



CITY COUNCIL OF ORANGE CITY

TUESDAY, September 25, 2007

7:00 P.M.

CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE

AGENDA

**Jim Mahoney
Robert A. Storke
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**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

I. SPECIAL PUBLIC HEARING AND FINAL ADOPTION OF THE BUDGET & MILLAGE RATE FOR FISCAL YEAR 2007/2008

MAYOR'S OPENING COMMENTS:

The City of Orange City intends to adopt a budget and millage rate for Fiscal Year 2007/2008. The proposed millage rate is 4.38237 mills which represents the rollback rate as certified by the Property Appraiser of Volusia County and is the maximum millage rate the City of Orange City may levy by a majority vote for the 2007/2008 fiscal year.

SPECIAL PUBLIC HEARING/SECOND READING:

- A. ORDINANCE NO. 325:** An ordinance of the City of Orange City, Florida, certifying the millage rate for fiscal year 2007-2008 on all taxable property located within the City of Orange City, Volusia County, Florida; containing a repealer provision; a severability clause and providing for an effective date.
- B. ORDINANCE NO. 326:** An ordinance of the City of Orange City, Florida, adopting the annual budget for the 2007-2008 fiscal year beginning October 1, 2007, and ending September 30, 2008; authorizing subsequent amendments by resolution; repealing all inconsistent ordinances or parts thereof; and providing for an effective date

CLOSE SPECIAL PUBLIC HEARING

FINAL ADOPTION OF BUDGET AND MILLAGE RATE FOR FISCAL YEAR 2006/2007

- (1) Ordinance No. 325 (Millage Ordinance) is voted on
(2) Ordinance No. 326 (Budget Ordinance) is voted on
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1. PRESENTATIONS: Fire Prevention Week

2. CITIZENS COMMENTS:

Each citizen is asked to complete a speaker request form before the meeting begins.

3. CONSENT AGENDA:

- a. RESOLUTION NO. 433-07:** A resolution of the City Council of the City of Orange City, Florida, determining the necessity and public purpose for a drainage improvement project, authorizing Volusia County to acquire the property necessary for the drainage improvement project in fee simple by eminent domain or negotiation and authorizing County Attorneys to initiate eminent domain proceedings to acquire designated parcels, and providing an immediate effective date.
- b. RESOLUTION NO. 434-07:** A resolution of the City Council of the City of Orange City, Florida, authorizing a Joint Project Agreement with Volusia County for road and drainage construction; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
- c. RESOLUTION NO. 435-07:** A resolution of the City Council of the City of Orange City, Florida, authorizing a Joint Project Agreement for road and utility construction between the City of Orange City and Volusia County repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
- d. RESOLUTION NO. 436-07:** A resolution of the City Council of the City of Orange City, Florida, rescheduling the regularly scheduled meeting of October 9, 2007; repealing all resolutions in conflict herewith and providing for an effective date.

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:

*****SPECIAL PUBLIC HEARING*****

- A. ORDINANCE NO. 315:** An ordinance of the City of Orange City, Florida transmitting an administrative amendment to the City of Orange City Comprehensive Plan for the purpose of improving the coordination of water supply and land use planning as required by Chapter 163, F. S. The amendment consists of revisions to the Future Land Use element; Sanitary Sewer, Solid Waste, Storm Water Management, Potable Water and Natural Ground Water Recharge element; Conservation element; Intergovernmental Coordination element; and the Capital Improvements element; providing for conflict and severability and providing an effective date.

*****END SPECIAL PUBLIC HEARING*****

- B. ORDINANCE NO. 323:** 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 Villa Grande property, consisting of approximately 8.17 acres of property generally located within the northeast quadrant of Saxon Boulevard and South Volusia Avenue; from its present zoning classification of (R-PUD) Residential Planned Unit Development (condominiums) to (R-PUD) Residential Planned Unit Development (adult apartments); containing a repealer provision, a severability clause and providing for an effective date.

- C. **ORDINANCE NO. 327:** An ordinance of the City of Orange City, Florida, vacating and abandoning a certain portion of the Silverstone Subdivision plat and returning said plat to acreage, consisting of 5.69 acres, located immediately east of the John Knox Village Assisted Living Facility, Orange City, Florida; containing a repealer provision, a severability clause and providing for an effective date.

- D. **ORDINANCE NO. 328:** An ordinance of the City Council of the City of Orange City, Florida, authorizing a loan from Branch Banking and Trust Company in an aggregate principal amount not to exceed \$800,000; authorizing the execution and delivery of a loan agreement; authorizing the execution and delivery of a note to evidence the City's obligation under the loan agreement, such note to be a limited obligation of the City payable from legally available designated revenues as defined herein; providing for the rights and securities of the owner of the note; designating the note as a bank qualified tax-exempt obligation within the meaning of the internal revenue code; ratifying and confirming the Council's authority to execute the commitment letter with the bank; making certain other covenants and agreements in connection therewith; and providing for an effective date.

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

- A. **ORDINANCE NO. 318:** An ordinance of the City of Orange City, Florida, amending ordinance 90-05-08, said ordinance being the Comprehensive Plan; and the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan; changing the future land use designation of a certain John Knox Village Silverstone parcel, consisting of approximately 0.35 acres generally located on the southwest corner of South Silverstone Court and West Silverstone Court; from its present future land use designation of Volusia County (ULI) Urban Low Intensity to a future land use designation of (MX) Mixed Use; containing a repealer provision, a severability clause and providing for an effective date.

- B. **ORDINANCE NO. 316:** 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 John Knox Village property, consisting of approximately 5.69 acres of property generally located east of the John Knox Village Assisted Living Facility; from its present zoning classification of (R-3) Urban Single Family Residential and (M-2) Mixed Use to (R-PUD) Residential Planned Unit Development; containing a repealer provision, a severability clause and providing for an effective date.

6. RESOLUTIONS:

- A. **RESOLUTION NO. 429-07:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving the site plan for the Saxon Crossings development, to be constructed on a 17.73 acre parcel, located in the northeast quadrant of Enterprise Road and Saxon Boulevard, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
- B. **RESOLUTION NO. 437-07:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving the Master Development Plan, Developer Agreement and Site Plan for the John Knox Village Silverstone (R-PUD) Residential Planned Unit Development, to be constructed on a 5.69 acre parcel, located immediately east of the John Knox Village Assisted Living Facility, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

7. **DISCUSSION AND ACTION:** None at this time

8. **REPORTS:**

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

9. **APPROVAL OF MINUTES:** September 6, 2007 Workshop Meeting
 September 11, 2007 Regular Council Meeting
 September 12, 2007 Budget Workshop

10. **COUNCIL COMMENTS**

11. **ADJOURNMENT**

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.