

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Tuesday, May 14, 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, Jeff Allebach; City Attorney William Reischmann;
12 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 Riaz Qureshi-Islamic Center of Deltona followed by the Pledge of Allegiance.

19
20 **1. ABSENCES:**

21
22 Shall the absence of Council Member Allebach on April 23, 2019 be excused?

23
24 **Council Member Harper moved to approve the absence of Council Member**
25 **Allebach on April 23, 2019, seconded by Vice Mayor O'Connor, the motion passed**
26 **by a unanimous voice vote of the City Council.**

27
28 **2. PRESENTATIONS/PROCLAMATIONS:**

29
30 **A. Proclamation Teacher Appreciation Week**

31
32 Mayor Blair read a proclamation into the record proclaiming the week of May 5 to May 11, 2019 as Teacher
33 Appreciation Week in the City of Orange City. He urged all residents to express their gratitude to Volusia
34 County teachers who help build our future by educating our children. Primrose Cameron, representative of
35 Volusia Educators United (VEU) accepted the proclamation on behalf of the teachers.

36
37 **B. Certus, OC OPOCO, LLC-Tad Maynard**

38
39 Tad Maynard, Community Relations Director for Certus Premier Memory Care, came forward to deliver a
40 PowerPoint presentation (a copy of which is attached and becomes a permanent part of these minutes.) Mr.
41 Maynard described the details of the living environment at the Certus memory care facility. He stated that
42 the main goal of Certus is to increase brand awareness. He invited Council and all staff to an Orange City
43 appreciation night hosted by Certus.

44

1 Council Member Crippen noted that he attended the ribbon cutting at the Certus facility and was amazed by
2 the design of the campus.

3
4 **3. CITIZEN COMMENTS:**

5
6 Joe Hern, DeLand Area Chamber of Commerce/Orange City Alliance, came forward to introduce Natalie
7 Raez as the new legislative chair committee member. Ms. Raez stated that she looks forward to attending
8 the Council meetings. Mr. Hern thanked the Council for attending several events that occurred throughout
9 the County.

10
11 **4. CONSENT AGENDA:**

- 12
13 A. Award Work Order No. 105-19, SRF Agreement No. 64200-Construction,
14 Engineering and Inspection (CEI) Services for Looping 6 project
15 B. Contract Extension for Annual Independent Audit Services for City of Orange City.
16 C. Public Risk Management (PRM) – Florida Board of Directors
17 D. Contract Award; ADA Sidewalk Extension E. Graves Avenue to Mill Lake Park,
18 Orange City (ITB B073-0-2019)
19 E. Resolution No. 949-19-Approve Budget Amendment for Improvements related to
20 Emergency/Hurricane Preparedness
21 F. Resolution No. 936-19. Final plat for the Cadence at Parc Hill subdivision
22 G. Award Work Order No. 106-19, Engineering Services for Water Main Replacement
23 Planning-New Hydraulic Testing and Modeling for Defective Pipes
24 H. Approve Minutes April 23, 2019
25

26 Vice Mayor O'Connor requested that item F. Resolution No. 936-19 be pulled from the Consent Agenda.
27

28 **Council Member Crippen moved to approve Consent Agenda items A-E, G, and**
29 **H, seconded by Council Member Mahoney the motion passed by a 7/0 roll call**
30 **vote of the City Council.**

31
32 Vice Mayor O'Connor advised that he requested item 4F be pulled due to the large amount of money
33 involved. He stated that he would like more information.

- 34
35 F. Resolution No. 936-19. Final plat for the Cadence at Parc Hill subdivision
36

37 Becky Mendez, Development Services Director, delivered a PowerPoint Presentation (a copy of which is
38 attached and becomes a permanent part of these minutes.) Ms. Mendez provided a brief history of Resolution
39 No. 936-19. She noted that it allows construction to begin in the Cadence final plat section of the Parc Hill
40 Subdivision.

41
42 Ms. Mendez discussed the previous actions by Council regarding this matter, the compliance with Florida
43 Statute, and the conditions for approval. She stated that staff recommends Council approve Resolution No.
44 936-19 with the two following conditions:

- 1 1. The City Council must accept the following agreements before city staff will execute and record the
 2 Cadence at Parc Hill replat:
 3 A. 10-foot utility easement along the south side of Parc Hill Boulevard from Orange Dale to the City.
 4 B. 10-foot utility easement along the south side of lot 2 from Nexcore to the City.
 5 C. 12' drainage easement and DRA #1 area from Orange Dale to the City.
 6 D. 12' drainage easement along the west side of lot 2 from Nexcore to the City.
 7 E. Maintenance agreement for entryway sign features, landscaping and street trees located in Parc Hill
 8 Boulevard right-of-way from DR Horton to the City. Also, DR Horton must provide a maintenance
 9 agreement for the street trees and landscaping located within the Cadence subdivision rights-of-way
 10 as required by the Parc Hill MPUD Development Agreement.
 11 F. Deed of dedication for Parc Hill Boulevard (tract 2) from Orange Dale to the City.
 12
 13 2. The city will release the existing performance bonds associated with the Cadence at Parc Hill replat after
 14 the City Council has accepted the public infrastructure improvements and will require a 2-year
 15 maintenance bond in the amount required pursuant to the Land Development Code, Section 5.1.1.
 16

17 **Council Member Mahoney moved to approve Resolution No. 936-19, seconded by**
 18 **Vice Mayor O'Connor, the motion passed by a 7/0 roll call vote of the City Council.**
 19

20 Mayor Blair and Council wished Council Member Crippen a Happy Birthday.
 21

22 Mayor Blair called for a short break, the meeting reconvened at 7:37 p.m.
 23

24 Council Member Crippen thanked Council for the birthday wishes.
 25

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

- 28 A. **Ordinance 616** An ordinance of the City Council of the City of Orange City, Florida,
 29 amending sections of Chapter 17.3 – Utilities of the Code of Ordinance of the City
 30 of Orange City, Florida; repealing all ordinances or parts of ordinances in conflict
 31 herewith; and providing for an effective date.
 32

33 Mr. Reischmann read the title of Ordinance No. 616 into the record. Mr. Reischmann noted that this item
 34 was a legislative matter.
 35

36 **Council Member Mahoney moved to approve Ordinance No. 616, seconded by**
 37 **Council Member Crippen**
 38

39 Migdalia Hernandez, Public Works Director, provided a PowerPoint presentation (a copy of which is
 40 attached and becomes a permanent part of these minutes.) Ms. Hernandez noted that this amendment
 41 explains the backflow and cross connection control program, which is a State requirement, to protect the
 42 public potable water supply from potential contamination from pollutants.
 43

44 Ms. Hernandez stated that this amendment is needed to address the American Water Works Association
 45 M-14 Standards and approved devices.

1 Ms. Hernandez advised that the Dual Check Valve used in single-family homes to isolate non-health
2 hazards was also added to the Ordinance.

3
4 Ms. Hernandez stated that staff recommends Council approve Ordinance No. 616 at first reading.

5
6 Mr. Reischmann advised that this device is a backup to avoid contamination of the potable water system.

7
8 Ms. Arrington reiterated that this system is the least expensive device that works well on single-family
9 dwellings. The City wants to provide water customers the opportunity to use a less expensive system, rather
10 than the more expensive system currently being used.

11
12 **Motion passed by a 7/0 roll call vote of the City Council.**

13
14 **6. PUBLIC HEARINGS/ORDINANCES-SECOND READING:**

- 15
16 A. **Ordinance 612** An ordinance of the City Council of the City of Orange City, Florida,
17 amending Section 2.2 of the Land Development Code by adding a definition for
18 collection bins and adding new section 8.7.25 regulating the placement of collection
19 bins within the City limits; repealing all ordinances or part of ordinances in conflict
20 herewith; and providing for an effective date.

21
22 Mr. Reischmann read the title of Ordinance No. 612 into the record. Mr. Reischmann noted that this was a
23 legislative matter.

24
25 Ms. Mendez stated that no changes have been made since first reading. Staff recommends that Council
26 approve Ordinance No. 612 at second and final reading.

27
28 **Council Member Mahoney moved to approve Ordinance No. 612, seconded by**
29 **Council Member Crippen, the motion passed by a 6/0 roll call vote of the City**
30 **Council.**

31
32 (Council Member Harper was absent during the vote.)

33
34 **7. RESOLUTIONS:**

- 35
36 A. **Resolution No. 947-19** A resolution of the City Council of the City of Orange City,
37 Florida, revising the development services fee schedule to add fees for collection bin
38 permits and large format prints; repealing all resolutions or parts of resolutions in
39 conflict herewith; and providing for an effective date.

40
41 Mr. Reischmann read the title of Resolution No. 947-19 into the record. He noted that this is a quasi-judicial
42 matter and any ex-parte communication must be disclosed at this time. He noted for the record there were
43 no disclosures.

44

1 Ms. Mendez reported that by resolution the City Council has the authority to amend the Development
2 Services fee schedule. She stated that Resolution No. 947-19 includes a \$50.00 annual fee for each
3 collection bin permit and fees for large format prints.

4
5 Ms. Mendez thanked Council for the scanner in Development Services allowing large scale print jobs to be
6 printed in the office. She noted that staff recommends Council approve Resolution No. 947-19.

7
8 **Council Member Mahoney moved to approve Resolution No. 947-19, seconded by**
9 **Council Member Crippen, the motion passed by a 6/0 roll call vote of the City**
10 **Council.**

11
12 (Council Member Harper was absent during the vote.)

13
14 **8. DISCUSSION AND ACTION:**

15
16 None at this time

17
18 **9. REPORTS:**

19
20 A. City Manager

21
22 Ms. Arrington stated that she was glad to be back from vacation. She advised that the NAACP banquet is
23 scheduled for the same day as the Fourth of July Fireworks event. Funds are in the budget for the yearly
24 sponsorship. However, she does not anticipate Council attending the banquet this year. Ms. Arrington
25 requested Council's guidance on whether to proceed with payment for the banquet or do not pay and lose
26 the sponsorship.

27
28 Council agreed to continue the sponsorship and to offer the banquet tickets to staff.

29
30 B. City Clerk

31
32 Ms. Thomas reported that the Youth Advisory Council orientation meeting is scheduled for 4:30 p.m.
33 Tuesday, May 21, 2019 in Council Chambers.

34
35 C. City Attorney

36
37 Mr. Reischmann reported that HB 829 has passed, it would allow City's to be sued for having regulations
38 preempted by the State of Florida legislature in their Code. The Governor has not signed off on this bill
39 however, his office is following it.

40
41 **10. NEW BUSINESS:**

42
43 Council Member Marks requested a three year business retention report from the DeLand Chamber of
44 Commerce/Orange City Alliance.

45

1 Council Member Allebach requested that staff bring forward an introductory presentation regarding the
2 City's participation in complete a streets program.

3
4 Council Member Mahoney asked for a definition of complete streets.

5
6 Council Member Allebach responded that complete streets are all forms of movability included in the design
7 of future roadways for users, including pedestrians, bicyclists, motorists and transit riders.

8
9 **It was the consensus of the Council to move forward with this item.**

10
11 **11. APPROVAL OF MINUTES:** See Consent Agenda

12
13 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

14
15 Council Member Mahoney wished Council Member Crippen a Happy Birthday and welcomed Ms.
16 Arrington back from vacation.

17
18 Vice Mayor O'Connor reported that he attended the grand opening for Florida Blue, Tapas and Wine event
19 and the West Volusia Chambers after hour's event at Woody's Barbeque. He announced that he visited
20 Marco Rubio's staff to mention the streetscaping and sewer and wastewater projects. He stated that it is an
21 honor to serve on the Council.

22
23 Council Member Marks reported that she attended the State of the Region, Teachers Appreciation luncheon,
24 and is looking forward to the Valor Awards on May 23, 2019. She wished Council Member Crippen a
25 Happy Birthday.

26
27 Council Member Harper reported that he attended the West Volusia Chamber Mayors panel, Arbor Day
28 Tree giveaway, Planning Commission meeting, and the Florida Health Care ribbon cutting. He reported that
29 he will be participating in career day at Volusia Pines School.

30
31 Council Member Allebach reported that he and Migdalia Hernandez spent three days in Decatur Georgia
32 working with experts learning about ways to create and develop complete streets programs. Several other
33 municipalities nationwide attended. Council Member Allebach spoke about problems associated with a
34 sedentary lifestyle. He noted that creating walkability situations in communities could improve the health
35 of the community as people will be walking more and riding their bikes. The Walkability Institute provided
36 the TPO with grant funding allowing participants to attend. Council Member Allebach applauded the
37 emergency responders on their efforts with all the accidents within the City.

38
39 Council Member Crippen commended the Fire and Police department on their professionalism and care
40 during a response to an accident in front of his home. He reported that he attended the Arbor Day tree
41 giveaway, the Monarch Mural presentation in DeLand, skate park progress and the cemetery walk for the
42 West Volusia Historical Society.

43
44 Council Member Crippen announced the cemetery walk at the Elizabeth Roe Burgess Pavilion, at the
45 Memorial Hospital and Veteran's Museum on Stone St. in DeLand on May 25, and commented on the

1 military exhibit at the Enterprise Heritage Center and Museum. He remarked the school board district cost
2 differential is .97 cents to the dollar in Volusia County. He thanked everyone for the birthday wishes and
3 stated he is looking forward to seeing the progress around Mill Lake Park.

4
5 Mayor Blair reported that he attended the State of the Region, the Florida Health Care Ribbon Cutting and
6 the Girls on the Run Half Marathon. He wished Council Member Crippen a Happy Birthday. He encouraged
7 everyone to observe the progress on Holly Ave.

8
9 Mayor Blair advised that he will entertain a motion to adjourn.

10
11 **Vice Mayor O'Connor moved to adjourn the City Council meeting, seconded by**
12 **Council Member Crippen the meeting was adjourned by a unanimous voice vote**
13 **of the City Council.**

14
15 **13. ADJOURN:**

16
17 There being no further business, Mayor Blair adjourned the meeting at 8:29 p.m.

18
19 **RESPECTFULLY SUBMITTED:**

20
21 _____
22 Melani Beringer
23 CMC, Deputy City Clerk

APPROVED ON:

05/28/2019
Date