



CITY COUNCIL OF ORANGE CITY

TUESDAY, December 8, 2009

7:00 P.M.

CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE

AGENDA

**O. William Crippen
Gary A. Blair
Jeff H. Allebach
Anthony Pupello
Tom Abraham**

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

CALL TO ORDER

ROLL CALL

INVOCATION Pastor Drew Parsons, Orange City United Methodist Church

PLEDGE OF ALLEGIANCE

1. ABSENCES:

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:

6. PUBLIC HEARINGS:

A. RESOLUTION NO. 577-09: 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.

B. ORDINANCE NO. 407: an ordinance of the City of Orange City, Florida, annexing the Mighty T Realty, Inc. Property into the corporate limits of the City of Orange City, Florida; said property being generally located on the west side of South Volusia Avenue, approximately 245 feet south of Miller Road, containing approximately 5.80 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. 408** An Ordinance of the City of Orange City, Florida, annexing the Breezewood Village Condominium property into the corporate limits of the City of Orange City, Florida; said property being located at 101 Grand Plaza Drive, containing approximately 11.5 acres; pending a referendum vote of the registered electors of said area, directing a referendum on said proposed annexation pursuant to section 171.0413, Florida Statutes, establishing the date of said referendum; 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. 409:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Container Rental Company, Inc. (CRC) for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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. 410:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Sunshine Recycling, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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. 411:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Emerald Waste Services LLC (EWS) for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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. 412:** 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 condition, 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.
- H. **ORDINANCE NO. 413:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Services of Florida, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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.

- I. **ORDINANCE NO. 414:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to 4 Jays Management, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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.
- J. **ORDINANCE NO. 415:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Orlando Waste Paper Co. Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City limits; providing for definitions, terms condition, 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.
- K. **ORDINANCE NO. 416:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Disposall for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City Limits; providing for definitions, terms condition, 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.
- L. **ORDINANCE NO. 417:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Disposall for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the City Limits; providing for definitions, terms condition, 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.

7. RESOLUTIONS:

- A. **RESOLUTION NO. 576-09:** A resolution of the City Council of the City of Orange City, Florida, pursuant to sections 4.04 and 4.05 of the City Charter certifying the form of ballot for the referendum election to be held on January 19, 2010, repealing all resolutions in conflict herewith and providing for an effective date.
- B. **RESOLUTION NO. 578-09:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving a second 12-month extension to the preliminary subdivision plat for the Lansdowne Oaks subdivision, with the intent to divide a 5.0 acre parcel and a 10.0 acre parcel into 35 proposed residential lots, said parcels located on East Lansdowne Avenue, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

- C. **RESOLUTION NO. 579-09:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving a second 12-month extension to the site plan for the Lansdowne Oaks subdivision, said site plan containing the specifications to divide a 5.0 acre parcel and a 10.0 acre parcel into 35 proposed residential lots, said parcels located on East Lansdowne Avenue, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.
- D. **RESOLUTION NO. 580-09:** A resolution of the City of Orange City, Florida, endorsing employer support for the National Guard and Reserve, in furtherance of our country's service members and their families during time of need; further instructing the City Clerk to transmit same to the Chairman of the National Committee for employee support of the Guard and Reserve.
- E. **RESOLUTION NO. 581-09:** A resolution of the City of Orange City, Florida, appointing Paul DeSilva to Seat #01 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.
- F. **RESOLUTION NO. 582-09:** A resolution of the City of Orange City, Florida, appointing Henry Durica to Seat #04 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.
- G. **RESOLUTION NO. 583-09:** A resolution of the City of Orange City, Florida, appointing Frank Wilson to Seat #05 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.
- H. **RESOLUTION NO. 584-09:** A resolution of the City of Orange City, Florida, appointing Christopher Weldon to Seat #06 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.
- I. **RESOLUTION NO. 585-09:** A resolution of the City of Orange City, Florida, appointing Robert Storke to the Volusia Growth Management Commission (VGMC); repealing all resolutions in conflict herewith and providing for an effective date.
- J. **RESOLUTION NO. 586-09:** A resolution of the City of Orange City, Florida, appointing David Seaman to Seat #07 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.

8. DISCUSSION AND ACTION:

- A. Historic Preservation Board
- B. Public Works Contract with the City of DeBary

9. NEW BUSINESS:

10. REPORTS:

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

11. APPROVAL OF MINUTES: November 2, 2009 Special Meeting
November 10, 2009 Regular Meeting

12. COUNCIL COMMENTS

13. ADJOURN

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.