

**EDGEWOOD CITY COUNCIL  
APRIL 16, 2013 CITY COUNCIL REGULAR MEETING**

On Tuesday, April 16, 2013, Council President Judy Beardslee called the Edgewood City Council regular meeting to order at 6:34 p.m. The invocation was given by Council Member Powell followed by the Pledge of Allegiance.

The following attendance is noted:

**Attendees:**

Ray Bagshaw, Mayor  
Judy Beardslee, Council President  
John Dowless, Council Member  
Lee Chotas, Council Member  
Neil Powell, DDS, Council Member  
Pam Henley, Council Member

**Staff**

City Clerk Bea Meeks  
Chief Marcus  
City Attorney Smith

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Council President Beardslee called on Chief Marcus, who presented an award to Officer David Ireland for his actions during a recent storm in getting roads opened for travel.

Council President Beardslee acknowledged Mayor Bagshaw's birthday.

**CONSENT AGENDA**

- January 8, 2013 – Council Workshop Minutes
- January 15, 2013 – Regular City Council Meeting Minutes

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

**PRESENTATIONS**

- **Mayoral Proclamations**

Mayor Bagshaw presented the following Proclamations:

1. Municipal Clerks Week Of May 5<sup>th</sup> – May 11<sup>th</sup>

## 2. Military Family and Community Covenant Day

### **CITIZEN COMMENTS**

Council President Beardslee asked if any citizens were present to speak.

#### 1. Wayne Adams 5511 Lake Mary Jess Shores Court

Mr. Adams said there are a lot of Water Oak trees in his neighborhood. He asked for the trees to be cut down. Mr. Adams said he discussed this matter with Mayor Bagshaw last year. He also noted a tree at the beginning of his subdivision that is blocking the lighting. In response to Council President Beardslee, the Mayor said he is addressing this matter in his report. In response to Mr. Adams, the Mayor said there are a lot of trees that have matured in the City that may need to be removed. He said the arborist will be in the City tomorrow and he will ask them for an assessment of the trees. Council President Beardslee said the Mayor has been very proactive in assessing trees that pose a danger.

### **STAFF REPORTS**

#### **Police Chief:**

Chief Marcus reported on the following:

Chief Marcus said that in a recent meeting Council Member Powell said he had not seen an update on Police personnel. For this reason, Chief Marcus provided an updated personnel booklet to Council Members.

Chief Marcus reported that the torch run is next week and his staff and City Hall staff will be handing water out to the runners.

Chief Marcus said he discussed replacing a vehicle with Mayor Bagshaw, as he would like to replace the Crown Victoria with a Ford Explorer.

Chief Marcus presented his proposal for new graphics on the police cars. He provided a handout to Council showing the proposed new graphics. In response to Council Member Chotas, Chief Marcus said he wants to change the graphics on the old vehicles too. Council President Beardslee said she has no objections. Council Member Chotas said the cars look fine. In response to Council Member Chotas, Chief Marcus said the graphics package is \$300.00 per car but he does not know if that includes taking off the old graphics. Chief Marcus said that if he was able to move forward with the request, he would like to know if Council likes the new design. In response to Council Member Dowless, Chief Marcus said the graphics would be four retrofits, and one new vehicle. Chief Marcus noted the emphasis on the flag in the proposed graphics. He said the current design is outdated. He said a graphics change does not have to be done but thinks it would be nice to make the change. In response to Council Member Henley, Chief Marcus said he sees the design as a benefit, as he thinks it will make the cars stand out for citizens. Council Member Henley said she likes the design but would like to see the costs. In response to Council Member Powell, Chief Marcus said the Ford Explorer is better than the Crown Victoria. He said it is a purpose built vehicle with better options. In response to Council Member Henley, he said he hopes the Crown Victoria will make it through the summer; he does not want to dump more money into the vehicle. In response to Council Member Chotas, he said that he did not feel 911 was needed on the proposed graphics, as residents know who to call.

Chief Marcus referred Council Members to his quarterly report that was included in their agenda packets. Chief Marcus said the numbers provided in his report continue to show that the City's crime is low compared to other jurisdictions. In response to Council Member Dowless, Chief Marcus explained how his department handles false alarm calls.

Chief Marcus said he has seen the draft accreditation report and it is very flattering. He said the full accreditation will take place in June.

Chief Marcus said a reserve officer is leaving his department, and he has a fire fighter that is going through the hiring process to fill the position.

**City Clerk:**

City Clerk Meeks reported on the following:

City Clerk Meeks said that she, along with Police Clerk Shannon Patterson and the Mayor, have been meeting with Debbie Fekany, Payroll Processing Plus. She said the transition to outsource payroll is almost complete. She said that Payroll Processing Plus will begin processing payroll in May.

City Clerk Meeks reminded Council that there will be a special Planning & Zoning Board meeting on April 22, 2013, and a special Council meeting on April 23, 2013. Both meetings are for the purpose of addressing a request for a special exception from the Russell Home.

City Clerk Meeks reported on the status of the monthly financial statements.

City Clerk Meeks reported the Planning & Zoning Board will meet in May to consider an application for annexation and the Comprehensive Plan.

City Clerk Meeks announced that she will be at the Florida Association of Business Tax Officials' conference the week of April 30<sup>th</sup> through May 3<sup>rd</sup>.

For informational purpose only, City Clerk Meeks provided Council Members with a copy of the final tax roll.

**Code Enforcement:**

No report.

**City Attorney:**

No report.

**MAYOR & COUNCIL REPORTS**

**Mayor Bagshaw**

Mayor Bagshaw reported on the following:

Mayor Bagshaw reported that Accu-Krete will begin sidewalk repair on March 21, 2013.

Mayor Bagshaw reported that a proposal for the road repair project that was discussed during the budget process has been provided to contractors. He said the bid opening will be April 22, 2013.

Mayor Bagshaw said he requested to have Commerce Drive placed on the agenda. Mayor Bagshaw said this has been an ongoing concern, as it relates to Robert Brown's property. He said he has talked with the Commerce HOA and the residents. The Mayor said there needs to be some corrections made to the existing wall. He said the Commerce HOA is willing to pay \$1000 towards replacing the wall. He recommended that the City accept the \$1000.00 from the HOA and pay the remaining \$2500.00 to resolve this long term issue. In response to Council President Beardslee, Mayor Bagshaw said Sam Sebaali, FEG, looked at the wall and said replacing the wall should correct the problem.

*Council Member Dowless made the Motion to amend the budget to provide the funds in the amount of \$2500 to make corrections to Mr. Brown's property and the Commerce Wall; monies to be taken from the contingency fund.*

*Council Member Chotas seconded the Motion and asked to amend the Motion to include (1) clarify that funds were authorized to be expended to correct City property; (2) to authorize receipt of \$1000.00 from the Commerce HOA. Unanimously approved (5/0).*

Mayor Bagshaw reported that a golf cart stolen from the Russell Home was replaced by an anonymous donor.

#### **Council President Beardslee**

Council President Beardslee noted the change in the order of items on the agenda. She said she wanted to allow the general public in attendance at the beginning of meeting to be able to speak, as well as hear staff reports. She said she was also concerned about taking action on items from staff reports that were not included on the agenda. Particularly, when items include a request to spend money. She said she would like to see a proposal and documentation. Additionally, Council President Beardslee said a lot of time is being spent on consent agenda items, and she would like for information regarding corrections to the minutes be given to the City Clerk in advance of the meeting.

Council President Beardslee recommended that action items be provided to the City Clerk by 4 p.m. the Tuesday prior to the Council meeting.

*Council Member Chotas made the Motion that all action items to be placed on the agenda be provided to the City Clerk the Tuesday prior to the Council meeting by 4 p.m. Council Member Powell Second the Motion. Unanimously approved.*

Resident Rebecca Poston questioned the posting requirement of the agenda, and referenced House Bill 23. City Attorney Smith said the agenda has to be posted forty-eight hours prior to the meeting.

### **Council Member Powell**

Council Member Powell noted the traffic problems on Holden Avenue and Orange Avenue caused by the resurfacing on Holden Avenue. He said damage was done to a sensor, causing a change in the traffic signals and delaying traffic. Council Member Powell said it took some time to correct the problems however, the problem has been resolved.

Council Member Powell reported that he is working on getting directional arrows for the straight driving lane, and the right turn lane going east on Holden Avenue. He said this problem seems to be coming to a resolve.

Council Member Powell said there was a hydraulic fuel spill on Lynwell Drive. He said the Orange County Environmental Protection Department was contacted because of the close proximity of the spill to the lake. He said a meeting with the County and staff is scheduled for April 29, 2013.

### **Council Member Dowless**

Council Member Dowless reported on his attendance at the Cypress Grove Friends of the Park meeting. He said he was unable to attend a VA event. Council Member Chotas said he attended the event, and it was a good event.

### **Council Member Henley**

None.

### **Council Member Chotas**

None.

Council President Beardslee moved the order of the Agenda to consider Ordinance 2013-01; second and final reading.

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

Ordinance 2013-01

**AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SUBPART B “LAND DEVELOPMENT REGULATIONS”, CHAPTER 101, “GENERAL AND ADMINISTRATIVE PROVISIONS”, CREATING ARTICLE I, ENTITLED “PASS-THROUGH FEES”, IN THE CODE OF ORDINANCES; PROVIDING FOR PASS-THROUGH TO THE APPLICANT OF CERTAIN COSTS INCURRED BY THE CITY PERTAINING TO THE REVIEW, INSPECTION AND REGULATION OF DEVELOPMENT ACTIVITIES WITHIN THE CITY; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

City Attorney Smith read Ordinance 2013-01 in title only. He noted a redline copy of the Ordinance that shows the changes that Council Member Chotas asked him to author, in addition to changes made in the March Council meeting. City Attorney Smith said the substantive changes are lines 40, 202 and 184 (red line copy attached to the minutes).

*Council Member Powell made the Motion to approve the second and final reading of Ordinance 2013-01, as amended, with Second by Council Member Chotas.*

Council President Beardslee opened for public comments.

City Clerk Meeks read into the record an email from resident, Tina Demonstene regarding the Ordinance (attached to the minutes).

Having no further comments, Council President Beardslee closed public comments.

City Attorney Smith said the Ordinance includes boat dock applications however, it does not include sea wall applications. Council President Beardslee said she thinks it should be included. City Attorney Smith said the City Code does not address permitting a seawall however, you still have to get a permit. He said the County will issue a permit but the City Engineer will be involved because of the impact on City lakes. Council Member Chotas said he does not want to insert seawalls into the pass-through fee Ordinance unless criteria required to be met to issue a sea wall permit is part of the City Code. Council Member Powell said an issue involving wake boarders on his lake occurred because of the waves created by boats and the wake boarders. He said the wake boarding created problems for one property owner as it related to erosion. Council Member Powell said there are places and time for a seawall. Council President Beardslee said that she will change her position as it relates to adding seawall to the Ordinance.

The Second and Final reading of Ordinance 2013-01 was approved by the following roll call vote:

<i>Council President Beardslee</i>	<i>Favor</i>
<i>Council Member Chotas</i>	<i>Favor</i>
<i>Council Member Dowless</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Henley</i>	<i>Favor</i>

## **OLD BUSINESS**

### **1. Review of City Contracts/Agreements**

Council President Beardslee stated that the City Charter requires Council to review City contracts and agreements annually. She said the list Council received is not all of the City contracts/agreements; they are the more critical agreements/contracts. Council Member Henley said she questioned the City Clerk about bookkeeping fees. She said the company does a good job however, with the change to outsourcing payroll, fees need to be recalculated. Mayor Bagshaw said that some of the fees will go away with the transfer of services.

In response to Council Member Chotas, the Mayor said he would endorse the renewal of the contracts. In response to Council Member Powell, who questioned whether or not there were job descriptions; particularly, for Jerry Reynolds (New Horizons). Mayor Bagshaw confirmed that Jerry Reynolds contract provides a detailed description of duties.

*Council President Beardslee made the Motion to approve the reappointment of the Consultants outlined in City Clerk Meeks memo dated March 12, 3013(memo attached to the minutes), with Second by Council Member Powell. Unanimously approved (5/0)*

## **NEW BUSINESS**

None.

**BOARDS & COMMITTEES**

None.

**ORDINANCES**

None

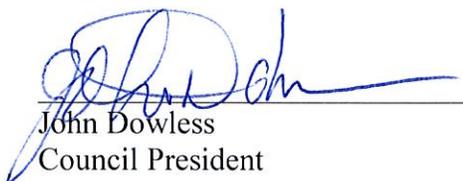
**GENERAL INFORMATION (No action required)**

None.

**ADJOURNMENT**

With no further business or discussion, the City Clerk announced that birthday cake for the Mayor will be served following adjournment. The meeting adjourned at 8:18 p.m.

**ATTEST:**

  
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John Dowless  
Council President

  
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Bea L. Meeks, MMC, CPM  
City Clerk

**APPROVED BY CITY COUNCIL ON 7-16-2013.**