

Ray Bagshaw
Mayor

Michael Hendrix
Council Member

Pam Henley
Council Member

John Dowless
Council Member

Neil Powell
Council Member

Lee Chotas
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, September 17, 2013
6:30 p.m.

WELCOME! We are very glad you have joined us for today's Council meeting. If you are not on the agenda, please complete an appearance form and hand it to the City Clerk. When you are recognized, state your name and address. The Council is pleased to hear relevant comments; however a five-minute limit has been set by Council. Large groups are asked to name a spokesperson. Robert's Rules of Order guide the conduct of the meeting. **PLEASE SILENCE ALL CELLULAR PHONES AND PAGERS DURING THE MEETING.** "THANK YOU" for participating in your City Government.

A. CALL TO ORDER

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. CONSENT AGENDA

1. Review and Approval of Minutes

- June 18, 2013 Regular City Council Meeting (Pgs. 1 – 7)

(Items on the consent agenda are defined as routine in nature, therefore, do not warrant detailed discussion or individual action by the Council. Any member of the Council may remove any item from the consent agenda simply by verbal request prior to consideration of the consent agenda. The removed item(s) are moved to the end of New Business for discussion and consideration.)

2. PRESENTATIONS

- Council President Dowless

3. CITIZEN COMMENTS

4. STAFF REPORTS

City Attorney:

Police Chief:

City Clerk:

Code Enforcement:

I. MAYOR & COUNCIL REPORTS

- Mayor Bagshaw
- Council President
- Council Member Powell
- Council Member Dowless
- Council Member Henley
- Council Member Chotas

J. UNFINISHED BUSINESS

K. NEW BUSINESS

1. VARIANCE 2013-02 – SELECT MEDICAL - 5579 South Orange Avenue (Pgs. 8 – 21)
2. SPECIAL EXCEPTION 2013 – 03 – SELECT MEDICAL - 5579 South Orange Avenue
3. Cornerstone Charter Academy – Ducktoberfest – Request For Sponsorship (Pgs. 22 - 23)
5. City Code RE: Tree Management & Alcoholic Beverages (Pgs. 24 – 43)

L. BOARDS & COMMITTEES

M. ORDINANCES

N. PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **ORDINANCE 2013-05** AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 2, “ADMINISTRATION,” ARTICLE II, “CITY COUNCIL,” PROVIDING RULES AND REGULATIONS RELATED TO PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS; CREATING CHAPTER 2, “ADMINISTRATION,” ARTICLE VIII, “PUBLIC PARTICIPATION BEFORE BOARDS AND COMMITTEES,” PROVIDING RULES AND REGULATIONS RELATED TO PUBLIC PARTICIPATION AT BOARD AND COMMITTEE MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (Pgs. 44 – 51)

[BUDGET HEARINGS]

2. **ORDINANCE NO. 2013-06:** AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES UPON THE ASSESSED REAL AND BUSINESS PERSONAL PROPERTY TAX ROLLS FOR FISCAL YEAR 2013/2014, BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE. (Pgs. 52 – 53)

- 3. **RESOLUTION NO. 2013-08** A RESOLUTION OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2013/2014, BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE. (Pgs. 54 – 60)

(Pg. 61 Motion Language to adopt levy and budget)

O. GENERAL INFORMATION (No action required)

FILING - FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

- 1. Council President Pro Tem Dowless (filed 8/20/2013) (Pgs. 62 - 63)
- 2. Council Member Michael Hendrix (filed 8/20/2013) (Pgs. 64- 65)

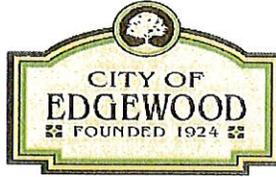
(Notice of Conflict declared in August 20, 2013 regular City Council meeting; FORM 8B timely filed by both Council members)

P. ADJOURNMENT

UPCOMING MEETINGS:

- October 15, 2013.....City Council Special Meeting (adopt tentative millage and budget)
- November 19, 2013.....City Council Regular Meeting (final hearing/millage and budget)

You are welcome to attend and express your opinion. Please be advised that Section 286.0105, Florida Statutes state that if you decide to appeal a decision made with respect to any matter, you will need a record of the proceedings and may need to ensure that a verbatim record is made. In accordance with the American Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, he or she should telephone the City Clerk at (407) 851-2920.



**EDGEWOOD CITY COUNCIL
JUNE 18, 2013 REGULAR MEETING**

On Tuesday, June 18, 2013, Council President Pro Tem John Dowless called the Edgewood City Council regular meeting to order at 6:30 p.m. The invocation was given by Council Member Powell followed by the Pledge of Allegiance.

The following attendance is noted: Quorum of 4 with 1 vacancy

Attendees:

Ray Bagshaw, Mayor
John Dowless, Council President Pro Tem
Lee Chotas, Council Member
Neil Powell, DDS, Council Member
Pam Henley, Council Member
Michael Hendrix (sworn in after opening of meeting)

Staff

City Clerk Bea Meeks
Administrative Assistant Cinnamon Wild
Chief Marcus
City Attorney Andrew Hand

.....
ORGANIZATIONAL MEETING

1. Election of Council President

Council President Pro Tem Dowless asked for nominations for Council President. ***Council Member Chotas nominated Council President Pro Tem Dowless, Seconded by Council Member Henley. Council President Pro Tem Dowless was unanimously approved as Council President.***

Council President Dowless asked for nominations for Council President Pro Tem. ***Council Member Henley nominated Council Member Powell, Seconded by Council Member Chotas. Council Member Powell was unanimously approved as Council President Pro Tem.***

2. Council Vacancy

Mayor Bagshaw recommended Michael Hendrix to fill the vacancy created when former Council President Judy Beardslee resigned. Mayor Bagshaw referred Council members to Michael Hendrix' biography, which was provided in their Council agenda packet. In response to Council Member Chotas, City Clerk Meeks confirmed that if Mr. Hendrix' nomination is approved, the term would be until March 2014.

Council Member Henley questioned the potential conflict due to Legacy's HOA removing trees without a tree permit being issued. City Attorney Hand explained conflict of interest noting that there has to be a special gain.

City Clerk Meeks read into the record resident David Willis' objection. (attached to the minutes)

Council President Dowless spoke in favor of Mr. Hendrix and the benefits of his accounting background. He also noted that he and Mr. Hendrix had nothing individually to do with the removal of the trees.

In response to Council Member Chotas, Michael Hendrix said he would recuse himself from voting when Council considers tree replacement on Jessamine Lane.

Mayor Bagshaw noted that Legacy has submitted a plan proposing tree replacement on Jessamine Lane.

Mayor Bagshaw's recommendation of Michael Hendrix to fill the vacancy and complete the term of the Council seat vacated by former Council President Pro Tem was approved by the following roll-call confirmation:

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

City Clerk Meeks administered the oath of office to Michael Hendrix.

CONSENT AGENDA

1. Review and Approval of Minutes
 - February 19, 2013
 - March 19, 2013

Council Member Chotas noted a correction needed on Page 8 stating that the word preemptive should be preempted, and asked that the second sentence be deleted. ***Council Member Powell made the Motion to approve the Minutes of February 19, 2013, with corrections, and approve the March 19, 2013 minutes; Seconded by Council Member Henley. Unanimously approved 5/0.***

Council President Dowless said if there are no objections, he is moving staff reports to the end of the Agenda. There were no objections.

PRESENTATIONS

Council President Dowless referred to Chief Marcus, who introduced Alan Quinn, NDI Recognitions Systems, who gave a presentation on automated license plate recognition.

Council President Dowless recessed the meeting at the request of City Clerk Meeks due to a lightning strike that came through the City Clerk's headset.

Meeting reconvened.

Mr. Quinn gave a PowerPoint presentation and provided a packet to Council regarding automated license plate recognition. Council Member Chotas said he rode with an officer and saw the difficulties the officer had in reading a license plate. He said he can see the value in having this program. In response to Council Member Henley, Chief Marcus said he does not have costs yet however, the initial setup is in the neighborhood of \$50,000 for two vehicles.

CITIZEN COMMENTS

None.

OLD BUSINESS

Resolution 2013-05 A Resolution of the City of Edgewood, Florida amending the City's budget for the 2012-2013 fiscal year; authorizing the Mayor and/or his designee to take all actions necessary to implement the terms and conditions of this Resolution; providing for an effective date.

Council Member Powell made the Motion to approve Resolution 2013-05; Seconded by Council Member Chotas.

City Attorney Hand read Resolution 2013-05 in title only. Council President Dowless asked for public comments; there were none. Council President Dowless stated that in the May 21, 2013 Council meeting, Council approved purchasing a new police vehicle. In response to Council Member Powell, Mayor Bagshaw said that a police vehicle was repaired and is back on the road. He said there is still the need for a new vehicle, as the repair did not negate the purchase of a new police vehicle.

Resident Roxanna Sigler asked if any investigation had been done on Hybrid vehicles. Chief Marcus said yes and explained that it is not built for road patrol and service. Council Member Henley said she was in favor of the purchase when presented in the May City Council meeting. She said she agreed to the purchase because she thought car #56 was "going out to pasture". She said five cars are sufficient, and she is not in favor of the purchase now. In response to Council President Dowless, Chief Marcus said he budgeted for five marked units and three trucks.

Resolution 2013-05 was approved by the following roll call vote (4/1): (Assistant Police Clerk Salemi took the roll call vote for City Clerk Meeks, who stepped away from the dais)

<i>Council Member Chotas</i>	<i>Favor</i>
<i>Council Member Henley</i>	<i>No</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

Ordinance No. 2013-03 *An Ordinance of the City of Edgewood, Florida amending the City Code by expanding Chapter 62, traffic and vehicle, through adoption of Article IV, the “Traffic Light Safety Act”; providing for conflicts, severability, codification; providing for an effective date.*

City Attorney Hand read Ordinance 2013-03 in title only.

Council Member Powell made the Motion to approve Ordinance number 2013-03; Seconded by Council Member Hendrix.

Council Member Powell questioned Section 62-63 noting that this Section provides that drivers may turn right on red however; it does not say this in the Ordinance. City Attorney Hand recommended the City follow the State’s language. Council Member Powell said that he feels the City should make the language more clear, as he felt the State’s language will create challenges. Council Member Chotas said Council Member Powell makes an interesting point, and asked the City Attorney to bring comments back to the July meeting that will provide a way to amend the Ordinance and make it better.

Ordinance 2013-03 was approved by the following roll call vote (5/0)

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

Resolution 2013-04 A Resolution of the City of Edgewood, Florida, appointing the City Clerk as the clerk to the local hearing officer for red light camera infraction hearings pursuant to Chapter 62, Article IV of the Edgewood City Code; providing for conflicts, severability, and an effective date.

City Attorney Hand read Resolution 2013-04 in title only. In response to Council President Dowless, Council Member Chotas said the legislation did not specify who was going to be the clerk for the local hearing officer. In response to Council Member Chotas, City Clerk Meeks said she is willing to serve as the hearing clerk.

Council Member Chotas made the Motion to approve Resolution 2013-04; Seconded by Council President Dowless.

Council President Dowless asked for public comments; there were none. In response to Council President Dowless, City Clerk Meeks said the Resolution does not require a roll call vote however, because it is tied into an Ordinance, she recommended taking a roll call vote.

Resolution 2013-04 was approved by the following roll call vote (5/0)

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

REVIEW AND CONSIDERATION FOR LOCAL HEARING OFFICER

Mayor Bagshaw said that City Attorney Smith recommend an attorney from Brown, Garganese, Weiss & D'Agresta, P.A. be the City's Local Hearing Officer. He explained that the City's Special Magistrate for code enforcement is a member of this firm however, the Local Hearing Officer will be a different attorney. Mayor Bagshaw explained why the City should not be "out-of-pocket" in expenses because of the new legislation, and that the City can assess up to \$250.00 in fees. He said the City only wants to recover their costs. In response to Council President Dowless, there were no objections from Council Members to the Mayor signing the Letter of Engagement for the local hearing officer.

City Clerk Meeks said that the City has a general ledger account for receipts from red light citations. However, she said there is not a general ledger account for the expense side as it relates to the local hearing officer. Council Member Powell noted that there is also the need for an income side for the assessed fees in the local hearing. ***It was the consensus of Council that the City Clerk place a budget amendment on the July City Council meeting agenda.***

STAFF REPORTS

City Attorney:

No report.

Police Chief:

- Reported on CopDots being sold by Lowes. He said it is a pen for marking your personal property that provides a means for local law enforcement to locate a property holder, in the event their stolen goods are recovered.
- Reported on a recent theft in the City that was witnessed by a neighbor. He said that the neighbor contacted the property owners, called someone else, approached the suspects and then called the Police Department. Chief Marcus said by the

time his department was contacted, the suspects were gone. He encouraged residents to call 911 when they see something questionable. Council President Dowless asked that this information be put in the City's newsletter.

City Clerk:

- Reminded Council of a memo given to them in a previous meeting regarding employee benefits, and highlighted the memo for Council. She said the memo did not include requesting Council's direction regarding the type of plan the committee can consider. She asked if Council desired a richer plan, or stay with the current insurance plan.

Mayor Bagshaw said Council should enrich the budget to allow some room to negotiate a better insurance program. City Clerk Meeks said in talking with employees, she is aware that there are employees who have high out-of-pocket expenses. She said there are employees choosing not to take some of their prescribed medications, and employees who are delaying tests waiting to see if the City's insurance provider changes to a richer plan. Council Member Chotas said the City Clerk and the Mayor have both suggested there is the need for funds to be available for insurance, in the event it is reasonable and prudent for the City to increase the amount of coverage that the City has to have. He supports their recommendation. He said a workshop should be scheduled so that a decision can be made. Council Member Henley said she thinks the City should accept bids for insurance. Council Member Chotas said to schedule the workshop. In addition, he said have Brown and Brown come in and present options. ***It was the consensus of Council that the workshop will be held on June 27, 2013 at 9 a.m.*** City Clerk Meeks said she is scheduled out of City Hall during that time therefore, Administrative Assistant Cinnamon Wild will take the notes for the meeting.

- City Clerk Meeks provided the budget workshop/hearing schedule for Council approval. ***It was the consensus of Council to approve the schedule as presented.***
- Announced the deadline to provide articles for the City newsletter is July 1, 2013.
- Provided an update on City Hall Operations.

Code Enforcement:

No report.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw

- Stated that the mechanical problems with the police vehicle were not the fault of the City, but due to the mechanic being used.
- Reported that Council recently approved a budget amendment for the repair to the City sidewalks and based on the repairs, another amendment is needed. Resident

Judy Beardslee reminded Council that the engineer did an assessment and asked why there was a need for more money. Mayor Bagshaw said the engineer did not walk the sidewalks, he did a drive-by. Mrs. Beardslee said there was no money budgeted for capital improvement projects. ***It was the consensus of Council to hold a special meeting on June 27, 2013 to consider a budget amendment using funds from contingency.***

Council President Dowless

No report.

Council Member Powell

- Reported that he is still working with Orange County regarding the stripping at the left and right turn lanes at Holden and Orange Avenues. He said the County has done all that they can do given the width of the street.

Council Member Henley

No report.

Council Member Chotas

- Council Member Chotas thanked Chief Marcus for his ride with officers and encouraged all Council members to do the same. He said he will be discussing code issues with the Chief that he saw during the ride.

Council Member Hendrix

No report.

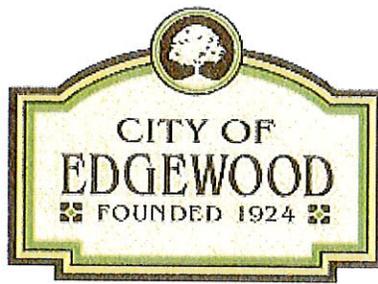
ADJOURNMENT

There being no further business or discussion, ***Council Member Powell made the Motion to adjourn the meeting; Seconded by Council Member Henley at 9:14 p.m.***

ATTEST:

Council President Dowless

Bea L. Meeks, MMC, CPM
City Clerk



TO: Mayor Bagshaw, Council President Dowless and Council Members Powell,
Chotas, Henley and Hendrix

DATE: September 12, 2013

FROM: Bea L. Meeks, City Clerk *B*

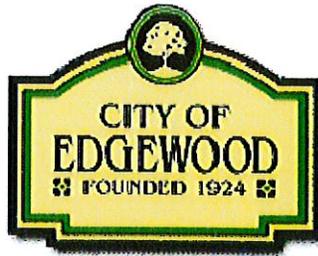
RE: Select Medical – Request for Variance & Special Exception

On September 9, 2013, the City of Edgewood’s Planning & Zoning Board met and considered Select Medical’s applications for a Variance and Special Exception. Included in their consideration of the requests, the Board was provided with reports from Planner Ellen Hardgrove and Engineer Sam Sebaali. Additionally, Planner Hardgrove and Engineer Sebaali attended the Planning & Zoning Board meeting and provided the highlights of their report and responded to the Board’s questions. A presentation was also given by the Genesis Group, representing Select Medical; representatives also responded to questions from the Board.

I confirmed for the Board that the required public notification of the hearings was properly and timely posted. The required Affidavit of the posting was submitted to me. I also reported to the Board that 89 notice letters were mailed; out of which two “return to senders” was received in City Hall. City Hall staff received no verbal or written comments regarding Select Medical’s requests.

It was unanimously approved by the Planning & Zoning Board to recommend to Council that Select Medical’s request for a variance and special exception be approved, subject to the conditions of Planner Hardgrove and Engineer Sebaali.

Please note that the Site Plan is in the side pocket of your agenda notebook.



405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

To: City Council and Planning and Zoning Commission
Ms. Bea Meeks, City Clerk, Sam Sebaali, P.E., City Engineer
From: Ellen Hardgrove, AICP, City Planning Consultant
Date: July 29, 2013
Re: Select Medical Hospital Proposed Special Exception Amendment and Variance Requests

INTRODUCTION OF REQUESTS

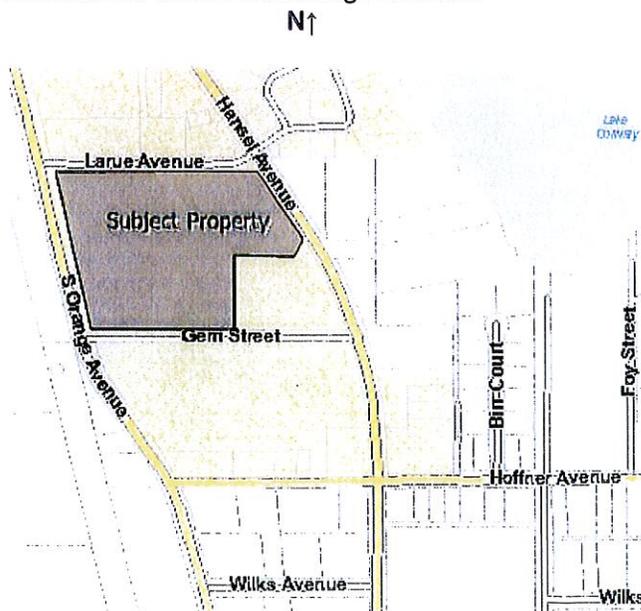
Requests: #1) Special Exception in the C1 zoning district per Code Section 134-346: (C-1 Special Exceptions) to allow expansion of a 40-bed hospital to 72 beds at 5579 South Orange Avenue, Edgewood, Florida.

The 40-bed hospital onsite was approved by a special exception approval April 5, 2005.

#2) Variance to allow a 12.5 feet side street setback in lieu of the required 15 feet.

Property Owner: HTA Orlando SS Hospital LLC

Location: Current location of the Select Medical Hospital, located on the south side of Larue Avenue between Hansel and Orange Avenues



Tax ID #: 24-23-29-8040-01-000

Existing Zoning: C-1

Future Land Use: Commercial

Existing on site: Long Term Acute Care 40 bed hospital treating seriously ill patients who require an extended, more attentive hospital stay

Surrounding uses: North- City Hall
 South- Hoffner Isle Shopping Center
 West - across Orange Avenue, the CSX railroad line
 East - Miscellaneous commercial and office uses on the east side of Hansel

Surrounding Zoning: North- C1
 South - C1
 West - C3 (on west side of railroad tracks)
 East - C1

SPECIAL EXCEPTION REQUEST

Considerations for Special Exception approval

Per Code, the following must be considered when making a decision on this request:

- (1) Land Use Compatibility: Potential adverse impacts to the surrounding uses caused by the number of persons affiliated with the proposed facility (patients, employees, visitors). This includes the amount of traffic generated by the proposed facility, potential impacts to adjacent property values, and noise impacts;
- (2) Sufficient Open Space: The size of the lot relative to required open space and off-street parking facilities;
- (3) Availability of adequate water and sewer facilities; and,
- (4) The general health, safety and welfare of the community.

(Source: Section 134-346, Edgewood City Code)

Considerations Analyzed

Land Use compatibility

The existing hospital and the proposed expansion can be compatible with adjacent uses provided traffic and parking issues can be resolved. Unforeseen adverse impacts were created with the construction of the existing hospital: 1) Vehicles of employees and/or guests have been known to park offsite on adjacent property; and, 2) With Larue Avenue the only exit from the hospital, traffic conflicts have periodically occurred. Approval of the request will increase the number of employees and visitors; thus, there is the potential for increased traffic and parking impacts.

65 additional parking spaces are proposed with the subject expansion. Parking onsite would increase from 79 to 144 spaces. It seems the existing parking off-site issue would be eliminated with the increased number of spaces onsite.

The new parking layout will add another exit from the property. An exit is proposed to Gem Street. This additional access point can help ease the traffic conflicts on Larue Avenue.

With the proposed parking and access changes, the proposed use is compatible with adjacent commercial and institutional uses. The residential neighborhoods in proximity should not experience adverse impacts from the hospital expansion relative to increased traffic, diminished property values, or pressure to convert from a residential use to an ancillary hospital use. Noise impacts from the hospital should be non-existent.

Open Space

With the proposed addition, 40% of the site will be in open space. According to code, sites with institutional uses are required to have a minimum of 35% green space.

Adequate Water and Sewer

Adequate water and sewer is available.

The General Health, Safety and Welfare of the Community

The general health, safety and welfare of the community should not be adversely affected.

Recommendation for Special Exception

Approve with conditions as set forth by City Engineer

VARIANCE REQUEST

Request

The request is to allow a 12.5 feet setback from the North property line instead of the required 15 feet. The minimum 15 feet setback is required by Section 134-484(g) of the City Code: "In all districts, no structure shall be erected closer than 15 feet from a side street lot line or any intersecting street right-of-way."

Standards for Variance Approval

According to Section 134-104, variances are allowed when "there are practical difficulties or unnecessary hardships in complying with the strict letter" of the City Code AND when the applicant proves the following approval standards are met.

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
2. Special conditions and circumstances do not result from the actions of the applicant.
3. Approval of the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings or structures in the same zoning district.

4. Literal interpretation of the provisions contained in this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.
5. The variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. Approval of the variance will be in harmony with the general intent and purpose of this chapter and that such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Analysis of Standards

Do special conditions and circumstances exist?

The applicant states the need for a 2.5 feet reduction in the required 15 feet setback was caused by the property owner's dedication of additional right-of-way for Larue Avenue. Prior to construction of the existing hospital, Larue Avenue right-of-way was only 30 feet wide. As a condition of approval for the hospital, the property owner was required to dedicate 20 feet of their property to create a standard right-of-way width (50 feet). Had the City required the property owner to only provide half of the needed right-of-way to create the standard width and require the property owner on the north side to provide the other half as the manner to obtain the standard width, then the proposed variance would not be needed.

Did the special condition/circumstance result from the actions of the applicant?

The applicant states the reduced land area for expansion resulted from the right-of-way dedication required by the City's original approval for the hospital.

Will the approval of the variance request confer any special privilege that would be denied to other lands, buildings or structures in the same zoning district?

A similar variance request could be petitioned for other properties in the C1 zoning district if similar circumstances and conditions existed.

Would denial of this request deprive the applicant of rights commonly enjoyed by other properties in the same zoning district?

Denial of the request would not deprive the property owner of rights commonly enjoyed by other property in the C1 district. The size and shape of the property's buildable area resulting from the Code required setbacks provides a reasonable use of the property. However, as explained by the applicant, in some cases, dedication of only ½ of the needed right-of-way is required of a developer accessing a substandard road. Thus, other properties may not lose as much land as the subject property did.

Is the requested variance the minimum variance that will make possible the reasonable use of the land, building or structure?

While a reasonable use of the land already exists, the requested variance will allow the proposed addition. This addition is proposed to be smaller than Select Medical's standard expansion wings to ensure only the minimum variance is requested. As shown on the submitted site plans, the two proposed expansions on the east side of the existing building are each 51.6 feet x 63 feet. The expansion near the north property line is proposed at 51.6 feet x 50 feet, 13 feet shorter. According to the applicant, further reduction of this building's size will make it impractical for use.

Will the approved variance be in harmony with the general intent and purpose of this chapter and such variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare?

In general, the purpose of street setbacks is 1) to allow space for sidewalks, 2) to create a buffer between vehicles and buildings, and 3) for aesthetic purpose.

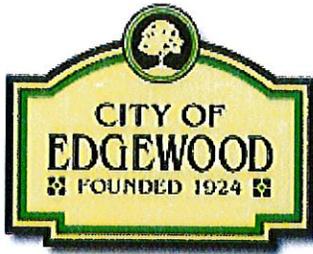
- A setback of 12.5 feet will not eliminate the opportunity for a standard width sidewalk. A standard width sidewalk currently exists; the proposed building extension will not affect its location or width.
- According to the applicant's engineer, the proposed variance will not impact the Larue Avenue Clear Zone: a safe roadside buffer for use by errant vehicles. Effective clear zone width is dependent upon traffic volumes and speeds, and the roadside geometry. Using the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly called Florida Green Book), the recommended clear zone for Larue Avenue would be 6 feet.
- The ability to ensure an appealing visual quality between the road and the building with a substandard setback **has not been addressed by the applicant and needs to be presented by the applicant at the public hearing.**

Recommendation

Approval if the applicant demonstrates the standards for variance approval, as stated in Code Section 134-104, have been met.

Code allows Council to prescribe appropriate conditions and safeguards to ensure conformity with the intent and provisions of the code.

NOTE: Per Code, any variance approved by Council shall expire 12 months after the effective date of the approval unless the rights approved by the variance have been exercised prior to the expiration date. Acquisition of necessary building permits, installation of required equipment or initiation of the activity granted shall be considered adequate exercising of the variance rights.



405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

MEMORANDUM

TO: MS. BEA MEEKS, CITY CLERK

FROM: SAM J. SEBAALI, P.E., FLORIDA ENGINEERING GROUP, INC. - CITY ENGINEER

DATE: JULY 24, 2013

SUBJECT: SELECT SPECIALTY HOSPITAL – SPECIAL EXCEPTION REQUEST
OWNER – HTA – ORLANDO SS HOSPITAL, LLC
5579 S. ORANGE AVENUE
FEG TA-13-001

Pursuant to your request, I have reviewed the Special Exception application received on June 8, 2013 and the additional material provided by the applicant's consultant through July 23, 2013 for the subject Special Exception request.

This Special Exception request is for the expansion of the existing acute care hospital use to add 32 beds by extending four (4) wings of the existing building located on Lot 1 of Select Plaza. A Development Review Committee meeting was held with the applicant and their consultant on January 22, 2013.

Background:

A Special Exception was previously approved by the City of Edgewood in April of 2005 to allow a 40-bed acute care hospital use. At the time of this approval, Lot 1 was part of a 9.75 acre tract of land, which was subsequently subdivided and platted in March of 2007. The plat is recorded in Plat Book 68, Page 123 of the Orange County Public Records.

Lot 1 is 7.46 acres and is currently developed with the existing Select Specialty Hospital building and other related site improvements. The existing development was reviewed and approval recommended by the City of Edgewood City Engineer in September of 2005. A final inspection of the existing improvements was conducted and a recommendation for issuance of a Temporary Certificate of Occupancy was made by the City Engineer on April 12, 2007.

The current Special Exception application has been reviewed by the City Planner, Ms. Ellen Hardgrove who recommended approval of the request subject to conditions to be included as part of this engineering review.

Our review is based on the site plan provided by the applicant's consultant via e-mail to Ms. Hardgrove on July 10, 2013, which shows two phases of development with the first phase consisting of a 24-bed addition by extending the north and east wings and the second phase consisting of an 8-bed addition by extending the south wing.

Site and Landscape Plan Review:

The following are our review comments related to the engineering and other site design aspects of the project:

1. The site plan provided for review is preliminary in nature. If the Special Exception for the 32-bed expansion is approved by City Council, additional site engineering design plans and other related site design documents are required to be submitted with the final site plan to address, at a minimum, the following items:
 - a. Grading and drainage design.
 - b. If extension or additional site utilities are required, site utility design.
 - c. An updated drainage report to demonstrate that the proposed expansion complies with the original drainage design assumptions.
 - d. A final landscape plan incorporating any recommendations or conditions made in this review and by the City Planner.
 - e. An updated site lighting plan to reflect the changes in light pole locations.

The final site plan shall meet the requirements and procedures of Site Plan Review, Chapter 134, Division 5 of the City of Edgewood City Code for site plan approval prior to any construction; and the final landscape plan shall meet the requirements of the City of Edgewood Code as stated in Chapter 114 of the City of Edgewood City Code.

2. Based on review of the preliminary site plan, the following items should be considered and addressed as part of the final site plan submittal:
 - a. The proposed parking expansion is in conflict with existing light poles on the west side and other areas of the project site. The light poles will need to be shown on the final site plan and coordinated with the final site design – See Photo 1 – Photo Attachments Page 1 of 4.
 - b. The proposed building additions may be in conflict with existing drainage conveyance pipes and other site utilities. Relocation of existing drainage pipe conveyances and other utilities may be required. Details showing that the buildings can be constructed and maintained without damage to the existing drainage or other utility infrastructure should be provided. See Photo 2 – Photo Attachments Page 1 of 4.
 - c. There are several gaps in the existing landscape hedges along Orange Avenue in the west and southwest areas of the site. The final landscape plan shall provide for planting of the existing gaps to provide a continuous landscape hedge along S. Orange Avenue as required by the City Code, Chapter 114, Landscaping. See Photo 3 – Photo Attachments Page 2 of 4.
 - d. The landscape hedges shown to exist on the submitted landscape plan in the southwest area of the site and along the south side of the site adjacent to Gem Street are not consistent with the existing site conditions. In some instances, hedges shown to exist do not exist and in other instances the existing hedges are not as shown. The final landscape plan shall properly reflect the existing site conditions. In addition, augmentation of the existing hedges where needed to meet City Code requirements is required. See Photo 4 – Photo Attachments Page 2 of 4.
 - e. Canopy trees should be provided in the new landscape islands located in the parking expansion in the northwest area of the site. See marked-up landscape plan attachment.
 - f. Additional landscaping along the Gem Street right-of-way shall be provided consistent with the City Code, Chapter 114, Landscaping. Specifically, canopy trees and a continuous hedge should be provided. The landscaping shall be continuous along the boundary of Lot 1. Given the fact that several large mature trees will be removed in the southwest area of the site, this additional landscaping would be important to provide buffering from the parking areas. See Photo 5 – Photo Attachments Page 3 of 4.

- g. Additional landscaping on the south side of the southeastern wing expansion similar to the landscaping on the eastern side of this wing is recommended given that the southern building facade expansion will be visible from Gem Street. See marked-up landscape plan attachment.
 - h. Additional landscaping on the east side of the north wing expansion similar to the landscaping shown on the north side of this wing is recommended given that the eastern building facade expansion will be visible from Hansel Avenue. See marked-up landscape plan attachment.
 - i. Existing landscaping adjacent to the western building façade is in need of maintenance. This landscaping is now more important with the addition of the parking area on the west side of the building. See Photo 6 – Photo Attachments Page 3 of 4.
3. Variance to the required 15 foot (12.5 feet proposed) street side setback on Larue Avenue will be required. The applicant has requested such a variance.
 4. All other City Code requirements (unless waived as part of this approval by City Council) must be met with the final site plan submittal.
 5. If approved, all construction shall adhere to the City of Edgewood’s Erosion and Sediment Control Ordinance. Silt fences, turbidity barrier, hay bales or other measures shall be incorporated into the project design and implemented during construction to prevent sediment runoff and transport into the storm sewer or receiving waters.
 6. Permitting by other regulatory agencies including Orange County Building Department, Orange County Utilities, St. Johns River Water Management District, Florida Department of Environmental Protection, and Florida Department of Transportation will be required, as applicable.

Tree Removal Review:

As part of the preliminary site plan for the proposed expansion, there are four (4) oak trees (i.e.; Tree 1, 39”; Tree 2, 29”; Tree 3, 18”; Tree 4, 18”) that are proposed to be removed. These trees are located within the proposed parking addition and new exit driveway alignment in the southwest portion of the site. Two of the subject trees (Tree 1 and Tree 2) meet the size requirements for Historic Tree designation. However, the applicant’s consultant has provided documentation showing that these trees have significant root decay and extensive canopy die back. Therefore, these trees would not meet the City Code definition of Historic Trees as they are not healthy. The other two trees (Tree 3 and Tree 4) proposed for removal are also in poor condition; however, they would not be considered Historic Trees even if they were healthy. See Photos 7 and 8 – Photo Attachments Page 4 of 4.

A formal tree removal application will be required at time of final site plan submittal. Tree replacement for the proposed tree removal shall be provided in accordance with the Tree Management and Protection requirements of the City Code, Chapter 130. However, it is our recommendation that the replacement requirements for Historic Tree removal be waived as it would not apply to non-healthy trees. In order to mitigate the removal of the extensive tree canopy and the addition of the parking and drive on the south side of the project, we recommend that the applicant provides a continuous buffer along the south side of Lot 1 adjacent to Gem Street consistent with the Landscaping requirements, Chapter 114 of the City Code. Specifically, the landscaping in this area shall meet Section 114-4(1) for landscaping adjacent to public street right-of-way.

I will be available at the Planning and Zoning Commission and City Council Hearings to address any technical questions relative to this request.

cc: Mayor
Applicant (by City Hall Staff)

FILE: FEG 11-081; TA-13-001

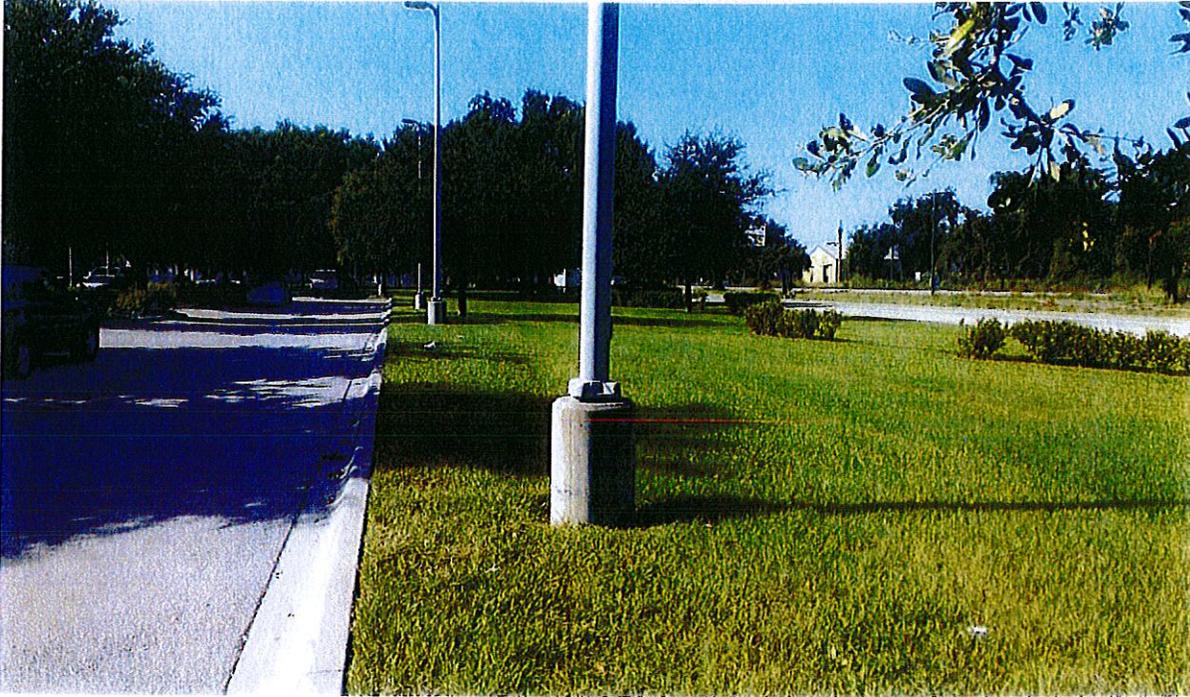


PHOTO 1 – Light Poles in Conflict with Proposed Parking Addition



PHOTO 2 – Existing Drainage Infrastructure



PHOTO 3 – Typical Gaps in Required Buffer Hedge along S. Orange Avenue



PHOTO 4 – Existing Hedge Alignment in Southwest Area of Site



PHOTO 5 – Additional Landscaping Needed along Gem Street – Tree Canopy in Background being Removed

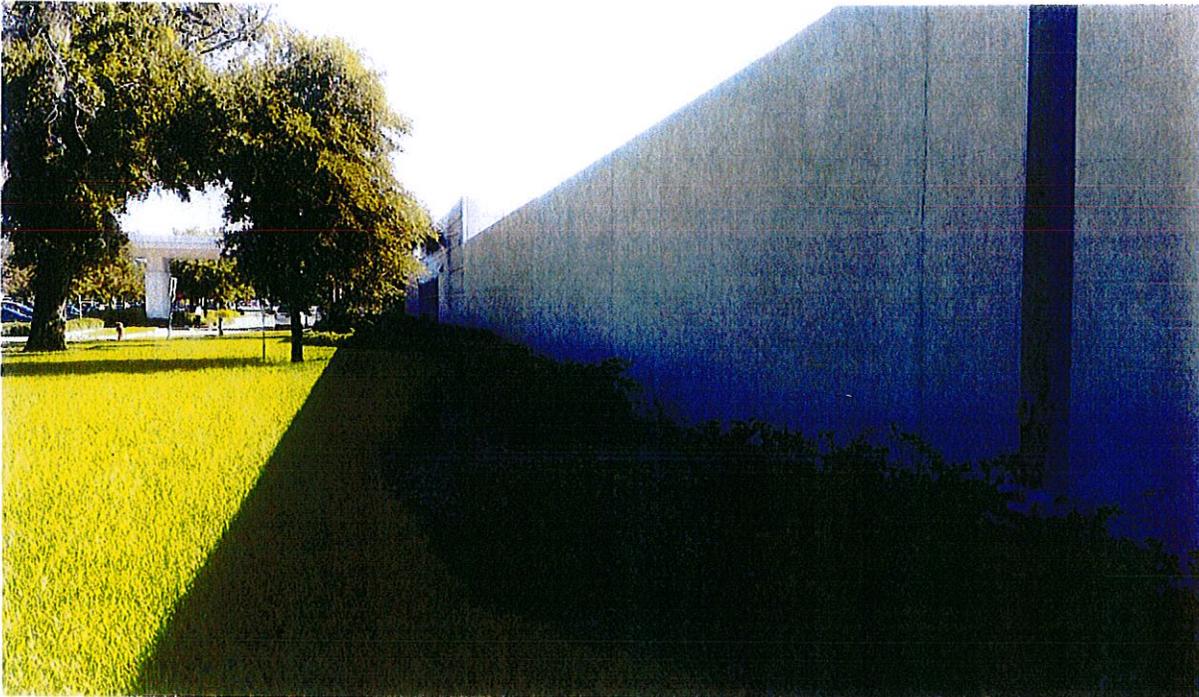


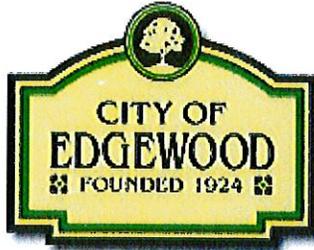
PHOTO 6 – Existing Landscape in Need of Maintenance – Western Building Façade Adjacent to New Parking



PHOTO 7 – Large Oak Tree being Removed West Side of Building



PHOTO 8 – Oak Tree being Removed South Side of Building



405 Larue Avenue - Edgewood, Florida 32809-3406
(407) 851-2920

MEMORANDUM

TO: MS. BEA MEEKS, CITY CLERK

FROM: SAM J. SEBAALI, P.E., FLORIDA ENGINEERING GROUP, INC. - CITY ENGINEER

DATE: JULY 24, 2013

SUBJECT: SELECT SPECIALTY HOSPITAL – VARIANCE REQUEST
OWNER – HTA – ORLANDO SS HOSPITAL, LLC
5579 S. ORANGE AVENUE
FEG TA-13-001

Pursuant to your request, I have reviewed the Variance Request application received on June 8, 2013.

The variance request is to allow a 12.5 foot side street setback in lieu of the required 15 feet on the Larue Avenue street side.

The City Planning Consultant, Ms. Ellen Hardgrove, has prepared an analysis relative to the standards for variance approval and recommended conditions to be adopted by the City Council should the variance be granted.

I concur with Ms. Hardgrove analysis and recommendations and will be available at the Planning and Zoning Commission and City Council Hearings to address any technical questions relative to this request.

cc: Mayor
Applicant (by City Hall Staff)

FILE: FEG 11-081; TA-13-001



CORNERSTONE CHARTER ACADEMY

5903 Randolph Avenue

Belle Isle, FL 32809

Ph 407-608-7171

Fax 407-434-7021

www.cornerstonecharter.com



Ducktoberfest

October 12th, 2013 from 11:00 to 4:00

Thank you for considering sponsoring Cornerstone Charter Academy's fall festival, Ducktoberfest. Not only are you supporting your local school but also your community. This will be a great way to gain exposure for your local business at the Fall Festival. Ducktoberfest will be advertised throughout the school and locally.

Sponsorship Levels

Gold \$500.00

Advertising on all Ducktoberfest Marketing Material.
Advertising on Facebook page with link to your website.
Sign in front of bounce house
8 entrance wristbands.

Silver \$250.00

Advertising on Facebook page with link to your website.
Sign in front of bounce house
4 entrance wristbands.

Bronze \$100.00

Advertising on Facebook page
2 entrance wristbands.

Cornerstone is a Public Charter School for grades k-12 with approximately 1000 students. Ducktoberfest will not only be a school event but also a community event attracting local families from Downtown Orlando, South Orlando and the Conway Lakes Area.

Go Ducks

Operated by City of Belle Isle Charter Sc



Accredited Somerset Academy Affiliate



A Cornerstone PTSA Sponsored Event

Cornerstone Charter Academy Ducktoberfest Fall Festival

October 12, 2013 from 11am – 4pm

Sponsor Application

Sponsors Contact
Contact Renée Senn
Rsenn1@cfl.rr.com

Space is first come first serve upon completion of application and receipt of payment.

Business Name: _____ Business Phone: _____

Contact Person _____ Phone _____

Business Address _____

Email Address: _____

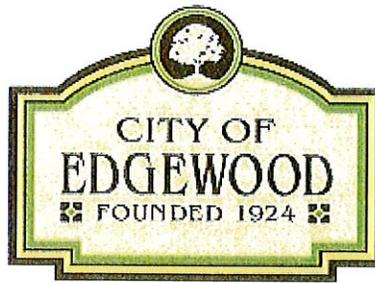
Please select a sponsorship level

- Gold* \$ 500
- Silver* \$ 250
- Bronze \$100

*Logo will need to be provided on disc or emailed to rsenn1@cfl.rr.com. Graphic art for signs and banners will be provided by CCA PTSA

Please make checks payable to CCA PTSA

Cornerstone Charter Academy PTSA 5903 Randolph Avenue Belle Isle, Florida 32809



TO: Mayor Bagshaw, Council President Dowless and Council Members Powell,
Chotas, Henley and Hendrix

DATE: September 12, 2013

FROM: Bea L. Meeks, City Clerk *B*

RE: Code Provisions - Tree Management & Alcoholic Beverages

At the request of Council President Dowless, information from the City Code regarding tree management and alcoholic beverages is included in your packet. Please note that Council will not be addressing the trees removed on Jessamine Lane and Holden Avenue; this item will be on the October agenda.

It is my understanding that the Code information regarding tree management is being provided to acquire a better understanding of the tree permitting process. The Code information regarding alcoholic beverages is being provided due to the recent discussion regarding the serving of alcoholic beverages at the City's farmers market/special events. I have also included the section of the City's Code that addresses special events.

Regarding fees for a tree permit, Resolution 2001-01 provides:

Residential \$25.00 (first tree) \$25.00 (each additional tree under the same permit)
\$100.00 – Maximum Fee

Commercial \$250.00 (first tree) \$25.00 (each additional tree under the same permit)
\$1000.00 – Maximum Fee

Edgewood, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 130 - TREE MANAGEMENT AND PROTECTION >>

Chapter 130 - TREE MANAGEMENT AND PROTECTION

[Sec. 130-1. - Purpose and intent.](#)

[Sec. 130-2. - Scope of applicability.](#)

[Sec. 130-3. - Definitions.](#)

[Sec. 130-4. - Care of trees; unlawful removal of or injury to trees.](#)

[Sec. 130-5. - Application for tree removal permit; permit fees; professional arbor fee.](#)

[Sec. 130-6. - Approval or denial of application; appeal.](#)

[Sec. 130-7. - Relocation or replacement of trees; removal without replacement.](#)

[Sec. 130-8. - Tree replacement trust fund.](#)

[Sec. 130-9. - Penalties and enforcement.](#)

[Sec. 130-10. - Trees, shrubs, etc. in public rights-of-way.](#)

[Sec. 130-11. - Emergency exemptions from chapter requirements.](#)

Sec. 130-1. - Purpose and intent.

Recognizing that article II, section 7, of the Florida Constitution (Fla. Const. art. II, § 7) states that it is a policy in the state to conserve and protect its natural resources and scenic beauty, the purpose of this chapter is to provide protective regulations for trees in the city. The loss of mature and maturing trees has an adverse effect on the environment. It is the intent of this chapter to promote the community health and welfare by protecting trees for the unique benefits they provide in enhancing community appearance and assisting in the natural control of solar heat, soil conservation and erosion, oxygen production, flooding, pollution, and noise. In addition, trees offer a haven for community wildlife, and provide citizens with psychological relief from the increasing complexities of a manmade urban environment, and enhance property values. Further, it is the intent of this chapter to enhance the community and its citizenry and not be punitive, or to cause a hardship to any individual, or private or public company which uses reasonable care and diligence to protect trees within the city. The minimum standards set forth in this chapter strive to balance the rights of property owners to remove and/or replace trees on their property without restriction, with the need to protect the health, safety, and welfare of the current and future residents of the city.

(Ord. No. 2001-13, § 1(25-1), 8-21-2001)

Sec. 130-2. - Scope of applicability.

The regulations enacted herein shall apply to all real property presently situated in or subsequently annexed into the city limits. Immediately upon petition for annexation, developers will agree to comply with the provisions of this chapter.

(Ord. No. 2001-13, § 1(25-2), 8-21-2001)

Sec. 130-3. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City official means a person or persons designated by city council to enforce or act on behalf of the city with regard to a particular section of this chapter.

Crown means the mass of branches, twigs, and leaves at the top of a tree, with particular reference to its shape.

Diameter breast height (DBH) means a measurement of the size of a historic or specimen tree equal to the diameter, in inches, of a tree measured at 4½ feet above the existing grade.

Historic trees. The following species are historic trees so long as they are healthy and are 24 or more inches DBH: Bald cypress (*Taxodium distichum*); Southern red cedar (*Juniperus silicicola*); Eastern red cedar (*J. virginiana*); Winged elm (*Elmus alata*); Florida elm (*Ulmus american floridana*); White oaks (*Quercus alba*); Bluff oak (*Q. austrina*,); Sand live oak (*Q. geminata*); Swamp chestnut/basket oak (*Q. prinus*,); Live oak (*Q. virginiana*); Pecan (*Carya ilinoensis*,); Mockernut hickory (*C. tomentosa*); Pignut hickory (*C. glabra*,); Loblolly bay (*Gordonia lasianthus*); Longleaf pine (*Pinus glabra*); Southern magnolia (*Magnolia grandiflora*); Sweetbay magnolia (*Magnolia virginiana*); Red maple (*Acer rebrum*); Florida maple (*A. barbatum*); Tupelo (*Nyssa sylvatica*); White ash (*Fraxinus americana*).

Person means and includes an individual, partnership, corporation, association or other legal entity, and shall include the plural, as well as the singular.

Removal means and includes the removal, removing or actual displacement or effective displacement through damaging or cutting below the level necessary for survival of the tree.

Rights-of-way means that portion of the street right-of-way paralleling any public thoroughfare between the curblin and the abutting property line.

Specimen trees means trees that are on the recommended stock list set forth in [section 130-7](#) or on the list of species which are historic, have a DBH of 18 inches or greater, and are well shaped and in good health.

Trees means any living self-supporting woody plant with a trunk diameter of at least four inches as measured three feet above actual grade and which normally grows, or is capable of growing, to a minimum overall crown height of 15 feet. For purposes of this section, the term "trees" does not include the following:

- (1) Trees less than four inches as measured three feet above actual grade, except trees which have been planted as replacement trees under [section 130-7](#)
- (2) Containerized trees and nursery stock trees for resale in licensed nurseries.
- (3) Trees which have fallen such that their main trunks have been substantially damaged to the extent that the trees will eventually die.

(Ord No. 2001-13, § 1(25-3), 8-21-2001)

Sec. 130-4. - Care of trees; unlawful removal of or injury to trees.

- (a) *Artificial irrigation.* Artificial means of irrigation shall be easily available and used regularly for every tree as may be required for healthy tree growth and maintenance.
- (b)

Trees near billboards. It shall be unlawful for persons or businesses trimming tree growth away from billboard (off-premises sign) surfaces to remove trees or to trim or cut trees below the level necessary for survival of the tree.

- (c) *Fallen trees.* In the event a tree has fallen because of an act of God or other damage, such that its trunk has been substantially damaged to the extent that the tree no longer can survive, the property owner shall remove said fallen tree within a reasonable period of time not to exceed 60 days. If a property owner does not remove a fallen tree within a reasonable period, he or she may be found to be in violation of this chapter. If the fallen tree poses a safety hazard, the city may remove the tree and assess the costs for such removal to the property owner. No permit is required for removal of fallen trees.
- (d) *Tree removal permit required.* It shall be unlawful for any person to, or cause to, destroy, permanently injure or remove any existing tree as defined herein, within the city, without first obtaining a tree removal permit as required by the provisions of this chapter.
- (e) *Unlawful alteration of grade.* It shall be unlawful for any person to, or cause to, place material, solvents, machinery, temporary soil deposits, or to make any grade changes within six feet of any tree, or to attach, other than protective wires, braces or other similar, injurious materials to such tree.
- (f) *Paving around trunk perimeter.* No structure or impervious paving shall be located within a six-foot radius of the trunk perimeter of any tree. Trees four feet or more in diameter as measured three feet above actual grade shall require additional space as may be determined.

(Ord. No. 2001-13, § 1(25-4), 8-21-2001)

Sec. 130-5. - Application for tree removal permit; permit fees; professional arbor fee.

- (a) Persons desirous of removing a nonexempt tree(s) from any privately held single-family residential property shall make application to and on a form prescribed by the city and shall pay a fee for the first tree to be removed under the permit and a reduced fee for each additional tree to be removed under the same permit. Such fees to be in the amount as established by resolution.
- (b) Proposed subdivision site plan, plan for development of multiple-family or tenant structures, duplexes, office or commercial development on privately held property (R-2, R-3, P-O, C-1, C-2, and C-3 districts).
 - (1) All owners and developers submitting preliminary subdivision plans pursuant to [chapter 126](#), plans for development of multiple tenant structures, duplexes, commercial or office development sites, or applications for site development permits pursuant to [chapter 118](#), shall simultaneously submit an application for tree removal permit. Such removal or relocation of trees shall be reviewed with all other subdivision or site development plans, and the city official shall work with the appropriate board in the review process.
 - (2) The application for tree removal permit shall be supported by drawings, plans, or photographs as necessary to depict the following:
 - a. Property boundaries and identification of any existing or proposed easements;
 - b. A tree survey of all trees of four inches or more in trunk diameter measured three feet above ground level, each tree to be identified by type, species, and estimated height;
 - c.

- The proposed removal of trees surveyed in this subsection (b)(2) and the objectives that may justify the removal of trees;
- d. Proposed protective barriers to preclude damage to the uninvolved trees;
 - e. Proposed grade changes of more than one-foot depth which are six or more feet from any tree's trunk;
 - f. Identification of any historical or specimen trees;
 - g. Identification of any water bodies, wetlands, or other conservation areas;
 - h. Any existing or proposed improvements on the site.
- (3) Owners of property to be subdivided, developed as multiple tenant structure, or commercially developed shall pay a permit fee for the first tree to be removed under the permit and a reduced fee for each additional tree to be removed, for a maximum fee in the amount established by resolution. All such fees to be in the amount established by resolution.
 - (4) It shall be the responsibility of the developer and permittee (if the permittee is not the property owner) to ensure any tree designated to remain shall be protected. If posts are used as protective barriers, they shall be placed at points not closer than six feet of the trunk perimeter of any tree. A tree of four feet or more in diameter may require additional space as needed to protect the trees roots. Each section of the barrier shall be clearly visible (flagged with brightly colored plastic tapes or other markers).
 - (5) The property owner and permittee shall guarantee survival of retained or replaced trees for one year from completion of permitted construction.
 - (6) A city official shall conduct periodic inspections of the site to ensure compliance with the provisions of this chapter and any permit conditions. It is the responsibility of the property owner or permittee to ensure that all provisions of this section are met.
 - (7) If a major root of any live tree affected by a significant grade change visibly extends more than six feet from the trunk perimeter, then the city official may require grade change data for the area into which the major root extends. Before any grade change more than six feet from the tree's trunk, the soil surface shall be cleared of any construction debris and properly fertilized to improve root growth and reduce shock to the tree.
- (c) If it is determined that a professional arborist who is not a city official is required or desired, the owner of the real property shall pay for the costs of any inspection by the arborist. The owner shall provide the city with a certificate from the arborist which states the type and species of the tree to be removed, the size, condition of said tree, and any other pertinent information regarding the tree.
 - (d) All permit fees required herein are nonrefundable except if the city official discovers that the applicant seeks to remove a tree for which no permit fee is required. No fees will be charged for removal of the following trees:
 - (1) The following exotic, invasive trees which are known to commonly live in Central Florida and which appear on the state exotic pest plant council's list of invasive plants: Australian Pine (*Casuarina cunninghamia*), Cama eucalyptus (*Eucalyptus camuldulensis*), Camphor (*Cinnamomum camphora*), China berry (*Nebia azedarch*), Chinese tallow tree (*Sapium sebiferum*), Brazilian pepper (*Schinus terebinfolius*), Jacaranda (*Jacaranda acutifolia*), Mimosa (*Ablizzia julibrissin*), and Cajeput Tree (*Melaleuca quinquenervia*).
 - (2) Trees severely diseased, injured or dead.

Owners must still seek a permit for removal of trees as specified in subsections (d)(1) and (2) of this section.

- (e) The requirement of a tree removal permit is a requirement separate from and in addition to the requirement for obtaining any other approvals or permits whatsoever.

(Ord. No. 2001-13, § 1(25-5), 8-21-2001)

Sec. 130-6. - Approval or denial of application; appeal.

- (a) The city official shall review the permit, inspect the property, and verify the information contained in the application. The city official shall consider the criteria for removal below prior to granting or denying said application. In the event an application is denied, the reasons therefor shall be reported in writing to the applicant.
- (b) The city official shall consider the purpose and intent of this chapter and the effect the removal of trees will have upon the drainage, topography, and the natural resources. To effectively carry out the provisions of this chapter, the following is a list of the general criteria to be considered in granting a permit for the removal or relocation of trees:
- (1) Trees which pose a safety hazard to pedestrian or vehicular traffic.
 - (2) Trees which pose a safety hazard to buildings or public utilities.
 - (3) Trees within ten feet of a proposed or an existing structure or other improvement so that they restrict approved construction so long as said trees are relocated or replaced elsewhere on the property.
 - (4) Trees severely diseased, injured or dead.
 - (5) Trees which appear on the state exotic pest plant council's list of invasive plants, as listed in [section 130-5\(d\)](#).
 - (6) Trees which will interfere with provision of aboveground and belowground utility installations and which will be relocated or replaced elsewhere on the property.
- (c) Historic and specimen trees shall be preserved unless the applicant can demonstrate on his tree removal application and upon inspection by the city official that extraordinary circumstances exist that require removal of said trees. Historic or specimen trees shall only be removed upon approval of the city official. Extraordinary circumstances shall include new construction proposals or building additions, including pools and appurtenances, which proposals could not be constructed without said tree removal.
- (d) A permit for tree removal issued by the city not in connection with a subdivision site plan, plan for development of multiple tenant or duplex structure, or commercial property development plan shall become void 90 days after the issue date.
- (e) In granting site plan approval for tree removal on property involving development of subdivisions, multiple tenant or duplex structures, or commercial development, special attention will be given to the preservation of specimen trees, historic trees, and existing trees which must be removed only upon being granted a permit.
- (f) A party who believes he or she is adversely affected by a decision of the city official may, within ten calendar days of receipt of the written decision of the city official, file a written notice of appeal with the city clerk. If no such notice of appeal is received within the ten-day period, then the prior decision of the city official shall be final. If an appeal is taken, such appeal shall be heard by the city council at its next available regular meeting. Notice of the hearing on the appeal will be provided to the applicant and any other parties involved. At an advertised public hearing, the city council may affirm, reverse, or modify the decision of the city official. At such hearing, the applicant may present to the city council facts in support of his or her position.

(Ord. No. 2001-13, § 1(25-6), 8-21-2001)

Sec. 130-7. - Relocation or replacement of trees; removal without replacement.

- (a) *Nonexotic, nonhistoric, nonspecimen trees.* As a condition for the approval of an application for removal of a tree, the city official may require that the owner of the real property or permittee either relocate said tree somewhere within the property lines of said property or replace each tree with one of the following:
- (1) A tree of comparable size and type;
 - (2) A tree commonly sold in a 15-gallon container, of at least 1½ inches in diameter as measured three feet above soil level, and of a crown height of at least eight feet.

No owners shall replace trees with those which appear on the state exotic pest plant council's list of invasive plants, as listed in [section 130-5\(d\)](#).

- (b) *Exception to tree replacement requirement.* At the discretion of the city official, and with the submission of the appropriate application, a tree removal permit may be issued with no tree replacement requirement if the tree being removed is one which appears on the state exotic pest plant council's list of invasive plants, as listed in [section 130-5\(d\)](#).
- (c) *City tree replacement trust fund.* The city official may offer a choice to a permittee, especially when space limitations or other conditions exist, to make payment into the city tree replacement trust fund in accordance with [section 130-8](#) in lieu of replacing trees to be removed.
- (d) *Historic and/or specimen trees.*
- (1) *Generally.* Historic and/or specimen trees shall be replaced in accordance with subsections (d)(2)—(4) of this section. Replacement trees shall be chosen from the following recommended stock list:

American beech	Pignut hickory
American elm; White elm	Pond cypress
American holly	Red bay
Bald cypress	Red buckeye
Basswood	Red maple
Black cherry	Sand live oak
Black gum	Scrub hickory
Bluejack oak	Scrub oak
Chickasaw plum	Slash pine
Chinese elm	Southern magnolia
Coast pignut hickory	Southern red cedar
Crepe myrtle	Southern red oak
Dahoon holly	Spanish oak; Shumard oak
Flowering dogwood	Swamp chestnut oak
Fringe tree	Swamp dogwood
Green ash	Sweet bay
Hackberry	Sweet gum
Ironwood	Sycamore
Laurel oak	Tulip tree
Live oak	Turkey oak
Loblolly bay	Water oak
Loblolly pine	White oak
Long Leaf pine	Wild olive-Devilwood
Myrtle oak	Willow oak
Pecan	Winged elm; Cork elm

- (2) *Historic and/or specimen trees on existing single-family properties.* Historic and/or specimen trees on existing single-family properties shall be replaced with trees sold in 15-gallon containers of at least 1½ inches in diameter as measured three feet above soil level.
- (3) *Historic and/or specimen trees on all other properties.* Historic and/or specimen trees on all other properties shall be replaced with trees at least 18 feet in height, six inches in diameter as measured three feet above soil level.
- (4) *Alternative replacement plans.* The city official may offer a choice to a permittee, especially when space limitations or other conditions exist, to make payment into the city tree replacement trust fund in lieu of replacing historic or specimen trees.

(Ord. No. 2001-13, § 1(25-7), 8-21-2001)

Sec. 130-8. - Tree replacement trust fund.

- (a) There is hereby created a tree replacement trust fund, a separate fund of the city, which shall receive all funds collected as tree replacement fees and shall be administered by the city. Tree replacement fees shall be \$250.00 for removal of each non-specimen or non-historic tree and \$500.00 for removal of each specimen or historic tree.
- (b) Disbursement from the tree replacement trust fund shall be made only with the approval of the city council and only for the following purposes:
 - (1) Purchase of trees for planting at a publicly owned and operated site or other community enhancement project as deemed appropriate by the city council;
 - (2) Purchase of landscape materials or equipment, which preserve or promote the purpose and intent of this chapter as set forth in [section 130-1](#)
 - (3) Funding of programs required to improve and/or implement this chapter.

(Ord. No. 2001-13, § 1(25-8), 8-21-2001)

Sec. 130-9. - Penalties and enforcement.

- (a) City officials shall be empowered to issue citations as a code inspector under [chapter 2](#), article VII of this Code. A city official shall evaluate a site for compliance with this chapter and render decisions as to the interpretation of this chapter.
 - (1) Where violations of this chapter have occurred, remedial action shall be taken to restore the property consistent with the permit and replacement plan approved by the city official.
 - (2) Trees removed without permit must be replaced. No certificate of completion or certificate of occupancy shall be issued until all trees removed without permit are replaced.
 - (3) Historic and/or specimen trees removed without permit must be replaced with a tree of comparable size and type or with four trees for every one tree removed without permit. Said replacement trees shall be chosen from the recommended stock list found in [section 130-7](#) and shall be a minimum of 12 feet tall. The property owner or permittee shall guarantee survival of replaced trees for one year from the date of planting.
 - (4) In addition to the provisions above, any person who shall violate the provisions of this chapter or any conditions of any permit issued pursuant to this chapter shall be

subject to a reduced civil penalty provided in [section 2-270](#) of this Code. A separate fine shall be imposed for each tree damaged or injured, or for each violation.

(Ord. No. 2001-13, § 1(25-9), 8-21-2001)

Sec. 130-10. - Trees, shrubs, etc. in public rights-of-way.

- (a) *Planting trees.* No tree, shrub, or plant shall be planted within any right-of-way of the city without first obtaining a permit from the city. There will be no charge for such a permit. The permittee shall submit with the application for permit a site plan showing where the tree, plant, or shrub will be planted, the spacing between trees or plants, if applicable, and the species proposed to be planted. The city official shall approve of such plan before the permit may be granted.
- (b) *Maintaining trees.* Upkeep, trim, and maintenance of all trees, shrubs, or plants on any right-of-way which abut private property shall be the responsibility of the private property owner between the private property line and the curb of the street, except that the city shall be responsible for trimming and maintaining portions of trees on the street side so as to allow clearance for vehicles. When any maintenance or trimming of trees in any right-of-way is necessary to afford clearance for wires or cables, it shall be the responsibility of a public utility company to trim and maintain said trees after seeking a permit for such trimming and maintenance from the city. It shall be unlawful for any person to maintain any tree, shrub or plant within any right-of-way of the city in such a manner that will damage or constitute a hazard to any street, sidewalk, curb, driveway, drainage, water line, sewer line or any other public utility.
- (c) *Removing trees.* No tree shall be removed from any public right-of-way without first obtaining a tree removal permit. The city official may, in some instances, recommend that the city share the costs for removal of said trees, such costs to be approved by city council.
- (d) *Removing fallen trees.* The city shall be responsible for removing any fallen tree planted in the right-of-way upon being notified of such fallen tree. A tree planted on private property which falls on any right-of-way shall be removed by the property owner within a reasonable period of time, not to exceed 60 days, or sooner if the city deems necessary to protect public safety. If said fallen tree is not removed within the designated periods of time, the city may remove the fallen tree and assess costs for removal to the property owner, in the event any tree falls such that a substantial portion of the tree interferes with traffic, the city shall be responsible for removal of the portion of the tree which has fallen in the city right-of-way.

(Ord. No. 2001-13, § 1(25-10), 8-21-2001)

Sec. 130-11. - Emergency exemptions from chapter requirements.

- (a) If a city official determines that any tree requires immediate removal because it is in a dangerous or hazardous condition, that tree may be removed without a tree removal permit.
- (b) In the case of a hurricane, tornado, or other emergency, the city council may waive all or some of the requirements of this chapter.

(Ord. No. 2001-13, § 1(25-11), 8-21-2001)

Edgewood, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 50 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES >> ARTICLE IV. - TREES >>

ARTICLE IV. - TREES

[Sec. 50-109. - Injury and destruction of trees.](#)

[Sec. - 50-110. Planting shrubbery and trees at intersections prohibited.](#)

[Sec. 50-111. - Tree planting, maintaining, and removal permits required for public rights-of-way and public property; fallen trees on public rights-of-way and public property.](#)

[Secs. 50-112—50-135. - Reserved.](#)

Sec. 50-109. - Injury and destruction of trees.

No one shall willfully injure or destroy any tree or shrub located on or in any public right-of-way, park or public property within the city.

(Code 1974, § 16-19; Code 1985, § 20-61; Ord. of 9-18-1984, § 6)

Sec. - 50-110. Planting shrubbery and trees at intersections prohibited.

- (a) No person shall plant any shrubbery or trees within the area formed by the property lines of the intersecting streets for a distance of 25 feet from their intersection with one another, which shrubbery or trees reach a height of more than 2½ feet.
- (b) It shall be the duty of any owner of property lying within this area to keep existing shrubbery and trees cut to a height of less than 2½ feet above the pavement.

(Code 1974, § 16-20; Code 1985, § 20-62; Ord. of 9-18-1984, § 7)

Sec. 50-111. - Tree planting, maintaining, and removal permits required for public rights-of-way and public property; fallen trees on public rights-of-way and public property.

- (a) *Planting trees.* No tree, shrub, or plant shall be planted within any right-of-way of the city without first obtaining a permit from the city. There will be no charge for such a permit. The permittee shall submit with the application for permit a site plan showing where the tree, plant, or shrub will be planted, the spacing between trees or plants, if applicable, and the species proposed to be planted. The city official shall approve of such plan before the permit may be granted.
- (b) *Maintaining trees.* Upkeep, trimming, and maintenance of all trees, shrubs, or plants on any right-of-way which abut private property shall be the responsibility of the private property owner between the property line and the curb of the street, except that the city shall be responsible for trimming and maintaining portions of trees on the street side so as to allow clearance for vehicles. When any maintenance or trimming of trees in any rights-of-way is necessary to afford clearance for wires or cables, it shall be the responsibility of a public utility company to trim and maintain said trees after seeking a permit for same from the city. It shall be unlawful for any person to maintain any tree, shrub, or plant within any right-of-way

- of the city in such a manner that will damage or constitute a hazard to any street, sidewalk curb, driveway, drainage, water line, sewer line or any other public utility.
- (c) *Removing trees.* No tree shall be removed from any public right-of-way without first obtaining a tree removal permit. The city official may, in some instances, recommend that the city share the costs for removal of said trees, such costs to be approved by city council.
 - (d) *Removing fallen trees.* The city shall be responsible for removing any fallen tree planted in the right-of-way upon being notified of same, a tree planted on private property which falls on any right-of-way shall be removed by the property owner within a reasonable period of time, not to exceed 60 days or sooner if the city deems necessary to protect public safety. If said fallen tree is not removed within the designated periods of time, the city may remove it and assess costs for removal to the property owner. In the event any tree falls such that a substantial portion of the tree interferes with traffic, the city shall be responsible for removal of the portion of the tree which has fallen in the city right-of-way.
 - (e) *Permit required.* No tree planting, removal, surgery, cavity-filling, trimming or spraying shall be done on any tree or shrub within any public right-of-way or on any property owned by the city without first obtaining permit for such work from the council president or his designee. There shall be no charge for such a permit. No tree or shrub shall be trimmed by or under the direction of any public utility company to afford clearance for wires or cables or for any other purpose without possession of such a permit. Such a permit shall be granted upon a showing that public safety will not be endangered.

(Code 1985, § 20-63; Ord. of 9-18-1984, § 5; Ord. No. 2001-13, § 3, 8-21-2001)

Secs. 50-112—50-135. - Reserved.

Edgewood, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 49 - SPECIAL EVENTS >>

Chapter 49 - SPECIAL EVENTS ^[21]

[Sec. 49-1. - Purpose.](#)

[Sec. 49-2. - Definitions.](#)

[Sec. 49-3. - Permit required.](#)

[Sec. 49-4. - Application for permit.](#)

[Sec. 49-5. - Police protection.](#)

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[Sec. 49-13. - Federal, state and county law requirements.](#)

[Sec. 49-14. - Penalties.](#)

Sec. 49-1. - Purpose.

The city council recognizes the impact that special events have on the availability of city services and therefore adopts this procedure to permit and regulate activities of this nature.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-2. - Definitions.

As used in this chapter, the following words and terms shall have the meaning ascribed thereto:

Advertise is the act of publicly announcing or calling public attention to a person, thing, place or event and shall include, but not be limited to, the distribution of handbills or mass mailings, the use of outdoor advertising and announcements by radio, television or newspaper.

Parade is any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or demonstration of any kind, or similar display or activity in or upon any street, sidewalk, public right-of-way, bicycle path, or public parking lot owned by, or under the supervision or control of the city.

Sidewalk is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.

Special event is any festival, ceremony, exhibition, show, concert, pageant, rally, demonstration or assembly, other than the normal day to day or seasonal operations of concerns,

licensed or established within the city, calculated to attract at any one time the attendance of over 100 persons.

Special event permit is a permit as required by this chapter.

Street is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way or median strip thereof.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-3. - Permit required.

- (a) No person shall advertise, engage in, participate in, aid, form or start any special event unless a permit shall first have been obtained from the city.
- (b) *Exceptions.* This section shall not apply to:
 - (1) Funeral processions.
 - (2) Lawful picketing. Lawful picketing shall be conducted off the street or roadway and not in a manner as to obstruct vehicular or pedestrian traffic. Any lawful picketing which crosses, traverses or is otherwise conducted in or upon any street or roadway shall not be exempted from the permit requirement.
 - (3) Activities of a governmental agency acting within the scope of its governmental authority.
 - (4) Any bona fide event or contest which is scheduled and sponsored by any bona fide elementary or secondary school situated within the city and conducted solely on school property.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-4. - Application for permit.

Any person seeking the issuance of a permit for a special event shall file an application with the city clerk.

- (1) *Filing period.* An application for a permit shall be filed not more than 270 days before, and not less than 60 days before the date and time which the proposed special event is to take place. However, for just cause, the city clerk, with the written consent of the chief of police, may waive the minimum 60-day filing period and accept an application filed within a shorter period if after consideration of the date, time, place and nature, of the special event, the anticipated number of participants, location of the request, and the necessity for an amount of city services which will be required in connection with the special event, and reasonably deems it appropriate to waive the filing period. In doing so, the chief of police shall determine that such waiver will not present a hazard to the public's safety by reducing the amount of time available to process the application. The application shall be signed by the applicant under oath.
- (2) *Contents.* The application for a permit shall set forth the following information and such other information as may be reasonably required:
 - a. The name, place of residence, mailing address and telephone number of the person seeking to conduct the event;
 - b. If the event is to be conducted for, on behalf of, or by an organization, the name, address, telephone number, and fax number (if available) of the

- headquarters of the organization and of the authorized and responsible heads of such organization;
- c. The name, place of residence, mailing address and telephone number of the individual person responsible for the conduct of the event;
 - d. The dates and time schedule for the event;
 - e. Exact location of event;
 - f. The nature and types of activities that will occur;
 - g. A description of any and all recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices which will be utilized in connection with the event;
 - h. The approximate number of spectators and participants present or participating in the event as well as any animals by type;
 - i. The designation of parking areas and permission from the owners;
 - j. The purpose of the event, if there is an avowed purpose;
 - k. A designation of any public facilities or equipment proposed to be utilized;
 - l. State permit if state roadway is to be used;
 - m. The applicant shall provide the city with a hold harmless agreement in favor of the city, executed by an authorized representative of the applicant;
 - n. If the event is a parade, the following additional information shall be required:
 1. The exact location or any marshalling or staging areas for the parade;
 2. The time at which units of the parade will begin to arrive at the staging areas and the times at which all such units will be disbursed therefrom;
 3. The exact route to be traveled, including the starting point and termination point;
 4. The approximate number of persons who, and animals and vehicles which, will constitute the parade, the types of animals and description of the vehicles;
 5. A statement as to whether the parade will occupy all or only a portion of the width of the street, roadway or sidewalks to be used;
 6. Method of cleaning the area after the event and/or mitigating any potential environmental impacts.
 - o. If alcohol is to be served, a copy of all necessary licenses issued by the state authorizing liquor sales.
- (3) *Fees.* The applicant shall pay an application fee in an amount to be set by resolution of the city council. In addition, if the application is for the use of any city property or if any city services shall be required for the event, the applicant shall pay, prior to the issuance of a permit, the projected cost to the city for services provided. Upon completion of the event, the exact charges for city services will be totaled and the permittee may be subject to additional charges or a partial refund.
- (4) *Fee exemptions.* The city customarily participates with certain nonprofit corporations or clubs in sponsoring activities or festivals within the city through the budgetary process by affording police protection or other municipal services. Any nonprofit corporation or club shall be exempt from payment of fees or expenses under this chapter to the extent that the same have been assumed or paid by the city as a result of the city's participation in the activity or festival and as acknowledged at time of

adoption of the city budget. Additional organizations may be exempt by council resolution.

- (5) *Response time.* The city shall approve, approve with conditions or deny the application within 15 days.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-5. - Police protection.

After obtaining as much information as the chief of police reasonably deems necessary regarding a permit application, he shall determine whether and to what extent additional police protection reasonably will be required for the event for purposes of traffic, crowd control and security. If additional police protection for the event is deemed necessary by the chief of police, he shall so inform the applicant for the permit. The chief of police shall consider what additional manpower, equipment and supplies are needed, as well as any other items or expenses which will be necessary. The applicant then shall have the duty to secure police protection acceptable to the chief of police at the sole expense of the applicant and shall prepay the expenses of such protection as required.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-6. - Standards for issuance of permit.

The city clerk shall issue a permit as provided herein after determination and approval by the chief of police based upon the following considerations:

- (1) The conduct of the event will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic in, or contiguous to, the route or location of the event.
- (2) The conduct of the event will not require the diversion of so great a number of public safety personnel or equipment of the city to properly secure the event area and the areas contiguous thereto, as to prevent current level of public safety services from being furnished to other parts of the city.
- (3) The concentration of persons, animals and/or vehicles at the event will not unduly interfere with proper police protection of, or ambulance service to, areas contiguous to the event area or other areas of the city.
- (4) The conduct of the special event is not reasonably likely to cause injury or intended to cause injury to persons or property, create an environment not compatible with a residential neighborhood if within or abutting a residential neighborhood, or to provide disorderly conduct as defined by city ordinance or state statutes, provided that the chief of police may not deny approval solely on the basis of the proposed content of speech or ideas of the group involved.
- (5) Adequate sanitation and other required health facilities are, or will be, made available in or adjacent to the event area.
- (6) The conduct of the special event will not result in noise at a level inappropriate for the area(s) surrounding the event.
- (7) There are sufficient parking places and written approvals from adjacent property owners near the event to accommodate the approximate number of automobiles reasonably expected to be driven to the special event.
- (8)

Adequate precautions will be taken to ensure protection of landscaping and irrigation systems.

- (9) If the event is to take place in any publicly owned or controlled property, public liability and property damage insurance, with the city named as an additionally insured party, shall be obtained in an amount approved by the city, after consideration of those factors set out in [section 14-4\(2\)](#).
- (10) Application for a special event permit shall constitute an agreement by the applicant to pay for city personnel expenses and extraordinary services provided by the city, including any repairs, renovations and/or landscaping and turf restorations or replacement which is necessitated by virtue of the special event.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-7. - Notice of rejection of application for permit.

Should the application be denied, the city clerk shall notify the applicant by personal delivery or certified mail within seven working days of the denial. This notification shall include the reasons for the denial of the permit, and shall advise of the appeal procedure.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-8. - Appeal procedure.

Any applicant aggrieved shall have the right to appeal the denial of a permit or revocation of a permit under [section 14-12](#) to the city council. The appeal shall be taken by the applicant within five days after the receipt of the notice of denial by filing a written notice with the city clerk. The city clerk shall place the appeal on the next available agenda for consideration by the city council.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-9. - Contents of permit.

Each permit shall state the following information:

- (1) Nature of the event;
- (2) Date of the event;
- (3) Starting time and termination time of the event;
- (4) The location of the event or the portions of the streets or other public facilities to be traversed or occupied by the event;
- (5) The approximate number of persons, animals and/or motor vehicles that will participate in the event;
- (6) The approximate number of spectators who will be present at or near the event;
- (7) Such other restrictions as the chief of police shall find necessary or appropriate to the enforcement of this chapter.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-10. - Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions, and with all applicable laws and ordinances. The event chairperson shall maintain custody of the permit and

upon demand shall produce it to city authorities. Under no circumstances may a permit be transferred from the applicant to any other person or organization.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-11. - Revocation of permit.

The chief of police shall have the authority to revoke a permit issued hereunder instantly upon violation of any one or more of the conditions or standards for issuance as herein set forth.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-12. - Indemnification.

The applicant or the organization on whose behalf the application is made shall agree to indemnify, defend and hold the city harmless from and against any and all liability, loss, claim, suit, damage or expense, including attorney fees which the city may suffer, sustain or incur, on account of the death of or injury to any person or loss of or destruction of any property, arising from or in any way connected with issuance of a permit or conduct of the activity or any of its participants.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-13. - Federal, state and county law requirements.

Nothing in this chapter shall be construed so as to exempt the applicant or any other person from the requirements of F.S. § 791.03, or any other applicable federal, state or county law.

(Ord. No. 2009-13, § 1, 12-15-2009)

Sec. 49-14. - Penalties.

- (a) It shall be unlawful for any person to stage, present or conduct any special event without first having obtained a permit therefor as provided for herein.
- (b) It shall be unlawful for any person in charge of or responsible for the conduct of a duly permitted event knowingly to fail to comply with any condition of the permit.

(Ord. No. 2009-13, § 1, 12-15-2009)

FOOTNOTE(S):

⁽²¹⁾ *Editor's note— Ord. No. 2009-13, § 1, adopted Dec 15, 2009, set out provisions intended for use as ch. 51, §§ 51-1—51-14. For purposes of alphabetization and to preserve the style of this Code, at the editor's discretion and with the concurrence of the city, these provisions have been included as ch. 49, §§ 49-1—49-14. [\(Back\)](#)*

Edgewood, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 6 -
ALCOHOLIC BEVERAGES >>

Chapter 6 - ALCOHOLIC BEVERAGES 171

[Sec. 6-1. - Definitions.](#)

[Sec. 6-2. - Hours of sale.](#)

[Sec. 6-3. - Location of vendors.](#)

[Sec. 6-4. - Sexual conduct prohibited.](#)

[Sec. 6-5. - Open containers.](#)

Sec. 6-1. - Definitions.

The city hereby adopts by reference the definitions contained within F.S. chs. 561—565 in the construction and interpretation of this chapter.

(Code 1974, § 3-1; Code 1985, § 3-1; Ord. of 8-21-1984, § 1(3-1))

Sec. 6-2. - Hours of sale.

- (a) Alcoholic beverages may be sold, consumed, served or permitted to be sold, served or consumed in any place holding a license by the state, which license permits the consumption of alcoholic beverages on the premises of the licensee, only during the hours of 7:00 a.m. to 2:00 a.m., seven days per week.
- (b) Alcoholic beverages, including beer, wine, liquor and distilled spirits, may be sold in any place holding a license by the state, which license permits package sale of alcoholic beverages, only during the hours of 7:00 a.m. to 2:00 a.m., seven days a week.
- (c) The sale, service or consumption of alcoholic beverages in any establishment licensed to sell alcoholic beverages during hours other than those specified herein is strictly prohibited. Within the meaning of this section, a sale shall be regarded as being made if the alcoholic beverage is delivered to any person during prohibited hours, regardless of whether payment therefor is made at some other time. If any such licensed vendor is a corporation, then the officers of such corporation shall be regarded as owners therefor for purposes of enforcement of this chapter.

(Code 1974, § 3-3; Code 1985, § 3-2, Ord. of 8-21-1984, § 1(3-2); Ord. No. 345, § 1, 3-7-1989)

State law reference— Authority to regulate location and hours of sale, F.S. §§ 562.14(1), 562.45(2).

Sec. 6-3. - Location of vendors.

- (a) No vendor licensed to sell alcoholic beverages regardless of alcoholic content for consumption on the licensed premises shall operate any such business at a location within 1,000 feet of any location for which a similar vendor has received a license and commenced business as licensed.
- (b) All distances shall be measured by following the shortest route of pedestrian travel along the public thoroughfare between the main entrances of the places of business.
- (c)

Establishments lawfully existing on the effective date of the ordinance from which this chapter was derived shall be excepted from the provisions of this section.

- (d) This section shall not apply to restaurants containing all necessary equipment and supplies for and regularly serving meals and having accommodations for service for 20 or more patrons.

(Code 1974, § 3-3, Code 1985, § 3-3, Ord. of 8-21-1984, § 1(3-2); Ord. No. 314, § 1, 4-15-1986; Ord. No. 345, § 2, 3-7-1989)

Sec. 6-4. - Sexual conduct prohibited.

No person shall engage in and no person maintaining, owning, or operating an establishment dealing in alcoholic beverages shall suffer or permit any sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, any sexual act which is prohibited by law, touching, caressing or fondling of the breasts, buttocks, anus or genitals or the simulation thereof within any establishment dealing in alcoholic beverages.

(Code 1985, § 3-4(f); Ord. No. 310, § 1, 12-3-1985)

Sec. 6-5. - Open containers.

- (a) *Classifications and definitions.* The classifications and definitions contained in F.S. chs. 561—565 are hereby adopted as the classifications and definitions for this section.
- (b) *Consumption in general.* It is unlawful for any person to purchase, use, offer for sale, possess, consume or carry in any cup, glass, can or other open or unsealed container, any alcoholic beverage on the streets, sidewalks, alleys or rights-of-way within the city and on any city owned property; provided, however, that:
- (1) The city council may permit consumption and carrying of alcoholic beverages on streets, sidewalks, alleys and rights-of-way within the city and on any city owned property during and at events or programs held by any individual, corporation, association or organization, subject to such terms and conditions as the city council may impose for the protection of the public health, safety and welfare.
 - (2) Any individual, corporation, association or organization which shall have received permission from the city council pursuant to subsection (b)(1) of this section is further authorized to provide alcoholic beverages for consumption at the particular event or program, subject to all other requirements of law.
- (c) *Consumption in vehicle.* It is unlawful for any person to consume any alcoholic beverage or any mixture containing an alcoholic beverage on any city-owned property while such person, as operator or passenger, is in or on any vehicle, whether moving or stopped, and such consumption is open to public view.
- (d) *Consumption in parking and other like areas.* It is unlawful for any vendor or for any agent, servant or employee of any such vendor to permit the consumption of any alcoholic beverages in or upon any parking or other area outside of the building or room mentioned in said vendor's license certificate as the address thereof, when any part of such parking or area is adjacent to the building or premises in which the business license is operated and when such parking or other area is owned, rented, leased, regulated, controlled or provided, directly or indirectly, by such licensed vendor or by any agent, servant or employee of such licensed vendor.
- (1) If such licensed vendor shall post and maintain a legible, painted or printed sign in at least two separate prominent places on such parking or other areas, with sufficient

light directed thereon to be visible during the hours of darkness while such place of business is open, in letters of not less than one inch nor more than three inches in height, stating:

WARNING

DRINKING ALCOHOLIC BEVERAGES

ON THIS LOT PROHIBITED

\$500.00 FINE OR 60 DAYS IN JAIL

CITY ORDINANCE

- (2) Such posting of said signs shall constitute prima facie evidence that such vendor is not operating in violation of this subsection.
 - (3) It is unlawful for any person to consume an alcoholic beverage in or upon any parking area outside of and adjacent to a vendor's licensed premises when such parking or other area is owned, rented, leased, regulated, controlled or provided, directly or indirectly, by such vendor.
 - (4) If any licensed vendor mentioned herein is a corporation, then the officers of such corporation shall be regarded as the owners thereof, for the purposes of enforcement of this section.
- (e) *Vendors sales.* It is unlawful for any vendor or his agents or employees licensed to sell beer, wine, liquor or other alcoholic beverages within the city, to knowingly allow any person to take from the licensed premises any opened beer, wine, liquor or other alcoholic beverage container, or to knowingly allow any person to take from the licensed premises any glass or other open or unsealed containers containing an alcoholic beverage or any mixture containing an alcoholic beverage.

(Code 1985, § 3-5; Ord. No. 341, § 1, 7-19-1988; Ord. No. 344, § 1, 3-7-1989)

State law reference— Possession of open containers or consumption of alcohol in motor vehicles, F.S. § 316.1936.

FOOTNOTE(S):

⁽⁷⁾ *State Law reference— Alcoholic beverage laws, F.S. ch. 561 et seq.; municipal tax prohibited, F.S. § 561.342(3).*

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ORDINANCE NO. 2013-05

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE II, "CITY COUNCIL," PROVIDING RULES AND REGULATIONS RELATED TO PUBLIC PARTICIPATION AT CITY COUNCIL MEETINGS; CREATING CHAPTER 2, "ADMINISTRATION," ARTICLE VIII, "PUBLIC PARTICIPATION BEFORE BOARDS AND COMMITTEES," PROVIDING RULES AND REGULATIONS RELATED TO PUBLIC PARTICIPATION AT BOARD AND COMMITTEE MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, during the 2013 Legislative Session, the Florida Legislature passed Senate Bill No. 50 related to public participation at public meetings and establishing requirements for rules or policies regulating public participation at public meetings; and

WHEREAS, the City Council of the City of Edgewood, Florida desires to encourage public participation during public meetings and finds that rules related to conduct are an essential component to meetings in which all viewpoints are encouraged and heard; and

WHEREAS, the City Council of the City of Edgewood, Florida finds that in order to efficiently and effectively conduct public meetings, it is necessary to have in place reasonable rules related to conduct; and

WHEREAS, the City Council of the City of Edgewood, Florida finds that the rules contained herein related to public participation are reasonable and necessary to ensure efficient and effective public participation at public meetings; and

WHEREAS, the City Council finds that the rules contained herein are limited to those areas within which Senate Bill No. 50 allows commissions and boards to adopt rules regulating conduct.

SECTION 1. Recitals Adopted. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. Chapter 2, "Administration," Article II, "City Council," of the City of Edgewood Code of Ordinances, is hereby amended as follows (Note, Underlined words constitute the additions to the existing text of the Code of Ordinances, strikethroughs constitute deletions to the existing text and plain text is text that remains unchanged by this Ordinance):

Sec. 2-48. - Time and place of city council meeting.

- (a) The council shall hold regular meetings on the third Tuesday of every month and no notice of such meetings shall be required to any member of the council; provided, however, that when the day fixed for any regular meeting of the council falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same hour on the next succeeding day not a holiday or upon any other day or at any other hour designated by the city council; provided, further, that the council shall have the power to eliminate any regular meeting by motion passed before the meeting is held.
- (b) Under special circumstances and with the majority concurrence of the council, the date of the regular meeting may be held on a date subsequent to the third Tuesday of the month, but not later than seven days beyond the regular meeting date. Notices of revised meeting dates shall be posted at least three days in advance of the new meeting date.
- (c) All regular meetings of the council shall be held at a place designated by the council, whether said place shall be within the city limits or outside the city limits.

Sec. 2-49. - Special meetings.

Whenever a special meeting shall be called, a summons or notice in writing signed by the mayor shall be served upon each member of the council, either in person or by notice left at his place of residence, stating the date, hour and place of the meeting and the purpose for which such meeting is called, and no business shall be transacted thereat, except as is stated in the notice.

Sec. 2-50. - Agenda.

The mayor and council president are vested with the authority to include on the agenda the specific subject of a meeting, which is intended to promote the orderly and expeditious conduct of the council meeting and is not intended to be used as a means for inhibiting or avoiding the discussion of issues that other council members or citizens feel should be introduced. The president of the council shall have the authority to limit the time for discussing nonagenda items.

Sec. 2-51. - Presiding officer.

- (a) The presiding officer shall be the president of the council or, in his absence, a member of the council chosen by the remaining members of the council who shall be present.
- (b) The presiding officer shall preserve order and decorum at all regular and special meetings of the council. The presiding officer shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order;

subject, however, to an appeal to the council in which event a majority vote of the council shall govern and conclusively determine such question of order.

- (c) The presiding officer of the council shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the council to order. In the absence of the president of the council and the mayor, the city clerk shall call the council to order, whereupon, a temporary chairperson shall be elected by the members of the council present. Upon the arrival of the president of the council, the temporary chairperson shall immediately relinquish the chair upon the conclusion of the business immediately before the council.
- (d) Before proceeding with the business of the council, the city clerk or substitute shall take the roll of the members and the names of those present shall be entered in the minutes.

Sec. 2-52. - Quorum.

Three members of the council shall constitute a quorum at any regular or special meeting of the council. In the absence of a quorum, the presiding officer may adjourn the meeting from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the council.

Sec. 2-53. - Order of business.

Promptly, at the hour set by law or resolution on the day of each regular meeting, the members of the council, the mayor, the city clerk and the city attorney, by invitation, shall take their regular stations in the council chambers, and the business of the council shall be taken up for consideration and disposition as cited in the president's agenda.

Sec. 2-54. - Reading of minutes.

Unless a reading of the minutes of a council meeting is requested by a member of the council, such minutes may be approved without reading. The city clerk shall furnish to each member a copy of the minutes prior to the meeting at which they are approved. A copy of the minutes will be posted prior to the meeting at which they will be approved for citizen review.

Sec. 2-55. - Rules of debate.

- (a) The president of the council or such other member of the council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a council member by reason of his acting as the presiding officer.
- (b) Every member desiring to speak shall address the chair, and, upon recognition by the presiding officer, shall confine himself to the question under debate, avoiding all personalities unless pertinent to the issue under debate and decorous language.

- (c) A member, once recognized, shall not be interrupted when speaking unless it is to call him to order or as herein otherwise provided. If a member while speaking is called to order, he shall cease speaking until the question of order is determined, and if in order, he shall be permitted to proceed.
- (d) A motion to reconsider any action taken by the council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor. It shall be debatable. Nothing herein shall be construed to prevent any member of the council from making or remaking the same or any other motion at a subsequent meeting of the council.
- (e) A council member or the mayor may request, through the presiding officer, the privilege of having an abstract of his statement on any subject under consideration by the council entered in the minutes. If the council consents thereto, such statement shall be entered in the minutes.
- (f) The clerk may be directed by the presiding officer, with consent of the council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the council.

~~Sec. 2-56. — Addressing the council.~~

~~Any person desiring to address the council shall first secure the permission of the presiding officer. The following are some of the ways in which the council may be addressed:~~

- ~~(1) Written communications. Interested parties or their representatives may address the council by written communications in regard to matters then under discussion. Such communications for each issue shall be heard in order of receipt by the city clerk.~~
- ~~(2) Oral communications. Both residents and nonresidents of the city, or their authorized legal representatives, may address the council by oral communications on any matter concerning the city's business, or any matter over which the council has control; provided, however, that preference shall be given to those persons who may have notified the city clerk in advance of their desire to speak in order that the same may appear on the agenda of the council.~~
- ~~(3) Reading of protests, etc. Interested persons or their representatives may address the council by reading of protests, petitions or communications relating to zoning, sewer and street proceedings, hearings on protests, appeals and petitions, or similar matters, in regard to matter then under consideration.~~
- ~~(4) After motion made. After a motion is made by the council, no person shall address the council without first securing the permission of the council.~~

~~Sec. 2-57. — Manner of addressing the council.~~

~~Each person addressing the council shall stand, identify himself or herself and succinctly make his or her point or request. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than a member of the council and the person having the floor, shall be permitted to enter into any discussions, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a council member, except through the presiding officer.~~

~~Sec. 2-58. — Decorum.~~

- ~~(a) Council members. While the council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt the proceeding or the peace of the council nor disturb any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.~~
- ~~(b) Other persons. Any person making personal, impertinent or slanderous remarks or who shall become boisterous while in the council chambers shall be forthwith, by the presiding officer, barred from further audience before the council, unless permission to continue be granted by a majority of the council.~~

Sec. 2-56. Public Participation

(a) Right to be heard. Members of the public shall be given a reasonable opportunity to be heard on each proposition under consideration for official action by the council except as provided for below. This right does not apply to:

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with requirements stated herein would cause an unreasonable delay in the ability of the council to act;

2. An official act involving no more than a ministerial act, including but not limited to, approval of minutes and ceremonial proclamations;

3. A meeting that is exempt from Section 286.011, Florida Statutes; or

4. A meeting during which the council is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(b) Addressing the council orally during public comment periods. Prior to official action being taken by the council on any agenda item under consideration by the council, the presiding officer shall open the floor for public comment. Once during each regular council meeting, the presiding officer shall open the floor for public comment on items not on the agenda. Public input offered during these public comment periods shall be limited to five (5) minutes per speaker with the presiding officer having the option to allow an additional one (1) minute.

(c) Addressing the council by written request. Any person requesting to have an item placed on a regular council agenda shall notify the city clerk in writing by 2:00 p.m. of the Tuesday immediately preceding the Tuesday council meeting of his or her desire to speak. On his or her agenda item, such person shall be allowed ten (10) minutes to speak.

(d) Manner of addressing the council. Each person addressing the Council shall step up to the microphone, shall give his or her name and address in an audible tone of voice for the record, and shall limit his or her address to the time limits provided herein. All remarks shall be addressed to the council as a body, and not to any individual member thereof. No person, other than a member of the council and the person having the floor, shall be permitted to enter into any discussions, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a council member, except through the presiding officer.

(e) Personal and slanderous remarks. Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council shall be warned to refrain from such remarks or behavior. If the remarks or behavior continue after three warnings, the person may be requested to leave the meeting and may be barred by the presiding officer from further audience before the council at the meeting from which ejected unless permission to continue be granted by a majority of the council.

Sec. 2-5957. - Enforcement of order and decorum.

The chief of police, or such member or members of the police department as he may designate, shall be sergeant-at-arms of the council meetings. The sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meeting. ~~Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted pursuant to the law. The complaint to be signed by the presiding officer.~~

Sect. 2-58. Suspension and variance from rules.

(a) Suspension of rules. Any provision of these rules not governed by the City Charter, Federal or State Law may be temporarily suspended by a vote of a majority of the council.

(b) The failure to follow these rules shall not be grounds for invalidating any otherwise lawful act of the council.

SECTION 3. Chapter 2, Administration, of the City of Edgewood Code of Ordinances, is hereby amended by creating Article VIII, Public Participation Before Boards and Committees, as follows (Note, Underlined words constitute the additions to the existing text of the Code of

Ordinances, strikethroughs constitute deletions to the existing text and plain text is text that remains unchanged by this Ordinance):

Sec. 2-290. Public Participation. The following provisions shall apply to meetings of all boards and committees established by the council.

(a) Right to be heard. Members of the public shall be given a reasonable opportunity to be heard on each proposition under consideration for official action by a board or committee established by the council except as provided for below.

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with requirements stated herein would cause an unreasonable delay in the ability of the board or committee to act;

2. An official act involving no more than a ministerial act, including but not limited to, approval of minutes;

3. A meeting that is exempt from Section 286.011, Florida Statutes; or

4. A meeting during which the board or committee is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(b) Addressing the board or committee orally during public comment periods. Prior to official action being taken by the board or committee on any item under consideration for official action, the presiding officer shall open the floor for public comment. Public input offered during such public comment periods shall be limited to five (5) minutes per speaker with the presiding officer having the option to allow an additional one (1) minute

(c) Manner of addressing the board or committee. Each person addressing a board or committee shall step up to the microphone, shall give his or her name and address in an audible tone of voice for the record, and shall limit his or her address to the time limits provided herein. All remarks shall be addressed to the board or committee as a body, and not to any individual member thereof. No person, other than a member of the board or committee and the person having the floor, shall be permitted to enter into any discussions, either directly or through a member of the board or committee, without the permission of the presiding officer. No question shall be asked a member of the board or committee, except through the presiding officer.

(d) Personal and slanderous remarks. Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing a board or committee shall be warned to refrain from such remarks or behavior. If the remarks or behavior continue after three warnings, the person may be requested to leave the meeting and may be barred by the presiding officer from further audience before the board or committee at the meeting from which ejected unless permission to continue be granted by a majority of the board or committee.

Sect. 2-291. Suspension and variance from rules.

(a) Suspension of rules. Any provision of these rules not governed by the City Charter, Federal or State Law may be temporarily suspended by a vote of a majority of the board or committee.

(b) The failure to follow these rules shall not be grounds for invalidating any otherwise lawful act of the board or committee.

SECTION 4: Codification: Sections 2 and 3 of this Ordinance shall be codified and made part of the City of Edgewood Code of Ordinances.

SECTION 5: Control: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls.

SECTION 6: Severability: It is the intent of the City Council of the City of Edgewood, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION 6: Effective Date: This Ordinance shall become effective upon final passage and adoption.

ADOPTED by the City Council of the City of Edgewood, Florida, this ____ day of _____, 2013.

John Dowless, Council President

ATTEST:

Bea Meeks, MMC, CPM
City Clerk

1st Reading: August 20, 2013

2nd/Final Reading: September 17, 2013

Published September 6, 2013

ORDINANCE NO. 2013-06

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES UPON THE ASSESSED REAL AND BUSINESS PERSONAL PROPERTY TAX ROLLS FOR FISCAL YEAR 2013/2014, BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Edgewood, Orange County, Florida must levy taxes upon all real and business personal property within the City of Edgewood to derive revenue for the operation of the City; and

WHEREAS, October 1, 2013 is the start of the new fiscal year for the City of Edgewood; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the City of Edgewood, Orange County, Florida has been certified by the Orange County Property Appraiser to the City of Edgewood as \$269,828,253; and

WHEREAS, a public hearing was held on September 3, 2013 on the proposed millage rate and all persons desiring to voice objection or make comment upon said millage rate were given an opportunity to do so; and

WHEREAS, on September 17, 2013, a public hearing was held on the final millage rate, as required by *Florida Statute* 200.065 and all persons desiring to voice objections or to make comment upon said millage were given an opportunity to do so.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Orange County, Florida, as follows:

Section 1. The City Council of the City of Edgewood deems it necessary to levy and does hereby levy a tax of 4.7000 mills upon all real and personal property within the City of Edgewood for operational purposes for Fiscal Year 2013/2014.

Section 2. The operating levy of 4.7000 mills represents a .0780 percent increase over the rolled-back rate of 4.6636 mills.

Section 3. This ordinance shall take effect immediately upon its adoption.

PASSED AND ADOPTED by a simple majority vote of the members of the City Council of the City of Edgewood, Orange County, Florida at a public hearing on the 17th day of September, 2013.

FIRST READING: September 3, 2013

SECOND READING: September 17, 2013

Ray Bagshaw, Mayor

John Dowless, Council President

Pamela Henley
Council Member

Lee Chotas
Council Member

Neil G. Powell
Council Member

Michael Hendrix
Council Member

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk

RESOLUTION NO. 2013-08

A RESOLUTION OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2013/2014, BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Edgewood, Orange County, Florida considered an annual budget for the next ensuing fiscal year beginning October 1, 2013 and ending September 30, 2014; and

WHEREAS, a notice of public hearing on said budget was duly published on September 13, 2013 in the *Orlando Sentinel*; and

WHEREAS, a public hearing was held on September 3, 2013 and September 17, 2013, as required by *Florida Statute* 200.065, to consider the budget and all persons desiring to voice objections or make comments upon said budget were given an opportunity to do so.

WHEREAS, the City of Edgewood, Orange County, Florida set forth the appropriations and revenue estimate for its budget for Fiscal Year 2013/2014 in the amount of \$ **3,660,577**.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Edgewood, Orange County, Florida, as follows:

Section 1. The City Council of the City of Edgewood, pursuant to its *Charter* and *Florida Statutes* does hereby adopt the attached annual operating budget for Fiscal Year 2013/2014.

Section 2. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Edgewood, Orange County, Florida at a public hearing on the 17th day of September, 2013.

Ray Bagshaw, Mayor

John Dowless, Council President

Pamela Henley
Council Member

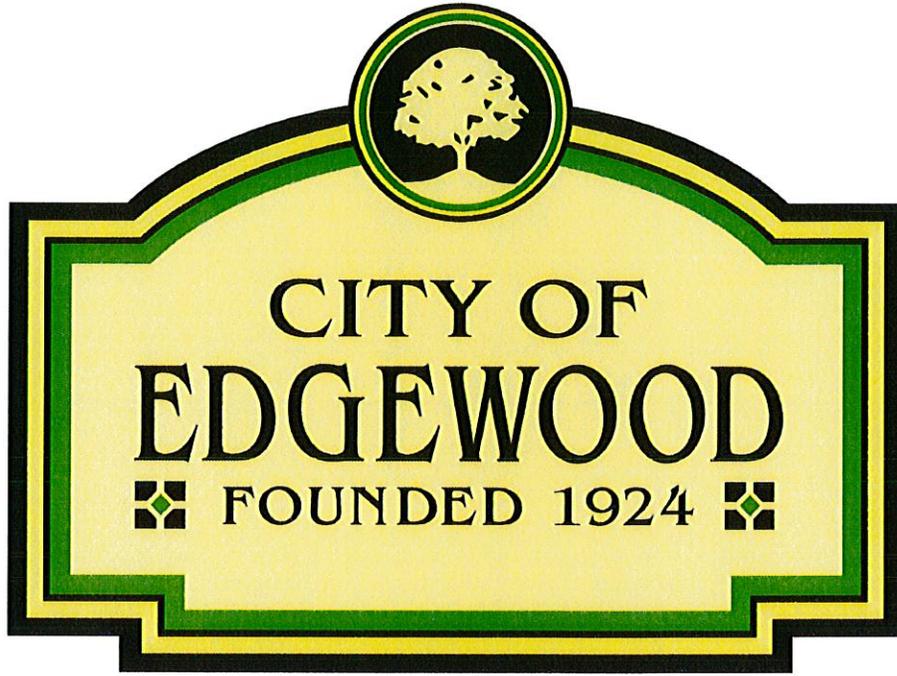
Lee Chotas
Council Member

Neil G. Powell
Council Member

Michael Hendrix
Council Member

ATTEST:

Bea L. Meeks, MMC, CPM
City Clerk



FINAL BUDGET
FY 2013/2014

Prepared By: Mayor Ray Bagshaw

City Of Edgewood

Millage Per \$1000.00		Budget FY 2013-2014			FISCAL YEAR 2013/2014
FUND	DEPT	CATEGORY	GL #	ACCOUNT DESCRIPTION	TOTAL BUDGET
GENERAL	CITY HALL	REVENUE - TAXES	311100.01	AD VALORUM TAXES (REAL ESTATE) (95%)	\$ 1,204,784.00
GENERAL	CITY HALL	REVENUE - TAXES	311110.01	TANGIBLE TAXES (PROPERTY & CENTRALLY ASSESSED) (95%)	\$ 25,000.00
GENERAL	CITY HALL	REVENUE - TAXES	313400.01	FRANCHISE TAX-GAS	\$ 1,200.00
GENERAL	CITY HALL	REVENUE - TAXES	314100.01	UTILITY/SERVICE TAX - POWER	\$ 300,000.00
GENERAL	CITY HALL	REVENUE - TAXES	314300.01	UTILITY SERVICE TAX - WATER	\$ 12,000.00
GENERAL	CITY HALL	REVENUE - TAXES	315000.01	LOCAL COMMUNICATIONS SERVICE TAX (CST)	\$ 112,000.00
TOTAL TAXES					\$ 1,654,984.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	316000.01	BUSINESS TAX RECEIPTS	\$ 20,000.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	321200.01	SIGN PERMITS	\$ 200.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	322300.01	BLOG REVIEW FEE/SITE-COMMERCIAL	\$ 1,000.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	322400.01	BLOG REVIEW FEE/SITE-RESIDENTIAL	\$ 2,000.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	322500.01	BLOG PLANS REVIEW (DRC)	\$ 1,000.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	322700.01	TREE PERMITS	\$ 100.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	329020.01	ADMINISTRATIVE SERVICE FEE (NOTARY-RECORDS REQUEST-COPIES-LIENS)	\$ 2,500.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	339000.01	TREE REPLACE TRUST	\$ 100.00
TOTAL LICENSES / PERMITS					\$ 28,900.00
GENERAL	POLICE	REVENUE - GRANT FUNDING	334260.01	JUSTICE ADMINISTRATION GRANT	\$ 4,500.00
TOTAL GRANT FUNDING					\$ 4,500.00
GENERAL	CITY HALL	REVENUE - INTERGOVERNMENTAL	335120.01	MUNICIPAL REVENUE SHARING (97%)	\$ 100,000.00
GENERAL	CITY HALL	REVENUE - INTERGOVERNMENTAL	335150.01	ALCOHOL BEVERAGE LICENSES	\$ 200.00
GENERAL	CITY HALL	REVENUE - INTERGOVERNMENTAL	335180.01	LOCAL GOVT. -1/2 CENT SALES TAX (97%)	\$ 357,830.00
GENERAL	CITY HALL	REVENUE - INTERGOVERNMENTAL	335190.01	GAS TAX REBATE	\$ 1,500.00
TOTAL INTERGOVERNMENTAL REVENUE					\$ 459,530.00
GENERAL	CITY HALL	REVENUE - CHARGES FOR SERVICES	323100.01	DUKE ENERGY FRANCHISE FEE	\$ 230,000.00
GENERAL	POLICE	REVENUE - CHARGES FOR SERVICES	342900.01	POLICE REPORTS (FINGER PRINTING)	\$ 35,000.00
GENERAL	POLICE	REVENUE - CHARGES FOR SERVICES	342901.01	OFF DUTY EQUIPMENT/USAGE REIMBURSEMENT	\$ 3,000.00
GENERAL	CITY HALL	REVENUE - CHARGES FOR SERVICES	343400.01	SOLID WASTE REV (RESIDENTIAL)	\$ 250,000.00
GENERAL	CITY HALL	REVENUE - CHARGES FOR SERVICES	343410.01	SOLID WASTE REV (COMMERCIAL)	\$ 30,000.00
GENERAL	CITY HALL	REVENUE - CHARGES FOR SERVICES	349000.01	LAND USE FEES	\$ 500.00
TOTAL CHARGES FOR SERVICES					\$ 548,500.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	352100.01	FINES & FORFEITURES (GF)	\$ 75,000.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	352100.05	FINES & FORFEITURES (2nd Dollar/Education Fund)	\$ 13,091.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	352110.06	LETF / SEIZURE FUND	\$ 4,494.00
GENERAL	CITY HALL	REVENUE - FINES & FORFEITURES	354100.01	CODE ENFORCEMENT FINES	\$ 500.00
GENERAL	CITY HALL	REVENUE - FINES & FORFEITURES	354150.01	FALSE ALARMS	\$ 300.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	359000.01	PARKING FINES	\$ 300.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	352120.01	RED LIGHT CITATIONS	\$ 750,000.00
GENERAL	POLICE	REVENUE - FINES & FORFEITURES	352130.01	RED LIGHT CITATION HEARINGS	\$ 10,000.00
TOTAL FINES & FORFEITURES					\$ 853,685.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361200.01	INTEREST - SBA GENERAL	\$ 50.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361200.01	INTEREST - SBA STORMWATER	\$ 10.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361320.01	INTEREST-TAX COLLECTOR	\$ 800.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361322.01	INTEREST-TANGIBLE TAXES	\$ 800.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361325.01	INTEREST - GARBAGE/WASTE	\$ 15.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	361327.01	INTEREST - (All Banks)	\$ 5,000.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	366000.01	DONATIONS	\$ 500.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	369900.01	MISCELLANEOUS REVENUES (Revenues with no designated GL#)	\$ 1,500.00
GENERAL	CITY HALL	REVENUE - MISCELLANEOUS	369910.01	CITY NEWSLETTER	\$ 800.00
GENERAL	CITY HALL	REVENUE - LICENSES/PERMITS/FEEES	369800.01	FARMERS MARKET/FOOD TRUCK/SPECIAL EVENTS(Include Sponsorships)	\$ 2,000.00
TOTAL MISCELLANEOUS REVENUES					\$ 9,475.00
TOTAL GENERAL FUND REVENUES					\$ 3,559,574.00
SW	CITY HALL	TRANSFER-STORMWATER	271800.01	NET ASSETS DESIGNATED-TRANSFER FROM 1ST SO. BANK	\$ -
TOTAL TRANSFER					\$ -
R&S	CITY HALL	REVENUE - ROADS & STREETS	312410.02	LOCAL OPTION GAS	\$ 80,000.00
R&S	CITY HALL	REVENUE - ROADS & STREETS	361200.02	INTEREST - SBA ROAD	\$ 3.00
R&S	CITY HALL	REVENUE - ROADS & STREETS	399900.02	FDOT REIMBURSEMENT AGREEMENT - TRAFFIC LIGHTS	\$ 21,000.00
TOTAL REVENUES					\$ 101,003.00

City Of Edgewood

Millage Per \$1000.00		Budget FY 2013-2014				FISCAL YEAR 2013/ 2014
FUND	DEPT	CATEGORY	GL #	ACCOUNT DESCRIPTION	TOTAL BUDGET	
				TOTAL GENERAL ROADS & STREETS REVENUES	\$ 101,003.00	
				TOTAL REVENUES	\$ 3,660,577.00	
CITY HALL						
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513100.01	PAID TIME OFF (PTO)	\$ -	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513120.01	SALARY EXPENSE - CH	\$ 125,000.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513130.01	LONGEVITY PAY	\$ 500.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513140.01	OVER TIME	\$ 3,000.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513150.01	HOLIDAY BONUS	\$ 600.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513160.01	BEREAVEMENT	\$ -	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513210.01	PAYROLL TAXES - FICA	\$ 9,520.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513261.01	HOLIDAY SALARY	\$ -	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	518220.01	RETIREMENT CONTRIBUTIONS	\$ 8,321.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513230.01	HEALTH / DENTAL / STD / LIFE INSURANCE - CH	\$ 14,300.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513520.01	APPAREL (UNIFORM)	\$ 1,000.00	
GENERAL	CITY HALL	EXPENSE - PERSONNEL	513541.01	EDUCATION REIMBURSEMENT - CH	\$ 1,000.00	
				TOTAL PERSONNEL EXPENSES	\$ 163,241.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513491.01	COMPUTER (CONSULTING/SOFTWARE/NETWORK/INTERNET)	\$ 7,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513410.01	TELEPHONE/CELLULAR	\$ 3,000.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513411.01	POSTAGE	\$ 1,000.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	574490.01	SPECIAL EVENTS	\$ -	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513400.01	TRAVEL / TRAINING - CITY STAFF	\$ 3,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513401.01	TRAVEL / TRAINING - CITY COUNCIL	\$ 3,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513460.01	EQUIPMENT REPAIR/MAINTENANCE	\$ 2,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513542.01	CITY NEWSLETTER	\$ 6,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513490.01	MISC. CURRENT CHARGES	\$ -	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513510.01	OFFICE SUPPLIES	\$ 3,500.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513540.01	DUES / SUBSCRIPITONS / MEMBERSHIPS	\$ 2,700.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513543.01	FARMERS MARKET	\$ 7,000.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513640.01	CAPITAL OUTLAY - LAN & SYSTEMS UPGRADES	\$ 14,000.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513620.01	CAPITAL OUTLAY - RENOVATIONS FOR CITY HALL	\$ 25,000.00	
GENERAL	CITY HALL	EXPENSE - OPERATIONS	513440.01	OFFICE EQUIPMENT / COPIER / RENTAL	\$ 5,000.00	
				TOTAL OPERATIONS EXPENSES	\$ 84,700.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	513470.01	PRINTING EXPENSES	\$ 3,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	513340.01	BUILDING JANITORIAL (Includes Janitorial Supplies)	\$ 5,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	531430.01	UTILITIES-POWER	\$ 4,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	533430.01	UTILITIES-WATER & SEWER	\$ 2,500.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519340.01	PAYROLL SERVICES	\$ -	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519490.01	ALARM MONITOR	\$ 500.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519450.01	INSURANCE - PUBLIC OFFICIALS E & O	\$ 2,655.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519451.01	INSURANCE - PROPERTY COVERAGE	\$ 2,500.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519452.01	INSURANCE - COMPREHENSIVE GENERAL LIABILITY	\$ 3,888.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519240.01	INSURANCE - WORKERS COMP - CH	\$ 1,111.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519460.01	BUILDING MAINTENANCE	\$ 10,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519150.01	ELECTIONS	\$ 12,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519461.01	LANDSCAPE/BEAUTIFICATION	\$ 10,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519492.01	LEGAL ADS-NEW ORDINANCES	\$ 5,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519520.01	RECORDING - PUBLIC RECORDS	\$ 200.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	574491.01	DONATIONS	\$ 1,500.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519660.01	CONTINGENCY FUND	\$ 51,635.00	
				TOTAL GOVERNMENTAL OPERATING EXPENSES	\$ 115,489.00	
				TOTAL EXPENSES - CITY HALL	\$ 363,430.00	
POLICE DEPARTMENT						
GENERAL	POLICE	EXPENSE - PERSONNEL	521151.01	SALARY EXPENSE - PD	\$ 666,901.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521121.01	SALARY EXPENSE - PD CLERK	\$ 79,102.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521116.01	SALARY EXPENSE - CODE ENFORCEMENT OFFICER	\$ 37,128.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521122.01	BEREAVEMENT	\$ -	
GENERAL	POLICE	EXPENSE - PERSONNEL	521130.01	RESERVE OFFICER PAY	\$ 9,000.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521140.01	OVERTIME PAY - PD	\$ 10,000.00	

City Of Edgewood

Millage Per \$1000.00		Budget FY 2013-2014				FISCAL YEAR 2013/ 2014
FUND	DEPT	CATEGORY	GL #	ACCOUNT DESCRIPTION	TOTAL BUDGET	
GENERAL	POLICE	EXPENSE - PERSONNEL	521150.01	INCENTIVE PAY - STATE	\$ 12,000.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521160.01	HOLIDAY BONUS - PD	\$ 4,000.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521152.01	LONGEVITY PAYMENTS	\$ 14,600.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521210.01	PAYROLL TAXES - FICA - PD	\$ 59,910.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521220.01	FRS - ADMIN STAFF	\$ 15,141.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521221.01	FRS - OFFICERS	\$ 110,525.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521230.01	HEALTH / DENTAL / STD / LIFE INSURANCE - PD	\$ 173,447.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521240.01	INSURANCE - WORKERS COMP - PD	\$ 31,926.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521261.01	HOLIDAYS	\$ -	
GENERAL	POLICE	EXPENSE - PERSONNEL	521100.01	PERSONAL LEAVE	\$ -	
GENERAL	POLICE	EXPENSE - PERSONNEL	521541.01	EDUCATION REIMBURSEMENT	\$ 4,000.00	
GENERAL	POLICE	EXPENSE - PERSONNEL	521153.01	FTO	\$ 3,000.00	
TOTAL PERSONNEL EXPENSES					\$ 1,230,680.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521310.01	PROF SERV - TESTING/EVAL.	\$ 7,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521521.01	SOFTWARE & COMPUTER CONSULTING	\$ 14,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521341.01	BUILDING JANITORIAL	\$ 6,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521430.01	UTILITIES-WATER/SEWER	\$ 2,400.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521431.01	UTILITIES-POWER	\$ 7,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521462.01	BUILDING RENOVATIONS / MAINTENANCE	\$ 8,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521340.01	ORANGE COUNTY DISPATCHER	\$ 60,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521410.01	TELEPHONE	\$ 4,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521412.01	CELL PHONE	\$ 8,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521411.01	CDPD MOBIL DATA FEES	\$ 5,400.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521413.01	POSTAGE	\$ 2,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521440.01	COPIER RENTAL/MAINTENANCE	\$ 3,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521441.01	RENTALS / RECORDS SYSTEMS SERVICES (Eforce)	\$ 14,700.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521452.01	INSURANCE - VEHICLES	\$ 5,066.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521454.01	GAS TANK INSURANCE / MAINTENANCE (TRAX)	\$ 1,700.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521455.01	INSURANCE - STATUTORY COVERAGE	\$ 600.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521457.01	INSURANCE - PROPERTY COVERAGE	\$ 2,895.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521458.01	INSURANCE - COMPREHENSIVE GENERAL LIABILITY	\$ 35,176.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521460.01	REPAIR/MAINTENANCE-VEHICLES	\$ 30,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521461.01	REPAIR/MAINTENANCE-EQUIPMENT	\$ 5,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521490.01	ALARM MONITORING	\$ 400.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521495.01	MISCELLANEOUS EXPENSES - PD	\$ 3,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521510.01	OFFICE SUPPLIES	\$ 6,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521520.01	UNIFORM ALLOWANCE	\$ 6,480.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521433.01	GAS	\$ 67,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521522.01	SPECIAL POLICE SUPPLIES	\$ 15,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521531.01	EMAIL SERVER	\$ 4,800.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521543.01	TRAINING (Uncommitted Funds)	\$ 6,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521540.01	DUES/SUBSCRIPTIONS/MEMBERSHIP	\$ 1,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521523.01	UNIFORMS & EQUIPMENT	\$ 9,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521524.01	OFFICE EQUIPMENT (LiveScan Maint. Contract)	\$ 21,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521464.01	PORTABLE RADIO ACQUISITIONS (See comment for addl)	\$ 31,000.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521525.01	FUEL & MAINTENANCE - LP GENERATOR	\$ 500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521493.01	SPECIAL EVENTS - PD	\$ 3,500.00	
GENERAL	POLICE	EXPENSE - OPERATIONS	521530.01	MAINTENANCE CONTRACT - PD BUILDING	\$ 5,000.00	
TOTAL OPERATIONS EXPENSES					\$ 406,117.00	
GENERAL	POLICE	EXPENSE - GRANT MATCHING	521555.01	LOCAL LAW ENFORCEMENT GRANT	\$ -	
GENERAL	POLICE	EXPENSE - GRANT MATCHING	521550.01	JUSTICE ADMINISTRATION GRANT (BRYNE GRANT)	\$ 4,500.00	
TOTAL GRANT PROGRAM EXPENSES					\$ 4,500.00	
TOTAL EXPENSES - POLICE DEPARTMENT					\$ 1,641,297.00	
GRANTS (Excluding PD Grants)						
GENERAL	GRANTS	EXPENSE	521910.01	NEIGHBORHOOD PARTNERSHIP GRANTS PROGRAM	\$ 10,000.00	
TOTAL EXPENSES - GRANTS					\$ 10,000.00	
CONTRACTS/CONSULTANTS						
GENERAL	IT	EXPENSE - GENERAL OPERATING	519315.01	IT SERVICE MANAGEMENT (ITSM)	\$ 8,500.00	
TOTAL EXPENSES - ITSM					\$ 8,500.00	
GENERAL	LEGAL	EXPENSE - CONSULTING	514310.01	LEGAL COUNSEL	\$ 55,000.00	
GENERAL	LEGAL	EXPENSE - CONSULTING	514320.01	CODE ENFORCEMENT MAGISTRATE	\$ 10,000.00	

City Of Edgewood

Millage Per \$1000.00		Budget FY 2013-2014				FISCAL YEAR 2013/ 2014
FUND	DEPT	CATEGORY	GL #	ACCOUNT DESCRIPTION	TOTAL BUDGET	
GENERAL	LEGAL	EXPENSE - CONSULTING	514330.01	RED LIGHT HEARING OFFICER	\$ 10,000.00	
				TOTAL EXPENSES - LEGAL SERVICES	\$ 75,000.00	
GENERAL	FIRE/ RESCUE	EXPENSE - SERVICE CONTRACT	522400.01	ORANGE COUNTY FIRE/RESCUE CONTRACT FEES	\$ 530,000.00	
				TOTAL EXPENSES - FIRE/RESCUE	\$ 530,000.00	
GENERAL	ENGINEERING	EXPENSE - CONSULTING	539310.01	GENERAL ENGINEERING	\$ 50,000.00	
				TOTAL EXPENSES - ENGINEERING SERVICES	\$ 50,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	513320.01	AUDITOR	\$ 20,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	513321.01	BOOKKEEPING SERVICES	\$ 35,000.00	
GENERAL	CITY HALL	EXPENSE - GENERAL OPERATING	519340.01	PAYROLL SERVICES	\$ 4,000.00	
				TOTAL EXPENSES - ACCOUNTING/AUDIT	\$ 59,000.00	
GENERAL	PLANNING	EXPENSE - CONSULTING	515310.01	PLANNING FEES	\$ 25,000.00	
GENERAL	PLANNING	EXPENSE - CONSULTING	515311.01	UPDATE COMPREHENSIVE PLAN	\$ -	
				TOTAL EXPENSES - PLANNING SERVICES	\$ 25,000.00	
GENERAL	WASTE COLLECT	EXPENSE - RESIDENTIAL	534130.01	SOLID WASTE COST (RESIDENTIAL)	\$ 252,000.00	
				TOTAL EXPENSES - GARBAGE COLLECTION	\$ 252,000.00	
GENERAL	CITY HALL	EXPENSE - AGREEMENT & STATUTORY (Includes DOR-Gatso-Legal)	513670.01	RED LIGHT CITATIONS	\$ 360,000.00	
				TOTAL EXPENSES - RED LIGHT CITATIONS	\$ 360,000.00	
				TOTAL CONTRACTS/CONSULTANTS	\$ 1,359,500.00	
				TOTAL GENERAL FUND EXPENSES	\$ 3,374,227.00	
S & STREETS/STORMW						
R&S	OTHER	EXPENSE	541410.01	TREE REMOVAL	\$ 15,000.00	
R&S	OTHER	EXPENSE	541320.02	TRAFFIC LIGHT UTILITY (DUKE Energy)	\$ 15,000.00	
GENERAL	MAINTENANCE	EXPENSE	541460.01	STREET MAINTENANCE CONTRACT (JERRY REYNOLDS)	\$ 42,000.00	
R&S	OTHER	EXPENSE	541600.02	TRAFFIC LIGHT MAINTENANCE (Amerifactors f/ka/ Control Specialists)	\$ 18,000.00	
R&S	OTHER	EXPENSE	549460.02	RAIL ROAD CROSSING - MAINTENANCE	\$ 9,800.00	
R&S	OTHER	EXPENSE	541320.02	STREET SIGNS (Safety & Directional)	\$ 10,000.00	
R&S	OTHER	EXPENSE	541431.02	STREET LIGHT - UTILITY (DUKE Energy)	\$ 45,000.00	
R&S	OTHER	EXPENSE	541530.02	ROAD REPAIR - POTHOLES	\$ 150.00	
R&S	OTHER	EXPENSE	541637.01	ROADS/STREETS - REPAIR/MAINTENANCE	\$ 125,000.00	
R&S	OTHER	EXPENSE	549634.02	STORM DRAIN CLEANING	\$ 6,400.00	
SW	STORM WATER	EXPENSE	541669.08	LAKE MARY JESS RETROFIT PROJECT	\$ -	
				TOTAL EXPENSES = R&S-STORMWATER	\$ 286,350.00	
				TOTAL CAPITAL IMPROVEMENT PROJECTS	\$ -	
				TOTAL EXPENSES	\$ 3,660,577.00	

REVENUES		EXPENSES	
TOTAL GF REVENUES	\$3,559,574.00	TOTAL CITY HALL EXPENSES	\$ 363,430.00
TOTAL R/S REVENUES	\$101,003.00	TOTAL POLICE DEPARTMENT EXPENSES	\$ 1,641,297.00
CONGINGENCY	\$51,635.00	TOTAL CONTRACTS/CONSULTING	\$ 1,359,500.00
		TOTAL PARTNERSHIP GRANT	\$ 10,000.00
		TOTAL GF EXPENSES	\$ 3,374,227.00
		TOTAL R&S/STORMWATER EXPENSES	\$ 286,350.00
		CONTINGENCY	\$ 51,635.00
TOTAL REVENUES	\$3,712,212.00	TOTAL EXPENSES	\$ 3,712,212.00

**FINAL LEVY & BUDGET – MOTIONS TO
APPROVE/ADOPT**

Approval of Millage

I move to adopt Ordinance No. 2013-06 setting the City of Edgewood's millage rate for Fiscal Year 2013/2014 at **4.7000** mills which represents a .0780 percent increase over the roll-back rate of **4.6636** mills.

Approval of Budget

I move to adopt Resolution No. 2013-08 adopting the City of Edgewood's budget for fiscal year 2013/2014.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

NAME—FIRST NAME—MIDDLE NAME Dowless John L.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Edgewood City Council
MAILING ADDRESS 4851 Legacy Oaks Dr	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Orlando Orange	NAME OF POLITICAL SUBDIVISION: City Council
DATE ON WHICH VOTE OCCURRED 8/29/2013	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

A copy of the form must be provided immediately to the other members of the agency.

The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, John Dowless, hereby disclose that on August 20, 20 13:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I serve on the Legacy HOA board.

8/20/2013
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Michael Charles Hendrix, hereby disclose that on August 20, 20 13 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

The measure before the City Council is the Tree Mitigation Plan for the Legacy subdivision which is located in the City of Edgewood, FL. I am a resident of Legacy, and I also serve on the Board of Directors for the Legacy Homeowners Association.

8/20/2013
Date Filed

Michael C. Hendrix
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.