



**CITY COUNCIL OF ORANGE CITY**

**TUESDAY, September 23, 2008**

**7:00 P.M.**

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

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**Jim Mahoney  
Tom Laputka  
Donald Sandford  
Donald C. Sherrill  
Tom Abraham**

**Jeff H. Allebach, Vice Mayor  
Harley Strickland, 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**

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**I. SPECIAL PUBLIC HEARING AND FINAL ADOPTION OF THE BUDGET & MILLAGE RATE FOR FISCAL YEAR 2008/2009**

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***MAYOR'S OPENING COMMENTS:***

The City of Orange City intends to adopt a budget and millage rate for Fiscal Year 2008/2009. The proposed millage rate is 4.48 mills which reflects a 5.71% decrease from the roll back rate of 4.7513 as provided by the Property Appraiser of Volusia County and does not reflect an increase in ad valorem taxes.

***SPECIAL PUBLIC HEARING/SECOND READING:***

- A. ORDINANCE NO. 361:** An ordinance of the City of Orange City, Florida, certifying the millage rate for fiscal year 2008-2009 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. 362:** An ordinance of the City of Orange City, Florida, adopting the annual budget for the 2008-2009 fiscal year beginning October 1, 2008, and ending September 30, 2009; 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 2008/2009**

- (1) Ordinance No. 361 (Millage Ordinance) is voted on  
(2) Ordinance No. 362 (Budget Ordinance) is voted on
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**1. PRESENTATIONS: Proclamations – Constitution Week**

**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. 364:** An ordinance of the City of Orange City, Florida, annexing the RaceTrac property into the corporate limits of the City of Orange City, Florida; said property being generally located on the northeast corner of North Volusia Avenue and East New York Avenue, containing approximately 3.91 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.

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

A. **ORDINANCE NO. 363:** 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.

**6. RESOLUTIONS:**

A. **RESOLUTION NO. 500-08:** A resolution of the City Council of the City of Orange City, Florida, authorizing the appropriate City Officials to execute an Employment Agreement between the City and Chester Murray for the position of Interim City Manager; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

**7. DISCUSSION AND ACTION:**

- A. Council Rules & Procedures
- B. Council Member Sandford - Status
- C. Animal Control Contract

**8. REPORTS:**

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

- 9. APPROVAL OF MINUTES:** August 18, 2008 Budget Workshop  
September 3, 2008 Special Meeting  
September 9, 2008 Special Meeting/Budget Hearing  
September 9, 2008 Regular Council Meeting

**10. COUNCIL COMMENTS**

**11. 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.