

**EDGEWOOD CITY COUNCIL
JANUARY 18, 2011 REGULAR CITY COUNCIL MEETING**

On Tuesday, January 18, 2011, the Edgewood City Council held its regular City Council meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 6:30 p.m. Council Member Powell gave the invocation, followed by the Pledge of Allegiance. The following attendance is noted:

Attendees:

Council President Beardslee
Council Member Willis
Council Member Henley
Council Member Powell
Council Member Bozeman

Absent

Mayor Teague

Staff:

Debbie Wallace, Acting City Clerk
Pete Marcus, Police Chief
Drew Smith, City Attorney

Council President Beardslee pulled item "B" from the Consent Agenda. Council President Beardslee deferred Council to memo from Mayor Teague regarding employment status of Assistant City Clerk Sheyenne Contreras. In response to Consent Agenda item "A":

Council Member Powell made the Motion to approve the December 21, 2010 minutes; with Second by Council Member Bozeman. Approval of the December 21, 2010 minutes was approved by unanimous vote.

ORDINANCES – FIRST READING

ORDINANCE NO. 2011-01 Establishing a temporary Moratorium for a maximum of one hundred and eighty days (180) on the issuance of business tax receipts for the operation of pain clinics and pain management clinics.

City Attorney Smith read Ordinance No. 2011-01 in title only.

Council Member Powell made the Motion to approve the first reading of Ordinance No. 2011-01; with Second by Council Member Bozeman.

In response to Council Member Bozeman, Acting City Clerk Wallace said that the City has not received any applications for this type of business. Council Member Willis said that Orange County has adopted a similar Ordinance. Council President Beardslee questioned the Counties listed in the Ordinance, and City Attorney Smith said you can add to the list.

Council Member called to question and Council President Beardslee opened to public hearing:

Frank Aguilar, 415 Oak Lynn Street, Edgewood: Ask how the Ordinance ties into the State wide rule. City Attorney Smith said it is separate, and that other municipalities are doing what Edgewood is doing. He said if the State would do something, the Ordinance may become moot.

Following roll call vote was taken:

Council Member Bozeman	Favor
Council Member Henley	Favor
Council President Beardslee	Favor
Council Member Willis	Favor
Council Member Powell	Favor

The first reading of Ordinance 2011-01 was approved by unanimous vote.

Council President Beardslee announced that the Second and final reading of Ordinance No. 2011-01 will be heard in the February 15, 2011 regular City Council meeting.

ORDINANCE NO. 2011-02 Pharmacy Ordinance additional regulation of the sale of schedule II controlled substances at medical clinics, dental clinics and/or pain management clinics.

City Smith attorney read Ordinance 2011-02 in title only.

Council Member Powell made the Motion to approve the first reading of Ordinance No. 2011-02; with Second by Council Member Henley.

Council President Beardslee opened for public hearing, there being none, she closed to public hearing and called to question.

Following roll call vote was taken:

Council Member Powell	Favor
Council Member Willis	Favor
Council President Beardslee	Favor
Council Member Henley	Favor
Council Member Bozeman	Favor

The first reading of Ordinance 2011-02 was approved by unanimous vote.

Council President Beardslee announced that the Second final reading of Ordinance No. 2011-02 will be heard in the February 15, 2011 regular City Council meeting.

Council President Beardslee moved to item "A" regarding sign damaged by car, and payment to replace sign. Council President Beardslee confirmed the City did received payment from Liberty Mutual.

Council President Beardslee moved to item "H" (b), and ask if this was something that could have been placed on the Consent Agenda. Acting City Clerk Wallace said she placed the item on the agenda per Mayor Teague's direction.

Council Member Powell asked why the City of Windermere could terminate an employee as quickly as they could but the City of Edgewood took longer. City Attorney Smith explained it's all about risk, exposure and cost. Council President Beardslee said the memo indicating Ms. Contreras' termination date precludes Council from discussion and asked if there was a Motion to move past the item.

Council Member Powell made the Motion to pass this item and move forward on the agenda with Second by Council Member Henley. The Motion was approved unanimously.

City Attorney Smith read Resolution No. 2011-01 in title only.

Council President Beardslee asked if there was a Motion to approve.

Council Member Powell made the Motion to approve Resolution No. 2011-01, with Second by Council Member Bozeman. The Motion was approved 4/1 Council Member Willis opposed.

RESOLUTION NO. 2011-02 Amending the fiscal year 2010-2011 budget, increasing the City Hall staff budget and decreasing reserves to fund the hiring of a full time City Clerk.

City Attorney Smith said he does not think it is ready to read because the "numbers" are not ready. He asked for it to be on the agenda for discussion.

Council President Beardslee made the Motion to table Resolution 2011-01 until the February 15, 2011 City Council meeting, with Second by Council Member Powell. The Motion was approved unanimously.

In response to Council President Beardslee, Acting City Clerk Wallace said she would have the "numbers" ready for the next meeting, including benefit amounts.

Council President Beardslee moved to New Business item "C"; Notice of Canvassing appointments. Council Members Henley and Bozeman volunteered to be part of the board,

Council President Beardslee made the Motion to appoint Council Members Henley and Bozeman to the canvassing board election, with Second by Council Member Powell. The Motion approved unanimously.

Council President Beardslee deferred to Council Member Powell, who requested a workshop to review the personnel policy manual. Council Member Powell said other Council Members have expressed concerns about the personnel policy and feels it needs to be addressed. Council President Beardslee said she supports Council Member Powell's request. ***Council agreed to hold a workshop on January 25, 2011 at 3:00 p.m. to discuss the personnel policy.***

Acknowledge proposed merger of Progress Energy with general brief discussion.

Staff Reports

Acting City Clerk Wallace reported as follows:

- Will start working on Newsletter soon and said she has not established a deadline but will contact everyone when deadline is established.
- Qualifying closes on Friday, with two qualified for City Council and one for Mayor.

Chief Marcus reported as follows:

- Referred Council to his quarterly activity update report.
- In response to Council Member Powell, who said he would like to have another speed sign put up (vicinity of Bell Rental), Chief Marcus said FDOT would need to be contacted since it is their road. Council Member Powell said he will contact FDOT.
- In response to Council President Beardslee, Chief said "fleeing" means when person is running sometimes caught and sometimes not.
- In response to Council Member Henley, regarding the status on red light camera, Chief has sent City Attorney Smith a draft Agreement.
- Mayor Teague gave comments on red light camera.

Council President Beardslee noted that she did not think the minutes adequately reflect the decision to move forward with the red light camera, and directed that the minutes reflect approval for red light camera.

Mayor and Council Reports

Mayor Teague reported that the budget amendment has not been to the general ledger, and needs to be amended for the new police officer and car. Council President Beardslee asked Acting City

Clerk Wallace to follow up on this budget amendment. Acting City Clerk Wallace said she will check former City Clerk Rounsavall's file, and check with Assistant City Clerk Contreras.

Mayor Teague reminded Council that Council Member Henley made some recommendations a "few meetings ago" and wanted to know when Council planned to review the recommendations and make decisions on implementations. Council Member Powell said he thought this would be included in the workshop. Council Member Powell said one of the recommendations was the change of office hours. In response to Council President Beardslee, Council Member Henley noted the hot water heater would not be part of the personnel policy. Mayor Teague said that he has not read anything that states what the full time City Clerk's responsibilities would be, and that it is not in the personnel policy; it's an operational issue. Council President Beardslee said that Council Member Henley has spent the past couple of months in City Hall and made recommendations that have opened some areas that Council may or may not feel needs to be addressed. She said that some of the issues that related to City Hall, such as staffing, need to be looked at after reviewing the budget and after Mrs. Meeks can give an idea of internal recommendations. She said that she thinks the person who is going to be working in City Hall needs to give a report on the workload. Council Member Henley said he feels there needs to be a full time City Clerk. He said the City has spent a total of \$3270.00 on the Sheyenne Contreras' situation, and personal issues regarding Council Member Henley. The bill was for back and forth conversations with City Attorney Smith. Council Member Henley also expressed his concerns regarding \$345.00 attorney fee, as a result of communications between the City Attorney and Mayor Teague. City Attorney Smith clarified for Council that he has never been directed to do anything against Council Member Henley. Council Member Henley said there is also an issue about an anonymous call to Orange County about the installation of the hot water heater in City Hall. Council Member Henley said the matter has been "laid to rest". He said there have been a lot of things happening and his hope is that with the new election, the petty things will stop because it cost the City money.

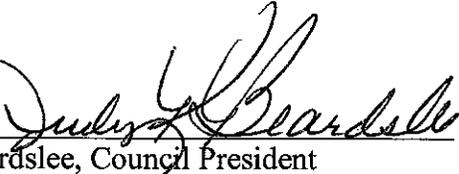
Council Member Willis asked to be excused from the next meeting, as he will be out of town (excused absence accepted by Council President Beardslee).

Council Member Powell reported that he has been working with CSX over the past five or six years on the cleaning of the right-of-way. He did not know who will maintain the railroad right-of-way when CSX takes ownership. He said his contact does not know who will maintain tracks either.

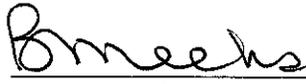
Council President Beardslee said she wanted to express some concerns and ideas, and how to address them. She noted that in the past couple of weeks there has been the issue with the Assistant City Clerk, as it relates to internal financial control. She said that it has come to her attention that there may be a situation with the reserve account, which was pooled into one account over the years. She said it may have been a good idea at the time but now believes the City may have some risk exposure. She said she thinks it is time to address risk exposure with the reserve account. She explained the process through the Quick Books account and the link to the reserve account. She reported that when she spoke to the branch manager at Wachovia on January 4, 2011, there was a little over three million dollars in the account. She said the City

may have internal employees who have pin numbers to access the account for transfers. She would like to do something immediately to address the current risk exposure. In response to Council Member Powell, Mayor Teague said he didn't believe any of the employees who work for the City are bonded. Mayor Teague said the City does not have a reserve account, the City has an operating account. Everything is pooled into a single account. He said if the City wanted to limit the amount of the transfer, you can cap the limit. Council President Beardslee said that in her conversation with the Wachovia branch manager, she ask when would the City know if large sums of money are being transferred, and was told the bank would not even know until the next day. Council Member Henley said he will address risk exposure in the next meeting.

Favorable Motion to adjourn at 7:33 p.m. (inaudible).



Judy Beardslee, Council President



Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **February 21, 2012 (Regular Council Meeting)**

(Former Acting City Clerk Wallace was the presiding City Clerk and official recorder of this meeting. City Clerk Meeks prepared these minutes from listening to the recording of this meeting)