



**CITY COUNCIL OF ORANGE CITY  
THURSDAY, October 11, 2007  
7:00 P.M.**

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

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**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**

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**CALL TO ORDER  
ROLL CALL  
INVOCATION  
PLEDGE OF ALLEGIANCE**

**1. PRESENTATIONS: PROCLAMATION – City Government Week  
INTRODUCTIONS – New Hires & Promotions**

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

**3. CONSENT AGENDA:**

- a. Awarding Bid to M & C Tree Service for City-Wide Tree Work
- b. Awarding Bid for Engineering for Carpenter Avenue Water Main Replacement
- c. Awarding bid to Militello Contracting for Sidewalk Construction
- d. **RESOLUTION NO.439-07:** A resolution of the City Council of the City of Orange City, Florida, canvassing the votes and declaring the results of the 2007 Primary Election held in the City of Orange City, Florida on October 9, 2007; repealing all resolutions or parts of resolutions in conflict herewith and providing for an effective date.
- e. **RESOLUTION NO. 440-07:** 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 listing candidates and certifying the form of ballot for the General Election to be held on November 6, 2007, 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:** None at this time

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

- A. ORDINANCE NO. 323:** An ordinance of the City of Orange City, Florida, amending Section 8.3 of the City’s Land Development Code, said section being the Official Zoning Map of the City of Orange City, Florida; said amendment changing the zoning classification of the Villa Grande property, consisting of approximately 8.17 acres of property generally located within the northeast quadrant of Saxon Boulevard and South Volusia Avenue; from its present zoning classification of (R-PUD) Residential Planned Unit Development (condominiums) to (R-PUD) Residential Planned Unit Development (adult apartments); containing a repealer provision, a severability clause and providing for an effective date.
- B. ORDINANCE NO. 327:** An ordinance of the City of Orange City, Florida, vacating and abandoning a certain portion of the Silverstone Subdivision plat and returning said plat to acreage, consisting of 5.69 acres, located immediately east of the John Knox Village Assisted Living Facility, Orange City, Florida; containing a repealer provision, a severability clause and providing for an effective date.
- C. ORDINANCE NO. 328:** An ordinance of the City Council of the City of Orange City, Florida, authorizing a loan from Branch Banking and Trust Company in an aggregate principal amount not to exceed \$400,000; authorizing the execution and delivery of a loan agreement; authorizing the execution and delivery of a note to evidence the City’s obligation under the loan agreement, such note to be a limited obligation of the City payable from legally available designated revenues as defined herein; providing for the rights and securities of the owner of the note; designating the note as a bank qualified tax-exempt obligation within the meaning of the internal revenue code; ratifying and confirming the Council’s authority to execute the commitment letter with the bank; making certain other covenants and agreements in connection therewith; and providing for an effective date.

**6. RESOLUTIONS:**

- A. RESOLUTION NO. 428-07:** A resolution of the City Council of the City of Orange City, Florida, acknowledging and approving the Master Development Plan, Development Agreement and Site Plan for the Villa Grande (R-PUD) Residential Planned Unit Development, to be constructed on an 8.17 acre parcel, located in the northeast quadrant of South Volusia Avenue and Saxon Boulevard, Orange City, Florida; repealing all resolutions or parts of resolutions in conflict herewith; and providing for an effective date.

- B. RESOLUTION NO. 441-07:** A resolution of the City Council of the City of Orange City, Volusia County, Florida, requesting that the Florida Department of Environmental Protection recognize local zoning laws as part of its permit processing requirements; opposing the Florida Department of Environmental Protection's issuance of any further permit to G.E.L. Corp., for the operation of a C & D Landfill or a Recycling Facility without considering compliance with local zoning regulations; providing for the distribution of this resolution to state and local officials; repeal of prior inconsistent resolutions, severability and an effective date.

**7. DISCUSSION AND ACTION:**

**8. REPORTS:**

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

**9. APPROVAL OF MINUTES:** September 25, 2007 Regular Council Meeting

**10. COUNCIL COMMENTS**

**11. ADJOURNMENT**

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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.