

APRIL 19, 2016  
REGULAR CITY COUNCIL MEETING MINUTES

**CALL TO ORDER**

On Tuesday, April 19, 2016, Council President Dowless called the Edgewood City Council meeting to order at 6:30 p.m. A moment of silence was given followed by the Pledge of Allegiance.

**City Council Members**

Ray Bagshaw, Mayor (Quorum)  
John Dowless, Council President  
Neil Powell, D.D.S., Council Member  
Pam Henley, Council Member  
Lee Chotas, Council Member  
Susan Fortini, Council Member

**Staff**

Bea Meeks, City Clerk  
Chris Francisco, Police Chief  
Drew Smith, City Attorney  
Sandy Repp, Administrative Assistant  
Shannon Patterson, Police Clerk/Accreditation Manager

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**CONSENT AGENDA**

1. Review and Approval of Minutes
  - March 22, 2016 Regular City Council Meeting
2. Budget Amendment

*Council Member Chotas made the Motion to approve the Consent agenda; Seconded by Council Member Powell. Unanimously approved (5/0).*

**A. PRESENTATIONS**

1. Orange Avenue Corridor Study – Kittelson & Associates, Inc.

J P Weesner gave a PowerPoint presentation regarding the Orange Avenue Corridor Study; including Holden and Gatlin Avenues. Mayor Bagshaw confirmed for Council that Planner Hardgrove has attended all the meetings regarding this project.

2. Orange County Parks & Recreation

City Clerk Meeks noted that the Orange County Parks & Recreation Department sent a revised version of the presentation therefore, it will slightly differ from the agenda packet documents. Matt Suedmeyer, Manager, Orange County Parks and Recreation Division, introduced Commissioner Pete Clarke and Commissioner Clarke's staff. He also Alan Morrison, chairman for the Parks and Recreation Board, and he introduced representatives from Friends of the Park.

Division Manager Suedmeyer gave a PowerPoint presentation regarding 9.66 acres in the City that are adjacent to Cypress Grove Park. He said that the County is interested in purchasing the property to add to Cypress Grove Park. He said the property is zoned in the City and poses a problem for Orange County. He said that Orange County Parks and Recreation Board was approached by Friends of the Park asking Orange County to consider purchasing the property. He said Commissioner Clarke has earmarked money for the purchase. He said if the City is interested in de-annexing the property, he would give request to Orange County's real estate department to move forward with purchasing the property. Mayor Bagshaw noted that the City would be giving up additional tax dollars that may hurt the residents in the future. Mayor Bagshaw also noted traffic problems on Holden.

Council Member Chotas said he drove to that property with Commissioner Clarke a few years ago and he felt the property would best serve the park. Council Member Chotas said the Mayor's concern about the loss of tax base could be done through an annexation into the City with the help of the County.

Mayor Bagshaw noted that with no access on the west side of the City to the Park, residents do not use the park.

Council Member Henley said she has a concern about the patrolling in the Park. Division Manager Suedmeyer said that the Parks and Recreation Department would love for the City of Edgewood to patrol.

Council President Dowless said he would like to see the City maximize the use of the property. He said he is not ready to decide anything tonight.

Council Member Powell said he agrees with the Mayor.

*It was the consensus of the Council that they were not ready to make a decision.*

Resident Brett Barner said that the residents in Edgewood are in need of more park space.

Mayor Bagshaw said City is not being negative about the Park; he said Council wants to look at everything.

Edgewood commercial property owner Fran Pignone asked for positive. Said she feels the park will bring in more people who will use the businesses here.

Doris Click, member of Friends of the Park, said Friends of the Park have been trying to get this land for ten years. She said that when you cross the railroad property over Jamaica Lane, it becomes private property and has an easement which can allow users of the park to access the park from Jamaica Lane.

Mayor Bagshaw asked if the County was willing to commit to providing quiet zones and a pedestrian friendly crossing.

Commissioner Pete Clarke said the actual money is in his portion of future monies and he allocated what he thinks the property is worth. He said he did not expect a decision tonight. He said his budget hearing is in July, and the County would need to know then. In response to Mayor Bagshaw, Commissioner Clark said he thinks a portion of the land could be used as a platform station for Sun Rail.

Mayor asked Division Manager Suedmeyer to set up a meeting to discuss further.

## ORDINANCES

1. **ORDINANCE 2016-06-** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, "ZONING," OF THE CITY OF EDGEWOOD CODE OF ORDINANCES; AMENDING THE LISTS OF PERMITTED, PROHIBITED, AND SPECIAL EXCEPTION USES WITHIN THE C-2 ZONING DISTRICT TO PROHIBIT AUTOMOTIVE REPAIR CENTERS WITHIN THE C-2 ZONING DISTRICT; AMENDING THE LISTS OF PERMITTED, PROHIBITED, AND SPECIAL EXCEPTION USES WITHIN THE C-2 ZONING DISTRICT TO CLARIFY THE EXISTING CODE PROVISIONS WHICH PROHIBIT AUTOMOBILE, BOAT, AND RECREATIONAL VEHICLE SALES LOTS; AMENDING THE LISTS OF PERMITTED, PROHIBITED, AND SPECIAL EXCEPTION USES WITHIN THE C-3 ZONING DISTRICT TO CLARIFY THE EXISTING CODE PROVISIONS WHICH PERMIT AUTOMOBILE SERVICE CENTERS; AMENDING THE LISTS OF PERMITTED, PROHIBITED, AND SPECIAL EXCEPTION USES WITHIN THE C-3 ZONING DISTRICT TO CLARIFY THE EXISTING CODE PROVISIONS WHICH PROHIBIT AUTOMOBILE AND BOAT SALES LOTS; PROVIDING FOR THE LAWFUL NON-CONFORMITY OF USES LAWFULLY IN EXISTENCE AS OF THE DATE OF ENACTMENT OF THIS ORDINANCE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2016-06 in title only.

**MOVER:** Council President Dowless  
**SECONDER:** Council Member Chotas

Council President Dowless opened for Public Hearing; there were no questions or comments.

Mayor Bagshaw said that part of the Ordinance addresses auto internet sales. City Attorney Smith said the Ordinance also provided a couple of clean ups related to auto sales, and clarification of commercial vehicles (threshold for a commercial vehicle).

*The Motion passed with the following roll-call vote (5/0):*

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

2. **ORDINANCE 2016-07** - AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA REQUESTING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ESTABLISH BIRD SANCTUARIES ON THOSE PORTIONS OF LAKE JESSAMINE, LAKE MARY JESS, LAKE CONWAY, LAKE GATLIN, LAKE MILLY AND LAKE JENNIE JEWEL THAT LIE WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF EDGEWOOD; AGREEING TO ASSUME RESPONSIBILITY FOR ENFORCEMENT OF REGULATIONS OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION WHICH WOULD APPLY TO SUCH AREAS; PROVIDING FOR NON-CODIFICATION AND AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2016-07 in title only. In response to Council President Dowless, City Attorney Smith said the reason we do not codify is because the City is following FWC rules. He said the City is enforcing FWC's rules.

**MOVER:** Council Member Henley  
**SECONDER:** Council Member Fortini

Council President Dowless opened for Public Hearing

Resident Brett Barner said he serves on the Lake Jessamine Advisory Board and said this is a "hot" topic on their board. Mayor Bagshaw confirmed for Mr. Barner that the City will cover only the lakes that are in the City.

*The Motion passed with the following roll-call vote (5/0):*

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

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

1. **ORDINANCE 2016-02-** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 134-483 OF THE CITY OF EDGEWOOD CLARIFYING THAT ACCESSORY FIXTURES SUCH AS GENERATORS, AIR CONDITIONING / HEATING AND VENTILATION COMPONENTS AND SWIMMING POOL PUMPS AND HEATERS ARE SUBJECT THE SETBACK AND LOCATIONAL REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2016-02 in title only.

**MOVER:** Council Member Powell  
**SECONDER:** Council Member Chotas

Council President Dowless opened for Public Hearing

Resident Jim Wothern that the only requirement is for an accessory building. Resident Les Slesnick asked about the setback requirements, and City Attorney Smith said nothing changes a lawful non-confirming use.

*The Motion passed with the following roll-call vote (5/0):*

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

2. **ORDINANCE 2016-04**- AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 102-23 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES PROHIBITING THE USE OF LIGHT STRINGS OR STRIPS TO FRAME WINDOWS WHEN SUCH LIGHT STRINGS OR STRIPS ARE VISIBLE FROM A PUBLIC RIGHT OF WAY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2016-04 in title only. City Attorney Smith explained the Planning & Zoning Board's recommendation. He said the Board asked Council to consider reducing the amount of 25% window covering; not in favor of bordering the entire frame of the window. Their preference was no light strings and LED bordering the windows.

**MOVER:** Council Member Fortini  
**SECONDER:** Council Member Henley

Motion included accepting the Planning & Zoning Board's recommendation to remove 25%.

Council President Dowless opened for Public Hearing

Resident Bob Olsen-Drew confirmed that the Ordinance only applies to commercial business; not holiday lighting for residential.

*The Motion passed with the following roll-call vote (5/0):*

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

## **NEW BUSINESS**

1. **RESOLUTION 2016-05** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA APPROVING

THE SUPPLEMENTAL AMENDMENT # 1 FOR THE LOCALLY FUNDED AGREEMENT FOR THE CONSTRUCTION OF TRAFFIC OPERATIONS IMPROVEMENTS ON STATE ROAD 527/ORANGE AVENUE FROM SOUTH OF LAKE GATLIN ROAD TO NORTH OF HOLDEN AVENUE AND AUTHORIZING THE MAYOR TO EXECUTE SAME AND DELIVER TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION.

City Attorney Smith read Resolution 2016-05 in title only. Mayor Bagshaw explained why the City is getting some funds back from this project.

*Council Member Chotas made the Motion to approve Resolution 2016-05; Seconded by Council Member Henley.*

Council President Dowless opened for discussion.

Resident Brett Barner asked about the duration of the traffic flow, and asked if the City thought about using the funds on Jessamine Lane or for a double turn lane. Mayor Bagshaw said the double turn lane is based on the current traffic flow.

*Unanimously approved (5/0).*

#### UNFINISHED BUSINESS

##### 1. Charter Review

City Clerk Meeks said there is an amendment to the list of names and added Will Mims, at the request of Council Member Fortini. Council Member Powell requested Martha Mitchell. Council Member Fortini gave a brief bio of Will Mims. Council Member Henley recommended Lynn Alley, who lives in Waterwitch. Council President Dowless said he would like for Mayor Bagshaw to sit on the Committee.

*Motion by Council Member Henley to accept the recommended names for the Charter Review Committee;/Seconded by Council Member Fortini. Unanimously approved (4/0 Council Member Chotas momentarily left the dais.)*

Council President Dowless noted the City Clerk's guide for the Committee.

##### 2. Contract Review

Mayor Bagshaw recommended continuing with existing contracts, and explained his reasons. *It was the consensus of Council to accept the Mayor's recommendation. Unanimously approved (5/0).*

#### GENERAL INFORMATION (No action required)

##### 1. Mayoral Proclamation (SJRWM)

**CITIZEN COMMENTS**

None.

**BOARDS & COMMITTEES**

None.

**STAFF REPORTS****City Attorney:****Police Chief:**

1. Monthly report

Chief Francisco gave his monthly PowerPoint presentation report.

**City Clerk:****MAYOR & COUNCIL REPORTS**

- **Mayor Bagshaw**

1. Planning & Zoning Board

Mayor Bagshaw recommended resident Ben Pierce to complete the term of Planning & Zoning Board member Wade Fischer, and to reappoint Planning & Zoning Board members Regina Dunay and Susan Lomas.

*Motion by Council Member Chotas to accept the Mayor's recommendation; Seconded by Council Member Henley. Unanimously approved (5/0).*

- **Council President Dowless**

Council President Dowless said he talked to the Chief Francisco about people who are throwing trash out on Lake Mary Jess Shores Court. The situation is being monitored.

- **Council Member Powell**

Council Member Powell said in response to the request from resident Bob Olsen regarding quiet zones and the train whistles, he contacted CSX.

- **Council Member Henley**

No report.

- **Council Member Chotas**

No report.

- **Council Member Fortini**

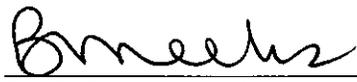
No report.

**G. ADJOURNMENT**

Having no further business or discussion, Council Member Chotas Motioned to adjourn the meeting at 9:34 p.m.

**ATTEST:**

  
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John Dowless  
Council President

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

Approved by Council on May 17, 2016