

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Tuesday, August 13, 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 Cindy Tocci-The Journey, followed by the Pledge of Allegiance.

19
20 **1. ABSENCES:**

21
22 Shall the absence of Mayor Gary Blair from the July 23, 2019 City Council meeting be excused?

23
24 **It was the consensus of the City Council to excuse Mayor Blair's absence.**

25
26 **2. PRESENTATIONS/PROCLAMATIONS:**

27
28 A. Fireworks Sponsors Presentation

29
30 Danielle FitzPatrick came forward and presented plaques to the sponsors of the July 4th Fireworks
31 presentation. She acknowledged WCA and Advent Health as gold sponsors, Orange City Racing and Card
32 Club as silver sponsors, West Volusia Shed, Duke Energy and Texas Roadhouse as bronze sponsors, Ace
33 Hardware, Family Funtime and Chick fil-A as community sponsors.

34
35 **3. CITIZEN COMMENTS:**

36
37 Evelyn Wall, 629 Patlin Ave., came forward to voice her frustrations about the conditions of a neighbor's
38 yard located at 628 Dixon St.

39
40 Ms. Arrington stated that the City will investigate the situation and contact Ms. Wall by the end of the week.

41
42 **4. CONSENT AGENDA:**

- 43
44 A. Fourth of July Fireworks Contract
45 B. Surplus Inventory-Request to Donate

- 1 C. Repairs to Roadway and Underground Utilities with All Terrain Tractor Services, Inc.
 2 D. Reclassification of Meter Mechanic, Resolution No. 963-19
 3 E. Approve July 23, 2019 Regular Meeting Minutes
 4

5 **Council Member Crippen moved to approve the Consent Agenda, seconded by**
 6 **Vice Mayor O'Connor, the motion passed by unanimous 7/0 roll call vote of the**
 7 **City Council.**
 8

9 **5. ORDINANCES – FIRST READING:**
 10

- 11 A. **Ordinance No. 614** An ordinance of the City Council of the City of Orange City,
 12 Florida, providing for adoption of a large scale comprehensive plan amendment
 13 changing the future land use map of certain properties annexed into the City limits;
 14 repealing all ordinances or parts of ordinances in conflict herewith; and providing for
 15 an effective date.
 16

17 Mr. Reischmann read the title of Ordinance No. 614 into the record. He noted that this was a legislative
 18 matter.
 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.) Ms. Mendez advised that Ordinance No. 614 is a
 22 future land use map amendment. This is an administrative amendment that changes land use designations
 23 for recently annexed properties. She noted that this included 16 recently annexed areas.
 24

25 Ms. Mendez stated that the properties retain Volusia County future land use designation and zoning
 26 classification. The City is statutorily required to change the land use to City designations and zoning
 27 classifications.
 28

29 Ms. Mendez provided a brief history of the actions taken thus far, a future land use map and a County to
 30 City future land use correlation. Ms. Mendez reviewed the new City land use designations.
 31

32 Ms. Mendez noted that the Dunton property was annexed voluntarily into the City in 2016. She stated that
 33 the property is approximately nine and half acres with three future land use designations existing in Volusia
 34 County. The back four acres are designated as Urban Low intensity. She advised that the proposed land use
 35 designations for the property are city commercial, city residential medium and city residential low.
 36

37 She stated that the owners of the property have requested that the entire property designation change to
 38 commercial.
 39

40 Ms. Mendez reviewed the Future Land Use Criteria (FLUM) and the level of service analysis.
 41

42 Ms. Mendez stated that the next steps, if approved, would be to transmit to the Department of Economic
 43 opportunity and schedule second and final reading.
 44

1 Ms. Mendez stated that staff recommends the Council find Ordinance 614 to be consistent with the
2 comprehensive plan and authorize staff to transmit to the State and Volusia Growth Management
3 Commission (VGMC).

4
5 **Council Member Mahoney moved to approve Ordinance No. 614, on first reading,**
6 **seconded by Council Member Allebach.**

7
8 Mr. Reischmann reiterated these are land use amendments, consistent with the interlocal agreement and
9 State law, not rezonings.

10
11 Valeri Dunton Grub, 29250 S. Blvd. Paisley, stated that the property has been in the Dunton family since
12 the 1950's. She requested that Council consider changing the full property to commercial.

13
14 Loren Dunton requested that Council consider changing the full property to a commercial use designation.

15
16 Steve Grier, 201 Riverbend Ct. Longwood, requested that Council modify the Planning Commission's
17 recommendation to increase the entitlements specified and designate the full property to commercial zoning.

18
19 A discussion ensued between Council that included a delay of the notice procedures to adjacent property
20 owners and potential similar properties, if the full property were rezoned to commercial.

21
22 Ms. Mendez advised Council the parcel can be removed from the Ordinance and keep its County
23 designation. Staff will reprocess it through the Planning Commission, which includes a duly noticed public
24 hearing. Another option is to process the parcel administratively, as planned, and the property owners would
25 be required to apply for any future development.

26
27 Vice Mayor O'Connor voiced his concern for the citizens on Almond St. that will have commercial zoning
28 in their backyards.

29
30 **Council Member Mahoney moved to amend the motion to remove the Dunton**
31 **property (Area 18) from the Ordinance, seconded by Council Member Allebach.**

32
33 A discussion ensued pertaining to the future land use designation of Area 18.

34
35 **Motion to amend the motion, passed by a 7/0 roll call vote of the City Council.**

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

38
39 B. **Ordinance No. 615** An ordinance of the City Council of the City of Orange City, Florida,
40 amending the official zoning map of the City of Orange City; said amendment changing
41 the zoning classification of certain properties located within the city limits; repealing all
42 ordinances or parts of ordinances in conflict herewith; and providing for an effective date.
43

1 Mr. Reischmann read the title of Ordinance No. 615 into the record. He stated that this is a quasi-judicial
2 matter and asked that any ex-parte communication be disclosed. He noted for the record there were no
3 disclosures.

4
5 Ms. Mendez delivered a PowerPoint presentation (a copy of which is attached and becomes a permanent
6 part of these minutes.) She reported that Ordinance 615 is the rezoning to the future land use map
7 amendment. The zoning cannot conflict with the land use designation. Ms. Mendez stated that companion
8 rezoning is for all of the properties in FLUM amendment, minus the eight acre U-Haul PUD property on
9 S. Volusia Avenue.

10
11 Ms. Mendez stated that the City's zoning is compared to Volusia County zoning. She provided examples
12 of the zoning classifications between the City and the County and reviewed ten of the rezoning review
13 criteria.

14
15 Ms. Mendez recommended extracting the Dunton property from Ordinance No. 615 to be consistent with
16 the future land use amendment.

17
18 Ms. Mendez advised that the next steps of the rezoning cannot take effect until the future land use map is
19 adopted. She stated that second reading of the rezoning ordinance will be delayed to coincide with, the
20 second and final reading of this ordinance.

21
22 Ms. Mendez stated that staff recommends Council find Ordinance No. 615, excluding the Dunton parcel,
23 consistent with the Comprehensive Plan.

24
25 **Council Member Crippen moved to approve Ordinance No. 615, with the**
26 **exclusion of the Dunton property (Area 18), seconded by Council Member Marks,**
27 **the motion passed by a unanimous 7/0 roll call vote of the City Council.**
28

29 **6. PUBLIC HEARINGS/ORDINANCES-SECOND READING:**

30
31 **7. RESOLUTIONS:**

- 32
33 A. **Resolution No. 964-19** A resolution of the City Council of the City of Orange City, Florida,
34 reappointing Thomas Eidel, Sr. and Maribeth Burke to the Orange City Historic Preservation
35 Board, Seats 3 and 5; repealing all resolutions or parts of resolutions in conflict herewith; and
36 providing for an effective date.

37
38 Mr. Reischmann read the title of Resolution No. 964-19 into the record.

39
40 **Council Member Allebach moved to approve Resolution No. 964-19, seconded**
41 **by Council Member Crippen.**
42

43 Mr. Eidel came forward and thanked the Council for providing the opportunity to serve on the Historic
44 Preservation Board.
45

1 **The motion passed by a 7/0 roll call vote of the City Council.**
2

- 3 B. **Resolution No. 965-19** A resolution of the City Council of the Orange City Florida,
4 authorizing the execution of an Interlocal agreement with Volusia County, the City of
5 Deltona and the City of DeLand entitled the “Volusia Blue Project Implementation
6 Agreement” regarding the development and operation of a groundwater recharge
7 project near Blue Spring; and providing for an effective date.
8

9 Mr. Reischmann read the title of Resolution No. 965-19 into the record.
10

11 **Council Member Allebach moved to approve Resolution No. 965-19 into the**
12 **record, seconded by Council Member Crippen.**
13

14 Raul Palenzuela, City Engineer came forward. He introduced Lou Donnangelo of the St. John’s River Water
15 Management District and Mike Ulrich, Utilities Director from Volusia County Government. Mr. Palenzuela
16 provided a PowerPoint presentation (a copy of which is attached and becomes a permanent part of these
17 minutes.)
18

19 Mr. Palenzuela discussed the regulatory issues needed for compliance, alternative water supply, Volusia
20 Blue wetland recharge and a map of the borrow pit. He requested Council’s approval of the contract and
21 Resolution No. 965-19. The City’s cost share is ten percent.
22

23 Mr. Palenzuela replied that the incoming water will be treated in order to protect the spring as well as the
24 surrounding residential wells.
25

26 Vice Mayor O’Connor voiced concerns about contamination of wells for the residents who live near the
27 borrow pit.
28

29 Mike Ulrich, Water Resources Utility Director, came forward and stated that technical, environmental, and
30 financial feasibility will be taken into consideration to assure a cost effective project.
31

32 Lou Donnangelo of the St. John’s River Water Management District, came forward to explain the functions
33 of the project. He stated that this project focuses on water quality treatment and recharge. Mr. Donnangelo
34 noted that similar projects were successful in other areas of the State.
35

36 Abby Johnson, Intergovernmental Coordinator, St. John’s River Water Management District, came forward
37 to thank the Council for the partnership and their support.
38

39 Mr. Palenzuela stated that this item has been approved by the Deland City Council and is scheduled to be
40 presented to the Deltona City Council on Monday. Volusia County Council is scheduled to hear this item
41 on August 20, 2019.
42

43 **The motion passed by a unanimous 7/0 roll call vote of the City Council.**
44

1 **8. DISCUSSION AND ACTION:**

2
3 A. Consideration of Sponsorship Requests Fiscal Year 2019-2020

4
5 Danielle FitzPatrick, Public Information Coordinator, delivered a presentation considering the sponsorship
6 requests for FY 19/20. She reported that \$20,000 is available in the budget for sponsorship requests. This
7 includes \$15,000 for recurring and \$5,000 for non-recurring.

8
9 Ms. FitzPatrick stated that nine requests have been attained with two being in-kind only requests and the
10 requests total \$24,500. She briefly reviewed all the sponsorship requests.

11
12 Ms. FitzPatrick reported that the Sponsorship Application Request Committee met and ranked all applicants
13 based on the criteria listed in the policy. The monetary requests were approved based upon the rankings.
14 Ms. FitzPatrick stated that the Committee decided to fund the Manatee Festival and Sorosis Club at one
15 hundred percent. Ms. FitzPatrick stated that the remaining applicants would be funded at fifty percent.

16
17 Ms. FitzPatrick noted that \$2,250.00 would need to be moved from the non-recurring request to the recurring
18 leaving \$2,750.00 for the remainder of the next fiscal year should any non-recurring requests occur.

19
20 Vice Mayor O'Connor asked if there were any funds left over from FY 18/19. Ms. FitzPatrick replied that
21 \$2,500.00 remains.

22
23 Council Member Crippen requested the value of the in-kind services requested.

24
25 Ms. FitzPatrick provided the in-kind payroll from FY 18/19.

26
27 Michelle Fowler, representative for the Sorosis Club thanked Council for the opportunity to fund non-profit
28 organizations.

29
30 Dr. Julian Jones, Principle of University High School thanked Council for supporting the programs at
31 University High School.

32
33 Victor Ramos, Representative for the River of Lakes, Vice Mayor of Deltona, thanked Council for their
34 contributions.

35
36 Daryl Thomas, Park Service Specialist at Blue Spring State Park, River of Lakes, informed Council about
37 events and things that are happening with the River of Lakes and accomplishments throughout the County.

38
39 Felicia Benzo, CEO of Catalyst Global Youth Initiatives, came forward and stated that the purpose of the
40 request is to fund supplies, tours, and food to the children enrolled in the program. She thanked Council for
41 the support.

42
43 Ericka Burroughs-Fournier, Representative from the Journey, came forward to announce the plans to
44 contribute to the eco-tourism strategy focus. She stated that The Journey is requesting park fees to be waived,

1 park materials, a banner and first responders to be a part of the program for next year. She thanked Council
2 for the consideration of approval.

3
4 Tiffany McCann, Student Government Association Advisor for University High School, came forward and
5 announced that the Home Coming Parade will be held on October 05, 2019. October 09, 2019 will be the
6 pep rally followed by fireworks. She requested that Council continue to provide the in-kind services.

7
8 Ms. FitzPatrick provided a clarification about the scoring process.

9
10 **Council Member Mahoney moved to approve the Sponsorship Requests for FY**
11 **2019-2020, as recommended by city staff, seconded by Council Member Crippen,**
12 **motion passed by a 7/0 roll call vote of the City Council.**

13
14 B. Water, Wastewater and Reclaimed Water Rate Study

15
16 Migdalia Hernandez, Public Works Director, provided a PowerPoint presentation (a copy of which is
17 attached and becomes a permanent part of these minutes.) She discussed the proposed 2019 Water Rate
18 Study. Ms. Hernandez provided a background of the rate study, 2019 rate study goals and challenges faced
19 by the Utility Department.

20
21 Tony Harrison, Raftelis Financial Consultants, came forward to report the status of the rate study. Mr.
22 Harrison summarized the results of the utility rate study. He noted an increase would be required to
23 financially meet the ongoing operational requirements, new alternative water supplies, Blue Spring
24 Minimum Flows and Levels (MFLs), Blue Spring Nutrient Reduction Rules, as well as necessary
25 infrastructure rehabilitation to maintain and improve required level of services.

26
27 Mr. Harrison discussed the northeast service area that included Country Village and neighboring areas. He
28 recommended four funding options for the northeast service area improvements.

29
30 Mr. Harrison reported that option one would involve a capital investment of \$11million. He stated that
31 option one is not the preferred option. Option two is system wide funding with lower costs, however,
32 improvements will take longer to complete. Full time maintenance workers will be needed which is included
33 in the rate recommendations. Mr. Harrison recommended option two be considered in the short run.

34
35 He stated that option three is a long term solution for this area. Option four is the short term maintenance
36 approach. This option would cause a surcharge for the Country Village residents. It could be a big impact
37 for the area without providing a long term fix.

38
39 Mr. Harrison recommend option two in the short run and option three in the long run. He provided a Utility
40 unrestricted fund balance forecast and observations and recommendations.

41
42 Mr. Harrison concluded his presentation and opened the floor to questions from the Council.

43
44 A discussion ensued between Council and Mr. Harrison that included the share of cost in the northeast area
45 and wastewater impact fee funds.

1
2 Ms. Arrington recommended to prepare an Ordinance using option number two.

3
4 **Council Member Allebach moved to allow the City Manager to prepare an**
5 **Ordinance using option number two, seconded by Council Member Marks, the**
6 **motion passed by a unanimous voice vote by the City Council.**
7

8 **9. REPORTS:**

9
10 A. City Manager

11
12 Ms. Arrington announced that Halifax Health will be hosting a job fair at 290 Spring View Commerce Dr.
13 on Tuesday August 20th 5:30-8:00 p.m.

14
15 B. City Clerk

16
17 No report at this time.

18
19 C. City Attorney

20
21 Mr. Reischmann commented on the Volusia Blue Project, that there are benefits that come out of these
22 projects.

23
24 **10. NEW BUSINESS:**

25
26 Council Member Harper voiced his concern about the traffic issue at Highway 17-92 and Enterprise.

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

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

31
32 Council Member Mahoney stated that he enjoyed the discussions and tonight's meeting was very
33 productive.

34
35 Vice Mayor O'Connor reported that he attended the opening of Colin's Dream Skate Park. He stated that
36 decisions have been made that will keep the City headed in the right direction. He enjoyed the conversation
37 of the meeting.

38
39 Council Member Crippen agreed with Vice Mayor O'Connor's comments.

40
41 Council Member Allebach stated that the future is needed to be considered. Everything has a price tag when
42 replacement is needed. He stated that infrastructures need repairs after time.

43
44 Council Member Harper concurred with Vice Mayor O'Connor.

1 Council Member Marks thanked staff for their hard work. She stated that the grand opening of Colin's
2 Dream Park was awesome.

3
4 Vice Mayor O'Connor thanked Ms. Thomas for providing reusable water containers on the dais.

5
6 Mayor Blair stated that the Borrow Pit presentation was great, the opening of the skate park was awesome.
7 He asked Council if they were attending the Florida League of Cities conference. He urged those attending
8 to join a committee at the conference.

9
10 Council Member Crippen commented that Ms. Sprague made an extraordinary effort in creating the skate
11 park.

12
13 Mayor Blair advised that he will entertain a motion to adjourn.

14
15 **Council Member Crippen moved to adjourn the City Council meeting, seconded**
16 **by Council Member Allebach, the meeting was adjourned by a unanimous voice**
17 **vote of the City Council.**

18
19 **13. ADJOURN:**

20
21 There being no further business, Mayor Blair adjourned the meeting at 10:21 p.m.

22
23 **RESPECTFULLY SUBMITTED:**

24
25 _____
26 Melani Beringer
27 CMC, Deputy City Clerk

APPROVED ON:

9-11-2019
Date