



CITY COUNCIL OF ORANGE CITY

TUESDAY, February 27, 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

1. **PRESENTATIONS:** Certificates of Commendation
State of the City & Strategic Plan 1st Qtr. Performance Report

2. **CITIZENS COMMENTS:**
Each citizen is asked to complete a speaker request form before the meeting begins.

3. **CONSENT AGENDA:**

- a. **RESOLUTION NO. 389-07:** A resolution of the City Council of the City of Orange City Florida, reappointing James Rader to Seat #06 on the Historic Preservation Board of the City of Orange City, repealing all resolutions in conflict herewith and providing for an effective date.
- b. **RESOLUTION NO. 390-07:** A resolution of the City Council of the City of Orange City Florida, reappointing Gerald Morin to Seat #07 on the Historic Preservation Board of the City of Orange City, repealing all resolutions in conflict herewith and providing for an effective date.
- c. **RESOLUTION NO. 391-07:** A resolution of the City Council of the City of Orange City Florida, reappointing Bob Reid to Seat #05 on the Historic Preservation Board of the City of Orange City, repealing all resolutions in conflict herewith and providing for an effective date.
- d. **RESOLUTION NO. 392-07:** A resolution of the City Council of the City of Orange City Florida, reappointing Marilyn Meyers to Seat #02 on the Historic Preservation Board of the City of Orange City, repealing all resolutions in conflict herewith and providing for an effective date.
- e. **RESOLUTION NO. 393-07:** A resolution of the City Council of the City of Orange City Florida, reappointing Linda Higgins to Seat #01 on the Historic Preservation Board of the City of Orange City, 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:

- A. **ORDINANCE NO. 302:** an ordinance of the City of Orange City, Volusia County, Florida, approving and authorizing the lease between the City of Orange City and DeShields Transport, Inc. and Eugene J. Kocol of a portion of the Orange City Public Works yard; providing for purpose, description, term, and consideration; providing for conflicting provisions; providing for severability; providing an effective date.

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

- A. **ORDINANCE NO. 293:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Management for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, 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.

Postponed on 1/23/07

- B. **ORDINANCE NO. 294:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Container Rental Company, Inc. for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, 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.

Postponed on 1/23/07

- C. **ORDINANCE NO. 295:** An Ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Waste Services for the collection and disposal of commercial trash, garbage, recyclable materials and other refuse within the city limits; providing for definitions, terms, conditions, 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.

Postponed on 1/23/07

- D. **ORDINANCE NO. 296:** 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, conditions, 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.

Postponed on 1/23/07

- E. **ORDINANCE NO. 298:** 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, conditions, rates, compliance with laws, arbitration, standards of performance, collection, regulation, operations, hours, routes, penalties, accounting, complaint resolution; containing a repealer provision; a severability clause and providing for an effective date.

- F. **ORDINANCE NO. 299:** An ordinance of the City Council of the City of Orange City, Florida, amending the exclusive franchise contract with Waste Management, Inc. of Florida, a private corporation, for the collection and disposal of residential solid waste, yard waste, and curbside recyclable materials within the city limits; providing for definitions, terms, conditions, rates, compliance with laws, arbitration, standards of performance, collection regulation operations, hours, routes, penalties, accounting, complaint resolution; providing for conflicts; containing a severability clause, a repealer provision, and providing for an effective date.

6. RESOLUTIONS:

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

- A. **RESOLUTION NO. 383-07:** 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. **RESOLUTION NO. 395-07:** A resolution of the City Council of the City of Orange City, Florida, appointing Paul DeSilva to Seat #04 on the Orange City Planning Commission; repealing all resolutions in conflict herewith and providing for an effective date.

7. DISCUSSION AND ACTION:

- A. Orange City Little League Contract

- B. Hazardous Tree Survey

8. REPORTS:

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

9. APPROVAL OF MINUTES: February 13, 2007 Regular Council Meeting

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.