

**EDGEWOOD CITY COUNCIL
AUGUST 5, 2013 CITY COUNCIL SPECIAL MEETING**

On Monday, August 5, 2013, Council President John Dowless called the Edgewood City Council special meeting to order at 6:02 p.m. Council President Dowless chose to forego the invocation and Pledge of Allegiance.

The following attendance is noted:

Attendees:

Ray Bagshaw, Mayor
John Dowless, Council President
Lee Chotas, Council Member
Michael Hendrix, Council Member
Pam Henley, Council Member

Staff:

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

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City Clerk Meeks announced all Council members in attendance. She also announced technical problems with the recording equipment (alternate recorder used).

Council President Dowless stated that the purpose of the meeting was to discuss the Legacy tree mitigation plan. Council President Dowless and Council Member Hendrix confirmed for City Attorney Smith that they are filing a voting conflict because both serve on the Legacy HOA board. In response to Council President Dowless' request, Mayor Bagshaw explained the type of trees recommended for replacement, particularly those recommended by Duke Energy. City Attorney Smith said the plan comes under the City's tree mitigation plan. He noted that Council is being asked to allow tree replacement with a tree that was not removed. Mayor Bagshaw said Legacy had a permit to remove the trees on Holden Avenue but did not have one for Jessamine Lane. He said Council needs to decide what is acceptable. He said the proposed tree replacement, Japanese Blueberry, is an accepted tree by Duke Energy, as it relates to power lines.

Terry Young 5115 Cranes Point Court-Past President, Cranes Point HOA – Asked for clarification regarding obtaining a permit on Holden. He asked if an actual permit was granted. In response to resident Young's second question, Mayor Bagshaw confirmed that the Japanese Blueberry tree is not included in the Ordinance for recommended trees. Resident Young also asked if the developer's agreement is a specific condition of the type of trees that can be planted. City Clerk Meeks said she could not find any agreement. Mr. Young said he knows the attorney (Holland & Knight) who prepared the Agreement and will obtain a copy of the Agreement. Mr. Young said his HOA want the trees

replaced with the same tree. Council Member Powell related his concerns the conditions resulting from trees in Waterwitch that caused damage to the sidewalks.

Council Member Chotas asked Mr. Young to provide City Clerk Meeks with a copy of the Agreement. He said the City Clerk, along with the City Attorney can determine what is the proper form to proceed in this matter. ***Council Member Chotas made the Motion to move for a continuance, Seconded by Council Member Henley. Motion approved 5/0. City Clerk Meeks said the regular City Council meeting is August 20, 2013.*** In response to Mr. Young, Council President Dowless confirmed that Code Enforcement did investigate the removal of the trees. He said the report will be discussed in the August meeting.

Adjournment:

With no further business, on the Motion of Council Member Chotas, Seconded by Council Member Powell, the special meeting adjourned at 6:29 p.m.

ATTEST:



John Dowless
Council President



Bea L. Meeks, MMC, CPM, CBTO
City Clerk

APPROVED BY CITY COUNCIL ON August 20, 2013.