

**EDGEWOOD CITY COUNCIL
REGULAR MEETING – FEBRUARY 11, 2011**

Present: Council President Beardslee
Council Member Powell
Council Member Bozeman

Excused Absence: Mayor Teague
Council Member Willis
Council Member Henley

Staff: City Clerk, Bea L. Meeks
Police Chief, Pete Marcus
City Attorney, Virginia Cassady

Council President Beardslee called the regularly scheduled meeting of the City of Edgewood City Council to order at 6:30 p.m.

Invocation was given by Council Member Powell, followed by the Pledge of Allegiance led by Billy & Jason Flowers, Boy Scout Troop 23, Orlando, Florida.

Council President Beardslee introduced and welcomed the new City Clerk, Bea Meeks, and noted that she has previously served as Edgewood's City Clerk.

Council President Beardslee stated that she would like to move Consent Agenda Item D 3 for separate discussion. As to Agenda Items 1 and 2, ***Council Member Powell made the Motion to approve, with Second by Council Member Henley; the Motion passed unanimously.***

City Clerk Meeks noted the excused absences of Mayor Teague, Council Members Willis and Henley, and stated for the record that a quorum was present.

Council President Beardslee moved Item D-3 to the end of the Agenda.

Council President Beardslee deferred to Chief Marcus, who reported that the "Gatso" contract is on the Agenda for Council review, with a request that Council approve the contractual language of Holly Hill, and then he and the City Attorney will tailor to the needs of the City of Edgewood.

Council President Beardslee deferred to City Attorney Cassady, who confirmed that she reviewed the contract and was prepared to discuss.

Council Member Powell noted Amendment 1 (Gatso Fee) 2.1; regarding per camera fee of \$4600.00 per camera, per month. Council Member Powell said he doesn't understand this paragraph because the Agreement said it is cost neutral. Chief Marcus explained that the company's money comes off the top, if there is no revenue to support the camera, the City is not

charged. Chief Marcus said the City does not ever pay any money. Council Member Powell asked about the feasibility study; Chief Marcus said it will not be done until Council approves the agreement. Chief Marcus confirmed for Council President Beardslee that the City does not pay for the study. Chief Marcus explained how the revenues are generated by the camera and how disbursements are made.

Council Member Powell moved to accept the preliminary presentation and move forward with the study, Council President Beardslee second the Motion with a question regarding the citation fee, and City Attorney Cassady said \$158.00 is the maximum citation fee for a red light camera violation. Responding to Council President Beardslee, Chief Marcus said the reason for the light is for traffic safety and not to generate revenues. Chief Marcus said the Police Department would only receive \$2.00 for the training fund per citation and anything after that goes to the general revenue fund. Chief Marcus said he is looking more at Gatlin and Orange for a red light camera, not Mary Jess and Orange Avenue. Council Member Bozeman asked about Item 4.4 in the Agreement regarding review of tickets, Chief Marcus explained the process and confirmed that he would send someone for training. Chief Marcus said that there would be no staff impact and no need for additional employees.

Council President Beardslee called for the vote and the Motion passed unanimously.

Council President Beardslee said the next item on the agenda is an agreement for Post Disaster Debris Removal, and explained her reason for requesting this item be placed on the agenda. She said law now prohibits cities from using its contracted disposal company, Waste Management. Council President Beardslee asked Council Member Powell about information he received from Mayor Teague, Council Member Powell said he has not heard back from Mayor Teague. Attorney Cassady said that Attorney Smith reviewed the contract Mayor Teague provided and it is legally sufficient. In response to Council President Beardslee, Attorney Cassady said she thinks the Mayor selected the Agreement that he thought was the best Agreement to review, and that Mayor Teague did not send the other agreements. Council President Beardslee asked Council Member Powell if he would look at the Agreement. City Clerk Meeks confirmed she would provide Council Member Powell, as well as all Council Members, with a copy of the Agreement and place the Agreement on the March Agenda, as requested by Council President Beardslee.

Council President Beardslee asked to have the City website placed on the agenda because it is a good tool for sharing information for Council and residents. She explained how she would like for the website to have the ability to provide residents with 48 hours notice of meetings, if a resident puts their email address into the system. Council President Beardslee said that she would like for staff to be cross trained. Chief Marcus said Officer Zane will be back next week, and will get with the City Clerk and work with her on the website. Council President Beardslee pointed out some capabilities that the website has but is not being utilized.

Public Comments as it relates to the website

Brian Leahy, 429 Oak Lynn Drive

Resident, Brian Leahy, ask if email notification could be generated. Council President Beardslee said she feels the City adheres to public notices however, she feels it can be done better. City Attorney Cassady suggested that the agenda packet access be updated and also suggested a citizen's alert.

No other public comments related to the website.

Council President Beardslee referred to a notice from Waste Management regarding a safety program. In response to Council President Beardslee, City Clerk Meeks said she cannot attend the program however noted who, from the City, was attending.

Staff Report

City Attorney Cassady:

No reports

Council Member Bozeman:

No reports

Council Member Powell:

Council Member Powell said that many cities around the states have a theme day, and gave examples. He said to his knowledge, Edgewood has never had any events, and suggested the City get residents' input through the City newsletter and website. He recommended having a committee and awarding prizes to encourage participation. Chief Marcus mentioned the City already participates in Toys For Tots and Halloween Safe Street. Council Member Powell stressed a theme was needed, and the event should be held annually. City Clerk Meeks agreed to put together a proposal based on Council Member Powell's suggestion and place on the March agenda for Council's consideration. J. T. Blanton, Regina Dunay and Brian Leahy agreed to serve as a committee.

Council Member Powell reported on water runoff at Harbor Island, and the damage caused by excessive water, possible undermining retaining wall. He discussed a possible solution with Engineer Miller. He also reported on street signage that was down (Jessamine Lane) and confirmed that Jerry Reynolds responded to his request to fix. Council Member Powell also reported that he contacted DOT and requested a speed limit sign be placed in the North bound lane of Orange Avenue.

Chief Marcus:

Chief Marcus reported on having new officers and that he prepared a folder with their bio information, along with an introduction of all officers; this was done in response to Council Member Powell's inquiry.

Chief Marcus said that his department has started a business contact plan, and that officers are out in the City making introductions and getting to know the business owners; they are also getting after hours contact info from the owners. This contact information will also help with disaster procedures. In response to Council Member Powell, Chief Marcus said he will see if it is viable to get owner pictures.

Chief Marcus requested direction from Council regarding having a light placed on the Southeast corner of City Hall, in response to Council Member Powell, Chief Marcus said he was not sure if it is a motion light or permanent light. ***Consensus of council to proceed.***

Chief Marcus said he talked to Mayor Teague about two new positions; one unpaid civilian volunteer and a reserve officer. Chief Marcus said there would be minimal fiscal impact, the new positions are not uniformed employees. He noted that one of the new employees will help with accreditation. ***Council Member Powell made the Motion to have unpaid volunteers help with accreditation; Second by Council President Beardslee; the Motion passed unanimously.*** Chief Marcus said the City is understrength as it relates to reserve officers, and there would be some fiscal impact for equipment however, he believes this is in the budget. Chief Marcus said the proposed reserve (David Ireland) is young and comes with good recommendation and already doing volunteer work. ***Council Member Powell made the Motion to approve reserve officer David Ireland with the understanding his hiring is within the existing police budget, if additional funds are needed, the item needs to come back to Council; Second by Council Member Bozeman; the Motion passed unanimously.***

Chief Marcus reported that City Attorney Smith looked at the Memorandum of Understanding regarding the transportation of people to a receiving facility. The subject Memorandum of Understanding is for the children's Crisis Stabilization Program. City Attorney Smith reviewed the Memorandum of Understanding and told the Chief it is good and okay to sign. Chief Marcus said the Memorandum of Understanding is a statutory requirement. City Attorney Cassidy said there is no City Ordinance or other requirement that states the Mayor must sign and therefore recommends Council designate a Council member to sign. ***Council President Beardslee made the Motion that Council Member Powell sign the Memorandum of Understanding in lieu of the Mayor, with Second by Council Member Bozeman; the Motion passed unanimously.*** It was agreed that the Memorandum of Understanding will be signed after adjournment of the meeting.

Public Comments

Brian Leahy, 429 Oak Lynn Drive

Mr. Leahy addressed Council Member Powell's suggestion of having pictures in database for officers to look at when responding to a business alarm. Mr. Leahy said not all owners respond to an alarm, and thinks the standard practices should be used (Chief said this is what City is using now). Council Member Powell clarified the reason for his suggestion.

City Clerk Meeks:

City Clerk Meeks noted that notice was emailed to everyone regarding submittal of agenda items and wanted to make sure Chief Marcus received one, out of concern that he was omitted.

City Clerk Meeks reminded Council of the swearing in of the new Mayor and Council members in the March meeting, and gave a reminder that final/terminated financial reports will be due in June. She reported that items on the March agenda will include electing a new Council President and appointment of new Planning & Zoning member.

City Clerk Meeks noted that invitations were forwarded to Council from Orange County Mayor Jacobs, regarding providing logo Partnership in the Central Orange County Economic & Job Summit, and with Council approval would like to forward the logo. She noted that there is no charge to include logo. ***Council President Beardslee made the Motion to participate; with Second by Council Member Powell; the Motion passed unanimously.***

City Clerk Meeks noted that in the December 21, 2010 meeting, a request was made to increase Debbie Wallace's pay by 10% for the position of acting City Clerk. City Clerk Meeks stated that Debbie Wallace would like to keep the pay increase; City Clerk Meeks said she has not worked with Debbie Wallace long enough to give a fair assessment therefore, requested to maintain the increase and bring back to Council. She noted that Chief Marcus requested the pay rates of other employees to compare equity of pay. ***Council President Beardslee made the Motion to continue with the 10% increase and bring back to Council in April, with an assessment of the pay and staffing plans; the Motion was Second by Council Member Powell and passed unanimously.***

City Clerk Meeks conveyed a "thank you" to Shannon Patterson, Police Clerk, for assisting her with payroll.

Council President Beardslee requested to table agreed upon procedures review (Agenda Item H-2) until March City Council meeting; consensus of Council to table.

Council President Beardslee explained why the Newsletter was pulled from Consent Agenda, as she wanted to make sure that everyone understood the point and purpose of the Newsletter. It is to serve as a conduit of information to the public that Council serves. She said she does not agree with censorship however, she does not think there is a lot of room in the newsletter to be a sounding board. She deferred to City Attorney Cassady who said she was prepared to discuss but deferred back to council to review. Council Members Powell and Bozeman said they have reviewed the draft Newsletter. Council Member Powell said that he has discussed the draft Newsletter with Mayor Elect Bagshaw; and noted his discussion was not a violation of sunshine

since Mr. Bagshaw has not been sworn in. Council Member Powell stated that Mayor Teague said in 2005 when he was elected that he wanted to change the format of the newsletter, and that he went along with it but now feels that citizen input is needed. Council Member Powell said citizens should have the availability and the Mayor elect agrees. Council Member Powell wants to “scrap” the newsletter and start over fresh. Council Member Bozeman said he thinks the letter needs to have more factual information. Council President Beardslee said the article is untrue and provided her explanation. Council President Beardslee said she has never been a proponent to negativity. Council Member Bozeman said he would not send the Newsletter out. Council Member Powell asked residents if they knew what Council was talking about. Council President Beardslee said Council is trying to decide if a newsletter with opinion instead of factual information should go out to the public. Resident, J.T. Blanton said he doesn’t consider it censorship if they want to pull a newsletter.

City Attorney Cassady remembers the history of the newsletter and how it went from being written by a private citizen to being prepared by the City. She prepared a Resolution because of first right amendment but council did not take action. She said Council has kept with the spirit of the intent by not having opinion, which insulates from first right amendment. City Attorney Cassady said that it appears that Mayor Teague submitted something that doesn’t appear to be appropriate to Council and explained why. City Attorney Cassady said if they see fit to not let a newsletter go out, it is the Council’s prerogative and explained their options. In response to Council President Beardslee regarding letters to the editors, she explained once you open the door, you cannot censor. City Clerk Meeks will locate the proposed 2005/2006 Resolution and bring back to Council so they can revisit the guidelines provided.

Council Member Powell suggested Council Members Henley and Bozeman or Council President Beardslee submit an article to the Newsletter. Council Member Bozeman agreed to write an article thanking Council Member Willis and Mayor Teague. City Clerk Meeks said she will contact the printer and request they continue to hold off on printing the Newsletter until further notice. Council President Beardslee also requested that the dates and times for HOA meetings be included in the Newsletter.

Public Comments as it relates to the Newsletter

JT Blanton suggested that the City put information in the newsletter letting citizens know they have the right to attend meetings and address concerns they may have with council. Council President Beardslee said that contact information for the Mayor and Council Members should be included as well.

Council President Beardslee noted that Council Member Powell has mentioned on several occasions that it would be nice if schools would come in and see how government works. She said that she talked to an instructor at Cornerstone, who is willing to give extra credit to his students. She again recognized Boy Scouts, Jason and Billy Flowers for attending the Council meeting. Council President Beardslee said she would like for the City Clerk to send an invitation to the administration at Corner Stone to attend any council meetings.

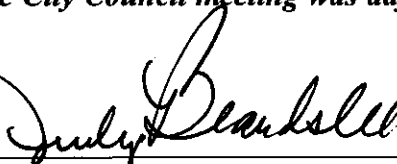
Council President Beardslee reminded everyone of the next regular scheduled meeting, and noted that Orange County Mayor, Teresa Jacobs, will swear in the Mayor and Council Members.

Council Member Powell commented on legislation that impacts municipal government; in particular, the development of the City being done by City Planner Hargrove, as it relates to the City's Evaluation Appraisal Report (EAR). Council Member Powell said this was fought and the Courts agreed but small print says except under special circumstances. Council Member Powell said he has talked to the City's local elected official, Eric Esinaugle about this. Council Member Powell said it is up to our lobbyist to fight and he encouraged citizens to put pressure on them; be proactive. Council President Beardslee said that legislative representatives for the City is on the City's website.

The request was made that the City Clerk ask Planner, Ellen Hardgrove to attend the April meeting.

In response to resident, J. T. Blanton, City Attorney Cassady explains what happens if a City doesn't prepare their EAR, and also explained the Comp Plan Act. Council President Beardslee said she is not a proponent of spending money

Having no further business, Council President Beardslee made the Motion to adjourn the meeting; Council Member Powell Second the Motion the City Council meeting was adjourned at 8:15 by unanimous vote.



Judy Beardslee
Council President

ATTEST:



Bea L. Meeks, MMC, CPM
City Clerk