

**EDGEWOOD CITY COUNCIL  
REGULAR MEETING – APRIL 17, 2012**

On Tuesday, April 17, 2012, the Edgewood City Council held a regular meeting at Edgewood City Hall, 405 Larue Avenue, Edgewood, Florida. Council President Pro Tem Dowless 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:**

Mayor Bagshaw  
Council Member Powell  
Council Member Dowless  
Council Member Chotas  
Council Member Henley

**Absent:**

Council President Beardslee (Excused)

**Staff:**

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

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**CONSENT AGENDA**

1. Approval of:

- August 16, 2011 Regular City Council Meeting
- February 21, 2012 Regular City Council Meeting

*Council Member Powell made the Motion to approve the consent agenda, with Second by Council Member Henley. The Motion was approved unanimously (4/0).*

**A. PRESENTATIONS**

- Mayoral Proclamation – Foster Grandparents Day

Council President Pro Tem Dowless recognized Mayor Bagshaw to present a Mayoral Proclamation, and noted that the Mayor celebrated his birthday on April 16, 2012.

Mayor Bagshaw read a Proclamation designating May 7, 2012 as Grandparent Day.

Council President Pro Tem Dowless announced that **UNFINISHED BUSINESS** will be moved to this portion of the meeting.

- Consideration and approval of Agreement for Engineering Services (**Tabled from 3/20/2012 City Council Meeting**)

City Clerk Meeks noted the recent applications for building permits; in particular, applications for boat docks, that staff has received. City Clerk Meeks said that Sam Sabaali's firm have reviewed the applications and provided comments in a timely manner. Additionally, Sam is personally talking to the applicants taking the burden off staff. Council Member Powell noted the differences between a dock and a pier. Engineer Sebaali said that he is reviewing the boat docks based on how the City Code is written. Council Member Chotas noted statutes recently passed regarding comp plan and wanted to make sure that FEG will follow the Statute, as it relates to the number amendments allowed before it starts costing more money. Council Member Chotas also asked what steps FEG plans to take to minimize communication time with applicants. Engineer Sebaali said he is cognizant of the City's budget and plans to respond to applicants within the most efficient time to keep the applicant happy, but at the same time does not affect the City's budget by making the process simpler.

*Council Member Chotas made the Motion to accept FEG's contract as submitted, with Second by Council Member Powell. The Motion was unanimously approved (4/0).*

## **ORDINANCES – FIRST READING**

**ORDINANCE NO. 2012-02:** AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 102-71 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES BY ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH CERTAIN AMENDMENTS, THERETO TO CONFORM TO FLORIDA LAW AND THE CITY'S EXISTING CODE OF ORDINANCES; REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; PROVIDING THAT THE PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE SHALL BE SUPPLEMENTAL TO ALL OTHER CODES AND ORDINANCES OF THE CITY; PROVIDING FOR CODIFICATION, SEVERABILITY, AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE. (**Tabled from 3/20/2012 City Council Meeting**)

Council President Pro tem Dowless asked if everyone received a copy of the International Property Maintenance Code book, and Council Member Chotas said he did not receive a copy.

City Attorney Smith read Ordinance 2012-02 in title only.

Council President Pro Tem Dowless asked for comments from audience; there were none. Chief Marcus noted that it is common to use some Code to regulate housing standards, and the City chose the International Property Maintenance Code (IPMC). In response to Council Member Chotas, Chief Marcus said those residents who violate the Code will be provided with a courtesy notice. They are given a time to comply and if they do not comply, they will appear before the Code Magistrate. City Attorney Smith said the Magistrate will factor in materiality and the significance of the violation.

*Council Member Powell made the Motion to approve the first reading of Ordinance 2012-02, with Second by Council Member Henley. The Motion was unanimously approved by the following roll call vote:*

<b>Council Member Chotas</b>	<b>Favor</b>
<b>Council Member Henley</b>	<b>Favor</b>
<b>Council Member Powell</b>	<b>Favor</b>
<b>President Pro Tem Dowless</b>	<b>Favor</b>

City Clerk Meeks announced the second reading will be held on May 15, 2012, and confirmed notice in Sentinel will be done

**B. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)**

1. **ORDINANCE NO. 2012-01: AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, AMENDING THE CITY’S ADOPTED PERSONNEL POLICIES, PROCEDURES, AND RULES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (Tabled from 3/20/2012 City Council Meeting)**

City Attorney Smith read Ordinance 2012-01 in title only.

*Council Member Powell made the Motion to approve the second and final reading of Ordinance 2012-01, with Second by Council Member Henley.*

Council President Pro Tem Dowless noted changes regarding “Paid Time Off” (PTO) beginning at Page 92. In response to Council Member Chotas, he said he believes the PTO is workable. In response to Council Member Chotas, City Clerk Meeks said Council President Beardslee did not express any concerns about the Personnel Policy. Chief Marcus said she told him she was okay with the Policy.

*The Motion was unanimously approved by the following roll call vote:*

<b>Council Member Powell</b>	<b>Favor</b>
<b>Council Member Henley</b>	<b>Favor</b>
<b>Council Member Chotas</b>	<b>Favor</b>
<b>President Pro Tem Dowless</b>	<b>Favor</b>

**C. UNFINISHED BUSINESS**

1. FEG contract moved to the beginning of the Agenda.
2. **REVIEW AND DISCUSSION OF DRAFT ORDINANCE 2012-xx AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, RELATING TO PARKING; AMENDING SECTION 62-21 TO PROVIDE FOR LIMITING OR RESTRICTING PARKING IN PUBLIC AREAS; PROVIDING FOR NOTICE AND SIGNAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Smith said this is for discussion only. Said it codifies signage placed in the parking lot. He said it is completely within the City's power to specify the parking. In response to Council Member Chotas, City Attorney Smith said there is no standard set in the Ordinance, it is simply the City will have sovereign power. Council Member Chotas asked the City Attorney to include City Council approval regarding who parks. Council Members Powell, Henley and Council President Pro tem Dowless said they are okay with bringing the Ordinance back for first reading.

#### **D. NEW BUSINESS**

##### **1. Mayor's Recommendation For Planning & Zoning Board Member**

Mayor Bagshaw said Debbie Younglove has resigned from the Planning & Zoning Board and Marian Rayburn is his recommendation to fill the seat. City Clerk Meeks asked to check on the requirement for defined terms for the Planning & Zoning Board.

There were no objections to Mayor Bagshaw's recommendation.

##### **2. Accrued Leave Buy Back Agreement**

Council President Pro Tem Dowless deferred to City Attorney Smith, who explained the history and purpose of the "Buy Back Agreement". He said the buy down will bring Chief Marcus and Shannon Patterson back to the maximum 200 hours. Mayor Bagshaw said that this will bring the City in line with the PTO in the newly adopted revised Personnel Policy.

*Council Member Powell made the Motion to accept the buy back for Chief Marcus, with Second by Council Member Henley. The Motion was unanimously approved (4/0).*

*Council Member Powell made the Motion to accept the buy back for Shannon Patterson, with Second by Council Member Henley. The Motion was unanimously approved (4/0).*

#### **E. GENERAL INFORMATION (No action required)**

#### **F. CITIZEN COMMENTS**

No citizen comments.

#### **G. BOARDS & COMMITTEES**

#### **H. STAFF REPORTS**

##### **1. Police Chief**

- Quarterly Activity Update

In response to Council President Pro Tem Dowless, Chief Marcus provided a report on the robbery at Anthony's

In response to Council Member Chotas, City Attorney Smith said in lawsuits regarding the red light camera statute that statute was found to be constitutional. Chief Marcus confirmed the cash flow is positive; however, the cameras were put in place for safety purposes.

Chief Marcus said he wants to move a part-time employee to full-time. He noted finger printing and the red light camera. He said 50% of the fingerprinting money is split between City Hall and the Police Department.

City Clerk Meeks pointed out the increase in the FRS employer contribution that will happen in July 1, 2012.

In response to Council Member Chotas, Mayor Bagshaw said that fingerprinting is not a service to the City, he views it more as an outreach. He said on the positive side it is revenue. He said in his view fingerprinting can either go away, restrict the days of service or add a full-time employee to handle the work load.

Council Member Powell asked part-time Police Clerk Stacey Condrey if she is still in school. In response to Council Member Powell, Stacey said working full time with the City is her priority.

Council Member Henley asked how they project that they will be continuing the finger printing service. Chief Marcus said that there are few agencies that do fingerprinting, and the State recently required electronic fingerprinting. Chief Marcus said if fingerprinting dropped off, he would find it in his budget to keep a good employee. He said if fingerprinting dropped off, Stacey would be helping out in Code Enforcement.

In response to Council Member Chotas' question regarding potential liability for providing finger printing service, City Attorney Smith said if there is a liability the City has insurance however, he can't think of anything that would create a liability.

Council President Pro Tem Dowless said he doesn't want the City to create work to create a position, and he doesn't want the position to take the money that is being generated. He also noted the work that the Mayor does with no compensation, and what could happen when he is no longer Mayor.

Mayor Bagshaw pointed out that if the money wasn't in the budget then Stacey's position can be at risk.

***Council Member Powell made the Motion to move the part-time Police Clerk position to a full time position, with Second by Council Member Henley. The Motion was unanimously approved (4/0).***

- Florida Law Enforcement Agency Crash Report Reimbursement

Chief Marcus deferred to City Attorney Smith, who explained the crash reports are sold by the State, and this is already public record. Council Member Chotas said this is marketing and that it is exclusive with WWW. City Attorney Smith said the City's Agreement is with the State. Chief Marcus said the State is going to sell the reports regardless of what the City does, but if the City has an agreement, the City will receive some compensation. Council Member Chotas said he does not agree with the program. Council Member Powell said he thinks the item should be tabled. Chief Marcus said he will bring back to Council in the May meeting.

Chief Marcus reported on car burglaries that took place and said that none of the cars burglarized were locked.

## 2. City Clerk

- Status Report

City Clerk Meeks referred to her status memo, and reminded Council that she is available to answer any questions they may have.

City Clerk Meeks said that it has been indicated to her to not pursue new legal services. Council Member Henley said that it is okay to table the matter for now; however, she still wants to pursue after budget is completed.

City Clerk Meeks said she will be out of City Hall the week of May 1st through May 5<sup>th</sup>, as she will be attending the Florida Association of Business Tax Officials (FABTO) conference.

City Clerk Meeks said that she is “on call” in May for a trial subpoena because of her role as records custodian. She reminded Council that April 25, 2012 is Administrative Professional Day.

Council Member Powell referred to the City Clerk’s status report regarding his request for a theme day. He asked Council to think about it.

City Clerk Meeks said she has checked online with MuniCode, and that P&Z members serve three year staggered terms.

## 3. City Attorney

City Attorney Smith asked about Code review, and Mayor Bagshaw said a committee will need to be formed. He asked Council Members to review the code and provide items they think need to be addressed.

### **I. MAYOR & COUNCIL REPORTS**

Council Member Powell

None

Council Member Henley

Reported to Council that she is getting ready for budget.

Council Member Chotas

In response to Council Member Chotas, Mayor Bagshaw explained the status of Vince, Tops and Details, request for Council phone number. Mayor Bagshaw said Vince is trying to form a group to address the Ordinance regarding the removal of pole signs. Mayor Bagshaw said he talked with Vince and others and suggested they bring back how much it costs, and related to them that there are businesses that have

already conformed to the Ordinance. Mayor Bagshaw said they are planning to bring a group of business owners to the May City Council meeting.

Mayor Bagshaw reported that donations have been made for trees which will allow for some more clean-up.

**ADJOURNMENT**

*Council Member Powell made the Motion to adjourn, with Second by Council Member Henley. The Motion was unanimously approved (4/0), and the City Council meeting adjourned at 8:38 p.m.*

**ATTEST:**

  
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Judy Beardslee  
Council President  
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Bea L. Meeks, MMC, CPM  
City Clerk

**APPROVED BY CITY COUNCIL ON JUNE 19, 2012**