

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,
2 held on Tuesday, December 10, 2019 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 Sr. Associate Pastor Mike Carroll-First Assembly DeLand, followed by the
18 Pledge of Allegiance.

19
20 Mayor Blair suggested moving Agenda items 7B and 8A to follow the Consent Agenda.

21
22 It was the consensus of the City Council to approve the recommended adjustment of the Agenda.

23
24 **1. ABSENCES:**

25
26 None at this time.

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

29
30 A. Florida League of Cities 20 years of Service Award to Council Member Jim Mahoney

31
32 Mark Sittig, Representative from the Florida League of Cities presented Council Member Mahoney with
33 a resolution from the Florida League of Cities Board of Directors that honored his years of service on the
34 Council.

35
36 Council Member Mahoney came forward to accept the Resolution and provide a brief statement.

37
38 B. Third Quarter Curb Appeal Awards

39
40 Becky Mendez, Development Services Director, came forward and presented the 3rd Quarter Curb Appeal
41 Awards. Ms. Mendez noted that this will be the last curb appeal award for 2019. She announced the third
42 quarter Curb Appeal commercial award winner as Central Florida Lift Stations, 1160 E. Industrial Dr.,
43 and the residential award winner Gerald and Sheila Adams, 2134 King Richards Ct. The winners of the
44 Curb Appeal Award were presented with a certificate, \$50.00 gift card, yard sign, and recognition on the
45 City's website.

46

1 **3. CITIZEN COMMENTS:**

2
3 Steven Sanders, 623 Swan Range Rd., came forward to voice his condolences to the Police Department
4 for the loss of Sergeant Brubaker, and to suggest Council Members review Code violations in each district.
5 Mr. Sanders also inquired about an "Adopt a Road" clean up and requested the library hours for Saturday
6 and Sunday.
7

8 Ms. Arrington replied that the library hours are the discretion of the County. She addressed the Code
9 enforcement inquiry by stating that the process is lengthy and protected by the legal process. Council
10 Members are not encouraged to address the Code Enforcement cases.
11

12 **4. CONSENT AGENDA:**

- 13
- 14 A. Acceptance of Public Improvements for Compass Landing, Phase 1
- 15 B. Main Water Treatment Plant CROM Tank & Wells Piping Corrosion Rehabilitation
- 16 C. Contract Award ADA Sidewalk Extension - Mill Lake Park to Oak Ave (ITB B097-0/DRS)
- 17 D. Approve November 12, 2019 Regular Meeting Minutes
- 18

19 **Council Member Crippen moved to approve the Consent Agenda, seconded by**
20 **Council Member Marks, the motion passed by a unanimous roll call vote of the**
21 **City Council.**

22
23 The Council agreed to move Agenda Items 7B and 8A forward to follow the Consent Agenda.

24
25 *Agenda Item 7B and 8A were moved forward to follow the Consent Agenda.*

26
27 **7. RESOLUTIONS:**

- 28
- 29 B. **Resolution No. 977-19** A Resolution of the City Council of the City of Orange
30 City, Florida, approving the preliminary plat for Blue Springs Ridge single-
31 family subdivision, consisting of 148 lots on 65.71 acres, located at 1650
32 Westside Parkway; providing for conditions of approval; repealing all
33 resolutions or parts of resolutions in conflict herewith; and providing for an
34 effective date.
35

36 Ms. Mendez came forward to state that the applicant requested this item be continued to the January 28,
37 2020, Council Meeting. She noted that the applicant's attorney requested the same. Ms. Mendez stated
38 that staff recommends the City Council accept the applicant's request to continue the item.
39

40 Mr. Watts, attorney for the applicant, requested that item 7B be continued to the January 28, 2020 Council
41 meeting.
42

43 **Council Member Allebach moved that Agenda Item 7B Resolution No. 977-19 be**
44 **continued to the January 28, 2020 City Council meeting, seconded by Council**
45 **Member Harper and passed by a 7/0 roll call vote of the City Council.**

46
47 **8. DISCUSSION AND ACTION:**

- 48
- 49 A. Repairs to Kentucky Ave

1 Ms. Arrington reported the following actions taken for Kentucky Ave. Council authorized staff to issue a
2 request for qualifications and advertise for a multi-skilled consultant to look at creating a special
3 assessment district to occur as a permanent means of addressing Kentucky Ave. Another action was to
4 address the two potholes on Kentucky Ave. and acquire an estimated repair cost. Ms. Arrington provided
5 cost estimates to repair the potholes. She stated that repairs to the property could not begin until permission
6 is obtained from the property owners. Ms. Arrington reported the steps and costs needed to move forward
7 with the project repairs to Kentucky Ave.

8
9 Ms. Arrington provided two options to Council for funding. She stated that the funds are available in the
10 Contingency fund. However, the total amount would almost deplete the Contingency fund. Ms. Arrington
11 recommended amending the General Fund balance if Council chooses to move forward.

12
13 A discussion ensued regarding the funding, a temporary fix, temporary construction easements, liability
14 to the City if the road does not get fixed, concerns of responsibility for future repairs to the road and public
15 safety outweighing the cost of repair.

16
17 Doris Powell, Head of the Welcoming Committee, HOA Country Village Estates, came forward to present
18 a petition with over 300 signatures requesting Council consider taking action on Kentucky Avenue.

19
20 Marvin Plasco, President of the Sherwood Oaks HOA, came forward to request Council take action on
21 Kentucky Ave. He stated that the residents have nowhere else to turn to help with the repairs to Kentucky
22 Ave.

23
24 Steven Sanders, 623 Swan Range Rd., asked if the City is not liable for the repairs to the road now, who
25 is liable?

26
27 Council Member Harper inquired about the City purchasing the property that Kentucky Ave resides on.
28 Ms. Arrington responded that if the City accepts ownership of the property then the City would be
29 responsible for the upkeep of the road, which is a very costly responsibility.

30
31 **Council Member Allebach moved to authorize the City Manager to move forward**
32 **with the repairs to Kentucky Ave. with the temporary construction easements**
33 **procedure using revenue from the General Fund balance, seconded by Council**
34 **Member Crippen, motion passed by a 7/0 roll call vote of the City Council.**

35
36 **5. ORDINANCES – FIRST READING:**

37
38 A. **Ordinance No. 625** An Ordinance of the City Council of the City of Orange City,
39 Florida, annexing 1.1 acres of certain real property into the corporate limits of the
40 City of Orange City; located at 2240 North Volusia Avenue (parcel number 8002-
41 00-00-0300) redefining the boundaries of the City of Orange City; providing for
42 assignment of a City Council district; repealing all ordinances or parts of
43 ordinances in conflict herewith; and providing for an effective date.

44
45 Mr. Reischmann read the title of Ordinance No. 625 into the record.

46
47 Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
48 part of these minutes) that discussed the annexation of 2240 and 2250 S. Volusia Ave. Ms. Mendez stated

1 that staff recommends Council find the annexation consistent with Florida Statutes 171.044 and approve
2 Ordinance No. 625, at first reading. Second and final reading is tentatively scheduled for January 14, 2020.

3
4 **Vice Mayor O’Connor moved to approve Ordinance No. 625, seconded by**
5 **Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**
6 **Council.**

7
8 B. **Ordinance No. 626** An Ordinance of the City Council of the City of Orange City,
9 Florida, annexing 6,000 square feet of unnamed public right-of-way into the
10 corporate limits of the City of Orange City located between East Holly Drive and
11 East Iris Drive up to and including the centerline of East Holly Drive; redefining
12 the boundaries of the City of Orange City; repealing all ordinances or parts of
13 ordinances in conflict herewith; and providing for an effective date.

14
15 Mr. Reischmann read the title of Ordinance No. 626 into the record.

16
17 Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
18 part of these minutes) that discussed the annexation of an unnamed alley right of way between Holly and
19 Iris Dr. Ms. Mendez stated that staff recommends that Council find the annexation consistent with Florida
20 Statute 171.044 and approve Ordinance No. 626 at first reading. Second and final reading is tentatively
21 scheduled for January 14, 2020.

22
23 **Council Member Allebach moved to approve Ordinance No. 626, seconded by**
24 **Council Member Mahoney, the motion passed by a 7/0 roll call vote of the City**
25 **Council.**

26
27 C. **Ordinance No. 627** An Ordinance of the City Council of the City of Orange City,
28 Florida; creating a new Section 2-6, to be entitled “city seal,” designating the
29 official City of Orange City corporate seal; establishing general restrictions for
30 use; providing for the repeal of prior inconsistent ordinances and resolutions,
31 providing for codification, conflicts, severability, and providing for an effective
32 date.

33
34 Mr. Reischmann read the title of Ordinance No. 627 into the record.

35
36 Ms. Arrington provided a PowerPoint presentation (a copy of which is provided and becomes a permanent
37 part of these minutes) that described the final official City Seal. Ms. Arrington reviewed the actions taken
38 toward adoption of the official city seal. She stated that staff recommends Council approve Ordinance No.
39 627, at first reading.

40
41 **Council Member Allebach moved to approve Ordinance No. 627, seconded by**
42 **Vice Mayor O’Connor, the motion passed by a 7/0 roll call vote of the City**
43 **Council.**

44
45 **6. PUBLIC HEARING/ORDINANCES SECOND & FINAL READING:**

46
47 A. **Ordinance No. 624** An Ordinance of the City Council of the City of Orange City,
48 Florida, authorizing the borrowing of money in an amount not to exceed six

1 hundred fifty thousand dollars for the purpose of financing the purchase of a
2 pumper truck for the City Fire department; and providing an effective date.
3

4 Mr. Reischmann read the title of Ordinance No. 624 into the record.
5

6 Ms. Davis came forward to state that there have been no changes to Ordinance No. 624 since first reading.
7 She stated that Resolution No. 989-19 is being presented in conjunction with Ordinance No. 624. Ms.
8 Davis stated that staff recommend Council approval of Ordinance No. 624 as presented.
9

10 **Council Member Allebach moved to approve the Ordinance No. 624, seconded**
11 **by Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**
12 **Council.**
13

14 **7. RESOLUTIONS:**
15

16 A. **Resolution No. 989-19** A Resolution of the City Council of the City of Orange
17 City, Florida authorizing the acquisition, purchase, financing and leasing of a
18 pumper truck for the City Fire Department; approving the form and authorizing
19 the execution and delivery of a master tax-exempt lease/purchase agreement
20 with U.S. Bancorp Government Leasing and Finance, Inc., as lessor, including
21 an addendum and schedules thereto; authorizing the execution and delivery of
22 other financing documents required in connection therewith; making such
23 determinations as are required to afford such lease "bank qualified" status;
24 providing for a severability clause; and providing an effective date.
25

26 Mr. Reischmann read the title of Resolution No. 989-19 into the record.
27

28 Mark Galvin, Hilltop Securities, City Financial Advisor, reported that on October 21, 2019 Hilltop
29 Securities assisted the City with securing bids from banks to purchase the pumper truck. He discussed the
30 stipulations. Mr. Galvin reported that eight proposals were received, and the US Bank Corp had the overall
31 lowest interest rate and debt service. He stated that the next steps to follow would be a pre-closing and
32 transfer of funds.
33

34 Council Member Mahoney expressed his apology to Mr. Galvin for attributing an error in the pumper
35 truck presentation to him, when the error was the fault of the City.
36

37 **Council Member Allebach moved to approve Resolution No. 989-19, seconded by**
38 **Council Member Crippen, the motion passed by a 7/0 roll call vote of the City**
39 **Council.**
40

41 *Agenda Item 7B was moved to follow the Consent Agenda.*
42

43 C. **Resolution No. 980-19** A Resolution of the City of Orange City, Florida
44 Electing to use the uniform method of collecting non-ad valorem special
45 assessments levied within the incorporated area of the City; stating a need for
46 such levy; providing for the mailing of this resolution; and providing for an
47 effective date.
48

49 Mr. Reischmann read the title of Resolution No. 980-19 into the record.

1
2 Ms. Davis came forward to report that Resolution No. 980-19 is a standard annual process to adopt a
3 Notice of Intent Resolution announcing the City's intent to form a special taxing district using the non-
4 ad-valorem uniform method of collection through the property appraiser's office.

5
6 **Council Member Allebach moved to approve Resolution No. 980-19, seconded by**
7 **Vice Mayor O'Connor, the motion passed by a 7/0 roll call vote of the City**
8 **Council.**

9
10 **8. DISCUSSION AND ACTION:**

11
12 *Agenda Item 8A was moved to follow the Consent Agenda.*

13
14 B. Award PB-100 Enterprise Fleet Management Program

15
16 Ms. Davis reported that staff has been evaluating a sustainable approach to replacing the City's fleet in the
17 most efficient and cost-effective manner. Therefore she introduced Jacob Romig, Senior Account
18 Executive for Enterprise Fleet Management.

19
20 Mr. Romig provided a PowerPoint presentation (a copy of which is attached and becomes a permanent
21 part of these minutes.) Mr. Romig discussed the Enterprise Fleet Management overview, delivering
22 solutions, as well as several other matters that pertained to the benefits and details of Enterprise Fleet
23 Management Fund.

24
25 Ms. Davis reported other cities that have utilized this program. Ms. Davis stated that staff is requesting
26 approval to authorize the City Manager to enter into the agreements that will be piggy backed from Lake
27 County.

28
29 A discussion ensued pertaining the length of time to lease the vehicles, the cost of purchasing the vehicles
30 versus leasing, the number of vehicles requested and the cost amount.

31
32 **Vice Mayor O'Connor moved to award PB 100 Enterprise Fleet Management**
33 **Program and authorize the City Manager to sign all contracts needed, seconded**
34 **by Council Member Harper, motion passed by a 7/0 roll call vote of the City**
35 **Council.**

36
37 C. FEMA Mitigation Agreement and Budget Amendment Resolution No. 990-19

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 reported that the City submitted
41 a "Pre-Disaster Mitigation Grant" application to FEMA through the State of Florida Division of
42 Emergency Management (FDEM) requesting eight generators to protect critical sewer lift stations.

43
44 Ms. Hernandez stated that the Florida Division of Emergency Management approved the requested FEMA
45 funding. The federally funded Sub Award and Grant Agreement Number B0061 for the eight critical lift
46 stations is attached for Council approval.

47
48 Ms. Hernandez stated that staff recommends Council approve the federally-funded Sub award and Grant
49 Agreement No. B0061, and approve Budget Amendment Resolution No. 990-19.

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Council Member Allebach moved to accept FEMA Mitigation Agreement No. B0061, seconded by Vice Mayor O'Connor, motion passed by a 7/0 roll call vote of the City Council.

Mr. Reischmann read the title of Resolution No. 990-19 into the record.

Council Member Mahoney moved to approve Resolution No. 990-19, seconded by Vice Mayor O'Connor, motion passed by a 7/0 roll call vote of the City Council.

9. REPORTS:

A. City Manager

Ms. Arrington asked Council if they are satisfied with the current chairs on the dais. Council agreed that the chairs are satisfactory.

Ms. Arrington reported that a request for additional Christmas lighting at Dickinson Memorial Park was submitted. Ms. Arrington noted that funds are available in the Contingency Fund for additional lighting if Council approves.

A discussion ensued pertaining to the additional lighting at Dickinson Park.

Council Member Allebach moved to authorize the City Manager to purchase an additional \$2,000.00 of Christmas Lights for Dickinson Park, seconded by Vice Mayor O'Connor, motion passed by a unanimous voice vote of the City Council.

B. City Clerk

Ms. Thomas reported that the City will host the Volusia League of Cities dinner on January 16, 2020. The dinner will be held at John Knox Village and the theme will be "Celebrate Orange City".

C. City Attorney

No Report at this time.

10. NEW BUSINESS:

Council Member Marks recommended a volunteer appreciation dinner thanking the other volunteer board members for their service to the City. Council Member Marks noted that an appreciation dinner would cost approximately \$2,000.00 and could be used from the Contingency Fund.

It was agreed by a unanimous voice vote of the City Council to present an agenda item that pertains to a Volunteer Appreciation Dinner.

Council Member Harper requested to attend the Florida League of Cities 2000 Legislative Action Days Event on February 5, 2020.

1 **It was agreed by a unanimous voice vote of the City Council to present an agenda**
2 **item that pertains to attending the meeting on February 5, 2020.**

3 Council Member Allebach recommended improvement to the intersection at Enterprise Rd. and 17-92.
4

5 **It was agreed by a unanimous voice vote of the City Council to present an agenda**
6 **item that pertains to improving the intersection at Enterprise Rd. and 17-92.**

7
8 **11. APPROVAL OF MINUTES:** See Consent Agenda
9

10 **12. COUNCIL & MAYOR’S COMMENTS AND REPORTS:**
11

12 Council Member Marks apologized for not attending Kelli-Jo Brubaker’s funeral service. She stated that
13 the Christmas light event was fabulous and she thanked everyone for saving her a parking space. Council
14 Member Marks commented that the date of the Volusia League of Cities dinner date is the same as the
15 Volusia Days event which may affect attendance.

16
17 Ms. Arrington replied that due to the Team Volusia event being held on the same original day, the Volusia
18 League moved the Dinner to January 16th.
19

20 Council Member Harper reported that he attended the Debary Legislative Delegation Hearings, the Advent
21 Health Emergency room opening, Light Up Orange City, Volusia League of Cities and Ms. Brubaker’s
22 service.
23

24 Council Member Allebach reported that the TPO meeting was a success. He wished everyone a Merry
25 Christmas.
26

27 Council Member Crippen stated that the Light Up Orange City was fantastic. He commented that the ice-
28 skating was a great idea. Council Member Crippen stated that the growth happening all over the city is
29 wonderful, he thanked staff for their efforts. He stated that the employee luncheon was great, and he
30 thanked Ms. Arrington for all of her efforts for the employees. He commented about the economic impact
31 study concerning the byways in the area. Council Member Crippen wished everyone a Merry Christmas
32 and a Happy New Year.
33

34 **Council Member Mahoney reported that he also attended the memorial service and expressed kind words**
35 **for Ms. Brubaker.** He complimented Ms. Arrington on her Kentucky Ave. presentation. Council Member
36 Mahoney commented regarding the progressed stability within the City as well as with staff. He wished
37 everyone a Merry Christmas and Happy Hanukah.
38

39 Vice Mayor O’Connor wished everyone a Happy Holidays.
40

41 Mayor Blair reported that he injured himself and thanked Council Member Crippen for his help. Mayor
42 Blair thanked Ms. Arrington for assistance with transportation to events. He thanked Florida
43 Representative Fetterhoff for Bill No. 623, which deals with septic to sewer. Mayor Blair reported that he
44 attended the Mayors Round Table, Light Up Orange City and Ms. Brubaker’s funeral service. He wished
45 everyone Happy Holidays.
46

47 **13. ADJOURN:**
48

1 Council Member Crippen moved to adjourn the City Council meeting, seconded by Vice Mayor
2 O'Connor, the meeting was adjourned by a unanimous voice vote of the City Council.

3

4 There being no further business, Mayor Blair adjourned the meeting at 9:21 p.m.

5

6

7 **RESPECTFULLY SUBMITTED:**

APPROVED ON:

8

9

10 _____
11 Melani Beringer
CMC, Deputy City Clerk

1/14/2020
Date