

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

14 **INVOCATION/PLEDGE OF ALLEGIANCE**

15  
16 The Invocation was given by Retired Pastor and Army Chaplain, Harland Merriam-First Presbyterian  
17 Church, followed by the Pledge of Allegiance.  
18

19 **1. ABSENCES:**

20  
21 None at this time.  
22

23 **2. PRESENTATIONS/PROCLAMATIONS:**

24  
25 A. Proclamation: National Hospice Palliative Care Month  
26

27 Mayor Blair presented a proclamation that declared November, 2019 as National Hospice Palliative Care  
28 Month and encouraged understanding and awareness of care at the end of life.  
29

30 B. Presentation: 3rd Quarter Curb Appeal Awards  
31

32 Mayor Blair announced that Agenda item 2B will be moved to the December 10, 2019 Council meeting.  
33

34 **3. CITIZEN COMMENTS:**

35  
36 Stephan Sanders, 623 Swan Range Road, came forward to voice his concerns about code violations within  
37 the City. He talked about the increase of trash around Dickenson Park and suggested painting the garbage  
38 cans a brighter color. Mr. Sanders thanked the Police department for monitoring the elementary school.  
39

40 **4. CONSENT AGENDA:**

- 41 A. Revised Date for Country and Blue Grass Festival
- 42 B. Final Budget Amendment FY 2018/19, Resolution No. 984-19
- 43 C. Collective Bargaining Agreement Between the City and Teamsters Local Union 385
- 44 Representing Orange City Professional Firefighters
- 45 D. Contract Award, Kitchen and Bathroom Renovation Fire Station No. 67
- 46 E. Contract Award, Master Facility Plan for the City of Orange City
- 47 F. Approve October 08, 2019 Regular Meeting Minutes
- 48 G. Approve October 22, 2019 Regular Meeting Minutes
- 49

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

4  
 5           **5. ORDINANCES – FIRST READING:**

6  
 7           **A. Ordinance No. 624** An Ordinance of the City Council of the City of Orange City,  
 8           Florida, authorizing the borrowing of money in an amount not to exceed six hundred  
 9           fifty thousand dollars for the purpose of financing the purchase of a pumper truck  
 10           for the City Fire department; and providing an effective date.

11  
 12           Mr. Reischmann read the title of Ordinance No. 624 into the record.

13  
 14           **Council Member Mahoney moved to approve Ordinance No. 624, seconded by**  
 15           **Council Member Crippen.**

16  
 17           Christine Davis, Finance Director, came forward to report that Ordinance No. 624 is being presented in  
 18           conjunction with Resolution 985-19, later on the agenda. She advised that Council approved the  
 19           appropriation of \$97,000 for debt service/lease payment for the replacement of Fire Engine/Pumper #68.

20  
 21           Ms. Davis reported that an RFP was issued and proposals will be reviewed by the City’s Financial Advisor,  
 22           Mark Galvin. Ms. Davis stated that Ordinance No. 624 is being presented for first reading to establish the  
 23           preliminary financing terms for the borrowing not to exceed \$650,000, fixed interest rate not to exceed  
 24           3.25% per annum and a final maturity no later than 7 years.

25  
 26           Ms. Davis stated that staff recommends Council approve Ordinance 624 at first reading.

27  
 28           **The motion passed by a 7/0 roll call vote of the City Council.**

29  
 30           **6. PUBLIC HEARING/ORDINANCES SECOND & FINAL READING:**

31  
 32           **A. Ordinance No. 614** An ordinance of the City Council of the City of Orange City,  
 33           Florida, providing for adoption of a large scale comprehensive plan amendment  
 34           changing the future land use map of certain properties annexed into the City limits;  
 35           repealing all ordinances or parts of ordinances in conflict herewith; and providing  
 36           for an effective date.

37  
 38           Mr. Reischmann read the title of Ordinance No. 614 into the record. He noted for the record this was a  
 39           legislative matter.

40  
 41           Becky Mendez, Development Services Director, came forward and stated that Ordinance No. 614 is a  
 42           Future Land Use Map amendment to the properties that were recently annexed via the Enclave Annexation  
 43           Agreement. Ms. Mendez noted that per the agreement the City has 24 months to assign a City future land  
 44           use designation and corresponding city zoning classifications.

45  
 46           Ms. Mendez reported that on May 01, 2019 the Planning Commission requested that the future land use  
 47           zoning classifications in Volusia County mirror the designations in the City. Ms. Mendez reviewed the  
 48           land use designation changes to the properties. She reported that the Department of Economic Opportunity

1 issued a no comment letter. The City has 180 days to adopt, amend or withdraw the amendment. She  
2 stated that Volusia Growth Management Commission issued a Certificate of Consistency.

3  
4 Ms. Mendez stated that staff recommends Council find Ordinance 614 consistent with the Comprehensive  
5 Plan, and adopt at second and final reading.

6  
7 **Vice Mayor O'Connor moved to approve the Ordinance No. 614, seconded by**  
8 **Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**  
9 **Council.**

10  
11 **B. Ordinance No. 615** An ordinance of the City Council of the City of Orange City,  
12 Florida, amending the official zoning map of the City of Orange City; said  
13 amendment changing the zoning classification of certain properties located within  
14 the city limits; repealing all ordinances or parts of ordinances in conflict herewith;  
15 and providing for an effective date.

16  
17 Mr. Reischmann read the title of Ordinance No. 615 into the record. He noted for the record this is a  
18 quasi-judicial matter and all ex-parte communications since first reading should be disclosed at this time.  
19 He noted for the record there were no disclosures.

20  
21 Ms. Mendez stated that Ordinance No. 615 is the companion rezoning for the Future Land Use map  
22 amendment. She advised that action has been taken to change the future land use designations and the  
23 zoning must be compatible with those designations.

24  
25 Ms. Mendez reported the previous public meetings on this matter, the zoning differences between County  
26 and City and the rezoning review criteria findings. She advised that staff recommends that Council find  
27 Ordinance 615 consistent with the rezoning review criteria of the Land Development Code and adopt at  
28 second and final reading.

29  
30 **Council Member Allebach moved to approve the Ordinance No. 615, seconded**  
31 **by Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**  
32 **Council.**

33  
34 **C. Ordinance No. 617** An Ordinance of the City Council of the City of Orange City,  
35 Florida, amending the official zoning map of the City of Orange City; said amendment  
36 changing the zoning classification for two properties located at 2375 and 2395 South  
37 Volusia Avenue, totaling approximately 8.2 acres; changing the zoning classification  
38 from Volusia County Business Planned Unit Development (B-PUD), to City Planned  
39 Unit Development (PUD); adopting the B-PUD Master Plan previously approved by  
40 Volusia County by reference; repealing all ordinances or parts of ordinances in  
41 conflict herewith; and providing for an effective date.

42  
43 Mr. Reischmann read the title of Ordinance No. 617 into the record.

44  
45 Ms. Mendez reported that Ordinance No. 617 is the U-Haul Planned Unit Development rezoning referred  
46 to previously. Council voted to change the future land use at second and final reading from Volusia County  
47 Commercial to Orange City Commercial General. She reviewed the Planning Commission  
48 recommendations and the rezoning review criteria.

49

1 Ms. Mendez stated that staff recommends Council find Ordinance 617 consistent with the Comprehensive  
2 Plan and adopt at second reading and final reading.

3  
4 **Council Member Mahoney moved to approve the Ordinance No. 617, seconded**  
5 **by Council Member Harper, the motion passed by a 7/0 roll call vote of the City**  
6 **Council.**

7  
8 **D. Ordinance No. 618** An Ordinance of the City Council of the City of Orange City,  
9 Florida, amending the official zoning map for approximately 4.33 acres located at  
10 1420 North Volusia Avenue from Commercial General, CG-1, to City Planned Unit  
11 Development (PUD) for the project known as DeLand Motorsports; adopting the  
12 Master Development Plan; repealing all ordinances or parts of ordinances in conflict  
13 herewith; and providing for an effective date.

14  
15 Mr. Reischmann read the title of Ordinance No. 618 into the record. He noted for the record this is a quasi-  
16 judicial matter and all ex-parte communications since first reading should be disclosed at this time. He  
17 noted for the record there were no disclosures.

18  
19 Ms. Mendez stated that the request is for rezoning from CG-1 to BPUD to allow the sales of automobiles,  
20 motorcycles, boats and the like, which is not a permitted use within the CG-1. A rezoning to a Planned  
21 Unit Development which includes a development agreement and a preliminary plan is needed.

22  
23 Ms. Mendez reported the previous actions, as well as the Planning Commission’s previous actions and the  
24 review criteria. She stated that staff recommends Council find the rezoning consistent with the  
25 comprehensive plan and adopt Ordinance No. 618 at second and final reading.

26  
27 Stephen Sanders, 623 Swan Range Road, stated his concern about vacant properties throughout the City.  
28 He pleaded with Council to consider that in the decision.

29  
30 **Council Member Mahoney moved to approve the Ordinance No. 618, seconded**  
31 **by Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**  
32 **Council.**

33  
34 **7. RESOLUTIONS:**

35  
36 **A. Resolution No. 985-19** A Resolution of the City Council of the City of Orange City,  
37 Florida establishing its intent to reimburse certain capital expenditures incurred with  
38 proceeds of a future tax-exempt financing; providing certain other matters in  
39 connection therewith; and providing for an effective date.

40  
41 Mr. Reischmann read the title of Resolution No. 985-19 into the record. He noted that this was the  
42 companion matter from Ordinance 624 that was heard previously.

43  
44 Christine Davis, Finance Director, reported that this is the second item related to Ordinance No. 624 in  
45 regard to the fire pumper truck purchase. She stated that staff is requesting that Council approve and  
46 authorize the order prefunding for the custom Fire Engine/Pumper through piggyback of the existing Lake  
47 County Contract #19-0707 and to adopt the reimbursement Resolution 985-19.

1 Council Member Mahoney asked if the trade-in value amount is fixed after the seven to eight months of  
2 usage before it is traded in.

3  
4 Chief Long answered that the trade in value amount is fixed.

5  
6 **Council Member Crippen moved to approve the purchase of the pumper truck,  
7 seconded by Council Member Marks.**

8  
9 Mr. Sanders came forward and requested that Council consider upgrading City fire hydrants with the  
10 purchase of a new pumper truck.

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

13  
14 **Vice Mayor O'Connor moved to approve Resolution No. 985-19, seconded by  
15 Council Member Crippen, motion passed by a 7/0 roll call vote of the City  
16 Council.**

- 17  
18 B. **Resolution No. 987-19** A Resolution of the City Council of the City of Orange City,  
19 Florida, adopting policies for ADA Compliance on the City's digital content;  
20 repealing all resolutions or parts of resolutions in conflict herewith; and providing for  
21 an effective date.

22  
23 Mr. Reischmann read the title of Resolution No. 987-19 into the record.

24  
25 Matthew Place, Information Technology Manager, reported that he provided a presentation at the last  
26 Council meeting referring to digital media. He stated that Resolution No. 987-19 details the City's  
27 commitment to present and future actions. He stated there are no financial impacts and staff recommends  
28 Council approve Resolution No. 987-19.

29  
30 **Council Member Mahoney moved to approve Resolution No. 987-19, seconded  
31 by Council Member Crippen, the motion passed by a 7/0 roll call vote of the City  
32 Council.**

- 33  
34 C. **Resolution No. 988-19** A Resolution of the City Council of the City of Orange City,  
35 Florida, urging the U.S. Department of Justice to clarify the requirements for  
36 municipal websites to be in compliance with the Americans with Disabilities Act;  
37 repealing all resolutions or parts of resolutions in conflict wherewith; and providing  
38 for an effective date.

39  
40 Mr. Reischmann read the title of Resolution No. 988-19 into the record.

41  
42 Mr. Place reported that Resolution No. 988-19 request Congress to establish clear standards for ADA  
43 requirements, as well as mitigate any future legal rulings from the court system. He stated that staff  
44 recommends approval of Resolution No. 988-19.

45  
46 **Vice Mayor O'Connor moved to approve Resolution No. 988-19, seconded by  
47 Council Member Marks, the motion passed by a 7/0 roll call vote of the City  
48 Council.**

49

1 **8. DISCUSSION AND ACTION:**

2  
3 **A. Election of Vice Mayor**

4  
5 Council Member Crippen nominated Vice Mayor O'Connor to continue as Vice Mayor.

6  
7 Council Member Mahoney nominated Council Member Allebach as Vice Mayor.

8  
9 **The Council voted Vice Mayor O'Connor as Vice Mayor for another year by a 5/2**  
10 **voice vote of the City Council.**

11  
12 **9. REPORTS:**

13  
14 **A. City Manager**

15  
16 Ms. Arrington reminded Council of the Ethics Training on Saturday November 16<sup>th</sup>.

17  
18 **B. City Clerk**

19  
20 No report at this time.

21  
22 **C. City Attorney**

23  
24 No report at this time.

25  
26 **10. NEW BUSINESS:**

27  
28 No report at this time.

29  
30 **11. APPROVAL OF MINUTES:** See Consent Agenda

31  
32 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

33  
34 Council Member Marks thanked everyone that attended the meeting. She encouraged citizens to stand up  
35 and voice their concerns. She reported that she attended City Government Day with the children, and the  
36 Veterans Day festivities in Deltona.

37  
38 Council Member Harper stated that he is looking forward to an event on Saturday. The event consist of a  
39 question and answer session to inform voters of the 20/20 census. He stated that communication with the  
40 residents is important. He enjoyed City Government Day with the children.

41  
42 Council Member Allebach stated that Manatee Festival ads will be published on social media. He  
43 encouraged everyone to like and share the ads. He addressed the comments from Mr. Sanders concerning  
44 the fire hydrant upgrades. Council Member Allebach complimented the first responders and stated that he  
45 is pleased that the City is working to fill new positions within the Police and Fire departments.

46  
47 Council Member Crippen agreed with Council Member Allebach comments. He stated that the relocation  
48 of the Halloween Block party to Mill lake Park was an excellent move. Council Member Crippen reported

1 that he attended the Enterprise Preservation Society discussion at the museum in the city of Enterprise.  
2 He urged others to take advantage of the informative historical discussions available.

3 Council Member Crippen stated that he is looking forward to the Manatee Festival, and wished everyone  
4 a Happy Thanksgiving.  
5

6 Council Member Mahoney stated that if the election of Vice Mayor is relevant to the quickness of the  
7 meeting then there should be an election of Vice Mayor at every meeting.  
8

9 Vice Mayor O'Connor announced Veteran's Day and thanked everyone for their service. He stated a  
10 Veterans event on Thursday called "Paychecks for Patriots" will be held at the Career Source in Orange  
11 City to help assist veterans get jobs. He announced the new improvements within the Police department.  
12

13 Vice Mayor O'Connor reported that he and the Mayor attended the Business Awards for West Volusia  
14 event and three out of five awards were presented to Orange City businesses. He thanked everyone that  
15 attended the meeting and wished everyone a Happy Thanksgiving.  
16

17 Mayor Blair stated that the Halloween Block party was a success. He reported that he and Council Member  
18 Harper attended the East Central Florida Regional Resilience Collaborative signing ceremony for the  
19 resiliency initiative. Mayor Blair stated that he enjoyed judging the art work from the students at Orange  
20 City Elementary.  
21

22 **13. ADJOURN:**

23  
24 Mayor Blair advised that he will entertain a motion to adjourn.  
25

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

30 There being no further business, Mayor Blair adjourned the meeting at 7:37 p.m.  
31  
32

33 **RESPECTFULLY SUBMITTED:**

**APPROVED ON:**

34  
35 \_\_\_\_\_  
36 Melani Beringer  
37 CMC, Deputy City Clerk

12-10-2019  
Date