

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Tuesday, April 23, 2019 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 Bill O'Connor; Council Members: O. William (Bill)
11 Crippen, Jim Mahoney, Kelli Marks, Martin Harper; City Attorney William Reischmann; City Manager
12 Dale Arrington; City Clerk Gloria Thomas.

13
14 **ABSENT:** Council Member Allebach.

15
16 **INVOCATION/PLEDGE OF ALLEGIANCE**

17
18 The Invocation was given by Pastor Mark Siers-Volusia County Baptist Church followed by the Pledge of
19 Allegiance.

20
21 Mayor Blair suggested that agenda item 8A, Appointments to the Youth Advisory Council, be moved
22 forward to follow the Consent Agenda.

23
24 **It was the consensus of the Council to move agenda item 8A forward.**

25
26 **1. ABSENCES:**

27
28 Shall the absence of Council Member Harper on March 26, 2019 be excused?

29
30 **Council Member Crippen moved to approve the absence of Council Member**
31 **Harper on March 26, 2019, seconded by Vice Mayor O'Connor and passed by a**
32 **unanimous voice vote of the City Council.**

33
34 **2. PRESENTATIONS/PROCLAMATIONS:**

35
36 Institute of Elected Officials Certificate to Council Member Harper

37
38 Mayor Blair presented Council Member Harper with a Certificate of Completion for the Institute of Elected
39 Municipal Officials.

40
41 Proclamations: Child Abuse Prevention Month

42
43 Mayor Blair read a proclamation into the record proclaiming April 2019 as Child Abuse Prevention Month.
44 Members of the Village Improvement Association (VIA) came forward to accept the proclamation.

45

1 Manatee Safety Awareness

2
3 Mayor Blair read a proclamation into the record encouraging all citizens to participate in a virtual 5K on
4 May 11th to support the Save the Manatee organization. Cora Berchem, representative from Save the
5 Manatee Club, came forward to accept the proclamation.

6
7 Arbor Day

8
9 Mayor Blair read a proclamation into the record proclaiming April 26, 2019, as Arbor Day in the City of
10 Orange City. Raul Palenzuela, Public Works Deputy Director, came forward to accept the proclamation.

11
12 Water Conservation Month

13
14 Mayor Blair read a proclamation into the record proclaiming the month of April as Water Conservation
15 Month. Abby Johnson, Intergovernmental Coordinator, St. John's River Water Management District, came
16 forward to accept the proclamation.

17
18 Letter of Recognition: UHS Lady Titans Basketball Team

19
20 Mayor Blair read a letter of recognition publicizing the achievements of the University High School Lady
21 Titans Basketball Team. Coach Story and members of the Lady Titans came forward to be recognized.

22
23 Presentations: 1st Quarter Curb Appeal Awards

24
25 Becky Mendez, Development Services Director, presented the 1st Quarter Residential and Commercial
26 Curb Appeal Award winners. She announced the residential winners were Dave and Jane Couture at 330
27 W. Graves Avenue and the commercial winner, Chick-fil-A, 114 Saxon Blvd. The Couture's came forward
28 to accept their award.

29
30 River to Sea Bike Trail, Marguerite Ardito

31
32 Marguerite Ardito, President, St. John's River to Sea Loop Alliance, provided a PowerPoint presentation (a
33 copy of which is attached and becomes a permanent part of these minutes.) Ms. Ardito provided Council
34 with an update of the St. Johns River to Sea trail.

35
36 **3. CITIZEN COMMENTS:**

37
38 None at this time.

39
40 **4. CONSENT AGENDA:**

- 41
42 A. SRF Water Quality Improvement Project-Killebrew, Inc. Looping Area #6
43 Design/Construction Contract Approval
44 B. South Water Treatment Plant Well #7 Rehabilitation
45 C. Approve Regular Meeting Minutes March 23, 2019

1 **Vice Mayor O'Connor moved to approve the Consent Agenda, seconded by**
2 **Council Member Crippen and passed by a unanimous 6/0 voice vote of the City**
3 **Council.**

4
5 *Agenda Item 8A was moved forward.*

6
7 A. Appointments to the Orange City Youth Advisory Council

8
9 Ms. Arrington explained the process for electing the youth advisory council members. She noted that
10 thirteen applications from University High School students were received. A committee of leaders from the
11 school worked with Mayor Blair to review the applications. Ms. Arrington advised that the board will be
12 comprised of seven members.

13
14 Ms. Arrington read the names of the six advisory board members as Raiden Williams, Madison Clymer,
15 Kenneth Victoria, 10th graders that will serve a two-year term. Arianna Pearsall, Tammy Nguyen, Braeden
16 McCann are the 11th graders that will serve a one year term.

17
18 Mayor Blair reiterated that there are six recommended members and one vacancy for the youth council.
19 Vice Mayor O'Connor recommended a seventh member, Hannah Costello, to avoid starting off with an
20 empty seat. Council agreed with Vice Mayor O'Connor's recommendation.

21
22 **Council Member Crippen motioned to approve the recommended members to the**
23 **initial youth advisory council board with the addition of the seventh**
24 **recommended member, seconded by Vice Mayor O'Connor and passed by a 6/0**
25 **roll call vote of the City Council.**

26
27 **5. ORDINANCES – FIRST READING:**

- 28
29 A. **Ordinance No. 612** An ordinance of the City Council of the City of Orange City,
30 Florida, amending Section 2.2 of the Land Development Code by adding a definition
31 for collection bins and adding new section 8.7.25 regulating the placement of
32 collection bins within the City limits; repealing all ordinances or part of ordinances
33 in conflict herewith; and providing for an effective date.

34
35 Mr. Reischmann read the title of Ordinance No. 612 into the record.

36
37 Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
38 part of these minutes) that described the definitions and regulations on collection bins within the City. She
39 advised that the purpose of the amendment is to regulate the placement of collection bins in the City.

40
41 Ms. Mendez advised that the amendment had previously been presented to the Planning Commission on
42 January 02, 2019 and February 06, 2019. The Planning Commission recommended regulating collection
43 bins to avoid nuisances.

1 Ms. Mendez presented the proposed regulations, penalties and enforcement. She stated that staff
 2 recommends Council accept the Planning Commission recommendation and approve Ordinance No. 612
 3 at first reading and schedule second and final reading on May 14, 2019.

4
 5 Brian Papenfuss, Market Manager for the State of Florida for American Textile Recycling Service, stated
 6 that his company welcomes regulations. However, notarized written consent from each property owner
 7 would be difficult for owners who live out of state.

8
 9 **Council Member Mahoney moved to approve the Ordinance No. 612, seconded**
 10 **by Council Member Crippen**

11
 12 Mr. Reischmann advised that Ordinance No. 612 is a policy issue. The Planning Commission considered
 13 Mr. Papenfuss comment and recommended adopting Ordinance No. 612.

14
 15 Vice Mayor O'Connor inquired about the number of bins allowed per site. Referring to Section 8.7.25 of
 16 the ordinance, Ms. Mendez replied that one collection bin would be permitted on developed non-residential
 17 property in the CG-1, CG-2, I-1, I-2 or MX2 zoning districts.

18
 19 Mayor Blair asked about securing the bins during inclement weather. Ms. Mendez replied that was also
 20 suggested from the Planning Commission. Ms. Mendez noted that the bin operator would be required to
 21 secure the bins. There are no permits required to secure the bins.

22
 23 **Motion passed by a 6/0 roll call vote of the City Council.**

24
 256. **PUBLIC HEARINGS/ORDINANCES-SECOND READING:** None at this time

26
 27 **7. RESOLUTIONS:**

- 28
 29 A. **Resolution No. 945-19** A resolution of the City Council of the City of Orange City,
 30 Florida, authorizing a conditional use for a recreation and entertainment
 31 establishment located at 810 Saxon Boulevard; repealing all resolutions or parts of
 32 resolutions in conflict herewith, and providing for an effective date.

33
 34 Mr. Reischmann read the title of Resolution No. 945-19 into the record. He noted this is a quasi-judicial
 35 matter and any ex-parte communication must be disclosed at this time. He noted for the record there were
 36 no disclosures.

37
 38 Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
 39 part of these minutes) that described a conditional use application for a recreation and entertainment
 40 establishment located at 810 Saxon Blvd named Get Air. Ms. Mendez provided a brief background of the
 41 property. She noted on April 17, 2019, the Planning Commission reviewed the application and
 42 recommended forwarding it to Council for approval, with conditions.

43
 44 Ms. Mendez reviewed the criteria for approval of the application. She stated that staff recommends Council
 45 approve Resolution No. 945-19 with the following conditions:

- 1 • Complete the building façade improvements for the tenant space.
- 2 • Construct an internal sidewalk from the intersection to the entryway.
- 3 • Improved outdoor area to comply with architectural standards, and if it is enclosed another
- 4 conditional use is required.
- 5 • Provide copies of the amended use restrictions.
- 6 • Enter into an operating agreement for the transfer site location with VOTRAN.

7
8 Ken Simmons, owner of Market Place Plaza, came forward and complimented staff for their efforts. He
9 stated that a shelter for the Votran bus stop is in progress.

10
11 Matt Reeves, District Manager for Get Air, came forward to answer questions from Council.

12
13 Council Member Crippen asked if the trampolines were safe. Mr. Reeves replied that the park is very safe.

14
15 Vice Mayor O'Connor stated his concern for the safety of the children who are dropped off. Ms. Mendez
16 replied the applicant made safety improvements to the front of the building for pedestrians.

17
18 **Council Member Mahoney moved to approve Resolution No. 945-19, seconded by**
19 **Council Member Crippen and passed by a 6/0 roll call vote of the City Council.**

- 20
21 B. **Resolution No. 946-19** A resolution of the City Council of the City of Orange City,
22 Florida, approving the skate park rules for Coleman Park; repealing all resolutions
23 or parts of resolutions in conflict herewith, and providing for an effective date.

24
25 Mr. Reischmann read the title of Resolution No. 946-19 into the record.

26
27 **Council Member Mahoney moved to approve Resolution No. 946-19, seconded by**
28 **Council Member Crippen**

29
30 Raul Palenzuela, City Engineer, came forward to answer questions and address concerns from Council.

31
32 Mayor and Council had no concerns, however, inquired about consequences if the rules are broken.

33
34 Ms. Arrington stated that rule breakers would be trespassed from the park.

35
36 **Motion passed by a 6/0 roll call vote of the City Council.**

- 37
38 C. **Resolution No. 948-19** A resolution of the City of Orange City, Volusia County,
39 Florida supporting the one-year extension to the Interlocal Agreement for
40 distribution of proceeds of local option fuel tax for the period of September 1,
41 2019, to August 31, 2020; and providing for an effective date.

42
43 Mr. Reischmann read the title of Resolution No. 948-19 into the record.

44

1 **Council Member Mahoney moved to approve Resolution No. 948-19, seconded by**
2 **Council Member Crippen.**

3
4 Ms. Arrington noted that this item is a housekeeping issue.

5
6 **Motion passed by a 6/0 roll call vote of the City Council.**

7
8 **8. DISCUSSION AND ACTION:**

9
10 B. FDEP Grant Application 319(h) for Customer's Septic to Sewer Conversion Assistance

11
12 Ms. Arrington introduced Elizabeth Thomas to present item 8B.

13
14 Ms. Thomas provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
15 part of these minutes.) Ms. Thomas explained that the Federal Clean Water Act is managed through Florida
16 Department of Environmental Protection (FDEP). The Nonpoint Source Management Section of the FDEP
17 awards grants for projects to reduce sources of pollution. She stated that this includes 60% grant money
18 from the FEPA through Section 319(h) and requires a 40% match.

19
20 Ms. Thomas explained the application discussion items. She stated that staff recommends Council approval
21 to apply for the 319 Grant. As well as, allow the City Manager or designee to proceed with the application
22 submittal before April 30, 2019. Ms. Thomas stated that staff requests Council approval to include \$37,800
23 in the next FY 2019/2020 budget. This addition will allow the start of the project coordination, public
24 education, and workshops. In addition to providing guidance to budget FY 2020-2021 for the Grant match.

25
26 Council Member Mahoney asked to what extent is the County's unwillingness to waive an impact fee a
27 reflection of not being supportive of the project.

28
29 Ms. Arrington responded that the two are not related.

30
31 Council Member Marks asked what happens if the people don't want to connect. Ms. Arrington replied that
32 it is unknown at this moment.

33
34 Council Member Harper asked about the estimated cost to connect to a sewer system. Ms. Arrington replied
35 that each property cost will be unique.

36
37 Vice Mayor O'Connor appreciated staffs efforts on this item. He noted that he supports this action.

38
39 **Council Member Crippen moved to allow the City Manager or her designee to**
40 **apply for the FDEP Grant Application 319(h) and include the 40% educational**
41 **policy development matching fund to the next FY 2019/20 budget, seconded by**
42 **Vice Mayor O'Connor, motion passed by a 6/0 roll call vote of the City Council.**

43
44 C. Hurricane Irma Debris-DRC Late Invoices Payment Request

45

1 Christine Davis, Finance Director, reported that in 2017 Hurricane Irma affected the City, resulting in a
2 contract with DRC for pick up and removal of all debris. In February of 2019 the City received four
3 unexpected invoices pertaining to the final disposal of all debris attributed to Hurricane Irma. Ms. Davis
4 stated that staff had contacted DRC in July 2018, reminding them that the City needed to apply for FEMA
5 at that time. The four invoices received totaled \$54,005, which the City is responsible for, to close out the
6 FEMA account. She noted that at some point FEMA will reimburse the City this expense. Ms. Davis
7 provided a summary of the cost and stated that staff is requesting approval of the payment to DRC with an
8 amount not to exceed \$51,529.

9
10 Council Member Harper asked what caused the delay of the invoices. Ms. Davis responded that DRC stated
11 the failure to submit the invoices to the City in a timely matter was attributed to a staffing change on their
12 part.

13
14 Council Member Mahoney suggested amending the contracts to include a time sensitive requirement in
15 terms of submittal of invoices.

16
17 **Council Member Mahoney motioned to recommend payment of the DRC**
18 **invoices in an amount not to exceed \$51,529, seconded by Council Member**
19 **Crippen, motion passed by a 6/0 roll call vote of the City Council.**

20
21 D. Community Development Block Grant (CDBG) FY 2019/20 Application Submittal

22
23 Devlin Moore, Accounting Manager provided a PowerPoint presentation of the 2019/2020 CDBG
24 application (a copy of which is attached and becomes a permanent part of these minutes). Mr. Moore
25 presented a proposed Community Development Block application for FY 2019/2020.

26
27 Mr. Moore advised that as a participating entitlement community and sub grantee within Volusia County,
28 the City could anticipate receiving \$67,961 in FY 19/20. He noted that the intent of these funds are to
29 benefit low or moderate income areas or ADA enhancements located anywhere within the City limits.
30 Several population blocks within the City are no longer considered eligible for a CDBG grant.

31
32 Mr. Moore noted recent projects using CDBG funding and discussed the application process. He explained
33 that the proposed project was to furnish and install lighting, electrical service and amenities to Coleman
34 Park. He stated that staff recommends Council approve the FY 2019/20 CDBG Capital Improvement Project
35 and authorize the City Manager to sign the application.

36
37 **Vice Mayor O'Connor motioned to approve the CDBG grant application for FY**
38 **2019/2020 and authorize the City Manager to sign the application seconded by**
39 **Council Member Crippen, motion passed by a 6/0 roll call vote of the City Council.**

40
41 **9. REPORTS:**

42
43 A. City Manager
44

1 Ms. Arrington announced that Administrative Assistant, Chaleak Grier had a baby boy named Shane. Ms.
2 Arrington announced that progress has been made contacting the owners of Kentucky Ave. She stated that
3 the owners have been receptive to find a conclusion.

4
5 Ms. Arrington announced that she will be on vacation and Christine Davis will be acting City Manager for
6 the next two weeks.

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 Vice Mayor O'Connor requested staff investigate the Florida Trail Town Program.

19
20 **It was the consensus of the City Council for staff to bring an agenda item forward**
21 **on the Florida Trail Town Program.**

22
23 Council Member Crippen requested that staff investigate how to become a Monarch designated City.

24
25 **It was the consensus of the City Council for staff to bring an agenda item forward**
26 **on how to become a Monarch designated City.**

27
28 **11. APPROVAL OF MINUTES:** See Consent Agenda

29
30 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

31
32 Council Member Marks stated that the VIA lost a 97-year old member, the funeral will be held April 27th
33 11:00 a.m. at Emmaus Lutheran Church. She attended the Volusia League of Cities dinner, Relay for Life,
34 Strategic Planning & Goal Setting Workshop, and the River Springs middle school culinary department.
35 Council Member Marks stated that the pinwheel planting in the Park was a good time. She attended the Tri-
36 Chamber Spring in the '20's event. She commented that she has had a productive two weeks.

37
38 Council Member Harper thanked Council for presenting him with the certificate. He stated that he would
39 like to refer to the Council as the "Magnificent Seven." He is ready to get back to work after his vacation.
40 He thanked Ms. Arrington for the stripes on Leavitt Ave. Council Member Harper announced the half-cent
41 sales tax will be presented to residents at John Knox Village on Wednesday.

42
43 Council Member Crippen thanked staff for the presentations. He is happy with the progress with Kentucky
44 Ave. He announced that he is wearing suspenders to promote the annual West Volusia Historical Society

1 Graveyard Conversation on May 3 and 4. He will be playing Dr. Hugh West who settled in the area on
2 September 30, 1925.

3
4 Vice Mayor O'Connor complimented all the presentations at the meeting. He thanked everyone that attended
5 the meeting. He is excited about all the progress in the City and the budget.

6
7 Council Member Mahoney stated that he thought the Strategic Planning and Goal Setting workshop was
8 great.

9
10 Mayor Blair reported that he attended the Sanford Chamber State of the Region, Tri-Chamber Event,
11 Mayor's Fitness Challenge, University High School, School of Government Mock City Council Meeting,
12 the Holly Avenue Community meeting, and the Mayor's Roundtable meeting. The Mayor also advised that
13 he attended the groundbreaking of the homeless center. He announced the Orange City Elementary School
14 first graders visited Mill Lake Park. He complimented Ashley Gay, Parks and Recreation Director on a
15 fabulous job during their visit. He attended the VIA pinwheel planting event in Dickinson Park.

16
17 Mayor Blair advised that he will entertain a motion to adjourn.

18
19 **Council Member Crippen moved to adjourn the City Council meeting, seconded**
20 **by Vice Mayor O'Connor the meeting was adjourned by a unanimous voice vote**
21 **of the City Council.**

22
23 **13. ADJOURN:**

24
25 There being no further business, Mayor Blair adjourned the meeting at 9:20 p.m.

26
27 **RESPECTFULLY SUBMITTED:**

28
29 _____
30 Melani Beringer
31 CMC, Deputy City Clerk

APPROVED ON:

05-14-2019
Date