

**EDGEWOOD CITY COUNCIL
REGULAR MEETING-- SEPTEMBER 20, 2011**

On Tuesday, September 20, 2011, the Edgewood City Council held a regular meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Beardslee called the meeting to order at 6:31 p.m. Council Member Powell gave the invocation followed by the Pledge of Allegiance.

Council President Beardslee noted the following Council Members in attendance.

Attendees:

Mayor Bagshaw
Council President Beardslee
Council Member Powell
Council Member Henley
Council Member Dowless

Absent

Council Member Bozeman (excused)

Staff:

Bea L. Meeks, City Clerk
Pete Marcus, Police Chief
Drew Smith, City Attorney

Following the Pledge of Allegiance and invocation, Council President Beardslee announced with a heavy heart that Council member Bozeman's wife passed away and also noted that City Clerk Meeks' father also passed away and thanked Clerk Meeks for being in attendance.

A. CONSENT AGENDA

1. Approval of September 6, 2011 Minutes - City Council Special Meeting
2. Approval of Orange County Fire & Rescue Agreement

***Motion by Council Member Powell to approve the Consent Agenda items, with
Second by Council Member Dowless; the Motion was approved unanimously (4/0).***

PRESENTATIONS

1. Beth Seabrook – Cornerstone Charter School

Ms. Seabrook apprised Council of a request for sponsorship for Cornerstone Charter School "Ducktoberfest". She provided flyers to Council regarding the event, and reported that they wanted to put up a banner. Mayor Bagshaw supported the request however he said that the banner could not hang more than 2 weeks. Council President Beardslee said that on October 8, 2011 there is a planned Poker Run, which Chief Marcus will be talking about under his report. The ride will help benefit the School for Autism, which is located in the City. Mayor Bagshaw said money is in the proposed budget for Cornerstone. He said he thought it would be good for the City to continue a partnership with the school. Ms. Seabrook clarified that the event is a PTSA fundraiser.

Motion by Council Member Powell to approve a City sponsorship in the amount of \$500.00, with Second by Council Member Dowless; the Motion was approved unanimously (4/0).

Ms. Seabrook confirmed that the funds will go to the PTSA and they have discretion as to how the funds are spent.

B. ORDINANCES – FIRST READING

1. **ORDINANCE 2011-04:** AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA ENACTING AND APPROVING OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF EDGEWOOD AND THE CENTRAL FLORIDA POLICE BENEVOLENT ASSOCIATION FOR THE TERM OCTOBER 1, 2011, TO SEPTEMBER 30, 2014; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Ordinance Number 2011-04 was read in title only by City Attorney Smith. Council President Beardslee said she will abstain from voting and noted that she will file a Notice of Conflict.

Council Member Powell made the motion to approve the Ordinance and ask for discussion. Council Member Powell asked Chief Marcus if Ordinance is boilerplate language. Chief Marcus explained the process and said a lot is boilerplate but that he and Mayor Bagshaw felt the agreement reached was equitable without giving away the "shop". Chief Marcus said he felt the Agreement was beneficial to "both". In response to Council Member Powell, Chief Marcus said some of the things officers wanted that the answer was "no" related to officers' court time, benefits and personal leave. Chief Marcus said he and the Mayor agree this is a very good Agreement and very workable. Mayor Bagshaw pointed out that the Agreement does not go into

disciplinary matters. The City Attorney noted that the Mayor will be voting per the requirements of the Charter¹.

Council Member Henley Second the Motion; the Motion was approved after a roll call vote was taken by City Clerks Meeks as follows:

<i>Council Member Henley</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Dowless</i>	<i>Favor</i>
<i>Mayor Bagshaw</i>	<i>Favor</i>
<i>Council President Beardslee</i>	<i>Abstain</i>

City Clerk Meeks noted that she will provide a Notice of Conflict for Council President Beardslee. It was noted that the second and final reading of Ordinance Number 2011-04 will be October 18, 2011 in a regular City Council meeting.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

- 1. ORDINANCE 2011-02:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RECOGNIZING STATE PREEMPTION IN THE FIELD OF FIREARMS REGULATION, AND AMENDING SECTION 134-345 OF THE CODE OF ORDINANCES TO AVOID ANY POTENTIAL CITY ACTION THAT MAY CONFLICT WITH THE STATE'S REGULATION OF FIREARM SALES; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE. (1st Reading approved 9-6-2011)

City Clerk Meeks noted that the Ordinance was properly noticed. City Attorney Smith read Ordinance No. 2011-02 in title only.

Motion by Council Member Powell to approve Ordinance No. 2011-02, with Second by Council Member Henley; the Motion was approved after a roll call vote was taken by City Clerks Meeks as follows:

Council President Beardslee	Favor
Dr. Powell	Favor

¹ ***Adoption*** . A proposed ordinance requires the vote of at least four (4) members of the council or three (3) members plus the vote of the mayor for the adoption of the ordinance. For the adoption of an ordinance, a simple majority of those voting shall be required.

Dr. Henley	Favor
Council Member Dowless	Favor

2. **ORDINANCE NO. 2011-03:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES UPON THE ASSESSED REAL AND BUSINESS PERSONAL PROPERTY TAX ROLLS FOR FISCAL YEAR 2011/2012, BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; AND PROVIDING FOR AN EFFECTIVE DATE . (1st Reading approved 9-6-2011)

City Attorney Smith read Ordinance No. 2011-03 in title only. **Council Member Powell made the following Motion for approval:**

I move to adopt Ordinance No. 2011-03 setting the City of Edgewood's millage rate for Fiscal Year 2011/2012 at a 4.7000 which represents a 16.06 percent increase over the roll-back rate of 4.0497 mills.

Council Member Henley Second the Motion to adopt Ordinance No. 2011-03.

Council President Beardslee opened to public hearing, there being no questions or comments, the public hearing was closed.

In Council discussion, it was confirmed for Council Member Dowless that the proposed budget is based on 4.7000 mills. Council President Beardslee said it is difficult for the Council to approve a millage increase particularly since there have been decreases in the past few years. She said Mayor Bagshaw has done a good job in preparing the budget. She noted that in her opinion that in all likelihood if there had not been a reduction in the past few years, she said it is not with a happy heart that she is supporting the increase, but the City has to be viable. Resident JT Blanton said the City's millage is still lower than the City of Orlando and other cities. Council Member Dowless said the city is the second lowest in the County.

Motion was approved after a roll call vote was taken by City Clerks Meeks as follows:

Henley	Favor
Beardslee	Favor
Dowless	Opposed
Powell	Favor

Motion passed 3/1.

[The recording of this meeting will reveal that Council took other action regarding the millage however, in further discussion held later on this meeting under Council Member Dowless' report, the City Attorney acknowledged that the additional action was moot and the initial Motion and vote was official. This information is being provided due to the General Records Schedule GS1-SL that requires the recording of this meeting to be retained for two (2) anniversary years after adoption of the official minutes)

Council President Beardslee said there is a lot of paperwork and deadlines that the City Clerk has to take care of. She said she had difficulty with the increase but felt the proposed budget didn't leave much wiggle room. Mayor Bagshaw confirmed the 4.7000 was where the City was a few years ago. Council President Beardslee said that there is less than one-half percent of residents who will be paying more than they did last year. She said that if we expect our department heads to operate their departments inside the budget, there needs to be a budget that allows them to do that. Chief Marcus said that his department cost the most and he noted that if there is an emergency, more officers will need to be working. He noted that the Police Department is the premiere service to the City.

Resident Bonnie Bagshaw, 409 Oak Lynn Drive said she thought the difference in the budget this year is that there are actual numbers. She asked if there was really that much money spent outside the box. Council President Beardslee noted that there was a budget amendment in the last meeting and another one on the agenda tonight. She said she felt the cuts done in the past should never have been done.

Resident Roxanna Siglar, 5004 Oak Circle asked for an explanation regarding recent expenditures, and better explanation of the half-percent of people who may pay more in Ad Valorem. Council President Beardslee said that people usually look at the dollar amount and not the actual millage rate. Regarding Ms. Siglar's first question, Council President Beardslee said the decrease in revenue didn't meet the operational needs of the budget. Council President Beardslee noted the monies owed to Orange County Public School and the FEMA reimbursement. Ms. Siglar wanted it on the record that former Mayor Teague is the reason for the oversight. Mayor Bagshaw noted his previous memo regarding the chain of events regarding funds. Council Member Henley said that in all the conversations he had with former Mayor Teague, he expressed his discontent that the Sentinel did not laud the decrease in the millage.

Council Member Dowless said that he was not aware that the millage is now what it was a few years ago.

3. **RESOLUTION NO. 2011-05:** A RESOLUTION OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2011/2012, BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Powell gave the following Motion for the adoption of Resolution No. 2011-05: I move to adopt Resolution No. 2011-05 adopting the City of Edgewood's budget for fiscal year 2011-2012.

Council Member Dowless Second the Motion to approve the adoption of Resolution No. 2011-05.

City Clerk Meeks confirmed that notification requirement was met. Council President Beardslee opened to Public Hearing, there being no public comments, and the public hearing was closed.

Motion was approved after a roll call vote was taken by City Clerks Meeks as follows:

Henley	Favor
Beardslee	Favor
Dowless	Favor
Powell	Favor

NEW BUSINESS

RESOLUTION NO. 2011-06: A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2010-2011 FISCAL YEAR; AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE. (3rd FY Budget Amendment)

City Attorney Smith read Resolution No. 2011-06 in title only.

Council Member Henley made the following Motion for the adoption of Resolution No. 2011-06, with Second by Council Member Dowless.

City Clerk Meeks confirmed with Council that a corrected copy of the amendment was placed at their seat. She noted that an error in the amount of \$104.00 was found by Administrative Assistant Wild, who reviewed the amendment at the request of the City Clerk. Council President Beardslee asked if anyone in the audience had any comments; there were none.

Motion was approved after a roll call vote was taken by City Clerks Meeks as follows:

Powell	Favor
Dowless	Favor
Beardslee	Favor

STAFF REPORTS

1. Police Chief

Chief Marcus requested council approval to take funds from the forfeiture fund in an amount not to exceed \$3000 to donate to the Academy for Autism. He reported on a poker run his Department has organized to benefit the Academy, and how the funds will benefit the Academy. In response to Council President Beardslee, Chief Marcus noted there are no plans at this time for the remaining funds in this account.

Motion by Council President Beardslee to approve Chief Marcus request with the funds coming from the LETF account, with Second by Council Member Powell; the Motion was approved unanimously (4/0).

Chief Marcus said it should be noted that the officers decided a couple of years ago to take money out of their own pockets to purchase basketball shirts for the autism school. Chief Marcus also noted that October is breast cancer awareness month, and his department will have a partnership with the American Cancer Society to recognize breast cancer awareness month.

Chief Marcus updated Council on the red light cameras, noting that an update was provided to FDOT and the City is now waiting on the response.

Chief Marcus updated Council on the status of copper theft, which he reported on in a previous Council meeting. He said the copper theft has subsided but there has been an uptick in theft of unlock vehicles. He said the Police Department is starting an initiative to look at the whole problem and come together to discuss the whole process. Council President Beardslee asked for officers working nightshift to report streetlight outages.

In response to Council Member Powell, Chief Marcus said officers are making personal visits to businesses.

2. City Clerk

Council President Beardslee noted the status memo from City Clerk Meeks and noted it contained some good information. Council President Beardslee said she thinks it is wonderful that there is more than one person in City Hall working without their plate running over. She said that the City is just "days away" from operating under a new accounting system, under one account with dual controls and security measures and internal financial controls in place. She said the City now has qualified and knowledgeable people working for City, along with oversight

by the Mayor. Council President Beardslee thanked City Clerk Meeks for working with limited staff. City Clerk Meeks said that for the sake of time, it was easier for her to provide a status memo and reminded Council that her door is always open if they have any questions, and she can always be reached by cell phone during the weekend. City Clerk Meeks noted she will be out due to father's death.

3. City Attorney

- Internet Cafes

City Attorney Smith said this is for informational purposes. He explained the information and the moratorium. Council President Beardslee said it appears that the existing internet cafe doesn't appear to be that busy. Council Member Powell proposed to impose a moratorium to let the citizens know Council is not in favor, and believes it will be good public relations. Mayor Bagshaw said he feels Council Member Powell is headed in the right direction, and that at the Tri-County luncheon there was discussion that indicated that the State will not prohibit the cafes but regulate them. Council Member Dowless said he believes imposing a moratorium sends a message to Tallahassee.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw

Mayor Bagshaw reported that he has talked to Edgewood businesses and they want to have an event in the fall or winter, and proposed having a Taste of Edgewood. This would not be a City sponsored event however, the City will be involved. He said Art Miller should have attended metro plan meeting for Sunrail as it relates to silent zones, for upgrade of the crossings. Council should be receiving a report. Engineer Miller also informed the Mayor that the State is looking at lighting in the City; the Mayor has talked to Progress Energy about additional lighting. The Mayor said he has asked Engineer Miller to find out if FDOT will help with additional lighting. Mayor Bagshaw said he is working on engaging a grant writer for lighting and other enhancements for the City. It was the consensus of the Council to explore the possibility of grant writing. Mayor Bagshaw said Belle Isle is going to sign a two year Fire & Rescue contract with Orange County at the same rate.

Council Member Henley

No report.

Council Member Powell

Council Member Powell said CSX still owns the right-of-way. He said FDOT will be taking over maintenance of the property that they purchased from CSX, and will maintaining as of November 1, 2011. CSX will be coming to clean the area in the next few days. He noted that the sidewalk on south side of Holden Avenue is a County road; however, it is technically in the City. He said some of the sidewalk is in need of repair and he believes poses as a liability. He has made contact with the County to find out who is digging up and repairing the sidewalk.

Council Member Dowless:

Council Member Dowless posed a question to the City Attorney regarding additional action on the Ordinance to adopt the millage levy. It was during this discussion that the City Attorney realized the additional action was moot, and the first action taken was the official vote.

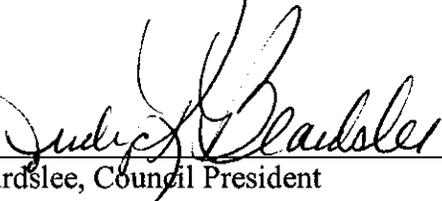
Council President Beardslee

Chief Marcus confirmed for Council President Beardslee that the City will have their annual Halloween event. He said the mayor is getting some giveaway items. Chief Marcus said it will be the same operation as in the past. Council President Beardslee asked about a recent check she signed for the City Engineer, and ask why there had not been any invoices before this. She also questioned general engineering services that was not related to any address or project. Mayor Bagshaw related that during the budget amendment process he found that there had only been one invoice. The Mayor made contact with the Engineer to inquire about the invoicing. The Mayor said that fees will be reviewed because the City's fee, or no fee, in some cases, is not covering the fees billed to the City from Engineer Miller. Mayor said he sent a very strong email to Engineer Miller stating that invoices need to be provided on a monthly basis and if they are not, they may be subject to question. He said the City is ready to form a committee for the auditor, and will be doing the same for other services. City Clerk Meeks explained some of her concerns regarding the permitting processes, and explained why some changes should be considered. Council Member Henley explained his concern about the Engineer's bill and thinks it needs to be looked at further. Council President Beardslee said she is not glossing over the bill and that she spent over an hour reviewing the bill.

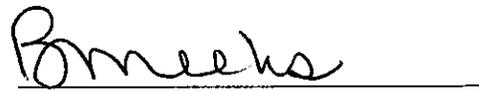
Council President Beardslee noted that the City paid off the commercial loan on the Police Department's building and the vacant lot on Hansel. She said she would like to have a "debt free" celebration, Council agreed and the event was scheduled.

Having no further business Council Member moved to adjourn the meeting with Second by Council Member Henley.

ADJOURNMENT 8:41 p.m.)



Judy Beardslee, Council President



Bea L. Meeks, MMC, CPM
City Clerk

CITY COUNCIL APPROVED: **October 18, 2011 (Regular Council Meeting)**