

In accordance with the provisions of Section 2.06 of the City Charter, The Mayor has called a SPECIAL MEETING of the City Council for Monday, November 2, 2009 to consider the following agenda:



**CITY COUNCIL OF ORANGE CITY
MONDAY, November 2, 2009
6:00 P.M.
CITY COUNCIL CHAMBERS, 201 NORTH HOLLY AVENUE
SPECIAL MEETING AGENDA**

**Jim Mahoney
Tom Laputka
R. Paul Rasch
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 Council Member Don Sherrill

PLEDGE OF ALLEGIANCE

- 1. APPROVAL OF MINUTES:** September 30, 2009 Special Meeting
October 6, 2009 Special Meeting
October 13, 2009 Regular Meeting

- 2. SEATING OF NEW COUNCIL**
 - a) Outgoing Members Farewell Comments

 - b) Oath of Office - Newly Elected Council Members

- 3. ORDINANCES - FIRST READING:**
 - A. ORDINANCE NO. 407:** an ordinance of the City of Orange City, Florida, annexing the Mighty T Realty, Inc. Property into the corporate limits of the City of Orange City, Florida; said property being generally located on the west side of South Volusia Avenue, approximately 245 feet south of Miller Road, containing approximately 5.80 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.

4. PUBLIC HEARINGS:

- A. ORDINANCE NO. 406:** An ordinance of the City Council of the City of Orange City, Florida; establishing guidelines for compliance with the National Pollutant Discharge Elimination System set by the United States Environmental Protection Agency; guiding, regulating and controlling illicit discharges to the City's MS4 Stormwater System; providing for codification, conflicts, severability and an effective date.
- B. ORDINANCE NO. 408:** An ordinance of the City of Orange City, Florida, annexing the Breezewood Village condominium property into the corporate limits of the City of Orange City, Florida; said property being located at 101 Grand Plaza Drive, containing approximately 11.5 acres; pending a referendum vote of the registered electors of said area, directing a referendum on said proposed annexation pursuant to Section 171.0413, Florida Statutes, establishing the date of said referendum; 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. RESOLUTIONS:

- A. RESOLUTION NO. 564-09:** A resolution of the City Council of the City of Orange City, Florida, authorizing the interim City Manager to execute an agreement with Larson Consulting Services, LLC to serve as the City's Financial Advisor.
- B. RESOLUTION NO. 566-09:** A resolution of the City Council of the City of Orange City, Florida, authorizing and directing the execution of an Agreement between the City of Orange City and the City of Debarry for the provision of fire protection services; repealing all resolutions in conflict herewith and providing for an effective date.
- C. RESOLUTION NO. 571-09:** A resolution of the City Council of the City of Orange City, Florida, authorizing the Mayor to execute an Agreement between the City of Orange City and Holland & Reilly for auditing services for the fiscal years ending September 30, 2009, September 30, 2010, and September 30, 2011; repealing all resolutions in conflict herewith and providing for an effective date.
- D. RESOLUTION NO. 573-09:** A resolution of the City Council of the City of Orange City, Florida, cancelling the regular city council meetings scheduled for November 24, 2009, and December 22, 2009; repealing all resolutions in conflict herewith and providing for an effective date.
- E. RESOLUTION NO. 574-09:** A resolution of the City Council of the City of Orange City, Florida, amending the Classification and Pay Plan for the City of Orange City by adding the positions of Division Commander to the Fire Department and Community Services Aide to the Police Department; containing a repealer provision, a severability clause and providing for an effective date.

- F. **RESOLUTION NO. 575-09:** A resolution of the City Council of the City of Orange City, Florida, authorizing the execution of an agreement between the City of Orange City and the City of Deltona for the provision of Fire and Rescue Emergency Dispatch Services; providing for severability, providing for conflicts, providing for implementation actions; repealing Resolution No. 506-08; and providing for an effective date.

6. DISCUSSION AND ACTION:

- A. Approval of Radio Read Meter Supplier

Recess Special Meeting and Convene ATTORNEY-CLIENT PRIVATE SESSION for the purpose of City Council and Legal Counsel to discuss settlement negotiations and strategies related to litigation in the case of Orange City, Plaintiff v. GEL Corporation, Defendant, Case No's 2006-11049-CIDL and 2007-11086 CIDL. **This meeting shall be conducted under the authority of Florida Statute 286.011(8)**

MAYOR ANNOUNCES COMMENCEMENT AND ESTIMATED LENGTH OF THE ATTORNEY-CLIENT SESSION

MAYOR ANNOUNCES NAMES OF PERSONS ATTENDING ATTORNEY/CLIENT SESSION:
O. William Crippen, Gary A. Blair, Tom Laputka, Anthony Pupello, Tom Abraham, Jeff Allebach, Harley Strickland; Chester Murray, William Reischmann, Allen Watts

COUNCIL CHAMBERS TO BE VACATED OF ALL OTHER PERSONS AT THIS TIME

COMMENCEMENT OF ATTORNEY/CLIENT SESSION

CONCLUSION OF ATTORNEY/CLIENT SESSION

RECONVENE SPECIAL MEETING

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.