

MARCH 22, 2016
REGULAR CITY COUNCIL MEETING MINUTES

CALL TO ORDER

On Tuesday, March 22, 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
Dan Drummond, Council Member
Mike Hendrix, Council Member
Pam Henley, Council Member

CITY COUNCIL MEMBERS AFTER SWEARING-IN

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

ORGANIZATIONAL MEETING

City Clerk Meeks reported on the City's election noting that four residents qualified at the close of qualifying for three seats. City Clerk Meeks said that one candidate withdrew their name and therefore no City election was held.

City Clerk Meeks swore in the following: Lee Chotas, Susan Fortini and Pam Henley

Mayor Bagshaw presented Certificates of Appreciation to outgoing Council Members Dan Drummond and Mike Hendrix. Council Member Drummond gave thanks and expressed his gratitude to Mayor Bagshaw, Council Members and staff.

1. Election of Council President and Council President Pro Tem

Council Member Chotas made the Motion for approval of Council Member Dowless to be the Council President; Seconded by Council Member Henley. Unanimously approved.

Council President Dowless made the Motion that Council Member Chotas be the Council President Pro Tem; Seconded by Council Member Henley. Unanimously approved.

2. Council President Dowless designated areas of responsibility (not already under the Jurisdiction of the mayor), to be assigned to individual Council members pursuant to Section 3.12 of the City Charter.

The following Council assignments were made:

Finance & Budget Council Member Henley
Code Enforcement Council Member Chotas
HAINC Liaison Council Member Chotas
Cypress Grove Liaison Council Member Chotas
Land Development/Master Plan Council Member Fortini
Public Works Council Member Powell

<p>Metro Plan</p> <p style="text-align: center;">Council President Dowless</p> <hr/> <p>Police Department* City Hall* Contract Staff*</p> <p>Pursuant to Section 4.04 of the <i>City Charter</i>, the mayor has jurisdiction over the police department, city hall and contract staff.</p>
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CONSENT AGENDA

1. Review and Approval of Minutes
 - February 16, 2016 Regular City Council Meeting

Council Member Powell noted a correction on Page 2: Mayor Bagshaw said that an alternative will be to change the Planning & Zoning board meeting dates; remove “s” from dates.

- March 2, 2016 City Council Workshop
2. Budget Amendment
 3. Planning & Zoning Board Recommendation RE: **VARIANCE 2016-01 – 5156 Creusot Court (enlargement of covered patio)**

Council President Dowless asked if there were any changes to the Agenda; there were none. Council President Dowless asked for comments from the floor regarding the Consent Agenda. With the exception of former Council Member Drummond, who requested that the March 2, 2016 minutes be corrected, to include his name as a Council Member attendee, there were no other questions/comments from the floor.

Council Member Chotas made the Motion to approve the Consent agenda, with the noted corrections to the February 16, 2016 minutes and the March 2, 2016 minutes; Seconded by Council Member Henley. Unanimously approved.

ORDINANCES

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 Chotas
SECONDER: Council Member Fortini

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

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 Chotas</i>	<i>Favor</i>
<i>Council Member Fortini</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.

MOVER: Council Member Powell
SECONDER: Council Member Fortini

Amendment Accepted: Addition of permitting one time for 30-days, within a twelve month period and no movement of lights.

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

City Attorney Smith clarified that if you are in a non-residential area you cannot frame your window with lights. He said there was a concern about the appearance and it is good to address the concern now before it became a problem, i.e. distraction to drivers. Council President Dowless questioned the time frame because of holiday lighting. He said this is why he favored moving the restriction to non-residential. It was confirmed that the Ordinance is directed to non-residential properties.

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

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

City Attorney Smith announced that the Ordinance would be reviewed by the Planning & Zoning Board in their April meeting, and their recommendation would be forwarded to Council.

3. **(ORDINANCE 2016-05 - AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD AMENDING THE CITY OF EDGEWOOD'S CODE OF ORDINANCES TO REPEAL CHAPTER 106; TO ADOPT A NEW CHAPTER 106; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

City Clerk Meeks requested to pull Ordinance 2016-05. She explained that FEMA requested the City update their floodplain Ordinance however, upon further review, FEMA said the City's current Ordinance was in compliance. *Council consensus to remove Ordinance 2016-05 from the agenda.*

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **ORDINANCE 2016-03 - AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING SECTION 134-135 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES, PROVIDING FOR SUBMITTAL DEADLINES RELATED TO SITE PLAN REVIEWS AND AMENDING THE INFORMATION TO BE PROVIDED BY APPLICANTS AS PART OF THE SITE PLAN REVIEW PROCESS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

City Attorney Smith gave the second and final reading of Ordinance 2016-03 in title only.

MOVER: Council Member Powell
SECONDER: Council Member Chotas

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

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

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

NEW BUSINESS

1. Charter Review

Council President Dowless explained the Charter requirements regarding the Charter Review Committee (CRC). City Attorney Smith explained what a Charter Review Committee does. Council Member Chotas recommended former Council Member Dan Drummond to serve on the committee. *It was the Consensus of Council that each member will provide a name of their recommendation for the CRC committee to City Clerk Meeks.*

2. Jeff and Hayley Baker, 5566 Jessamine Lane, Application for Boat dock

Mayor Bagshaw confirmed that Jeff and Hayley Baker's application for a boat dock was removed from the agenda.

UNFINISHED BUSINESS

None.

GENERAL INFORMATION (No action required)

St. Johns River Water Management District Board Members Proclaimed April as Water Conservation Month

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

1. Planning & Zoning Board Recommendation RE: SE 2016-01 – Russell Home Thrift Store

Sandy Repp, Administrative Assistant, explained the modification to the Russell Home's Thrift Store Special Exception from 2013. She confirmed that Planner Hardgrove and the Planning & Zoning Board recommended approval with some conditions. Council President Dowless noted the change in operational hours from Wednesday through Saturday to Tuesday through Saturday.

Council Member Powell made the Motion to approve SE 2016-01 special exception with conditions; Seconded by Council Member Henley. Unanimously approved.

STAFF REPORTS

City Attorney Smith:

City Attorney Smith cautioned Council Members about ex parte communication. He recommended that Council Members do not have ex parte communication. He explained that when a Council Member has ex parte communications, they have to reveal this information prior to Council's consideration. He said that Council members need to be open and transparent. City Attorney Smith said his preference in land use matters are to not do a site visit. He said if there is a site visit, do it as a group. He noted assumption of prejudice.

Referencing Jeff and Haylee Baker's boat dock application that was removed from the agenda, Council President Dowless, asked City Attorney Smith if the Code provides criteria as to how a boat dock is approved. City Attorney Smith said the Code does not provide the criteria however, the Code does provide for the impact on neighbors.

Police Chief:

- Monthly report

Chief Francisco gave his monthly PowerPoint presentation. He confirmed that when the Orange/Gatlin/Holden intersection work is in progress, red lights will be down approximately 120 days. Chief Francisco said the Accreditors will be in the Police Department April 19th through April 21st.

City Clerk:

- Schedule Market Analysis Workshop

City Clerk Meeks said Dr. Jones is available the month of May to hold the last workshop related to the City's market analysis. Council President Dowless asked about the status of the sign ordinance. City Attorney Smith said he is ready to send out a revised draft and suggested one more workshop, then hold a joint workshop with the Planning & Zoning Board. City Attorney Smith suggested working from the current draft, hold the sign code workshops and hold the market analysis meeting. He said hold the joint Planning & Zoning Board meeting after the sign code workshops and the market analysis workshop has been held.

City Clerk Meeks explained the delay in the City's auditors completing the audit. She said the implementation of GASB 68 is causing a delay in finalizing the audit because the auditors need data from the Florida State Retirement System.

MAYOR & COUNCIL REPORTS

- **Mayor Bagshaw**

Mayor Bagshaw asked Council to consider what the City can do to put a hold on auto repair shops in the City because there are so many of them. With Council approval, the Mayor said he would like for the City Attorney to review what other cities are doing. Mayor Bagshaw said he would like for the City Attorney to draft an Ordinance placing a hold on automotive repair shops opening in the City. *Consensus of council that City Attorney Smith will prepare an Ordinance for Council's consideration.*

Mayor Bagshaw reported that Friends of the Park asked if the City would supplement the money they raised for their Veteran's Day celebration. Mayor Bagshaw asked Council to approve a match of funds up to \$450.00. *Council Member Henley made the Motion to approve up to \$450.00 in matching funds for the Friends of the Park Veteran's Day celebration; Seconded by Council Member Chotas. Unanimously approved.*

Mayor Bagshaw reported that he met with FDOT and CSX representatives regarding the Orange Avenue project. He said the work is planned to start in September. The project is expected to take 270 days, with most of the work being done at night. He also reported that the City may be receiving a refund due to the reduction in the number of mast arms being installed.

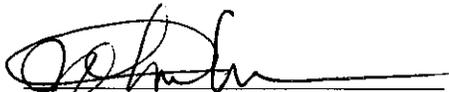
In response to Council Member Henley, Mayor Bagshaw said in the last communications he had regarding quiet zones, he was told that the work is scheduled to start this summer.

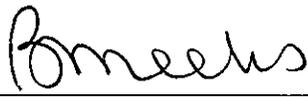
- **Council President Dowless:**
No report.
- **Council Member Powell:**
No report.
- **Council Member Henley:**
No report.
- **Council Member Fortini:**
No report.
- **Council Member Chotas:**
No report.

J. **ADJOURNMENT**

Having no further business or discussion, Council Member Chotas Motioned to adjourn the meeting at 8.19 p.m.

ATTEST:


John Dowless
Council President


Bea L. Meeks, MMC, CPM
City Clerk

Approved by Council on 4/19/2016