

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida, held
2 on Tuesday, August 27, 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, Kelli Marks, Martin Harper, Jeff Allebach; City Attorney William Reischmann; City Manager
12 Dale Arrington; City Clerk Gloria Thomas.
13

14 **ABSENT:** Council Member Mahoney
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:** None at this time
21

22 **2. PRESENTATIONS/PROCLAMATIONS:**

23
24 **A. Monarch City Proclamation**
25

26 Mayor Blair read a proclamation into the record proclaiming Orange City as a Monarch City. The Mayor
27 took the "Monarch Butterfly Pledge" and encouraged other city officials across the nation to take a stand
28 and take the pledge.
29

30 **B. Police Recognition Award**
31

32 Deputy Police Chief Wayne Miller provided awards to the following police officers for their dedication
33 above and beyond their normal duties and for performing outstanding acts of public service. Each officer
34 came forward to accept their award.
35

36 Officer Hector Olmeda – Life Saving

37 Officer Brooke Bellamy – Life Saving

38 Officer Joshua Hoffman - Achievement

39 Officer Jamaila Rodriguez - Merit

40 Officer Sam Harralson - Merit

41 Officer Brie Dagley - Merit

42 Detective Sherif El-Shami - Merit

43 Retired Detective Ken Jones - Merit
44

1 **3. CITIZEN COMMENTS:**

2
3 Shari Simmons, Executive Director, West Volusia Regional Chamber of Commerce came forward to
4 provide an update on upcoming events.

5
6 **4. CONSENT AGENDA:**

- 7
8 A. Contract Award General Electrical Services (ITB BO81-0-2019/DRS)
9 B. Contract Award General Plumbing and Septic Services (ITB B079-0-2019/DRS)

10
11 **Vice Mayor O'Connor moved to approve the Consent Agenda, seconded by**
12 **Council Member Allebach, the motion passed by unanimous 6/0 roll call vote of**
13 **the City Council.**

14
15 **5. ORDINANCES – FIRST READING:**

16
17 **6. PUBLIC HEARINGS/ORDINANCES-SECOND READING:**

18
19 *****Special Public Hearing*****

- 20
21 A. **Resolution No. 961-19** A resolution of the City Council of the City of Orange City,
22 Florida, vacating a 0.03-acre portion of the Monroe Street right-of-way, generally
23 located at 1001 Club Parc Loop; repealing all resolutions or parts of resolutions in
24 conflict herewith; and providing for an effective date.

25
26 Mr. Reischmann read the title of Resolution No. 961-19 into the record. He noted this was a legislative
27 matter.

28
29 Becky Mendez, Development Services Director advised that Resolution No. 961-19 is a vacation of part of
30 the larger Parc Hill 160 acres. This property was part of the old Orangedale subdivision, platted in 1925
31 and annexed into the City in 1998.

32
33 Orange Dale Venture, LLC purchased most of the subdivision in 2017 and the City Council approved the
34 PUD zoning and global replat the same year. The global replat excluded 18 lots Orange Dale Venture did
35 not own at the time. Utility easement rights and temporary access was provided to the outparcel owners.

36
37 As the property was further platted, creating the 185-lot residential subdivision, Cadence at Parc Hill,
38 Orange Dale Ventures purchased the 18 outparcels. The temporary access easements and right-of-way must
39 be extinguished, and the parcels brought into the PUD development plan.

40
41 Ms. Mendez displayed a PowerPoint slide of Monroe Street and the area to be vacated. She stated that
42 Orange Dale Ventures has purchased out parcel K and seeks to abandon that last little remnant of Monroe
43 Street. Staff recommends that the City Council adopt the resolution as presented.

44

1 Mayor Blair opened the public hearing by asking if anyone wanted to speak for or against the proposed
2 ordinance, no one appeared. The Mayor closed the public hearing.

3
4 **Council Member Allebach moved to approve Resolution No. 961-19, seconded by**
5 **Vice Mayor O'Connor, the motion passed by 6/0 roll call vote of the City Council.**

6
7 *****End Special Public Hearing*****

8
9 **7. RESOLUTIONS:**

- 10
11 A. **Resolution No. 962-19** A resolution of the City of Council of the City of Orange
12 City, Florida, encouraging Orange City businesses and residents to discontinue the
13 use of plastic drinking straws, plastic stir sticks, similar plastic items and Styrofoam
14 containers; in working toward a cleaner and safer environment, river and ocean;
15 repealing all resolutions or parts of resolutions in conflict herewith; and providing for
16 an effective date.

17
18 Mr. Reischmann read the title of Resolution No. 962-19 into the record.

19
20 **Council Member Crippen moved to approve Resolution No. 962-19 and**
21 **authorize the City Manager to move forward with an educational program,**
22 **seconded by Council Member Harper.**

23
24 Vice Mayor O'Connor noted that this matter was mentioned at the Florida League of Cities Annual
25 Conference in Orlando. He displayed a reusable straw given out and suggested staff look at these types of
26 items when purchasing items for City sponsored events.

27
28 Council Member Allebach spoke in favor of this action. He mentioned the work that the Ocean Cleanup
29 Foundation is doing to clean up the "plastic vortex" in the Pacific Ocean. The program was started several
30 years ago and is just starting to work. He speculated the City may see similar results.

31
32 Ms. Arrington discussed a 4-point educational program to teach people how to protect the environment and
33 avoid single use plastics. This information will be disseminated using social media platforms, the quarterly
34 newsletter and the city web site. Ms. Arrington advised that echo friendly giveaways will be purchased,
35 once the current stock is exhausted.

36
37 Steven Standards, 623 Blue Spring Villas came forward and asked if compliance with this resolution was
38 mandatory. He suggested that the money used to promote this issue would be better spent on a clean up the
39 neighborhood campaign.

40
41 Ms. Arrington replied the City already sponsors a Keep Orange City Beautiful day. The expense for this
42 program is minimal as it would not take the Public Information Officer long to formulate the program.

43
44 **Motion passed by a 6/0 roll call vote of the City Council.**

1 B. **Resolution No. 967-19** A resolution of the City Council of the City of Orange City,
2 Florida, adopting an updated fee schedule for Police, Fire, Parks and Transportation
3 Impact fees; repealing all resolutions or parts of resolutions in conflict herewith; and
4 providing for an effective date.

5
6 Mr. Reischmann read the title of Resolution No. 967-19 into the record.

7
8 Ms. Mendez advised that the Code of Ordinances allows for periodic updates to the Impact Fee Schedule to
9 reflect new data and technical information. The last update approved, January 2015, was a 41% increase
10 over the previous update, 11 years prior.

11
12 The City Engineer looked at the RSMeans Construction Cost Index and provided an analysis through the
13 end of 2018. Currently, impact fees total \$1,308.17 for each new single-family dwelling. The proposed
14 increase is an 11% increase over the last update and equates to approximately \$1,452 in impact fees for a
15 new single-family dwelling.

16
17 Ms. Mendez noted an amendment to the Resolution. Florida Statutes requires that any change in impact
18 fees have a 90-day effective date and the Resolution included in the agenda packet had an effective
19 immediately upon adoption date. The Resolution has been revised and a copy was provided to the City
20 Clerk. Ms. Mendez stated that staff recommends the City Council adopt Resolution No. 967-19, as
21 amended.

22
23 **Council Member Crippen moved to approve Resolution No. 967-18, as amended,**
24 **seconded by Council Member Allebach.**

25
26 Vice Mayor O'Connor pointed out that this Resolution does not update the City Water and Sewer Impact
27 fees, nor does it apply to the County's Transportation School Districts Impact Fees.

28
29 Council Member Allebach commented that Orange City's park fees may be slightly higher compared to
30 surrounding jurisdictions. He suggested that was because these jurisdictions do not have as many parks as
31 Orange City. He stated that it makes sense to incrementally increase the impact fees. He thanked staff for
32 bringing this matter forward.

33
34 Mr. Standards spoke in support of this effort. He implied that it is appropriate for new housing developments
35 and apartment complexes to pay the impact fees.

36
37 **The motion passed by a unanimous 6/0 roll call vote of the City Council.**

38
39 C. **Resolution No. 968-19** A resolution of the City Council of the City of Orange City,
40 Florida, supporting the East Central Florida Regional Resiliency Action Plan;
41 repealing all resolutions or parts of resolutions in conflict herewith; and providing for
42 an effective date.

43
44 Mr. Reischmann read the title of Resolution No. 968-19 into the record.

45

1 Ms. Mendez advised that the East Central Florida Regional Resiliency Action Plan is a plan to help
2 municipalities, within specific regions, to be more resilient and grow collaboratively through plan actions
3 and implementation strategies to address common vulnerabilities.

4
5 In 2017, the East Central Florida Regional Planning Council (ECFRPC) was awarded grant funding from
6 the Florida Department of Environmental Protection to develop a non-regulatory regional action plan for
7 Volusia and Brevard counties that focused on resiliency and sustainability. Volusia and Brevard counties
8 created subcommittees, and in December 2018 adopted the East Central Florida Regional Resiliency Action
9 Plan.

10
11 Ms. Mendez advised that Resolution No. 968-19 is in support of this action plan. ECFRPC is asking cities
12 in Volusia and Brevard counties to adopt a resolution and sign the memorandum of understanding
13 recognizing the plan and to keep it in mind as important infrastructure decisions and land use planning
14 decisions are made.

15
16 The ECFRPC collaborative includes 8 counties and 78 cities in Central Florida. Resolutions in support of
17 the action plan were approved by the River to Sea TPO, Volusia County, Oak Hill, DeLand and New Smyrna
18 Beach is pending. There is no financial obligation for joining.

19
20 Ms. Mendez stated that several of the infrastructure improvements and the stormwater plan projects in the
21 City were planned with the East Central Florida Regional Resiliency Action Plan in mind. Staff
22 recommends the City Council authorize the Mayor and City Manager to sign the collaborative memorandum
23 of understanding and adopt Resolution 968-19, supporting the action plan.

24
25 **Vice Mayor O'Connor moved that the City Council authorize the Mayor and City**
26 **Manager to sign the Collaborative Memorandum of Understanding and adopt**
27 **Resolution 968-19 supporting the East Central Florida Action Plan, seconded by**
28 **Council Member Crippen.**

29
30 Council Members discussed the merits of participating in this program, specifically noting the importance
31 of working collectively on such things as sea level rise, flooding concerns, and preparation for shared
32 common problems.

33
34 **The motion passed by a unanimous 6/0 roll call vote of the City Council.**

- 35
36 D. **Resolution No. 969-19** A resolution of the City Council of the City of Orange City,
37 Florida, appointing one member to the Orange City Historic Preservation Board;
38 repealing all resolutions or parts of resolutions in conflict herewith; and providing for
39 an effective date.

40
41 Mr. Reischmann read the title of Resolution No. 969-19 into the record.

42
43 **Council Member Crippen moved for approval of Resolution No. 969-19, seconded**
44 **by Council Member Harper.**

45

1 Anthony Pupello, former Council Member and applicant came forward and said that he wishes to continue
2 to serve the City. The Historic Preservation Board is an important part of what the City is trying to do. He
3 stated that it is an opportunity to be part of the process and thanked Council for the opportunity to serve the
4 community.

5
6 Mayor Blair commented that Mr. Pupello is a life-long citizen of the City and his institutional knowledge
7 makes him a perfect candidate for this job.

8
9 **The motion passed by a unanimous 6/0 voice vote of the City Council.**

10
11 **8. DISCUSSION AND ACTION:**

12
13 A. Water and Wastewater and Reclaimed Water Rate Study

14
15 Migdalia Hernandez, Development Services Director advised that this agenda item is a follow-up to the
16 Utility Rate Study presented at the August 13, 2019 City Council meeting. She advised that Mr. Tony
17 Harrison from Raftelis was present to answer questions.

18
19 Ms. Hernandez recalled Council's decision to implement a series of increases to the water rate structure to
20 meet the ongoing operational requirements, and scheduled capital improvements of the Utility. Ms.
21 Hernandez discussed the issues the City is facing such as reduction of the consumptive use permit due to
22 minimum flows and levels, compliance issues, and lack of resources. She noted the City has a very old
23 infrastructure and the Utility must make sure it can serve existing and future customers.

24
25 As directed at the last meeting, the Country Village area was removed from the rate study. Planning for
26 water improvements and sewer in the northeast area will continue. A final copy of the Utility System Rate
27 Study was included in the agenda item. The increase will result in CPI+5% annual increase for the years
28 2020 to 2023 and will revert to the CPI+1% shortly after that.

29
30 Ms. Hernandez advised wastewater rates will stay the same. The recommendation to deal with the northeast
31 area, including Country Village, is to add two maintenance positions to take care of all the challenges we
32 have in that area.

33
34 Ms. Hernandez concluded her presentation by stating staff is ready to proceed and provide a note about the
35 rate increase to be included with the September 20, 2019 bills. A resolution will be brought forward at the
36 October 8, 2019 City Council meeting and a public hearing will be held. Ms. Hernandez stated that she is
37 available to answer questions.

38
39 Vice Mayor O'Connor commented that the article in the newspaper was misleading. He explained the rate
40 increase was calculated using the CPI+5%, which not 5% rate increase as it was reported in the newspaper.
41 It translates to approximately a 2.4% increase or .85 cents per 5,000 gallons. He stated that it is important
42 to be cautious of how this issue is worded because it can confuse people. The Vice Mayor also noted that
43 wastewater is not changing.

44

1 Ms. Hernandez agreed. She commented that it is a small percentage and will take affect for 4 years,
2 including half of 2019. This increase will allow the Utility to catch up with the required projects and
3 continue to provide services to our customers.
4

5 Council Member Allebach spoke in support of this action. He comments that it is the Council's fiduciary
6 responsibility to make sure the Utility is a viable operation and its assets are maintained.
7

8 **Council Member Allebach moved to authorize the City Manager to provide**
9 **notification of the public hearing and to present a resolution that incorporates the**
10 **results that of the Utility Water Rate Study on October 8, 2019, seconded by Council**
11 **Member Harper.**
12

13 Mayor Blair asked if anyone from the public would like to speak on this matter.
14

15 Council Member Crippen recalled when Council started talking about fixing the water system. It was
16 emphasized that water is not free, this is a continuation of that effort.
17

18 **The motion passed by a 6/0 roll call vote of the City Council.**
19

20 B. Update to the Five-Year Roadway Resurfacing Plan
21

22 Raul Palenzuela, City Engineer came forward to present an update to the Five-Year Roadway Resurfacing
23 Plan. He noted that this is a roadway management program and resurfacing is only one component of the
24 program.
25

26 Ms. Palenzuela advised that the history of the resurfacing plan was provided in the agenda packet. He
27 noted there is approximately 57 miles of roadway in the city limits, 55 miles are paved and another two
28 miles or so are unpaved. This plan was originally prepared by the previous operations manager. Six of the
29 17 projects have been completed. He recalled that the road projects were deferred and reprioritized one
30 year due to the water improvements, however, the program is back on track and the road resurfacing has
31 begun again.
32

33 Mr. Palenzuela discussed the roads included in the plan and the need or urgency to resurface some of them.
34 He commented that S. Thorpe Avenue, south of Ohio Avenue down to Rhode Island is the biggest dirt road
35 in the City. He suggested the road is not resurfaced at this time due its proximity to the Industrial Drive
36 Loop area and the stormwater lift station, which chronically floods.
37

38 Mr. Sanders, noted that Orange City Elementary is located nearby. The road is the drop off point for all the
39 children. He commented that it would be a real nightmare for the school district if traffic was blocked off.
40 He suggested that this project is done when there is no school.
41

42 Council Member Marks agreed with Mr. Sanders comments. She stated she deals with that traffic on that
43 road every day. Summer time would be good time to speak with the principal about working around the
44 school schedule.

1 Mr. Palenzuela recalled Council Member Marks' comments about the road when the sidewalk plan was
2 presented months ago. He said he walked the area personally and found the reason there is no sidewalk on
3 the east side of the road is because there is a drainage swale designed to drain water in the road and right of
4 way which is why the sidewalk is only on the west side of the road.

5
6 Council Member Harper commented that the work recently done on Rhode Island and Leavitt Avenue is
7 really nice. Mr. Palenzuela thanked Council for allowing staff to reprogram funding to do those roads.

8
9 **Council Member Allebach moved that the City Council approve the update to the**
10 **Five-Year Roadway Resurfacing Plan, seconded by Council Member Harper, the**
11 **motion passed by a 6/0 voice vote of the City Council.**

12
13 C. Change Order 2: Blue Springs Nutrient Reduction (B061-0-2018 - Holly Ave
14 Project)

15
16 Mr. Palenzuela advised that this change order is regarding the Holly Avenue project. At the time the City
17 was under the original Utility Service Boundary Agreement with Volusia County and was advised by the
18 DEP and SRF the City could build reclaim water facilities but could not service the area because it was not
19 in our Utility Service Boundary.

20
21 Mr. Palenzuela stated the loan was approved and the facilities built and the Council approved an updated
22 Utility Services Boundary Agreement with the County. Change Order 2 includes services for reclaimed
23 water. It includes a scope for the addition of an electrical connector to reuse the emergency generator that
24 was located at the main water plant and repositioned it at Mill Lake to service the existing Mill Lake
25 stormwater lift station and well as the new sanitary lift station, when it is installed.

26
27 Staff received feedback from the citizens with concerns about flooding in Mill Lake and what would happen
28 if the power was cut. Staff committed to looking at options and this was the option considered.

29
30 The allocation for this change order is \$62,000 from the Utility Enterprise Fund and \$67,637, equally split
31 between the Stormwater and the Utility Enterprise Fund.

32
33 Council Member Allebach stated that it makes sense and is an acceptable option.

34
35 **Council Member Allebach moved to approve Change Order #2 BO61-0-2018 Blue**
36 **Springs Nutrient Reduction project, seconded by Council Member Crippen, the**
37 **motion passed by a 6/0 voice vote of the City Council.**

38
39 **9. REPORTS:**

40
41 A. City Manager

42
43 Ms. Arrington had no further report.

44

1 Vice Mayor O'Connor asked what the City is doing to prepare for the possibility of the storm coming our
2 way. Ms. Arrington responded that staff has reviewed the Comprehensive Emergency Plan. Each
3 department has specific assignments to get prepared for this storm. A staff meeting will be held on Thursday
4 to discuss the preparation status. Perhaps at the time, there will be more information about what will be
5 happening and we will proceed.

6
7 Vice Mayor O'Connor asked whether the City has already received approval to pump down the lakes. Mr.
8 Palenzuela responded that Mill Lake is currently at about 16 ft. 6 in which is normal level. Staff will
9 continue to monitor and will request authorization to pump if it becomes necessary.

10
11 B. City Clerk

12
13 No report at this time.

14
15 C. City Attorney

16
17 No report at this time.

18
19 **10. NEW BUSINESS:**

20
21 Council Member Marks commented about the school sidewalk issue. She asked if it was possible to put
22 crossway lines or flashing lights when the kids are crossing. Mr. Palenzuela noted that the DOT requested
23 staff's input about where to place signs.

24
25 Ms. Arrington asked what location would Ms. Marks like these items installed. Council Member Marks
26 responded Lansdowne and Orange Avenues.

27
28 Vice Mayor O'Connor talked about a presentation about ADA compliance at the League Conference. He
29 asked the city attorney to draft an ADA Resolution, that includes a statement that the City wants to be
30 compliant and will always attempt to keep compliance. It was recommended that every city approve such
31 a resolution.

32
33 **It was the consensus of the Council for staff to bring back an ADA**
34 **compliance resolution.**

35
36 Council Member Allebach asked staff to look into flooding at the corner of U.S. 17-92 and Roberts Road.

37
38 **11. APPROVAL OF MINUTES:** Not at this time

39
40 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

41
42 Council Member Marks commented that the awards given to the police officers was "awesome." She
43 thanked the police officers for all they do for the City.

44

1 Council Member Crippen also extolled the police officers efforts. He stated that he is looking forward to
2 the Monarch revealing at Dickenson Park.

3
4 Council Member Harper reported that he learned a lot at the Florida League Conference. He attended a
5 session about the census and learned its importance. Council Member Harper commented that it is important
6 to encourage people to complete the census as the several programs people may be eligible for and will miss
7 out if they are not counted in the census.

8
9 Council Member Allebach discussed a census map that was given out at the conference. He commented
10 that often children are left off the count which affects school funding. The 2020 Census will be completed
11 on the internet. Invitation letters will be sent to every household in March 2020. Council Member Allebach
12 also spoke about the Firefighters Cancer Benefit Program that was recently enacted.

13
14 Vice Mayor O'Connor stated that he attended a social media session at the conference. Elected officials
15 were advised to stay off of social media because it hard not to violate Sunshine laws. The Vice Mayor said
16 he also attend a CRA session to learn how the new law will affect the CRA. He also attended a session
17 about a program that will help people connect to the sewer lines, when they become available.

18
19 Mayor Blair talked about the Live Local group meeting that he attended. He said he learned an important
20 statistic, 40% of millennials do not care if they live in a democracy. Mayor Blair discussed several other
21 sessions and initiatives that he attended at the Conference.

22
23 Mayor Blair said he met with Representative Fetterhoff to discuss Orange City issues, she was very
24 supportive.

25
26 Mayor Blair advised that he will entertain a motion to adjourn.

27
28 **Council Member Allebach moved to adjourn the City Council meeting, seconded**
29 **by Vice Mayor O'Connor, the meeting was adjourned by a unanimous voice vote**
30 **of the City Council.**

31
32 **13. ADJOURN:**

33
34 There being no further business, Mayor Blair adjourned the meeting at 8:40 p.m.

35
36 **RESPECTFULLY SUBMITTED:**

37
38 _____
39 Gloria Thomas
40 CMC, City Clerk

APPROVED ON:

9-11-2019
Date