



CITY COUNCIL REGULAR MEETING MINUTES
Tuesday, July 21, 2015

CALL TO ORDER

Council President Dowless opened the regular City Council meeting at 6:30 p.m. The invocation was given by Council Member Powell followed by the Pledge of Allegiance led by Administrative Assistant Sandy Repp.

The following attendance is noted:

CITY COUNCIL MEMBERS

Ray Bagshaw, Mayor
Dan Drummond, Council President Pro Tem
Neil Powell, D.D.S., Council Member
Mike Hendrix, Council Member
Pam Henley, Council Member

ABSENT

John Dowless, Council President

STAFF

Bea Meeks, City Clerk
Chris Francisco, Police Chief
Drew Smith, City Attorney
Ellen Hardgrove, City Planner
Sam Sebaali, City Engineer
Administrative Assistant Sandy Repp
Interim Detective Chris Meade
Code Enforcement Officer Debbie Cabales

City Clerk Meeks announced with the exception of Council President Dowless, all Council Members were present. She requested that Council President Dowless be excused from the meeting.

Council Member Powell made the Motion to excuse Council President Dowless from the meeting; Seconded by Council Member Hendrix. Unanimously approved (4/0).

With no objections from Council Members, Council President Pro Tem Drummond changed the order of the meeting to consider Jeff and Hayley Baker's Variance Request:

Planner Hardgrove gave her report explaining each request for approval. She explained the conditions requested by the Planning & Zoning Board as follows:

- 1) Variance in Section 134-483 to allow a detached garage and a tennis/basketball court, both viewed as accessory structures, in front of the proposed house.

Condition 1: There shall be no lighting of the tennis/basketball court. Any requests in the future for lighting will not be approved unless an amendment to this variance for such is granted by City Council after review by the Planning & Zoning Board.

Condition 2: Applicant shall install and maintain an opaque vegetation buffer that screens the chain link fence on the west side of the tennis court. The buffer shall run parallel to the fence to be installed along the property line.
Plant material used to satisfy this condition must meet or exceed "Florida No. 1," to be at least 6 feet in height at planting and spaced no more than 30 inches apart at planting. A permanent underground central irrigation system providing 100 percent coverage of all landscape/buffer areas is required.

- 2) Variance in Section 134-517 to allow the construction of a fence or wall greater than 4 feet in height in front of the building line: requested 6 feet in height.

Condition 1: If a security gate is to be used, the gate shall be setback at least 20 feet from the edge of Jessamine Lane pavement to prevent blocking other vehicles use of Jessamine Lane.

Condition 2: The fence shall not exceed 6 feet in height and shall be similar in architectural style as the fence on the neighboring property, including the use of stone columns along the front property line. Stone columns shall not exceed 7 feet 4 inches in height.

Condition 3: Subject to site plan approval to ensure there is no impairment of sight lines in relationship to the right-of-way.

City Attorney Smith explained that Council can approve the Planning & Zoning Board's recommendations. He further explained if Council denies or changes the recommendation, the matter will go to another hearing. Mayor Bagshaw noted that there were no neighbors from Jessamine Lane in attendance; stating the assumption could be that they are well satisfied with the recommendations of the Planning & Zoning Board.

6:40 p.m. Council Member Henley joined the meeting.

Council Member Powell made the Motion to accept all recommendations of the Planning & Zoning Board; Seconded by Council Member Hendrix. Unanimously approved (4/0).

PRESENTATIONS

Council President Pro Tem Drummond recognized Representative Mike Miller, District 47, who provided a legislative update. Mayor Bagshaw said he appreciates Rep. Miller attending the Council meeting, and for providing a legislative update. Mayor Bagshaw asked Rep. Miller to take back to Tallahassee the fact that when the State saves money in their budget it affects municipal budgets.

CONSENT AGENDA

1. Review and Approval of Minutes

- a. June 16, 2015 Regular City Council Meeting
- b. March 31, 2015 Edgewood City Council/Planning & Zoning Board Workshop Corrected Minutes

Council Member Henley made the Motion to approve the June 16, 2015 Regular City Council Meeting minutes, and the March 31, 2015 Edgewood City Council/Planning & Zoning Board Workshop Corrected minutes; Seconded by Council Member Hendrix.

- c. Crowder Gulf – Contract for Disaster Recovery & Debris Removal

Council Member Powell gave a brief history of what led to the City signing an Agreement with Crowder Gulf. Mayor Bagshaw noted that Crowder Gulf is an approved FEMA contractor. Mayor Bagshaw confirmed for Council Member Henley that there are no monies paid unless the City uses the service and then you pay by the load.

Council Member Powell made the Motion to approve the Crowder-Gulf contract; Seconded by Council Member Henley. Unanimously approved (4/0).

Council President Pro Tem Drummond asked that the renewal language be reviewed.

- d. Designate Mayor Bagshaw as voting delegate at the 89th Annual Florida League of Cities Conference

Council Member Powell made the Motion to approve Mayor Bagshaw as the voting delegate for the City at the 89th Annual Florida League of Cities Conference; Seconded by Council Member Hendrix. Unanimously approved (4/0).

ORDINANCES

None.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

- 1. **ORDINANCE 2015-05 - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA FORMALLY RENAMING MAIN STREET (AKA MAGNOLIA STREET) AS MAGNOLIA STREET PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Smith gave the second and final reading of Ordinance of 2015-05

Council Member Powell made the Motion to approve Ordinance 2015-05; Seconded by Council Member Hendrix.

Council President Pro Tem Drummond opened for public hearing. There being no questions, or comments, the public hearing was closed.

The Motion passed with the following roll-call vote (4/0):

| | |
|---|--------------|
| <i>Council Member Hendrix</i> | <i>Favor</i> |
| <i>Council President Pro Tem Drummond</i> | <i>Favor</i> |
| <i>Council Member Powell</i> | <i>Favor</i> |
| <i>Council Member Henley</i> | <i>Favor</i> |

Council President Pro Tem Drummond changed the order of the agenda to allow consideration of Susan Fortini’s application for a boat dock variance.

Engineer Sebaali provided a report on the variance application for a boat dock by resident Susan Fortini. Engineer Sebaali provided a brief history of the existing boat dock that he said still exceeds the setbacks. He said since his initial recommendation, there was a letter of no objection from the neighbor on the west side of the Fortini property however, there was an objections from east side neighbor. The east side neighbor now has no objection. He said the Planning & Zoning Board recommended approval. Engineer Sebaali said that now that there is no objection from the adjacent property owner to the east, and the Planning & Zoning Board recommended approval, this changes his recommendation. Engineer Sebaali said that Ms. Fortini has met all the criteria for the variance, and with the one concern he had, now that the neighbor to the east of Ms. Fortini’s property agrees, he has no objections to the approval.

Council Member Powell made the Motion to approve Susan Fortini’s application for a Variance; Seconded by Council Member Hendrix. Unanimously approved (4/0).

NEW BUSINESS

1. FY 15/16 Tentative Millage Rate

Council President Pro Tem Drummond said that the current millage rate is 4.7000 however the City is not back at the 2008 level. He said if Council adopts a 4.7000 millage rate, it would be a 6.5% increase to the City. He said even though the millage is not changed, the tax on the resident is greater. He said he talked with the Mayor regarding any major changes in the Police Department and/or City Hall. He said there was discussion to set aside money for designated items, i.e. roads. Mayor Bagshaw said there will be increases in the Police Department.

Mayor Bagshaw gave a history of the City's ad valorem from 2007 forward. He said that over the years, the City has lost 1.8 million in taxes because of decreased value in property and a former Mayor decreased the millage rate. The Mayor said in the budget workshops, there will be further explanation of what the City has been doing since 2011, i.e. road improvement on Mandalay, new roof on City Hall with 25- year longevity. He said the City is still in good financial position but he doesn't want to deplete these funds. He said the City should maintain their reserve. Resident Bob Olsen said that the presentation that Mayor Bagshaw gave was a very good explanation of TRIM and that it should be put in a letter to the residents so that they understand.

Council Member Henley said it should be at a higher millage. Council Member Powell suggested 5.2 mills. Mayor Bagshaw said he is amenable to Council Member Powell's suggested millage rate.

In response to Council Member Hendrix, Mayor Bagshaw said that he doesn't rely on red light revenues.

In response to Council Member Hendrix, Council President Pro Tem Drummond said a City Manager cannot be added because it is not in the Charter. Mayor Bagshaw said that in forecasting, the City will need to add \$80,000-\$100,000 in salaries for administrative fees.

Council President Pro Tem Drummond said that 5.2 mills translate to a 17.8% increase. He said he can live with that if it will open up the discussion for the millage rate.

Council Member Hendrix made the following Motion:

I move to set the City of Edgewood's tentative millage rate for Fiscal Year 2015/2016 at 5.5000 mills.

Seconded by Council Member Henley.

Council President Pro Tem Drummond asked for any further discussion.

Residents Les Slesnick asked what the median household income is in Edgewood. Mayor Bagshaw said the income is high enough that the City cannot obtain grants. Mayor Bagshaw provided a brief explanation noting the City is in the top five in Central Florida for median income. Resident Ella Slesnick said she wished more of her neighbors would attend Council meetings and learn what it takes to run a City.

Having no further discussion, the Motion was unanimously approved (4/0)

Council Member Henley made the following Motion:

I move to schedule the first public hearing on the City of Edgewood's Fiscal Year 2015/2016 tentative budget and millage rate, at a Special Council Meeting on Tuesday, September 8, 2015, at 6:30 p.m.

Seconded by Council Member Powell. Unanimously approved (4/0).

UNFINISHED BUSINESS

None.

GENERAL INFORMATION (No action required)

None.

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

1. Planning & Zoning Board recommendations for the following:

a. VARIANCE(S) APPLICATION FOR SUSAN FORTINI AT 5125 THE OAKS CIRCLE. (APPLICATION VAR#2015-02)

b. (Pgs. 135 -158) VARIANCE(S) APPLICATION FOR JEFF & HAYLEY BAKER AT 5566 JESSAMINE LANE. (APPLICATION VAR#2015-01)

The order of these agenda items were moved to the beginning of the meeting.

STAFF REPORTS

City Attorney

- Supreme Court of the United States RE: Reed et al. v. Town of Gilbert, Arizona et al.

City Attorney Smith said that the Supreme Court case provided to Council will be evolving over the next several years. He said that he has addressed changes in the draft sign code based on the opinion of the Supreme Court ruling.

Police Chief

Monthly report

Chief Francisco noted prior to his PowerPoint presentation that there was a 42% case clearance rate at the end of the year. He said the per capita rate of law enforcement in the city is about the same as that of the tri-county area. Chief Francisco said the crime rate is lower than the tri-county area except for the City of Windermere. He noted some budgetary constraints that resulted from the State's budget.

City Clerk:

City Clerk Meeks provided the following report/information:

- Acknowledge Administrative Assistant Sandy Repp's attendance and noted that Sandy's attendance is part of her cross training.
- Confirmed Ordinance 2015-01 naming the Mayor Raymond A Bagshaw Park was recorded.

| |
|------------------------------------|
| MAYOR & COUNCIL REPORTS |
|------------------------------------|

Mayor Bagshaw:

No Report

Council President Dowless:

Not in attendance.

Council Member Powell:

Council Member Powell suggested that the City hold another shredding event. Mayor Bagshaw confirmed that the City has held one shredding event this year.

Council Member Henley:

No report.

Council Member Drummond:

No report.

Council Member Hendrix:

Council Member Hendrix confirmed that due to a work conference, he will not be able to attend the August 12, 2015 budget workshop.

ADJOURNMENT

Having no further business or comments, the meeting adjourned at 8:19 p.m. following **the Motion of Council Member Powell; Seconded by Council Member Hendrix to adjourn.**

ATTEST:



John Dowless
Council President



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

Approved by Council on August 18, 2015.