

**JUNE 20, 2017
REGULAR CITY COUNCIL MEETING MINUTES**

CALL TO ORDER

On Tuesday, June 20, 2017, Council President Dowless called the Edgewood City Council meeting to order at 6:30 p.m. Council President Dowless asked for a moment of silence followed by leading everyone in the Pledge of Allegiance.

City Clerk Meeks announced a quorum.

The following attendance is noted:

Attendees

Ray Bagshaw, Mayor
John Dowless, Council President
Lee Chotas, Council Member
Pam Henley, Council Member
Susan Fortini, Council Member
Richard Horn, Council Member

Staff

Bea L. Meeks, City Clerk
Captain John Freeburg
Lt. Vince Jackson
Drew Smith, City Attorney
Sandy Repp, Administrative Assistant
Ellen Hardgrove, AICP, City Planner

CONSENT AGENDA

Council President Dowless announced if there were no objections, he would like to address the Gibson variances after the consent agenda; there were no objections.

1. Review and Approval of Minutes
 - May 16, 2017 Regular City Council Minutes

City Clerk Meeks noted a correction that Council Member Chotas provided to her.

- Designation of Voting Delegate at Florida League of Cities Conference

Council Member Fortini made the Motion to approve the consent agenda, with the noted correction to the May 16, 2017 minutes; Seconded by Council Member Henley. Unanimously approved.

1. **2017 VAR-01** – Mark & Melissa Gibson, 5573 Jessamine Lane Construction of a Pickleball Court
2. **2017-VAR-2** - Construction of a Fence up to 10 feet in height

Planner Hardgrove presented her report related to both variances. She said the variances met the six criteria required for approving a variance. She noted the conditions of both variances as follows:

VAR-01 – Construction of Pickleball Court

1. Prior to permitting of the pickleball/basketball court the owner shall cause to be recorded in the public records a binding lot agreement, tying the two parcels approved by Orange County into one development lot.
2. Lighting of the court shall be prohibited.

VAR-02 – Construction of a fence up to 10 feet in height

1. The ten feet high fence is limited to the perimeter of the pickle ball court and does not apply to a barrier/lot line fence.
2. The fence is to be constructed of black vinyl.

Planner Hardgrove gave the history of how the lot split occurred and why Mark and Melissa Gibson are now joining the two lots. Planner Hardgrove confirmed there were no objections to the variances; in fact, there were letters of support from the neighbors.

City Clerk Meeks announced that there were no speaker requests for public comments.

Council Member Chotas made the Motion to approve Variance 01, with conditions as presented; Seconded by Council Member Fortini. Approved Unanimously.

Council Member Chotas made the Motion to approve Variance 02, with conditions as presented; Seconded by Council Member Horn. Approved Unanimously.

PRESENTATIONS

- Orange Avenue Visioning –Michael LaBoeuf (architect) and Keith Borgourne (Land Design) Jim Hair (Little)

Michael LeBoeuf made introductions of those entities involved with the Orange Avenue visioning. A handout was provided to council members prior to the presentation (not in the agenda packet).

Council President Dowless asked about the method to be used for the survey. He requested return receipt mail. City Clerk Meeks confirmed that the City does not have a good email list of the residents' email addresses.

Mr. LeBoeuf explained the schedule that was provided to Council. He said meeting/charrette dates have not been established yet. He said everyone was waiting for this meeting to confirm the dates. Council Member Henley said she was concerned about doing a mail-out in July. Mayor Bagshaw suggested a special Council meeting to discuss what will go on the survey. City Clerk Meeks asked if it would help the process to use the City's mailing system for the survey, since it is already established. Council President Dowless asked for a robo call.

Public Comments

Resident Sue Fulford asked what questions will be asked on the survey. It was noted that the questions are yet to be determined.

Business owner Blair Howard (Howard's Wholesale) asked for confirmation for who will receive the survey. It was confirmed that the survey will also be sent to business owners.

Resident Sue Crossly noted that this will be the third time that the City has done this project and wanted to be assured that time would not be wasted again.

At the conclusion of the presentation, City Clerk Meeks said she will make contact with Jim Hair to coordinate a meeting schedule.

ORDINANCES

None

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

None.

UNFINISHED BUSINESS

None.

I. NEW BUSINESS

1. TRIM Calendar -

City Clerk Meeks referred everyone to the proposed TRIM calendar. A date correction (July 29 should be July 28) was noted and Council Member Henley requested to change a workshop date. It was agreed to change the August 9, 2017 workshop to August 8, 2017. City Clerk Meeks confirmed that a new TRIM calendar would be provided revealing the correction/change as requested.

2. 2017 Non Ad Valorem Assessment

Mayor Bagshaw explained upcoming changes to recycling program and said that the City's recycle products will be going to Tampa. He noted that glass has no recycle value. He said this is a topic for a future discussion.

Council Member Chotas made the Motion to not increase the current non ad valorem assessment. The Motion failed due to no Second of the Motion.

Council President Dowless opened to public comments; there were none.

Council discussion continued and then the following Motion was made:

Council Member Henley made the Motion to keep the current non ad valorem rate of \$292.96; Second by Council Member Chotas. Unanimously approved.

3. **(DISCUSSION ONLY) - ORDINANCE 2017-XXX** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" AMENDING THE LIST OF PERMITTED, PROHIBITED, AND SPECIAL EXCEPTION USES TO PROHIBIT MEDICAL MARIJUANA TREATMENT CENTER DISPENSARIES WITHIN THE INDUSTRIAL ZONING DISTRICT; AMENDING DEFINITIONS AND TERMS TO CONFORM WITH STATE LEGISLATION; PROVIDING THAT MEDICAL MARIJUANA TREATMENT CENTER DISPENSARIES ARE PROHIBITED WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

City Attorney Smith explained what happened in Special Session regarding the medical marijuana dispensary. He said the bill preempts the city from regulating medical marijuana treatment centers any differently than other treatment centers including restricting zoning districts. He said the legislators said either ban or allow the treatment centers with no location restrictions.

City Attorney Smith said if Council does nothing, the moratorium expires in July.

It was the consensus of Council to "leave it alone".

J. GENERAL INFORMATION (No action required)

None

K. CITIZEN COMMENTS

None.

L. BOARDS & COMMITTEES**1. Request From Planning & Zoning Board**

City Attorney Smith said the Planning & Zoning Board wants to move forward with an Ordinance prohibiting certain uses in the commercial districts. He said the Orange Avenue visioning project caused a delay in addressing the uses. Mayor Bagshaw pointed out the City's property value is not increasing. He said Realtors often do not show property in Edgewood because of the Orange Avenue corridor. City Council Member Henley said she favors a moratorium particularly with the visioning.

Planner Hardgrove said rezoning may conflict with Little's visioning. She also felt residents and businesses should be able to give their input. Council Member Chotas said he wants the Planning & Zoning Board to ask for a rezoning and not a moratorium.

It was the consensus of Council to move forward with moratorium and rezoning.

Resident Ella Slesnick said residents would wake up if they were told property values are not increasing in Edgewood like they are in other areas.

M. STAFF REPORTS**City Attorney -**

No report.

Police Chief -

- Monthly Report

Acting Police Chief Freeburg provided a handout regarding officers adopting neighborhoods, and explained the program. He also reported that new guns and Narcan were delivered and training with new guns and Narcan will begin soon.

City Clerk -

City Clerk Meeks updated Council on her recent participation in the Florida League of Cities legislative policy committee meeting.

N. MAYOR & COUNCIL REPORTS

- **Mayor Bagshaw –**

Mayor Bagshaw recognized City Clerk Meeks, who received the Florida League of Cities Home Rule Hero award. He noted that this is the second year in a row that City Clerk Meeks received the award.

Mayor Bagshaw provided an update on the Orange/Gatlin Avenue project.

He provided an update on the Police Department and the Police Chief's position. Mayor Bagshaw said his confidence is with Captain Freeburg and Lt. Jackson. He said he wants to let the department run the way it is and let one of our own assume the responsibility as a Chief.

- **Council President Dowless -**

Council President Dowless announced that he is now the Municipal Advisory Committee "MAC" Chairman. He said the bylaws changed so he is also a full voting member of the MetroPlan Orlando governing board, serving a 2-year term.

He referenced a memo from City Attorney Smith that City Clerk Meeks provided to Council regarding conflict between Orange County and the School Board. Council President Dowless said he and Mayor Bagshaw may meet with Jeff Newton. He said the memo provided certain things that the School Board can and cannot do as it relates to locating and building new schools. City Attorney Smith reminded Council Members to not personally engage in fact gathering due to Sunshine requirements.

- **Council Member Henley -**

Council Member Henley encouraged Council Members to visit with the Police Department to know what is being requested ahead of budget workshop/meetings.

- **Council Member Chotas –**

Council Member Chotas noted that the Tri-County League of Cities warmly endorsed Mayor Bagshaw's 2nd VP nomination for Florida League of Cities. He noted the importance of the position to Central Florida

- **Council Member Fortini –**

No report.

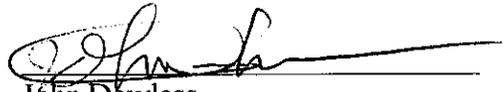
- **Council Member Horn -**

No report.

Council Member Henley said she would like for the format of the budget to show “Proposed”, “Previous FY” and “Actual” and be on legal size paper with color coding. City Clerk Meeks confirmed with Council Member Henley that she wants the same format that McDirmit-Davis provided for the last budget.

ADJOURNMENT

Having no further business or discussion, Council Member Fortini made a Motion to adjourn; Seconded by Council Member Henley. The City Council meeting adjourned at 8:37 p.m.


John Dowless
Council President


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

Approved in 7.18.17 City Council Meeting.