



**CITY COUNCIL OF ORANGE CITY
TUESDAY, December 14, 2010
7:00 P.M.
CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE
AGENDA**

**Gary A. Blair
Tom Laputka
Anthony Pupello
Jeff H. Allebach
Tom Abraham**

**O. William Crippen, Vice Mayor
Harley Strickland, Mayor
William E. Reischmann, City Attorney
Jamie Croteau, City Manager
Deborah J. Renner, City Clerk**

CALL TO ORDER

ROLL CALL

INVOCATION

Rabbi Paul Faulk, Ariel Ministries

PLEDGE OF ALLEGIANCE

1. ABSENCES: None

2. PRESENTATIONS/PROCLAMATIONS:

3. CITIZEN COMMENTS:

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

4. CONSENT AGENDA:

- a) November 9, 2010 Regular Meeting Minutes
- b) Easement Agreement with Progress Energy
- c) Declaring Property as Surplus

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. 444:** 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 Section 8.6.1 Schedule of Zoning Districts Permitted and Conditional Uses; containing a repealer provision, severability clause, and providing for an effective date.
- B. ORDINANCE NO. 445:** An ordinance of the City of Orange City, Florida, annexing the Pantry property into the Corporate Limits of the City of Orange City, Florida; said property being generally located on the west side of North Volusia Avenue,

approximately 0.0 feet north of West New York Avenue, containing approximately 1.55 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. 446:** An ordinance of the City Council of the City of Orange City, Florida, amending Chapter 10.5 Leisure Services, Article II Use Restrictions, Section 10.5-19 Rules and Regulations, of the Code of Ordinances of the City of Orange City, by revising sub-sections (1), and (11), and adding sub-sections (19) and (20); containing a repealer provision, a severability clause and providing for an effective date.

6. PUBLIC HEARINGS:

- A. **RESOLUTION NO.626-10:** 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. 435:** An ordinance of the City of Orange City, Florida, declaring a moratorium as to the filing and/or receiving of any application or the issuance of business tax receipts for the operation of “Pain Clinics” and “Pain Management Clinics” for one hundred and eighty (180) days; providing for severability and an effective date.
- C. **ORDINANCE NO. 436:** An ordinance of the City of Orange City, Florida, annexing the Smith property into the corporate limits of the City of Orange City, Florida; said property being generally located on the west side of North Volusia Avenue, approximately 800 feet north of St. Lawrence Avenue, containing approximately 4.40 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. 437:** 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. 438:** 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.

- F. **ORDINANCE NO. 439:** 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.
- G. **ORDINANCE NO. 440:** 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.
- H. **ORDINANCE NO. 441:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Orlando Waste Paper Company, 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. 442:** 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.
- J. **ORDINANCE NO. 443:** 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.

7. RESOLUTIONS:

- A. RESOLUTION NO. 627-10:** A resolution of the City Council of the City of Orange City, Florida, rescinding Resolution No. 615-10; thereby declining the devise of real and personal property, pursuant to Item IV in the last will and testament of Harriett French Hayman Boyd; repealing all resolutions or parts of resolutions in conflict herewith and providing for an effective date.

- B. RESOLUTION NO. 628-10:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving a third 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 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. 629-10:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving a third 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.

8. DISCUSSION AND ACTION:

- A. Central Florida Water Supply Strategy

9. NEW BUSINESS:

10. REPORTS:

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

11. APPROVAL OF MINUTES: (Consent Agenda)

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.