

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, February 25, 2020 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 Bill O'Connor; Council Members O. William (Bill)
12 Crippen, Jeff Allebach, Jim Mahoney, Kelli Marks, Martin Harper; City Attorney Bill Reischmann; City
13 Manager Dale Arrington; City Clerk Gloria Thomas.

14
15 **INVOCATION/PLEDGE OF ALLEGIANCE**

16
17 The Invocation was given by Pastor Serrano-Reaching Hands Christian Center, followed by the Pledge of
18 Allegiance.

19
20 **1. ABSENCES:**

21
22 Shall the absences of Vice Mayor O'Connor and Mayor Blair from the February 11, 2020 Regular City
23 Council meeting be excused?

24
25 **Council Member Harper moved to approve the absences of Vice Mayor O'Connor**
26 **and Mayor Blair from the February 11, 2020 Council Meeting, seconded by Council**
27 **Member Crippen, the motion passed by a unanimous voice vote of the City Council.**

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

30
31 None at this time.

32
33 **3. CITIZEN COMMENTS:**

34
35 Elizabeth Godwin, Deland Chamber Orange City Alliance, thanked Council for their continued
36 partnership. Ms. Godwin reported the Crystal Apple Awards Luncheon on Tuesday, March 03, 2020 at
37 the Deltona Center and the Keep Orange City Beautiful event on April 04, 2020. Ms. Godwin provided a
38 report of the Business Recruitment and Expansion Committee's findings of the survey of Orange City
39 businesses. Ms. Godwin stated that the Chamber is experiencing a leadership change of the Chamber
40 Director.

41
42 **4. CONSENT AGENDA:**

- 43
44 A. Change Order 5: Blue Springs Nutrient Reduction (B061-0-2018 Holly Avenue
45 Project)
46 B. Potable Hydraulic Model Calibration and Water Age Analysis (Work Order No.
47 130-20)
48 C. Acceptance of Utility Easement Agreement between Central Florida Land
49 Acquisitions, LLC and Orange City on 2500 Junior Street.

1 D. Approve Regular Meeting Minutes – February 11, 2020

2
3 **Council Member Crippen moved to approve the Consent Agenda, seconded by**
4 **Council Member Marks, the motion passed by 7/0 roll call vote of the City**
5 **Council.**

6
7 **5. ORDINANCES – FIRST READING:**

8
9 None at this time.

10
11 **6. PUBLIC HEARING/ORDINANCES SECOND & FINAL READING:**

12
13 None at this time.

14
15 **7. RESOLUTIONS:**

16
17 A. **Resolution No. 977-19** A Resolution of the City Council of the City of Orange
18 City, Florida, approving the preliminary plat for Blue Springs Ridge single-family
19 subdivision, consisting of 148 lots on 65.71 acres, located at 1650 Westside
20 Parkway; providing for conditions of approval; repealing all resolutions or parts of
21 resolutions in conflict herewith; and providing for an effective date.

22
23 Mr. Reischmann read the title of Resolution No. 977-19 into the record. He advised that this was a quasi-
24 judicial matter and any ex-parte communication must be disclosed at this time.

25
26 Council Member Crippen stated that he had a telephone conversation with the applicant’s attorney Mr.
27 Mark Watts.

28
29 Council Member Harper provided a list of events that related to ex-parte communication of this matter.

30
31 Council Member Marks stated that she had a conversation with Mr. Watts and received an email relating
32 to the matter.

33
34 Council Member Allebach stated that he spoke with Mr. Watts and that he lives in the subject
35 neighborhood.

36
37 Vice Mayor O’Connor stated that he has received phone calls from residents.

38
39 Council Member Mahoney stated that he received an email from Mr. Watts.

40
41 Mayor Blair stated that he has received several emails from citizens and has not responded, he advised
42 that he spoke with Mr. Watts.

43
44 Becky Mendez, Development Services Director, provided a PowerPoint presentation (a copy of which is
45 provided and becomes a permanent part of these minutes.) Ms. Mendez discussed the Blue Springs Ridge
46 subdivision preliminary plat application. She reported that the project has been presented to the Technical
47 Review Committee as well as the Planning Commission. She discussed the actions previously taken.
48

1 Ms. Mendez stated that due to the concern about the accuracy of the traffic impact analysis (TIA),
2 Development Services reviewed the TIA and determined that it did not properly assess the impacts to the
3 local neighborhood. Therefore, Development Services requested the applicant provide additional
4 information and provide an updated TIA report.

5
6 Ms. Mendez provided dates and events since the Planning Commission rendition. Ms. Mendez stated that
7 the City Council must take action at this meeting. She noted that the City Council is required to consider
8 the applicant, staff and/or public comments, and the Planning Commission recommendation. The City
9 Council may approve, approve with conditions, table for 45 days, or deny the preliminary plat.

10
11 Ms. Mendez stated that staff recommends denial of the application due to the applicant's failure to provide
12 the adequate information on the anticipated project impacts in a timely fashion as required by Section 4.8
13 of the Land of Development Code. As well as the following:

- 14 • The City does not have authority to issue a DO for construction on adjacent property without owner
15 consent (School District)
- 16 • Transportation, Utility, and Stormwater concurrency is not met.
- 17 • Inconsistent with Future Land Use Element
- 18 • Inconsistent with Transportation Element
- 19 • Inconsistent with the Intergovernmental Coordination Element
- 20 • Does not comply with Sections 1.4 and 6.4.3, and Chapter 4 of the Land Development Code

21
22
23 Ms. Mendez reviewed the issues regarding transportation concurrency and impacts to the local area,
24 utilities, Volusia County Schools, and the Comprehensive Plan consistency.

25
26 Ms. Mendez stated that should Council approve Resolution No. 977-19 the following conditions should
27 be considered;

- 28
29 1. The construction plans shall be revised to comply with the TRC comments as reported at the August
30 20, 2019 TRC meeting, and as otherwise amended hereafter as a result of gating the residential
31 subdivision.
- 32 2. A copy of the Florida Fish and Wildlife Conservation Commission (FFWCC) gopher tortoise
33 relocation permit (Conservation Permit) shall be provided prior to issuance of a development order.
- 34 3. A copy of the Volusia County Use Permit for the extension of and connection to Westside Parkway
35 shall be provided prior to issuance of the development order.
- 36 4. City Council must approve the Volusia County School Board Right-of-Way dedication for W.
37 Holly Drive extension prior to issuance of the development order.
- 38 5. City Council must approve the Transportation Mitigation Agreement and the developer must
39 execute and pay the proportionate-share contribution before the development order is issued.
- 40 6. City Council must approve a Utility Agreement for the provisions of water, wastewater and
41 reclaimed water services prior to issuance of a development order.
- 42 7. The applicant must provide a copy of the executed and recorded Drainage Easement Agreement
43 between the School District and DR Horton for the stormwater conveyance system prior to issuance
44 of a development order.
- 45 8. The applicant must provide written documentation that the School District does not object to
46 construction of a private roadway within a portion of the nonexclusive, reciprocal easement as
47 recorded in Book 5200, Page 2517, of the Public Records of Volusia County, Florida prior to
48 issuance of a development order.

- 1 9. Provide a copy of the no-objection letter from Florida Power & Light for construction within their
2 easement prior to issuance of a development order.
- 3 10. The applicant has six months from the effective date of this Resolution to satisfy these stated
4 conditions of approval. If the applicant fails to satisfy the conditions stated herein, then the City
5 Council approval as required by Section 6.4.4, Land Development Code, is revoked. The applicant,
6 within 30 days after expiration, may request that the City Council grant a time extension. If the
7 City Council does not grant a time extension, or the applicant fails to request an extension, the
8 applicant must submit a new preliminary plat application.
9

10 Ms. Mendez noted that staff recommends that if Council approves with conditions, the applicant should
11 be granted six months to comply with the listed conditions. The applicant will have the ability to request
12 an extension to be granted by the City Council. If Council denies the extension or if the extension is not
13 requested within a timely manner then the application is void and the applicant must re-apply.
14

15 A question and answer forum ensued between Ms. Mendez and Council.
16

17 Mark Watts, Attorney, Cobb Cole 231 N. Woodland Blvd DeLand, provided a PowerPoint presentation
18 (a copy of which is attached and becomes a permanent part of these minutes.) Mr. Watts stated that the
19 request is for approval of the preliminary plat for a 148 unit single family subdivision that is consistent
20 with the Low Density Residential (R-1) zoning classification.
21

22 Mr. Watts reviewed the staff report updates since the October Planning Commission meeting, including
23 the staff reports regarding transportation, water and wastewater, as well as the stormwater reports,
24

25 Muhammed Abdala, Traffic and Mobility Consultant, came forward to clarify the TIA reports regarding
26 the traffic analysis.
27

28 Vice Mayor O'Connor asked a question regarding the level of trip analysis that was used to formulate the
29 report.
30

31 Mr. Abdala responded that the lowest possible category was used for Holly Dr.
32

33 Shawn Forty, KCG Engineering, came forward to provide an explanation pertaining to spreader swales.
34

35 A lengthy discussion ensued between Mr. Reischmann and Mr. Watts.
36

37 A discussion ensued between Council Members and Mr. Watts that pertained to the entrance location into
38 the development, the amount of new daily trips, access points into the development, HOA requirements,
39 and private road requirements in the Comprehensive Plan.
40

41 Doug Bishop, 452 W. Holly Dr., provided a PowerPoint presentation (a copy of which is attached and
42 becomes a part of these minutes.) Mr. Bishop spoke on behalf of the community surrounding Holly Dr.
43 He stated that the residents are against any connection of the Blue Springs Ridge development and Holly
44 Dr. due to traffic impact concerns.
45

46 Stephanie Taylor, Hamilton Ave., came forward to voice her concerns about the effects the Blue Springs
47 Ridge development may have on the entire city.
48

1 Richard Garrett, Briarcliff Dr., came forward to voice concerns about the increased traffic the new
2 development may cause.

3
4 Travis Herring, 108 W. Fern Dr., came forward to state that he owns property on W. Holly Dr. He too
5 voiced concerns about the traffic impact the new development may cause. Mr. Herring requested that the
6 opening from the development be connected to Saxon Blvd and not W. Holly Dr.

7
8 Janella Caterinni, 445 Miller Rd., came forward to voice concern about the improvement of quality of life
9 throughout the area, the new development and the traffic impact within the City.

10
11 Peter Hice, 803 White Birdge Ct., came forward to voice concern about adding more homes and the traffic
12 impact throughout the City.

13
14 Mr. Watts addressed the concerns voiced by the citizens about the connection to W. Holly Dr.

15
16 Council Members addressed the comments from the citizens and Mr. Watts and voiced their opinions
17 pertaining to a decision going forward.

18
19 **Council Member Mahoney moved that based upon the record created this**
20 **evening, the City Council finds that the preliminary plat application for Blue**
21 **Springs Ridge at 1650 Westside Parkway, fails to meet the standards set forth in**
22 **the Comprehensive Plan, the Land Development Code, Traffic Impact Analysis**
23 **Guidelines and the Design Standards Manual as well as failure to timely provide**
24 **the traffic impact information requested by staff, seconded by Council Member**
25 **Allebach the motion to deny passed by a 7/0 roll call vote of the City Council.**

26
27 *Mayor Blair called a ten minute recess beginning at 9:44 p.m. The meeting reconvened at 9:56 p.m.*

28
29 **8. DISCUSSION AND ACTION:**

30
31 Agenda item 8B was moved in front of 8A.

32
33 A. City Events: Location and Budget Considerations for Decorations

34
35 Ashley Gay, Parks and Recreation Superintendent, came forward to discuss matters pertaining to
36 relocating the City Block Party from City Hall to Mill Lake, keeping Light up at City Hall, the Christmas
37 Parade Event and City Hall decorations.

38
39 The Council discussed concerns pertaining to space, parking, and safety with all future events.

40
41 **It was the consensus of the City Council to relocate the City Block Party to Mill Lake Park.**

42
43 **It was the consensus of the City Council to keep the Light Up event at City Hall.**

44
45 Ms. Gay discussed seven options for Council transportation during the Christmas Parade and issues with
46 throwing candy at the Christmas Parade. She requested direction from Council.

47
48 A discussion ensued that pertained to parade transportation options.

49

1 **Vice Mayor O'Connor moved to approve the golf cart option and leave the option**
2 **to each Council member to walk or ride, seconded by Council Member Mahoney,**
3 **motion passed by a unanimous voice vote of the City Council.**
4

5 Ms. Gay requested direction from Council in moving forward regarding the purchase of an artificial
6 Christmas tree.

7
8 **Vice Mayor O'Connor moved to approve the purchase of an artificial tree for the**
9 **2021 Holiday season, seconded by Council Member Mahoney, motion passed by a**
10 **unanimous voice vote of the City Council.**
11

12 Ms. Gay asked Council for a decision regarding replacing the Christmas decorations on the light poles
13 throughout the City. She noted that the cost for decorations could total \$12,500.

14
15 Ms. Gay stated that staff is seeking guidance from Council on the aesthetics of the decorations surrounding
16 City Hall.

17
18 A discussion ensued between Council that pertained to a decision concerning the lighting around City
19 Hall. The Council decided to make no changes to the current Christmas lighting, at this time.

20
21 B. **Consideration of Sponsorship Request – University High School Bowling Team**
22

23 Danielle FitzPatrick, Public Info Coordinator, came forward to present a \$2,000 sponsorship request from
24 the University High School Bowling Team for the 2020 national championship in Ohio. Ms. FitzPatrick
25 stated that staff is recommending Council approve the sponsorship at \$1,000.

26
27 **Vice Mayor O'Connor moved to approve the \$1,000 sponsorship to the University**
28 **High School Bowling Team, seconded by Council Member Crippen, motion passed**
29 **by a unanimous voice vote of the City Council.**
30

31 **9. REPORTS:**
32

33 A. **City Manager**
34

35 Ms. Arrington stated that funding from Hurricane Dorian has been approved. Council approval is needed
36 to delegate authority to the City Manager to sign and execute all FEMA sub award documents.

37
38 **Council Member Crippen moved to delegate the authority to the City Manager to**
39 **sign and execute all sub award documents on behalf of the City for matters related**
40 **to cost for the reimbursement for Hurricane Dorian with FEMA, seconded by Vice**
41 **Mayor O'Connor, the motion passed by a unanimous voice vote of the City Council.**
42

43 B. **City Clerk**
44

45 No report at this time.

46
47 C. **City Attorney**
48

49 No report at this time.

1
2 **10. NEW BUSINESS:**

3
4 None at this time.

5
6 **11. APPROVAL OF MINUTES:** See Consent Agenda

7
8
9 **12. COUNCIL & MAYOR’S COMMENTS AND REPORTS**

10
11 Council Member Mahoney stated it was a good meeting with thoughtful discussions.

12
13 Vice Mayor O’Connor thanked everyone and stated that it was very respectful to permit Veteran’s
14 designated parking spots.

15
16 Council Member Crippen stated that the meeting was successful. He asked if an alligator was still present
17 at Mill Lake Park. He stated that everyone at the meeting was collegial.

18
19 Council Member Allebach stated that the meeting was successful with great discussions.

20
21 Council Member Harper reported that he attended ethics training in Edgewater and our city attorney was
22 the speaker. He stated that he learned a lot from the training.

23
24 Council Member Marks stated that it was exciting to see the River Springs Middle students sing at the
25 races. She stated that she will be judging the FFA county wide school projects in Edgewater. Council
26 Member Marks announced the Back Pack Buddies event on Friday from 4:00-8:00 p.m.

27
28 Vice Mayor O’Connor thanked Mr. Reischmann for staying on top of the question and answers with Mr.
29 Watts.

30
31 Mayor Blair reported on his recent trip to Tallahassee for the Florida League of Cities Legislative Action
32 Days briefing.

33
34 **13. ADJOURN:**

35
36 **Vice Mayor O’Connor moved to adjourn the City Council meeting, seconded by**
37 **Council Member Crippen, the meeting was adjourned by a unanimous voice vote**
38 **of the City Council.**

39
40 There being no further business, Mayor Blair adjourned the meeting at 11:25 p.m.

41
42
43 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

44
45 _____
46 Melani Beringer
47 CMC, Deputy City Clerk

03/24/2020
Date