



**CITY COUNCIL OF ORANGE CITY**

**TUESDAY, December 12, 2006**

**7:00 P.M.**

**CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE**

**AGENDA**

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**Jim Mahoney**

**Jeff H. Allebach**  
**Donald C. Sherrill**  
**Joelle R. DeVane**

**Anthony R. Yebba, Vice Mayor**

**Albert T. Erwin, Mayor**  
**William E. Reischmann, City Attorney**  
**John J. McCue, City Manager**  
**Deborah J. Renner, City Clerk**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**1. PRESENTATIONS:** Presentation to Mrs. Theodore Hess  
Proclamation – Council Member Chuck Abell  
Proclamation – Mayor Yvonne Scarlett Golden

**2. CITIZENS COMMENTS:**  
Each citizen is asked to complete a speaker request form before the meeting begins.

**3. CONSENT AGENDA:** None at this time  
The order of business for each resolution, ordinance, and discussion/action items will be as follows: 1) Staff report 2) Public participation-please complete speaker request form 3) Council discussion/action.

**4. ORDINANCES - FIRST READING:**

**A. ORDINANCE NO. 289:** An Ordinance of the City of Orange City, Volusia County, Florida, amending Orange City Code Appendix A, Zoning Ordinance, as adopted by Ordinance No. 157, amending Chapter 3, Section 3.7.6, Expiration or Abandonment of Conditional Uses; providing for conflicting provisions; providing for severability; providing an effective date.

**B. ORDINANCE NO. 290:** An Ordinance of the City of Orange City, Volusia County, Florida, amending Orange City Code Appendix A, Zoning Ordinance as adopted by Ordinance No. 157, amending Chapter 5, Section 5.9, Certificate of Occupancy; providing for conflicting provisions; providing for severability; providing an effective date.

**C. ORDINANCE NO. 291:** An Ordinance of the City of Orange City, Volusia County, Florida, amending Orange City Code Appendix A, Zoning Ordinance as adopted by Ordinance No. 157, amending Chapter 10, Section 10.6.6, Screening of Trash Dumpster; clarifying standards for screening of trash dumpsters; providing for conflicting provisions; providing for severability; providing an effective date.

- D. **ORDINANCE NO. 293:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Management for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, rates, compliance with laws, arbitration, standards of performance, collection, regulation, operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause, and providing for an effective date.
- E. **ORDINANCE NO. 294:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Container Rental Company, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, rates, compliance with laws, arbitration, standards of performance, collection, regulation, operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause, and providing for an effective date.
- F. **ORDINANCE NO. 295:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Services for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, rates, compliance with laws, arbitration, standards of performance, collection, regulation, operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause, and providing for an effective date.
- G. **ORDINANCE NO. 296:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Pro for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, rates, compliance with laws, arbitration, standards of performance, collection, regulation, operations, hours, routes, penalties, accounting, complaint resolutions; containing a repealer provision; a severability clause, and providing for an effective date.

**5. PUBLIC HEARINGS/ORDINANCES – SECOND & FINAL READING:**

- A. **ORDINANCE NO. 285:** An ordinance of the City of Orange City, Volusia County, Florida; amending the Orange City Code of Ordinances Appendix A, Land Development Code as adopted by Ordinance No. 157, amending Chapter 2, Section 2.2, Specific Terms Defined, and amending Chapter 4, Concurrency Management by adding Section 4.11 Proportionate Fair-Share Mitigation by providing for proportionate fair-share mitigation; containing a repealer provision, a severability clause and providing for an effective date.

- B. **ORDINANCE NO. 286:** An ordinance of the City of Orange City, Florida, awarding an exclusive franchise to Waste Management, Inc. of Florida, a private corporation, for the collection and disposal of residential solid waste, yard waste and curbside recyclable materials within the City limits; providing for Definitions, Terms, Conditions, Rates, Compliance with Laws, Arbitration, Standards of Performance, Collection Regulation, Operations, Hours, Routes, Penalties, Accounting, Complaint Resolutions; providing for conflicts; containing a severability clause, a repealer provision, and providing for an effective date.
  
- C. **ORDINANCE NO. 288:** An ordinance of the City of Orange City, Florida, amending Section 8.3 of the City's Land Development Code, said section being the Official Zoning Map of the City of Orange City, Florida; said amendment changing the zoning classification of the Volusia County School Board property, consisting of approximately 60.0 acres of property generally located within the southeast quadrant of West Blue Springs Avenue and the Western Parkway; from its present zoning classification of R-1 Low Density Residential to Residential Planned Unit Development (R-PUD); containing a repealer provision, a severability clause and providing for an effective date.

**6. RESOLUTIONS:**

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**SPECIAL PUBLIC HEARING**

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- A. **RESOLUTION NO. 377-06:** A resolution of the City of Orange City, Florida electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the city; stating a need for such levy; providing for the mailing of this resolution; and providing for an effective date.

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**END SPECIAL PUBLIC HEARING**

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- B. **RESOLUTION NO. 380-06:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving the Master Development Plan and Site Plan for the Middle School DD Residential Planned Unit Development (R-PUD), to be constructed on a 60.0 acre parcel, generally located in the southeast quadrant of West Blue Springs Avenue and the Western Parkway, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
  
- C. **RESOLUTION NO. 381-06:** A resolution of the City Council of the City of Orange City, Florida, appointing Elizabeth A. Woolfe to Seat #01 on the Planning commission of the City of Orange City; repealing all resolutions in conflict herewith and providing for an effective date.
  
- D. **RESOLUTION NO. 382-06:** A resolution of the City Council of the City of Orange City, Florida, appointing \_\_\_\_\_ to fill the vacancy in Seat #05 on the City Council of the City of Orange City; repealing all resolutions in conflict herewith and providing for an effective date.

**7. DISCUSSION AND ACTION:**

- A. Update on Town Hall Renovations
- B. Closest Unit Response Agreement

**8. REPORTS:**

- A. City Manager
- B. Mayor/City Council
- C. City Clerk
- D. City Attorney

**9. APPROVAL OF MINUTES:** November 14, 2006 Regular Council Meeting

**10. COUNCIL COMMENTS**

**11. ADJOURNMENT**

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If any person decides to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (FS 286.0105) Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least three (3) working days in advance of the meeting date and time at (386) 775-5403.