

1 **MINUTES OF THE REGULAR MEETING** of the City Council of the City of Orange City, Florida,  
2 held on Tuesday, October 27, 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 **PHYSICALLY PRESENT:** Mayor Gary A. Blair; Vice Mayor Bill O’Connor; Jeff Allebach, Jim  
12 Mahoney, Kelli Marks, Martin Harper; City Attorney Bill Reischmann; City Manager Dale Arrington;  
13 Interim City Clerk Melani Beringer.

14  
15 **TELEPHONICALLY PRESENT:** William O. Crippen (Bill)  
16

17 **INVOCATION/PLEDGE OF ALLEGIANCE**

18  
19 The Invocation was given by Mike Carroll-First Assembly DeLand, Sr. Associate Pastor followed by the  
20 Pledge of Allegiance.

21  
22 **1. ABSENCES:**

23  
24 None at this time.  
25

26 **2. PRESENTATIONS/PROCLAMATIONS:**

27  
28 **A. Proclamation-National Hospice Palliative Care Month**

29  
30 Mayor Blair read a proclamation into the record that proclaimed the month of November 2020 as National  
31 Hospice Palliative Care Month. He encouraged all citizens to increase understanding and awareness of the  
32 wonderful benefits that Hospice Care provides.  
33

34 **B. Presentation-Update to City Utilities Standards Handbook**

35  
36 Raul Palenzuela, City Engineer, provided a PowerPoint presentation (a copy of which is attached and  
37 becomes a permanent part of these minutes.) Mr. Palenzuela discussed the updates to the City Utilities  
38 Standards Handbook. He stated that no action is needed at this time, the presentation is just to inform  
39 Council of the updates.  
40

41 Vice Mayor O’Connor asked to have a copy available for reference.  
42

43 **3. CITIZEN COMMENTS:**

44  
45 None at this time.  
46

47 **4. CONSENT AGENDA:**

48

- 1 A. Contract Award-Professional Surveying and Mapping Services of the City of
- 2 Orange City
- 3 B. Surplus Inventory
- 4 C. September 22, 2020, Regular Meeting Minutes
- 5 D. October 06, 2020, Special Meeting Minutes

6

7 **Council Member Mahoney moved to approve the Consent Agenda, seconded by**

8 **Vice Mayor O’Connor, the motion passed by unanimous roll call vote of the City**

9 **Council.**

10

11 **5. ORDINANCES – FIRST READING:**

12

13 None at this time.

14

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

- 16
- 17 **A. Ordinance No. 634** An Ordinance of the City Council of the City of Orange City, Florida,
- 18 amending the official zoning map for 50.38 acres located at 2110 E. Graves Avenue from
- 19 Liberty Square Business Planned Unit Development (PUD), Liberty Square Residential
- 20 PUD, and Mixed Use Suburban (MX-2) to Planned Unit Development (PUD) for the
- 21 project known as Liberty Station; adopting the Master Development Plan; repealing all
- 22 ordinances or parts of ordinances in conflict herewith; and providing for severability and
- 23 an effective date.

24

25 Mr. Reischmann read the title of Ordinance No. 634 into the record. He noted for the record that this item

26 is quasi-judicial and advised that all ex-parte communication must be revealed at this time. Mr.

27 Reischmann noted for the record there were no disclosures at this time.

28

29 Becky Mendez, Development Services Director, provided a PowerPoint presentation (a copy of which is

30 attached and becomes a permanent part of these minutes.) Ms. Mendez reported that this item is a Planned

31 Unit Development (PUD) rezoning for Liberty Station to include 170 residential units. Ms. Mendez

32 reviewed the rezoning plans. She stated that this PUD was approved by the Technical Review Committee

33 (TRC) in July, 2020. The Planning Commission found the rezoning consistent with the Comprehensive

34 Plan and forwarded it to the City Council for approval.

35

36 On October 13, 2020, the City Council approved the rezoning at first reading with an amended

37 Development Agreement to address citizen’s concerns. There were five significant amendments to the

38 Development Agreement:

- 39 • Relocate trail out of any Sherwood Oaks Drainage Retention Area (DRA) tract and perimeter
- 40 buffer adjacent to the residential lots to the west.
- 41 • Increase buffer width from 10-ft to 20-ft along the shared property line with the residential lots to
- 42 the west, and install a 6-ft tall privacy fence in certain areas.
- 43 • Convey all four DRAs located on the golf course property to the HOA as indicated in the 1992
- 44 Sherwood Oaks plat.
- 45 • Provide an updated signal timing and movement report before final plat to determine if a left green
- 46 arrow is warranted.
- 47 • Prop share calculation is estimated at \$525,335 and City Council generally agreed that pipelining
- 48 payment towards widening Veterans Memorial Parkway is a good idea.

1 Ms. Mendez stated that there have been no changes since the first reading and recommends Council  
2 approval at the second and final reading.

3  
4 Vice Mayor O'Connor voiced his concerns regarding the traffic flow on Veterans Memorial Parkway. He  
5 emphasized that there needs to be a right turn only going onto Veterans Memorial Parkway and Graves  
6 Ave.

7  
8 Council Member Crippen addressed comments on Facebook regarding concerns of this development.

9  
10 Mayor Blair opened the public hearing.

11  
12 Lewis Smith, 2418 Windemere Lane, came forward to voice concerns regarding a left-hand turn lane back  
13 up, and requested to take traffic coming into the new development from E. Graves Ave. into consideration.  
14 He asked about a timeframe regarding the start of construction and when the right turn would be taken  
15 into consideration.

16  
17 Ms. Mendez stated she did not know when construction would begin.

18  
19 Ms. Arrington explained the process regarding the process for light signals and new construction.

20  
21 Mayor Blair closed the public hearing.

22  
23 **Council Member Mahoney moved to approve Ordinance No. 634 at second and**  
24 **final reading, seconded by Council Member Marks, the motion passed by**  
25 **unanimous roll call vote of the City Council.**

26  
27 **7. RESOLUTIONS:**

28  
29 None at this time.

30  
31 **8. DISCUSSION AND ACTION:**

32  
33 A. Hospital Meter Replacement and Budget Amendment Resolution No. 134-20

34  
35 Mr. Palenzuela came forward to provide a PowerPoint presentation (a copy of which is attached and  
36 becomes a permanent part of these minutes.) He reported that in 1995 the City and Florida Hospital entered  
37 into an agreement for provision of water and sewer services via City Council Resolution 95-6-5 "City of  
38 Orange City/West Volusia Hospital Authority Restated Water and Wastewater Utility Service  
39 Agreement."

40  
41 Mr. Palenzuela stated that the hospital's utilities were connected backward with the backflow being  
42 installed first and then the meter was installed. The first meter stopped working and another meter was  
43 installed next to it which is currently only estimating water used.

44  
45 Mr. Palenzuela stated that there is an opportunity now to correct this meter, as the hospital is making  
46 improvements to its water filtration system. He explained that city staff met with the hospital and discussed  
47 the situation and came to the agreement that the City will purchase certain components and the hospital's  
48 contractor will install them.

49

1 He also stated that because serving water to the hospital is essential to the public health and safety, it is  
2 essential that interrupting water service be minimized. By utilizing the hospital's contractor, it leaves the  
3 hospital in control of the situation and the City would not have to get involved in any risk. After all repairs  
4 and connections are made, all components downstream of the new water meter will revert to the  
5 responsibility of the Hospital and the City would reimburse the hospital the cost.

6  
7 Mr. Palenzuela then stated that a budget amendment must go with the resolution to appropriate \$60, 832  
8 to cover the reimbursement to the Hospital for the work performed (\$51,721) and infrastructure  
9 components (\$9,110). He also stated that the cost for the work performed may come in lower as the  
10 Hospital submitted a very conservative estimate.

11  
12 Mr. Palenzuela stated that staff recommends the Council approve the enclosed agreements and  
13 expenditures as well as Resolution No. 134-20.

14  
15 Council Member Mahoney asked if a representative of Orange City Utilities will be on-site to inspect the  
16 work completed by the hospital's contractor. Mr. Palenzuela advised that a member of Orange City  
17 Utilities will inspect the work and that is included in the agreement. Council Member Mahoney then  
18 asked if once the new meter is installed and is correctly gauging the amount of water used, what would  
19 happen if there is a disparity in what the hospital was being charged. Mr. Palenzuela explained that may  
20 happen, but that is not in the agreement and the City is moving forward with correcting the meter. Ms.  
21 Arrington explained that the City will not back-bill the hospital if they had been undercharged in the past.

22  
23 Mr. Reischmann read the title of Resolution No. 134-20 into the record.

24  
25 **Council Member Mahoney moved to approve the Hospital Meter Replacement**  
26 **agreement and Resolution No. 134-20, seconded by Council Member Marks, the**  
27 **motion passed by unanimous roll call vote of the City Council.**

28  
29 B. Chauffeuring Santa Through the Neighborhoods

30  
31 Ronnie Long, Fire Chief, provided a PowerPoint presentation (a copy of which is attached and becomes  
32 a permanent part of these minutes.) Mr. Long stated that the City Council had asked that staff bring back  
33 an item regarding driving Santa around the City on the firetruck. He stated that traditionally volunteer  
34 fire departments have done events like this for monetary or toy donations. Volunteer fire departments do  
35 not have a high call volume making this easier for them to accomplish.

36  
37 Mr. Long explained that some career fire departments are able to do an event such as this, but with the  
38 assistance of their Leisure Services Departments. Mr. Long explained that the City has approximately 70-  
39 80 miles of roadway and with Santa on a fire truck, they would only be able to drive 5 mph. He went over  
40 other concerns including crowds and the drivability of roads. Mr. Long said that to cover the entire area  
41 of the City, it would take 5-6 days, driving approximately three hours per day. Mr. Long recommended  
42 that if they do this, they use the ladder truck for visibility/safety and the fact that it is far less likely to need  
43 to be used for a call.

44  
45 Mr. Long stated that the ladder truck is 23 years old and that should be taken into account. He also  
46 expressed concern that neighboring cities may create more traffic by traveling to Orange City to see Santa.  
47 Mr. Long also presented two holiday alternatives for the Council. He explained that staff could create a  
48 "Santa" email account that would go to an Orange City email address. Once a week, Santa could answer  
49 emails and the City could feature Santa on a video on social media. He explained another alternative

1 featured a drive-thru Christmas light up on Holly Ave. The event could feature Santa and Mrs. Claus at  
2 the library, waving to cars as they drive down Holly Ave, which would be lit up with lights. He further  
3 explained that the Council could welcome everyone at the beginning of the drive-thru point.  
4

5 Council Member Marks expressed concerns about traffic that may build up during a drive-thru event.  
6

7 Council Member Harper provided an additional alternative and volunteered his convertible to drive around  
8 and dress up as Santa. He stated that he approved of the drive-thru event on Holly Ave also.  
9

10 Council Member Mahoney expressed concern regarding the emails to Santa. His concerns included the  
11 financial aspect of children asking Santa for items during a pandemic when so many are struggling. He  
12 also stated that for the drive-thru event, the City would be inviting people to one space in a time when that  
13 is discouraged. He stated that driving Santa around provides the most awareness of the pandemic.  
14

15 Mr. Long explained that the fire department can make the Santa driving around neighborhoods happen  
16 and his presentation was to explain all that was involved.  
17

18 A discussion ensued pertaining to the Council's opinion regarding Santa driving around the neighborhoods  
19 on a fire truck and other options.  
20

21 Council provided direction to staff to return with a scaled-back roadway plan with dates to drive Santa on  
22 the ladder truck.  
23

#### 24 C. Discussion and Action on a Proposed Historic Property Marker Program 25

26 Ms. Mendez provided a PowerPoint presentation (a copy of which is attached and becomes a permanent  
27 part of these minutes.) She stated that the Historic Preservation Board has been working on the Marker  
28 Program and after much discussion, they concluded that the marker design should be a cast medal bronze  
29 wall plaque that is 10"x7". Ms. Mendez described the recommended design of the marker.  
30

31 Ms. Mendez stated that unique to each property, the year the home was constructed along with their  
32 historic register serial number will be added. The applicant would be required to pre-purchase the marker  
33 before the City places an order with the Franklin Bronze Plaque company located in Franklin, PA. The  
34 market cost is \$170, which includes a historic preservation program discount of 10% from the company  
35 and a \$15 shipping and handling charge. The applicant would also be responsible for wall-mounted  
36 installation.  
37

38 Vice Mayor O'Connor asked if City Hall would be receiving the marker and be "number 1." Ms. Mendez  
39 recommended that the City waits to assign markers to city buildings until after the Master Facility Plan is  
40 completed. Ms. Mendez further explained that the Stisser House is the first property on the local historic  
41 registry and has serial number 1.  
42

43 Mayor Blair asked if there are other people who registered their properties in the past.  
44

45 Ms. Mendez explained that there are three hierarchies to the Historic Registrar; National, State and Local.  
46 If a property is on the National or State historic registrar, it is eligible to be the Local registrar, but Orange  
47 City never officially started a Local registrar until January 2020.  
48

49 Ms. Mendez stated that there is a one-time setup fee of \$375 which is lower than the amount budgeted.

1 Ms. Mendez stated that staff recommends the Council accept the Historic Property Marker Program

2  
3 Vice Mayor O'Connor thanked the Historic Preservation Board for developing this program.

4  
5 **Council Member Allebach moved to accept the program as provided by staff,**  
6 **seconded by Council Member Crippen, the motion passed by a unanimous voice**  
7 **vote of the City Council.**

8  
9 **9. REPORTS:**

10  
11 **A. City Manager**

12  
13 None at this time.

14  
15 **B. City Clerk**

16  
17 Ms. Beringer announced that she has been selected to be the new City Clerk.

18  
19 **C. City Attorney**

20  
21 Mr. Reischmann advised to Council regarding ex-parte communication on Facebook. Council should  
22 disclose when they have read information regarding quasi-judicial matters on social media just as they  
23 would if they received an email or talked to a citizen about the matter.

24  
25 Mr. Reischmann thanked Council Member Mahoney for his wonderful service and told him that it has  
26 been a pleasure serving with him.

27  
28 **10. NEW BUSINESS:**

29  
30 Council Member Marks stated that a resident approached her regarding grass growing through the road  
31 on Montclair, where road resurfacing was recently completed.

32  
33 **11. APPROVAL OF MINUTES: (See Consent Agenda)**

34  
35 **12. COUNCIL & MAYOR'S COMMENTS AND REPORTS**

36  
37 Council Member Crippen stated that the River of Lakes Heritage Corridor is still waiting to see if they  
38 will receive the designation as a National Scenic Byway. Council Member Crippen also stated that he  
39 appreciates everything Council Member Mahoney has done for the Council and that he will be missed.

40  
41 Council Member Allebach expressed kudos to Council Member Mahoney for all he has done on the  
42 Council. Council Member Allebach also stated that the City Clerk interviews were very professional and  
43 staff did a great job. He also thanked Mr. Palenzuela for updating the utility standard manual. He stated  
44 that political candidates should not be putting signs on telephone poles. He then reminded everyone to  
45 attend the Manatee Cove Backpack Buddies Halloween Drive-Thru event.

46  
47 Council Member Harper reported that he attended the Orange City Elementary Halloween Drive-Thru  
48 event. He also attended a ribbon-cutting at the Kohl's plaza for Hair Logic Beauty Bar. He received  
49 another application for the park ranger program. He will be present at the Manatee Cove Backpack

1 Buddies Halloween Drive-Thru event on Friday. He reiterated that we have to remember the healthcare  
2 workers dealing with COVID-19 right now.

3  
4 Vice Mayor O'Connor stated Council Member Mahoney has been an asset to the dais and he has learned  
5 a lot sitting next to him. He also gave a shout out to the Orange City Fire Department for stepping up  
6 when they needed new flags at the VFW.

7  
8 Council Member Marks thanked the residents who have come to her with concerns. She also thanked  
9 Chief Long and Ms. Arrington for the Santa thru the Neighborhoods discussion. Council Member Marks  
10 reported that she attended the Orange City Elementary Trick or Treat drive-thru and while the traffic was  
11 long, her children loved it. She thanked the Fire Cadets for helping with that event. Council Member  
12 Marks was also present at the ribbon-cutting with Council Member Harper earlier that day. She reminded  
13 everyone of the Trick or Treat trail at Manatee Cove on Friday.

14  
15 Council Member Marks stated that Backpack Buddies was approved by Second Harvest and they will  
16 receive large amounts of food to feed Orange City and neighboring residents. The VIA Orange City  
17 Woman's Club is in print for the updated Orange City book and will go on sale soon. They may also have  
18 a walking tour for the book. Council Member Marks also thanked Mr. Mahoney for everything.

19  
20 Council Member Mahoney stated that staff did a wonderful job preparing the Council to have a successful  
21 day for the City Clerk interviews. Council Member Mahoney reminded everyone that the election is one  
22 week away and everyone should vote.

23  
24 Mayor Blair stated that he appreciates Council Member Mahoney's service throughout the years. He also  
25 expressed that the City Clerk interview process was successful. He attended the Orange City Elementary  
26 drive-thru trick or treat with Council Member Harper. He said the VIA Orange City Women's Club did  
27 a great job decorating their tent. He hopes to see everyone at the Manatee Cove Trick or Trick event.

28  
29 **13. ADJOURN:**

30  
31 Vice Mayor O'Connor moved to adjourn the City Council meeting, seconded by Council Member  
32 Mahoney, the meeting was adjourned by a unanimous voice vote of the City Council.

33  
34 There being no further business, Mayor Blair adjourned the meeting at 8:49 p.m.

35  
36  
37 **RESPECTFULLY SUBMITTED:**

**APPROVED ON:**

38  
39 \_\_\_\_\_  
40 Danielle FitzPatrick  
41 Public Information Coordinator

01-12-2021  
Date