arrington referred to a PowerPoint presentation (a copy of which is attached and becomes a
45 permanent part of these minutes) for the remainder of her presentation. Ms. Arrington noted that a section
46 has been included for Council to have the authority to adopt rules for specific parks by resolution. She
47 stated that Ms. Gay is available to discuss the new suggested rules to be implemented for the City's dog
48 park.

49

1 Ashley Gay, Parks and Recreation Director, reported that the dog park rules have been implemented and
2 are suggested due to some complaints the City has received from citizens.

3
4 A discussion ensued between Council Member Pupello, Ms. Arrington and Mr. Reischmann referring to
5 rule number 5 that discusses the allowed age of children in the dog park.

6
7 Council agreed to give staff direction to proceed with the amendments to the rules regulating use of public
8 parks.

9
10 B. Discussion and Action Request regarding maintenance/repair of private road, S. Kentucky Ave.
11 south of Graves Avenue

12
13 Ms. Mendez discussed the road conditions on S. Kentucky Ave. She noted that the residents of this area
14 are requesting that the City pay to repair the road. Ms. Mendez provided a background of the deed
15 ownership of S. Kentucky Ave. She stated that Diland Corporation sold the rights to S. Kentucky Ave. to
16 Almanac Corporation. Both corporations are now defunct and are unreachable.

17
18 Ms. Mendez reported a title search concluded that the following entities own Kentucky Ave. as described
19 in the 1989 Agreement:

- 20 • Sun Orange City, LLC
- 21 • Conway D. Kittredge, Inc.
- 22 • Liberty Orange, LLC
- 23 • United Telephone Company of Florida, Inc.
- 24 • Almanac USA.com
- 25 • Orange City

26
27 Ms. Mendez noted that there are a few options for Council to consider:

- 28
- 29 1. Do nothing, as the City has arguably no ownership or maintenance responsibility for Kentucky Ave.
30 Adjacent property owners will contend that the City has a responsibility to enforce the 1989
31 maintenance agreement.
- 32 2. Attempt to broker a solution from the successors of the property owners of the 1989 PUD and any
33 current adjoining property owners. The City can host a meeting and invite all the stakeholders. The
34 purpose of the meeting would be to see if there is any willingness to participate financially in repairing
35 and maintaining the roadway through a special assessment district or other means.
- 36 3. Volunteer to take over maintenance responsibility regardless of ownership.

37
38 Ms. Mendez stated that staff is recommending Council direction for the next step regarding
39 maintenance/repair of private road, S. Kentucky Ave.

40
41 A lengthy discussion ensued referring to the ownership of road surveys, pipes and easements surrounding
42 the S. Kentucky property.

43
44 A member of the community came forward and asked for an estimated time frame for the work to be
45 completed.

46
47 Ms. Arrington replied completion could take several months.

48
49 **Council agreed by a consensus voice vote to pursue with option number 2.**

1 **9. REPORTS:**

2
3 **A. Mayor/City Council**

4
5 Mayor Blair reported that he attended the light up Orange City festivals. He was hit in the head with a
6 snow ball and was not pleased. Mayor Blair reported that CBS news recognized MK auto within the City
7 as being a repair shop for Tekata air bags. He attended the (FPZA) Florida Planning and Zoning
8 Association gala on Friday evening and Orange City received an award for the Historic Preservation
9 Demolition Ordinance. He announced that Ms. Mendez received the Outstanding Service Award. He
10 attended the Volusia League Dinner, the Girls on the Run event and the employee's holiday luncheon.

11
12 Vice Mayor Crippen reported that he attended the River of Lakes meeting. Jane Derocher, river keeper,
13 showed a film called "Troubled Waters". He announced the film provided information about the St. John
14 River. Vice Mayor Crippen endorsed the film and would like it posted to the City's website. He noted that
15 he has post cards to the Secretary of DEP in Tallahassee promoting the improvement of the Oklawaha
16 River in Ocala if anyone would like to sign it. Vice Mayor Crippen voiced his concern of the tree in the
17 middle of 17-92 highway in Deland. He announced that Robert Seever, a guest speaker, at the January
18 River of Lakes meeting will provide information about the aquatic gems of the St. John's River.

19
20 Council Member Allebach reported that he attended the TPO meeting. He announced that Little French
21 was on the calendar for the TPO and the monies were available for construction. Council Member
22 Allebach attended the Christmas village.

23
24 Council Member O'Connor reported that he attended a bike give away at the VFW in Debary. He went to
25 the University High School and was impressed with all the academies they provide to the students. Council
26 Member O'Connor noted that the texting while driving amendment has gained attention in Tallahassee.

27
28 **B. City Manager**

29
30 No report at this time.

31
32 **C. City Clerk**

33
34 Ms. Thomas reported that the Supervisor of Elections now offers electronic filing for campaign reports.
35 She explained the benefits of electronic filing and asked for Councils' guidance on how to proceed.
36 Council agreed to proceed with the electronic filing of campaign reports.

37
38 Ms. Thomas reported that she will be out of the office for Christmas vacation.

39
40 **D. City Attorney**

41
42 No report at this time.

43
44 **10. NEW BUSINESS:**

45
46 Vice Mayor Crippen asked Mr. Reischmann about the States progression of deleting Home Rule and the
47 CRA. Mr. Reischmann reported that the State is still trying to pass both bills.

48
49 **11. APPROVAL OF MINUTES**

1 A. November 14, 2017 Regular Meeting

2
3 **Council Member Allebach moved to approve the November 14, 2017 Regular**
4 **meeting minutes, seconded by Vice Mayor Crippen, and passed by a unanimous**
5 **voice vote of the City Council.**
6

7 **12. COUNCIL COMMENTS:**

8
9 Council Member Pupello thanked the audience that was in attendance. He thanked Mr. Storke on the effort
10 he presents to the community. He thanked Ms. Conklin for being in attendance. He thanked the staff for
11 all their efforts. He wished everyone a Merry Christmas.
12

13 Council Member Robinson commented that the Christmas parade was very nice. She is thankful for the
14 positivity she’s received. Council Member Robinson wished everyone Happy Holidays.
15

16 Council Member Allebach noted that Light up Orange City event brought a large crowd. He asked staff
17 not to change a thing because the citizens loved it. He appreciates the conversations that Council has to
18 improve the future of the City.
19

20 Vice Mayor Crippen complimented the efforts from staff for Light up Orange City. He enjoyed the
21 children’s choir. Vice Mayor Crippen reported that a lot of people came from other cities. He voiced his
22 appreciation for the involvement in the preservation of the St. Johns River. He announced that the staff
23 works very hard in everything they do and he appreciates all staff. He wished everyone a Merry Christmas
24 and Happy New Year.
25

26 Council Member O’Connor gave recognition to the Firefighter and cadets. He wished everyone a Merry
27 Christmas.
28

29 Council Member Mahoney thanked Migdalia, Janet and Dale for taking the time to give him a tour of the
30 utilities facility. He thanked Council Member Allebach for his service and wished everyone Happy
31 Holidays.
32

33 Mayor Blair announced the passing of past City Clerk Debbie Renner. He wished everyone Happy
34 Holidays.
35

36 Mr. Reischmann announced that services for Ms. Renner will be after the holidays.
37

38 **13. ADJOURN:**

39
40 There being no further business to discuss, Mayor Blair adjourned the meeting at 10:12 p.m.
41

42 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

43
44
45 _____
Melani Brown, Deputy City Clerk

Date