



**CITY COUNCIL OF ORANGE CITY  
TUESDAY, July 28, 2009  
7:00 P.M.**

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

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**Jim Mahoney  
Tom Laputka  
R. Paul Rasch  
Donald C. Sherrill  
Tom Abraham**

**Jeff H. Allebach, Vice Mayor  
Harley Strickland, Mayor  
William E. Reischmann, City Attorney  
Chester Murray, Interim City Manager  
Deborah J. Renner, City Clerk**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION** Beverly Richardson, Chaplain, Halifax Health-Hospice of Flagler

**PLEDGE OF ALLEGIANCE**

1. **ABSENCES:** Shall the absence of Jim Mahoney on July 14, 2009 be excused?

2. **PRESENTATIONS/PROCLAMATIONS:**

3. **CITIZEN COMMENTS:**

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

4. **CONSENT AGENDA:**

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.

5. **ORDINANCES - FIRST READING:**

A. **ORDINANCE NO. 399:** An ordinance of the City of Orange City, Florida, annexing the Burns property into the corporate limits of the City of Orange City, Florida; said property being generally located on the north side of Birch Avenue, approximately 250 feet west of South Volusia Avenue, containing approximately 0.31 acres; in accordance with the voluntary annexation provisions of Florida Statute 171.044; redefining the boundaries of the City of Orange City by amending the appropriate sections of the code of ordinances; containing a repealer provision, a severability clause and providing for an effective date.

B. **ORDINANCE NO. 400:** An ordinance of the City of Orange City, Florida, annexing the Cateriny property into the corporate limits of the City of Orange City, Florida; said property being generally located on the north side of West Rhode Island Avenue, approximately 550 feet west of South Volusia Avenue, containing approximately 0.34 acres; in accordance with the voluntary annexation provisions of Florida Statute 171.044; redefining the boundaries of the City of Orange City by amending the appropriate sections of the code of ordinances; containing a repealer provision, a severability clause and providing for an effective date.

- C. **ORDINANCE NO. 401:** An ordinance of the City of Orange City, Florida, annexing the Ariel Ministries property into the corporate limits of the City of Orange City, Florida; said property being generally located on the north side of East Graves Avenue, approximately 300 feet west of Monastery Road, containing approximately 4.86 acres; in accordance with the voluntary annexation provisions of Florida Statute 171.044; redefining the boundaries of the City of Orange City by amending the appropriate sections of the code of ordinances; containing a repealer provision, a severability clause and providing for an effective date.
- D. **ORDINANCE NO. 402:** An ordinance of the City Council of the City of Orange City, Florida approving an agreement with the Florida Public Utilities Company, its Successors and Assigns relating to and supplementing, a non-exclusive artificial, natural, and/or mixed gas franchise to use the public rights of way of the City of Orange City, Florida; making findings; providing for non-codification, conflicts, severability and effective date; and repealing prior ordinance.

**6. PUBLIC HEARINGS:**

- A. **ORDINANCE NO. 394:** An ordinance of the City of Orange City, Florida, amending Chapter 5 — Building, Housing and Structural Requirements — of the Code of Ordinances of the City of Orange City, containing a severability clause, a repealer provision, and providing for an effective date.

**7. RESOLUTIONS:**

- A. **RESOLUTION NO. 545-09:** A resolution of the City Council of the City of Orange City, Florida, adopting a revised fee schedule Development Review by the Technical Review Committee; providing for conflicts; providing for severability; and providing an effective date.
- B. **RESOLUTION NO. 546-09:** A resolution of the City Council of the City of Orange City, Florida, adopting a revised fee schedule for building permit fees; providing for conflicts; providing for severability; and providing an effective date.
- C. **RESOLUTION NO. 552-09:** A resolution of the City Council of the City of Orange City, Florida, adopting a proposed millage rate for the 2009-1010 Fiscal Year; establishing the Date, Time, and Place for a Public Hearing on the proposed millage rate and the tentative budget; directing communication; expressing legislative intent; repealing all resolutions in conflict herewith and providing for an effective date.

- D. RESOLUTION NO. 553-09:** A resolution of the City of Orange City, Florida, relating to the collection and disposal of solid waste in the incorporated area of Orange City, Florida; establishing the estimated assessment rate for solid waste service assessments against assessed property located within the incorporated area of Orange City, Florida, for the Fiscal Year beginning October 1, 2009; directing the preparation of an updated assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing an effective date.
- E. RESOLUTION NO. 554-09:** A resolution of the City Council of the City of Orange City, Florida, adopting the Volusia County Local Mitigation Strategy; providing for conflicts; providing for severability; and providing an effective date.
- F. RESOLUTION NO. 555-09:** A resolution of the City Council of the City of Orange City, Florida, supporting legislation to require that all elected officials operate under the same Sunshine Laws; and providing for an effective date.
- G. RESOLUTION NO. 556-09:** A resolution of the City Council of the City of Orange City, Florida, providing for the establishment of a Citizens Alternative Water Advisory Committee; setting out responsibilities, duration of project and procedures; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

**8. DISCUSSION AND ACTION:**

**9. NEW BUSINESS:**

**10. REPORTS:**

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

**11. APPROVAL OF MINUTES:** July 14, 2009 Regular Meeting

**12. COUNCIL COMMENTS**

**13. ADJOURN**

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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.