



CITY COUNCIL OF ORANGE CITY
TUESDAY, December 9, 2008
7:00 P.M.
CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE
AGENDA
Revised 12-05-08

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

Jeff H. Allebach, 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 Chaplain Joyce Smith

PLEDGE OF ALLEGIANCE

1. ABSENCES

Shall the absence of Council Member Donald Sandford on 11/18/08 be excused?
Shall the absence of Council Member Jim Mahoney on 11/18/08 be excused?

2. PRESENTATIONS/PROCLAMATIONS: Dave Strong & Mary Rita, Home Depot

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:

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

A. ORDINANCE NO. 367: An ordinance of the City of Orange City, Florida, amending Orange City Code Appendix A, Zoning Ordinance as adopted by Ordinance No. 157, amending Chapter 8, Section 8.6.1 Schedule of Zoning District Permitted and Conditional Uses; to permit recycling activities within the I-PUD Zoning District; providing for conflicting provisions; providing for severability; providing an effective date.

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

- A. ORDINANCE NO. 368:** 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.
- B. ORDINANCE NO. 369:** 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.
- C. ORDINANCE NO. 370:** 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.
- D. ORDINANCE NO. 371:** 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.
- E. ORDINANCE NO. 372:** An ordinance of the City Council of the City of Orange City, Florida, providing for a non-exclusive franchise to Russo and Sons, Inc. Environmental Services 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. 373:** 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. 374: 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.

H. ORDINANCE NO. 375: 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 proving 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:

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

A. RESOLUTION NO. 512-08: 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. 515-08: A resolution of the City Council of the City of Orange City, Florida, providing notice to the Volusia County Supervisor of Elections of Orange City's intent to hold a referendum election by mail ballot on February 17, 2009 for the purpose of proposing amendments to the city charter, repealing all resolutions in conflict herewith and providing for an effective date.

C. RESOLUTION NO. 516-08: 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 February 17, 2008; repealing all resolutions in conflict herewith and providing for an effective date.

D. RESOLUTION NO. 517-08: A resolution of the City Council of the City of Orange City, Florida, authorizing the Interim City Manager to execute an agreement with Government Services Group, Inc. to assist the City and its staff with the development of an assessment program for infrastructure improvements related to Sparkman Ridge; and providing for an effective date.

8. DISCUSSION AND ACTION:

- A. Stormwater to Reuse Project Update
- B. Sparkman Ridge - Revised- See Resolutions - 7-D
- C. Tele-Connect Settlement

9. NEW BUSINESS:

10. REPORTS:

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

- 11. APPROVAL OF MINUTES:** November 18, 2008 Regular Meeting
November 8, 2008 Workshop 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.