

Ray Bagshaw
Mayor

Michael Hendrix
Council Member

Pam Henley
Council Member

John Dowless
Council President

Neil Powell
Council Member

Dan Drummond
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, May 20, 2014
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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

1. Review and Approval of Minutes

- April 15, 2014 – Regular City Council Meeting (pages 1-8)
- April 23, 2014 – Special City Council Meeting (pages 9-18)

(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.)

PRESENTATIONS

1. James Sellen, Urban Land Institute
2. Mayoral Proclamation - Civility Month (page 19)

ORDINANCES

1. **ORDINANCE 2014-03** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES,

YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (pages 20 – 22)

2. **ORDINANCE 2014-04** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (pages 23-29)
3. **ORDINANCE 2014-05** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 130, "TREE MANAGEMENT AND PROTECTION," OF THE CODE OF ORDINANCES; RESTRICTING TREES PLANTED BENEATH POWER LINES TO UNDERSTORY TREES; PROVIDING FOR PERMITS FOR PLANTINGS, REMOVALS AND TREE MAINTENANCE CONDUCTED WITHIN CITY RIGHTS-OF-WAY TO BE ISSUED BY THE MAYOR OR HIS OR HER DESIGNEE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE (pages 30-34)

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **ORDINANCE 2014-01** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 30, "HEALTH AND SANITATION," ARTICLE III, "SOLID WASTE," TO INCLUDE COLLECTION OF RECYCLED HOUSEHOLD ITEMS IN THE PROHIBITION ON COLLECTION OF REFUSE AND GARBAGE WITHOUT A FRANCHISE AGREEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (pages 35-36)
2. **ORDINANCE 2014-02** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING SECTION 2-49 RELATED TO SPECIAL MEETINGS OF THE CITY COUNCIL; PROVIDING FOR ALTERNATIVE METHODS OF NOTIFICATION TO COUNCIL MEMBERS OF SPECIAL MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (pages 37-38)

NEW BUSINESS

1. DOT State Highway Lighting, Maintenance and Compensation Agreement
 - Resolution 2014-05 (pages 39– 43)
2. Hansel Boat Dock (pages 44-47)

(4) Decision by city council. The city engineer is not authorized to approve any applications where there are objections from any shoreline property owner within 300 feet of the property or other property owner entitled to notice under subsection (2) above, or where the city engineer or building official, in his or her discretion, believes the application should be decided by city council. When an application for a boat dock must be decided by city council, the applicant shall submit a total of nine site plans and three sets of engineered construction plans to the city clerk's office.

UNFINISHED BUSINESS

GENERAL INFORMATION (No action required)

CITIZEN COMMENTS

BOARDS & COMMITTEES

STAFF REPORTS

City Attorney:

Police Chief:

City Clerk:

MAYOR & COUNCIL REPORTS

- Mayor Bagshaw
- Council President Dowless
- Council Member Powell
- Council Member Henley
- Council Member Drummond
- Council Member Hendrix

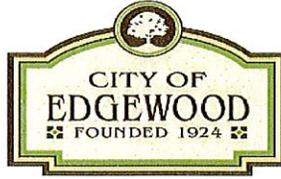
ADJOURNMENT

UPCOMING MEETINGS:

June 9, 2014.....Planning & Zoning Meeting

June 17, 2014.....City Council Regular Meeting

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.



**CITY COUNCIL – REGULAR MEETING
APRIL 15, 2014**

On Tuesday, April 15, 2014, Council President Dowless called the Edgewood City Council regular meeting to order at 6:30 p.m. The invocation was given by Penny Phelps, sister of Police Chief Francisco followed by the Pledge of Allegiance; led by Mayor Bagshaw:

The following attendance is noted:

Ray Bagshaw, Mayor (Quorum)
John Dowless, Council President
Neil Powell, D.D.S., Council Member
Mike Hendrix, Council Member
Dan Drummond, Council Member

ABSENT

Pam Henley, Council Member

STAFF

Bea Meeks, City Clerk
Chief Chris Francisco
Sgt. Vince Jackson
Drew Smith, City Attorney

City Clerk Meeks announced a quorum with all Council Members present, with the exception of Council Member Henley. City Clerk Meeks asked Council to excuse Council Member Henley's absence, noting that she called and gave advance notice. **Council Member Drummond made the Motion to excuse Council Member Henley's absence; Seconded by Council Member Hendrix. Unanimously approved (4/0).**

ORGANIZATIONAL MEETING

1. Administer Oath – Police Chief Chris Francisco

Windermere Police Chief David Ogden administered the Police Chief's oath of office to Christopher J. Francisco.

Mayor Bagshaw thanked the Orange Co. Sheriff's office, Chief David Ogden, Windermere and Chief Lee Massey, Kissimmee, for their assistance. Chief Francisco thanked everyone for attending, and thanked the Mayor and Council for the opportunity given him.

Council President Dowless call for a brief recess

CONSENT AGENDA

1. Review and Approval of Minutes

- March 18, 2014 – Regular City Council Meeting

City Clerk Meeks noted a correction needed to be made on Page 9, Line 339, as provided by Council President Dowless.

Council Member Drummond said he spoke to Belle Island Isle officials regarding combining City resources. He said they were open to discussion.

Council Member Powell made the Motion to approve the March 18, 2014 Minutes, with correction; Seconded by Council Member Hendrix. Unanimously approved (4/0).

PRESENTATIONS

Mayoral Proclamations:

- MADD's PowerTalk21
- Municipal Clerks Week
- Mayor Bagshaw read the Proclamation recognizing the City of Edgewood's 90th Anniversary. City Clerk Meeks gave a City Anniversary pen to all Council Members, and to all attendees of the meeting.
- Mayor Bagshaw read the Proclamation recognizing Child Abuse Prevention Month. He presented the Proclamation to Kara Pappalardo, who accepted for the Department of Children and Family Services.

ORDINANCES

1. **ORDINANCE 2014-01** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 30, "HEALTH AND SANITATION," ARTICLE III, "SOLID WASTE," TO INCLUDE COLLECTION OF RECYCLED HOUSEHOLD ITEMS IN THE

PROHIBITION ON COLLECTION OF REFUSE AND GARBAGE WITHOUT A FRANCHISE AGREEMENT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-01 in title only. He said that the Ordinance was done at the request of the Mayor. He said basically the Ordinance will prevent textile recycle bins from “popping” up all over the City. In response to a comment from Council President Dowless, City Attorney Smith said that he needs to add “no outside collection” to the Ordinance.

There were no public comments.

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-01 as amended; Seconded by Council Member Drummond.

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

<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>

2. **ORDINANCE 2014-02** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING SECTION 2-49 RELATED TO SPECIAL MEETINGS OF THE CITY COUNCIL; PROVIDING FOR ALTERNATIVE METHODS OF NOTIFICATION TO COUNCIL MEMBERS OF SPECIAL MEETINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-02 in title only

Council Member Hendrix made the Motion to approve the first reading of Ordinance 2014-02; Seconded by Council President Dowless.

There were no public comments.

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

<i>Council Member Powell</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>

3. **ORDINANCE 2014-03** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-03 in title only

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-03; Seconded by Council President Dowless.

There were no public comments.

Council Member Drummond questioned the number of estate sales allowed. Mayor Bagshaw said he does not want to go beyond allowing three estates sales in a calendar year. **Council Member Powell amended his Motion to allow for three estate sales allowed in a calendar year; the amendment was accepted by Council President Dowless.**

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

<i>Council Member Drummond</i>	<i>Favor</i>
<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>

4. **ORDINANCE 2014-04** - AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

City Attorney Smith read Ordinance 2014-04 in title only.

City Attorney Smith explained the current referendum on the upcoming ballot regarding medical marijuana. He explained that the Ordinance is putting land use in place if any of the Bill is passed. Council President Dowless asked about the distance requirement to schools versus

churches. Council Member Powell said he would like to include Churches due to youth activities. ***It was the consensus of Council to include Churches in the distance requirements.*** Sgt. Jackson asked if there was going to be a problem with using the word marijuana versus cannabis. City Attorney Smith said the two words are defined and incorporated into the Ordinance.

Referencing three of the seven uses prohibited, Council Member Powell asked about treatment and recovery facilities. Sgt. Jackson noted that Select Medical is an acute care facility. Mayor Bagshaw recommended adding a definition. Council members agreed that treatment and recovery is for alcohol/drug addiction recovery. Discussion was held regarding the exemption of hospitals, as a licensed doctor can write prescriptions. It was the consensus of Council to accept the hospital, add a 2500 feet distance requirement from churches, and define treatment and recovery facilities.

Council Member Powell made the Motion to approve the first reading of Ordinance 2014-04 as amended; Seconded by Council President Dowless.

There were no public comments.

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

<i>Council President Dowless</i>	<i>Favor</i>
<i>Council Member Powell</i>	<i>Favor</i>
<i>Council Member Hendrix</i>	<i>Favor</i>
<i>Council Member Drummond</i>	<i>Favor</i>

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

None.

NEW BUSINESS

None.

UNFINISHED BUSINESS

None.

GENERAL INFORMATION (No action required)

None.

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

None.

STAFF REPORTS/ MAYOR & COUNCIL REPORTS

Acting Police Chief:

Sgt. Jackson reported that red light citations were thrown out because new law changed the timing of the yellow light from 4.0 to 4.4 seconds. He said approximately 1000 tickets were thrown out. Council Member Hendrix asked for an update regarding recent burglaries. Council President Dowless asked for a report on unsolved crimes.

Council President Dowless thanked Sgt. Jackson for doing a good job as the Acting Police Chief. Council Member Drummond also thanked Sgt. Jackson for doing a good job.

City Attorney:

City Attorney Smith reported on internet cafes. He said the State clarified what is legal and what isn't legal. He said that there are companies who think they have found a loophole because those who play the machine can preview whether or not they are going to win. City Attorney Smith said he wants to bring forward an Ordinance saying if it looks like a slot machine it is a slot machine. He said the State is not saying one way or the other if the machines are legal. ***It was the consensus of Council "to go" with the State.***

Council Member Drummond:

Council Member Drummond said HANK meets the same night as Council. He said he called Jim Worthen to advise of the conflict, and is waiting on a return call. Council Member Drummond said that he will prepare a letter regarding the intersection at Gatlin and Orange Avenues. He also reported that he told Mayor Bagshaw that he has received comments about the color of the lanes, and asked if the color orange could be used. Mayor Bagshaw said he will contact the State regarding this request.

Council President Dowless:

Council President Dowless referred Council members to the spreadsheet he provided regarding quiet zones. He said the information came from MetroPlan. He noted that there are streets on the spreadsheet that are not in the City. He said he has contacted MetroPlan so that this can be corrected. He said the legislators are trying to get ten million dollars for quiet zones however, it looks like most of the funds will go down South. Mayor Bagshaw confirmed for Council

President Dowless that Engineer Sebaali was participating in the phone conferences. Council President Dowless explained the TIGER funds. Council President Dowless asked that Engineer Sebaali send him emails updating him on the conference calls. Referencing the lights at Gatlin and Orange Avenues, Mayor Bagshaw said that the concrete barriers are an option for the City, instead of the arms. Council Member Drummond said the City's maximum contribution would be \$134,000. Council President Dowless also reported that there has been a water quality issue in Legacy again, and he sent a letter to the Department of Environmental Protection. Council President Dowless said he would like an Ordinance to address placing understory trees under power lines when trees are removed. ***It was the consensus of Council for the City Attorney to draft an Ordinance for their consideration.***

Council Member Hendrix:

Council Member Hendrix said that he would like to create job descriptions for Council Members areas of responsibilities. Mayor Bagshaw recommended that Council members look at the area of responsibility they accepted, and consider what they think their responsibilities are. In response to Council President Dowless, City Attorney Smith said there are specific roles in the Charter for the Mayor and Council President. He asked City Clerk Meeks to send that portion of the Charter to all Council members.

Council Member Powell:

Council Member Powell said that Charlie Bell, Bell Rentals, is concerned about the railroad right-of-way property that abuts his property. Council Member Powell said that Mr. Bell has tried to contact someone at SunRail regarding clean-up of the property. Council Member Powell said he is talking to Marianne Gurnee (DOT) regarding a tree that hangs over the tracks.

Mayor Bagshaw:

Mayor Bagshaw reported on the 90th anniversary celebration scheduled for April 24, 2014, including providing a summary of the activities to be held. Mayor Bagshaw also reported that he will be requesting some budget amendments for the renovation of City Hall's restrooms. Mayor Bagshaw said the cost would be \$10,000 to \$12,000. Mayor Bagshaw said the funds would also include the installation of safety glass at the front counter. ***Council Member Hendrix made the Motion to authorize the funds for the renovations in City Hall not to exceed \$17,000; Seconded by Council Member Drummond.*** Mayor Bagshaw confirmed for Council Member Hendrix that the ducts in City Hall will be cleaned.

City Clerk Meeks:

City Clerk Meeks reminded Council Members of the Special Meeting scheduled for April 23, 2014 at 6:30 p.m. In response to Council Member Drummond, City Clerk Meeks said she will request a copy of the audit in word format, to include spreadsheets in excel format, from Tom

Reilly. City Clerk Meeks requested approval to prepare a budget amendment to meet the expense to codify Ordinances. *Council gave consensus approval for City Clerk Meeks to prepare a budget amendment as requested.*

ADJOURNMENT

Council Member Powell made the Motion to adjourn the meeting. The meeting adjourned at 8:48 p.m.

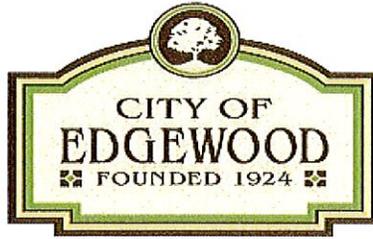
ATTEST:

John Dowless
Council President

Bea L. Meeks, MMC
City Clerk

Approved by Council on _____, 2014.

DRAFT



**EDGEWOOD CITY COUNCIL - SPECIAL MEETING
APRIL 23, 2014 - 6:30 P.M.**

The following attendance is noted:

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

STAFF

Bea Meeks, City Clerk
Chris Francisco, Police Chief

On Wednesday, April 23, 2014, Council President Dowless called the Edgewood City Council regular meeting to order at 6:30 p.m. Council agreed to forgo the formalities of the invocation and pledge.

Presentation

Council President Dowless referred to Tom Reilly, CPA, to give the presentation on the City's FY 12/13 audit. Mr. Reilly provided Council and Staff a copy of the outline of his presentation of the audit (attached to the Minutes).

Mr. Reilly began his presentation by informing Council that the City is very liquid.

The following are highlights of Mr. Reilly's presentation:

Management Letter: P 35: Mr. Reilly noted that there were a couple of repeat comments from FY 11/12 audit. He also noted (1) Red light citations' subsidiary ledger was not accurate to perform a monthly reconciliation. City Clerk Meeks noted that the subsidiary ledgers are not required. Mr. Reilly agreed with City Clerk Meeks but noted that the spreadsheet is an excellent control device. (2) Unrestricted reserve cannot exceed 75% of the gross annual revenues. Mr. Reilly said you can assign or commit certain funds before the end of the year to comply with the 75%. He confirmed for Council

Member Drummond that the City can commit or assign funds to projects. (3) Mr. Reilly said he was glad the City has a policy/procedure draft manual. City Clerk's Meeks said Council Member Hendrix is reviewing the manual. (4) Mr. Reilly noted that the City is now using one accounting software program, has outsourced payroll and have part-time accounting personnel on site; all of which are improvements since the last audit. (5) He noted that recoding created more time in preparing the audit, and (6) Preparation of minutes improved.

In response to Council Member Hendrix regarding the twenty-six journal entries, Mr. Reilly said first time it goes onto the General Ledger, make it right.

In response to Council Member Hendrix, Mr. Reilly said his firm has a threshold level. He said most clients want the adjustment done even if it is under the threshold.

Council Member Hendrix noted the \$285,000 net position for land, and Mayor Bagshaw confirmed the adjacent property is the only land the City owns.

Council Member Drummond questioned the depreciation of 1.9 million dollars on Page 13. Mr. Reilly said the depreciation is based on the useful life of the asset. Mr. Reilly also referred Council Members to Page 12 "Governmental Fund Balance Sheet" and Page 13, which is the reconciliation schedule which is taken from governmental funds modified accrual basis to accrual basis. He also referred to Page 23; noting that the 1.9 million dollars is infrastructure (roads/streets).

In response to Council Member Drummond, Mr. Reilly explained that uncollected ad valorem funds is the difference of what was budgeted and what the City actually collected.

Council Member Henley questioned the unfunded liabilities as it relates to FRS. Mr. Reilly explained how the funds are tied into actuaries. Chief Francisco noted that the FRS pension is the best pension plan in the United States. He noted that the legislators are trying to change it. Mr. Reilly confirmed that the City's liability is small.

Council Member Powell made the Motion to accept the FY 12/13 Audit; Seconded by Council Member Hendrix. Unanimously approved (5/0)

Adjournment

Council Member Powell made the Motion to adjourn the meeting. The meeting adjourned at 7:34 p.m.

ATTEST:

John Dowless
Council President

Bea L. Meeks, MMC
City Clerk

Approved by Council on _____, 2014.

City of Edgewood, Florida

2013 Financial Audit

Holland & Reilly

AGENDA

- Audit opinion – **unmodified (Clarity Standards)**
- City-wide Financials
- Governmental Fund Financial Statements
 - General Fund
 - Roads and Streets Fund
- Management’s Discussion & Analysis
- Turnover in accounting staff
- Outsourced payroll – Payroll Processing Plus (May 2013)

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Certified Public Accountants

AGENDA - continued

- **Red Light Citation** program implemented – generated \$342,836, net of fees
- **Capital outlays** - \$117,035 (vehicle, computers, Commerce Drive project, fencing, sign, food truck electrical installation)
- Excess of revenues over expenditures - \$396,197
- No debt!
- **Lake Mary Jess** drainage and water quality improvement project (interlocal agreement with Orange County) – \$91,128 expended

Holland & Reilly
Certified Public Accountants

Professional Pronouncements

- **Clarity Standards** implemented – impacts auditors' reports, engagement letter and management representation letter
- **Yellow Book (2011)** effective for this audit – Independence
- Implemented **GASB No. 61 – *The Financial Reporting Entity*** – changes criteria for determining inclusion of component units
- Implemented **GASB No. 63 – *Deferred Outflows of Resources, Deferred Inflows of Resources and Net Position*** – changes in terminology (Net Assets is now Net Position)

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Certified Public Accountants

Professional Pronouncements - continued

- Next year – **GASB No. 65 – *Items Previously Classified as Assets and Liabilities*** – substantive changes
 - Will change format of F/S next year – unearned or deferred revenue (e.g. local business taxes) will be reported in separate category
- Effective for the September 30, 2015 F/Ss – **GASB No. 68 – *Accounting and Financial Reporting for Pensions*** – will require recording a proportionate share of the liability of the Florida Retirement System (FRS)

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Overall Results - Operations

- Recap of Overall Results of City

– Excess of revenue over exp – per City	\$333,404
– 25 adjusting journal entries	<u>62,793</u>
– Excess of revenue over exp – per Audit	<u>\$396,197</u>
- General Fund \$527,920
- Roads and Streets Fund (131,723)
- City - Overall \$396,197

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Roads & Streets Fund

- Excess of expenditures over revenues (\$131,723)

- Expenditures included:

– Tree removal	\$ 30,028
– Street maintenance contract	41,298
– Sidewalk repair	72,405
– Commerce Drive project	52,672
– Traffic light maintenance	8,744
– R.R. crossing maintenance	11,867
– Utilities – traffic & street lights	41,703
– Other	<u>3,355</u>

Total Expenditures \$262,072

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Certified Public Accountants

Investment Earnings

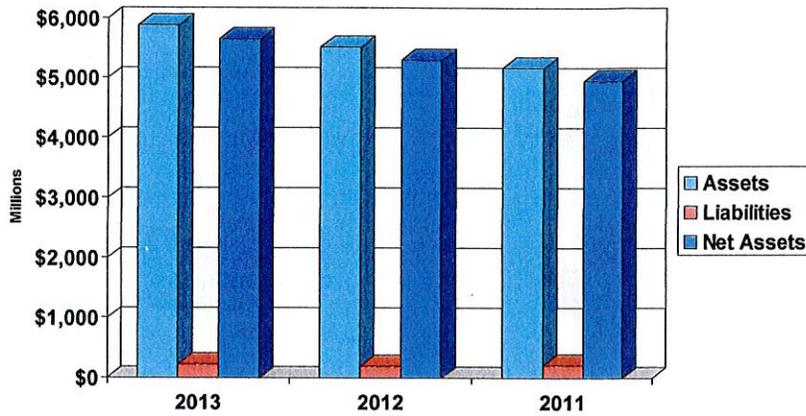
- Investment Earnings Decline - City-wide

– 2007	\$143,689 (over 5.5% at SBA)
– 2008	82,102
– 2009	23,796
– 2010	12,550
– 2011	8,653
– 2012	5,661 (\$3,681 unrealized gain)
– 2013	13,508 (\$1,683 unrealized gain) (0.18% to 0.45%)

- SBA Fund B is greatly improving

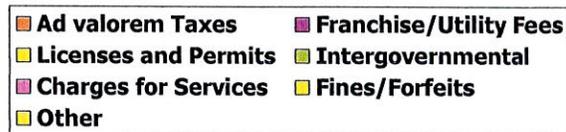
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CITY OF EDGEWOOD - CITY-WIDE Assets, Liabilities, and Net Equity



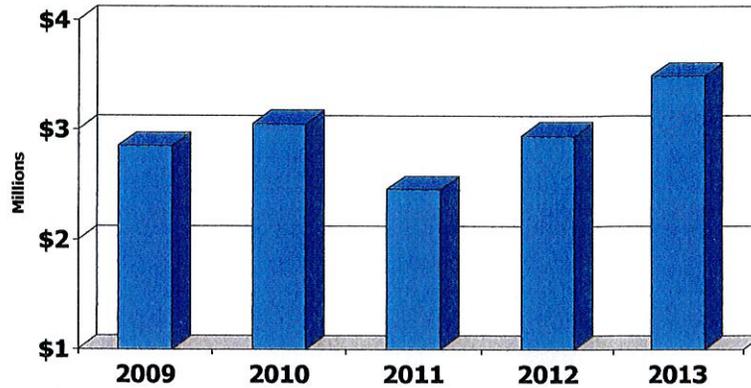
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General Fund Revenues by Source



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General Fund Liquidity (Cash & Equivalents)



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Final Comments

- Board of Governance letter
- Management Letter comments (repeat comments)
 - Subsidiary Ledger Should Agree with G/L
 - Ensure Correct Account Coding of Transactions

Status of Prior Year Comments

- Compliance with Charter
- Develop an Accounting Manual
- Redundancy in Accounting System
- Council Minutes Should be Timely Prepared

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HOLLAND & REILLY

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AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS
FLORIDA INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS
ASSOCIATION OF
CERTIFIED FRAUD EXAMINERS

DAVID S. HOLLAND, CPA
THOMAS F. REILLY, CPA

April 1, 2014

Honorable Mayor and City Council
City of Edgewood, Florida

Board of Governance Letter

In connection with our audit of the financial statements of the City of Edgewood (the City) as of September 30, 2013, and in accordance with standards established by the American Institute of Certified Public Accountants, we are required to inform you of the following matters:

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated October 8, 2013, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

We planned and performed our audit to obtain reasonable, but not absolute assurance about whether the financial statements are free of material misstatement, whether from errors, fraudulent financial reporting, misappropriation of assets or violations of laws or governmental regulations. Because "reasonable assurance" is not "absolute assurance" and because we did not perform a detailed examination of all transactions, there is a risk that material misstatements and noncompliance may exist and not be detected by us.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit included obtaining an understanding of the City and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from 1) errors, 2) fraudulent financial reporting, 3) misappropriation of assets, or 4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the City. We will communicate our significant findings at the conclusion of the audit. We performed the audit according to the planned scope previously communicated to you in the engagement letter dated October 8, 2013.

Significant Audit Findings

Significant Accounting Policies

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. Several new accounting policies were adopted this year through the implementation of GASB Statements 61 and 63 and the application of certain existing policies was changed during the year ended September 30, 2013 – see Note 13. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements related to the useful lives for depreciation of property and equipment. We evaluated the key factors and assumptions used to develop these estimates in determining they are reasonable in relation to the financial statements taken as a whole.

Corrected and Uncorrected Misstatements

Professional standards also require that we accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. We proposed a number of adjustments that were reviewed and approved by management. The net impact of these adjustments was to increase the City's excess of revenues over expenditures by \$62,792 for the current year. Management has corrected all such misstatements.

Disclosures

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was Note 13 - *New Accounting Standards Implemented*.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting or auditing matter, whether or not resolved to our satisfaction that could be significant to the financial statements or auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated April 1, 2014.

Management Consultation With Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all of the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and other auditing standards, with management each year prior to our retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of the City's management and City Council and is not intended to be and should not be used by anyone other than these specified parties.


Holland & Reilly

MAYORAL PROCLAMATION

Whereas, the open exchange of public discourse is essential to the democratic system of government; and

Whereas, as a cornerstone of democracy Americans have observed certain rules of behavior generally known as civility;

Whereas, civility, derived from the Latin words "civitas" meaning city and "civis" meaning citizen, is behavior worthy of citizens living in a community or in common with others; and

Whereas, displays of anger, rudeness, ridicule, impatience, and a lack of respect and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and

Whereas, civility can assist in reaching consensus on diverse issues and allow for mutually respectful ongoing relationships; and

Whereas, civility can uplift our daily life and make it more pleasant to live in an organized society; and

Whereas, the City, County and Local Government Law Section of the Florida Bar urges the adoption of a pledge of civility by all citizens in the State of Florida.

Now, therefore, be it resolved, by the Mayor of the City of Edgewood that the month of May is proclaimed as Civility Month, and calls upon all citizens to exercise civility toward each other.



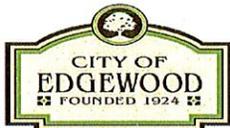
Signed this 6th day of May, 2014.

Ray Bagshaw
Ray Bagshaw
Mayor

ATTEST:

Bea L. Meeks

Bea L. Meeks, MMC
City Clerk



Memorandum

To: Bea Meeks, City Clerk
From: Cinnamon Wild, Administrative Assistant
Date: 5/13/2014
Re: Planning and Zoning Meeting 05/12/2014

Ordinance No. 2014-03

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 134, "ZONING," ARTICLE V, "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, "REQUIREMENTS FOR SPECIFIC USES," PROVIDING FOR ESTATE SALES AS A TEMPORARY ACCESSORY USES FOR RESIDENTIAL STRUCTURES; PROVIDING REGULATIONS RELATED TO PARKING FOR GARAGE SALES, YARD SALES AND ESTATE SALES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

At the Planning & Zoning Board Meeting on 05/12/2014 *Board Member Lomas made the motion to recommend approval of the Ordinance; Seconded by Board Member Fischer. Unanimously approved 4/0.*

ORDINANCE 2014-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

At the Planning & Zoning Board Meeting on 05/12/2014 *Board Member Rayburn made the motion to recommend approval of the Ordinance; Seconded by Chairwoman Dunay. Unanimously approved 4/0.*

42 exceeding these requirements shall be deemed to be an open air market as defined by this
43 chapter, and shall be permitted only in accordance with the requirements for open air
44 markets.

45 (2) Parking. Parking shall be controlled by the operator of the garage sale, yard sale or estate
46 sale so as not to create any traffic hazards on adjacent streets. In the event any code
47 enforcement officer or police officer observes a traffic hazard causes by parking for the
48 garage sale, yard sale or estate sale, the operator of the garage sale, yard sale or estate
49 sale shall be required by code enforcement or police officers to cease all sales activity
50 until the parking is controlled so as to not create a traffic hazard. Failure to comply with
51 a notice to cease sales activity until parking is controlled as provided herein may result in
52 issuance of a civil citation or other code enforcement action.

53 (3) No permit required. No building permit or other permit shall be required to conduct a
54 garage sale, or yard sale or estate sale.

55 **SECTION 3: Codification:** Section 2 of this Ordinance shall be codified and made part
56 of the City of Edgewood Code of Ordinances.

57
58 **SECTION 4: Control:** In the event of a conflict or conflicts between this ordinance and
59 other ordinances, this ordinance controls.

60
61 **SECTION 5: Severability:** It is the intent of the City Council of the City of Edgewood,
62 and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of
63 this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such
64 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the
65 remaining provisions of this Ordinance.

66
67 **SECTION 6: Effective Date:** This Ordinance shall become effective upon final passage
68 and adoption.

69
70 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
71 _____, 2014.

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74 _____
John Dowless, Council President

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76 *ATTEST:*

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78 _____
79 Bea Meeks, MMC
80 City Clerk
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ORDINANCE NO.: 2014-04

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, CHAPTER 134, "ZONING;" PROVIDING DEFINITIONS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES, NON-MEDICAL MARIJUANA SALES AND CANNABIS FARMS ARE PROHIBITED USES IN CERTAIN ZONING DISTRICTS; PROVIDING THAT MEDICAL MARIJUANA DISPENSARIES ARE A PERMITTED SPECIAL EXCEPTION USE IN THE INDUSTRIAL ZONING DISTRICT; PROVIDING ADDITIONAL STANDARDS AND CONSIDERATIONS FOR APPROVAL OF A SPECIAL EXCEPTION APPLICATION FOR A MEDICAL MARIJUANA DISPENSARY PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida is considering legalizing the dispensing of marijuana for medical purposes; and

WHEREAS, the City Council of the City of Edgewood has determined that it is in the best interests of the citizenry and general public to regulate the location of medical marijuana dispensaries in the event the State of Florida legalizes said dispensaries; and

WHEREAS, the City Council has the responsibility and authority to determine what uses are best suited to particular zoning categories as well as land use categories within the City; and

WHEREAS, the City Council of the City of Edgewood has determined that given the potential impact on the surrounding area, that Medical Marijuana Dispensaries should only be allowed within the Industrial zoning district, as a special exception use; and

WHEREAS, the City Council of the City of Edgewood has determined that it is advisable and in the public interest to consider certain distance and other siting standards in regard to the location of operation of medical marijuana dispensaries as a special exception use; and

WHEREAS, the Planning and Zoning Commission, sitting as the local planning agency, has found this ordinance to be consistent with the City's Comprehensive Development Plan and recommended approval; and

WHEREAS, the City Council of the City of Edgewood finds that this ordinance promotes the public health, safety and welfare.

46 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
47 **CITY OF EDGEWOOD, FLORIDA THAT:**

48
49 **SECTION 1.** Chapter 134, "Zoning," Article IV, "District Regulations," of the City of
50 Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough text indicates
51 deletions, underline text indicates additions, ellipses (***) identify text that remains unchanged
52 and that is not reprinted herein):

53
54 **DIVISION 6. –P-O PROFESSIONAL OFFICE DISTRICT**

55
56 * * *

57
58 **Sec. 134-317. - Uses prohibited.**

59
60 The following uses shall be prohibited in the P-O district:

61
62 (1) Any business, except a medical or dental clinic or pharmacy, which
63 displays merchandise for sale at retail or wholesale, or any business requiring the
64 physical handling of merchandise to be sold at retail or wholesale on the premises.

65
66 (2) Any use conducted either partially or totally outside a building or structure
67 except for parking areas.

68
69 (3) Veterinary establishments.

70
71 (4) Medical Marijuana Dispensaries.

72
73 (5) Non-medical Marijuana Sales.

74
75 (6) Cannabis Farm.

76
77 (4)(7) Other uses which are similar to those listed above, and which are not
78 specifically permitted in this division and which the prohibition thereof would
79 maintain the intent and authority and directive of the city council, which shall be
80 determined after public notice and public hearing.

81
82 * * *

83
84 **DIVISION 7. –C-1 RETAIL COMMERCIAL DISTRICT**

85
86 * * *

87
88 **Sec. 134-347. - Uses prohibited.**

89
90 The following uses shall be prohibited in any C-1 retail commercial district:

- 92 (1) Title loan stores.
 93
 94 (2) Check cashing, payday advance stores, or other similar businesses.
 95
 96 (3) Labor pool offices.
 97
 98 (4) Bail bond offices.
 99
 100 (5) Tattoo, body piercing, massage parlors and fortunetelling shops.
 101
 102 (6) Soup kitchens.
 103
 104 (7) Runaway and related emergency shelters; homeless shelters.
 105
 106 (8) Convalescent facilities.
 107
 108 (9) Residential social service facilities; welfare, food stamp, and other social
 109 service offices and institutional facilities.
 110
 111 (10) Treatment and recovery facilities.
 112
 113 (11) New and used automobile and boat sales.
 114
 115 (12) Medical Marijuana Dispensaries.
 116
 117 (13) Non-medical Marijuana Sales.
 118
 119 (14) Cannabis Farm.
 120
 121 ~~(14)~~(15) Other similar uses consistent with this subsection.
 122
 123 ~~(12)~~—~~New and used automobile and boat sales.~~
 124
 125 ~~(13)~~(16) Any use or activity which is not in full compliance with all the
 126 requirements and standards set forth in this division.
 127
 128 ~~(14)~~(17) Uses listed in section 134-403, except uses listed at section 134-
 129 403(1), or section 134-404 of the C-3, wholesale commercial district (article IV,
 130 division 9 of this chapter).

131
 132 **DIVISION 10. –I INDUSTRIAL DISTRICT**

133 * * *

134
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 136 **Sec. 134-437. – Uses Prohibited.**

137 The following uses shall be prohibited in any I Industrial district:

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- (1) Non-medical Marijuana Sales.
- (2) Cannabis Farm

Sec. 134-438. – Special Exception uses.

Medical Marijuana Dispensaries. Medical Marijuana Dispensaries shall be allowed as a special exception use upon application, hearing and approval as provided in this Code of Ordinances. An application for special exception use for a Medical Marijuana Dispensary may be denied, approved or approved with conditions. In considering an application for special exception pursuant to this section, planning and zoning board and the city council shall consider the following criteria:

- (1) Compatibility of the proposed facility with the surrounding uses.
- (2) The size of the lot on which the proposed facility will be located.
- (3) The number of persons to be residing in the proposed facility.
- (4) The amount of traffic generated by the proposed facility.
- (5) The general health, safety and welfare of the community.

In addition to all other requirements and conditions, the applicant shall comply with all the following conditions contained herein. No special exception for a Medical Marijuana Dispensary shall be approved unless the applicant has shown by competent substantial evidence its ability to comply with each of the conditions contained herein.

- (1) Loitering. A Medical Marijuana Dispensary shall provide adequate seating for its patients and business invitees and shall not allow patients or business invitee to stand, sit (including in a parked car), or gather or loiter outside of the building where the dispensary operates, including in any parking areas, sidewalks, right-of-way, or neighboring properties for any period of time longer than that reasonably required to arrive and depart. The Medical Marijuana Dispensary shall post conspicuous signs on at least three sides of the building that no loitering is allowed on the property.
- (2) No drive through service. No Medical Marijuana Dispensary shall have a drive through or drive in service aisle. All dispensing, payment for and receipt of products shall occur from inside the Medical Marijuana Dispensary.
- (3) Alcoholic Beverages. No consumption of alcoholic beverages shall be allowed on the premises on which a Medical Marijuana Dispensary is located, including the parking areas and sidewalks.
- (4) Separation Distances. No Medical Marijuana Dispensary shall operate within two thousand five hundred (2,500) feet of any pre-existing school, church, day care facility, public park or another Medical Marijuana Dispensary.

184 (5) Compliance with Other Laws. All Medical Marijuana Dispensaries
185 shall at all times be in compliance with all federal, state and local laws and
186 regulations.
187

188 Each application for a special exception shall be accompanied by a site plan
189 incorporating the regulations established herein. The site plan shall be drawn to
190 scale indicating property lines, rights-of-way, and the location of buildings,
191 parking areas, curb cuts and driveways. Said site plan shall be submitted to and
192 considered by the planning and zoning board and the city council as provided for
193 in article II of this chapter prior to the granting of a building permit. Upon such
194 approval, said site plan becomes a part of the building permit and may be
195 amended only by action of the city council after recommendation by the planning
196 and zoning board.
197

198 * * *

199
200 **SECTION 2.** Chapter 134, “Zoning,” Article I, “In General,” of the City of Edgewood
201 Code of Ordinances is hereby amended as follows (note: strikethrough text indicates deletions,
202 underline text indicates additions, ellipses (***) identify text that remains unchanged and that is
203 not reprinted herein):
204

205 **Sec. 134-1. – Definitions.**

206 * * *

207
208 Cannabis. Any plant or part of a plant of the genus *Cannabis*, whether growing or
209 not; the seeds thereof; the resin extracted from any part of the plant; and every
210 compound, manufacture, salt, derivative, mixture, or preparation of the plant or
211 its seeds or resin
212

213 Cannabis Farm. Any property used in whole or in part for the growing or
214 cultivation of Cannabis plants, whether or not such growing or cultivation is
215 lawful under federal or state law.
216

217 Medical Marijuana Dispensary. A facility that is operated by an organization or
218 business holding all necessary licenses and permits from which marijuana,
219 cannabis, cannabis-based products, or cannabis plants are delivered, purchased,
220 possessed, or dispensed for medical purposes and operated in accordance with all
221 local, federal and state laws. Physicians authorized by State law to order low-
222 THC cannabis, as defined in Florida Statutes, for patients’ medical use are not
223 included in the definition of Medical Marijuana Dispensary.
224

225 Medical Use. The prescriptive use of any form of cannabis to treat a qualifying
226 medical condition and the symptoms associated with that condition or to alleviate
227 the side effects of a qualifying medical treatment.
228

229 * * *

230
231 Non-Medical Marijuana Sales. The purchase, sale, transfer or delivery of
232 marijuana, cannabis, cannabis-based products or cannabis plants when such sale,
233 transfer or delivery is not associated with any medical purpose or use, whether or
234 not such purchase, sale, transfer or delivery is lawful under federal or state law.

235 * * *

236
237
238 **SECTION 2.** Chapter 134, “Zoning,” Article V, “Supplement District Regulations,” of
239 the City of Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough
240 text indicates deletions, underline text indicates additions, ellipses (***) identify text that
241 remains unchanged and that is not reprinted herein):

242
243 **Sec. 134-518. –Home Occupations.**

244
245 Prohibited home occupations. Notwithstanding any other provision of this section,
246 the following uses shall be prohibited as home occupations:

- 247 Adult entertainment.
248 Antique shops.
249 Auto service and repair.
250 Barbershops and beauty shops.
251 Bed and breakfast facilities.
252 Cannabis Farms.
253 Child care centers.
254 Churches.
255 Clubs, private.
256 Drive-in facilities.
257 Eating and drinking establishments.
258 Food processing.
259 Fortunetellers.
260 Funeral homes.
261 Group instruction of more than four people.
262 Health spas.
263 Hospital and clinics.
264 Hotels/motels.
265 Kennels.
266 Massage establishments.
267 Medical Marijuana Dispensaries.
268 Non-medical Marijuana Sales.
269 Plasmapheresis facilities.
270 Primary offices of professionals.
271 Vehicle sales, rental or repair.
272 Whole blood facilities.
273 Any other similar use or activity as determined by the city clerk.
274

275 **SECTION 3. CODIFICATION.** It is the intent of the City Council of the City of
276 Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad
277 and liberal authority in codifying the provision of this Ordinance.
278

279 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
280 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
281 not be held to invalidate or impair the validity, force or effect of any other section, sentence,
282 phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
283 unconstitutional.
284

285 **SECTION 5. CONFLICTS.** In any case where a provision of this Ordinance is found
286 to be in conflict with a provision of any other ordinance of this City, the provision which
287 establishes the higher standards for the promotion and protection of the health and safety of the
288 people shall prevail.
289

290 **SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective
291 immediately upon its passage and adoption.
292

293 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
294 _____, 2014.
295

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297 _____
298 John Dowless, Council President
299

300 *ATTEST:*
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302 _____
303 Bea Meeks, MMC
304 City Clerk
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ORDINANCE NO.: 2014-05

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 130, "TREE MANAGEMENT AND PROTECTION," OF THE CODE OF ORDINANCES; RESTRICTING TREES PLANTED BENEATH POWER LINES TO UNDERSTORY TREES; AMENDING CHAPTER 50, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," PROVIDING FOR PERMITS FOR PLANTINGS, REMOVALS AND TREE MAINTENANCE CONDUCTED WITHIN CITY RIGHTS-OF-WAY TO BE ISSUED BY THE MAYOR OR HIS OR HER DESIGNEE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Edgewood recognizes that large growing trees planted beneath overhead power lines inevitably cause maintenance issues as to the tree and the power line and result in the potential for power outages; and

WHEREAS, the City Council finds it appropriate to discourage the planting of replacement trees under power lines; and

WHEREAS, the City Council finds it appropriate to restrict the types of replacement trees to be planted when it is unavoidable to plant such trees beneath a power line to trees that do not typically grow to a height in excess of twenty-five feet; and

WHEREAS, the City Council desires to amend the Code of Ordinances to provide that the mayor, rather than the council president, or his or her designee shall be the official authorized to issue permits related to trees located in the right-of-way; and

WHEREAS, the City Council finds such amendment to be consistent with the processes contained in the Code of Ordinances and the normal operating procedures of the City; and

WHEREAS, the City Council of the City of Edgewood finds that this ordinance promotes the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA THAT:

SECTION 1. Chapter 130, "Tree Management and Protection," of the City of Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough text indicates deletions, underline text indicates additions, ellipses (***) identify text that remains unchanged and that is not reprinted herein):

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

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(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 a stock list adopted by Resolution of the City Council.

(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.

87 (4) Alternative replacement plans. The city official may offer a choice to a
88 permittee, especially when space limitations or other conditions exist, to make
89 payment into the city tree replacement trust fund in lieu of replacing historic or
90 specimen trees.

91
92 (e) Replacement trees planted beneath power lines.

93
94 Whenever possible, replacement trees should not be planted beneath overhead
95 power lines. In the event any replacement trees are required to be planted within five feet
96 of an overhead power line, notwithstanding anything to the contrary contained herein,
97 such replacement trees shall be of a species that does not normally grow to a height in
98 excess of twenty-five feet.

99
100 **SECTION 2.** Chapter 50, “Streets, Sidewalks and Other Public Places,” of the City of
101 Edgewood Code of Ordinances is hereby amended as follows (note: strikethrough text indicates
102 deletions, underline text indicates additions, ellipses (***) identify text that remains unchanged
103 and that is not reprinted herein):

104
105 Sec. 50-111. - Tree planting, maintaining, and removal permits required for public rights-of-way
106 and public property; fallen trees on public rights-of-way and public property.

107
108 (a) Planting trees. No tree, shrub, or plant shall be planted within any right-of-way of
109 the city without first obtaining a permit from the city. There will be no charge for such a
110 permit. The permittee shall submit with the application for permit a site plan showing
111 where the tree, plant, or shrub will be planted, the spacing between trees or plants, if
112 applicable, and the species proposed to be planted. The city official shall approve of such
113 plan before the permit may be granted.

114
115 (b) Maintaining trees. Upkeep, trimming, and maintenance of all trees, shrubs, or
116 plants on any right-of-way which abut private property shall be the responsibility of the
117 private property owner between the property line and the curb of the street, except that
118 the city shall be responsible for trimming and maintaining portions of trees on the street
119 side so as to allow clearance for vehicles. When any maintenance or trimming of trees in
120 any rights-of-way is necessary to afford clearance for wires or cables, it shall be the
121 responsibility of a public utility company to trim and maintain said trees after seeking a
122 permit for same from the city. It shall be unlawful for any person to maintain any tree,
123 shrub, or plant within any right-of-way of the city in such a manner that will damage or
124 constitute a hazard to any street, sidewalk curb, driveway, drainage, water line, sewer line
125 or any other public utility.

126
127 (c) Removing trees. No tree shall be removed from any public right-of-way without
128 first obtaining a tree removal permit. The city official may, in some instances,
129 recommend that the city share the costs for removal of said trees, such costs to be
130 approved by city council.

132 (d) Removing fallen trees. The city shall be responsible for removing any fallen tree
133 planted in the right-of-way upon being notified of same, a tree planted on private
134 property which falls on any right-of-way shall be removed by the property owner within a
135 reasonable period of time, not to exceed 60 days or sooner if the city deems necessary to
136 protect public safety. If said fallen tree is not removed within the designated periods of
137 time, the city may remove it and assess costs for removal to the property owner. In the
138 event any tree falls such that a substantial portion of the tree interferes with traffic, the
139 city shall be responsible for removal of the portion of the tree which has fallen in the city
140 right-of-way.

141
142 (e) Permit required. No tree planting, removal, surgery, cavity-filling, trimming or
143 spraying shall be done on any tree or shrub within any public right-of-way or on any
144 property owned by the city without first obtaining permit for such work from the ~~council~~
145 ~~president~~ mayor or his or her designee. There shall be no charge for such a permit. No
146 tree or shrub shall be trimmed by or under the direction of any public utility company to
147 afford clearance for wires or cables or for any other purpose without possession of such a
148 permit. Such a permit shall be granted upon a showing that public safety will not be
149 endangered.

150
151 **SECTION 3. CODIFICATION.** It is the intent of the City Council of the City of
152 Edgewood that the provisions of this Ordinance shall be codified. The codifier is granted broad
153 and liberal authority in codifying the provision of this Ordinance.

154
155 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
156 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
157 not be held to invalidate or impair the validity, force or effect of any other section, sentence,
158 phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
159 unconstitutional.

160
161 **SECTION 5. CONFLICTS.** In any case where a provision of this Ordinance is found
162 to be in conflict with a provision of any other ordinance of this City, the provision which
163 establishes the higher standards for the promotion and protection of the health and safety of the
164 people shall prevail.

165
166 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective
167 immediately upon its passage and adoption.

168
169 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
170 _____, 2014.

171
172
173 _____
174 John Dowless, Council President

175
176 *ATTEST:*
177

178 _____
179 Bea Meeks, MMC
180 City Clerk
181

41 and garbage collection whether or not the owner avails himself of such collection
42 services.

43 (c) All garbage and recycling containers shall be placed out for collection no earlier
44 than 5:00 p.m. of the day preceding the day designated for collection and shall be
45 removed not later than 7:00 p.m. on the day designated for collection. Dumpsters and
46 roll-off containers may remain in their permanent location.

47
48 **SECTION 3: Codification:** Section 2 of this Ordinance shall be codified and made part
49 of the City of Edgewood Code of Ordinances.

50
51 **SECTION 4: Control:** In the event of a conflict or conflicts between this ordinance and
52 other ordinances, this ordinance controls.

53
54 **SECTION 5: Severability:** It is the intent of the City Council of the City of Edgewood,
55 and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of
56 this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such
57 invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the
58 remaining provisions of this Ordinance.

59
60 **SECTION 6: Effective Date:** This Ordinance shall become effective upon final passage
61 and adoption.

62
63 **ADOPTED** by the City Council of the City of Edgewood, Florida, this ____ day of
64 _____, 2014.

65
66 _____
67 John Dowless, Council President

68
69
70 *ATTEST:*

71
72 _____
73 Bea Meeks, MMC
74 City Clerk

75
76
77
78



Florida Department of Transportation

RICK SCOTT
GOVERNOR

420 West Landstreet Road
Orlando, Florida 32824

ANANTH PRASAD, P.E.
SECRETARY



April 28, 2014

The Honorable Ray Bagshaw
City of Edgewood
405 Larue Avenue
Edgewood, Florida 32809-3406

Subject: **State Highway Lighting, Maintenance and Compensation Agreement**
Work Order: **Fiscal Year 2014/2015**
Contract No.: **AM310**
Financial Project No.: **413615-6-78-08**
FEID No.: **VF-591282305-003**
Resolution No: **2005-R001**

Dear Mayor Bagshaw:

You are hereby authorized to perform maintenance of the State Highway Lighting Systems within your jurisdiction in accordance with the terms and conditions of the State Highway Lighting, Maintenance and Compensation Agreement.

The total compensation for Fiscal Year 2014/2015 paid under this Work Order is \$16,512.00. This amount is calculated based on 90% of inventory at a cost of \$251.32 per unit. The compensation period for this work order will **begin July 1, 2014, and end June 30, 2015**.

Please execute and/or return the following documents directly to this office in the enclosed self-addressed envelope. **In order to guarantee availability of funds, these documents must be returned to this office no later than June 7, 2013.**

- Sign and return this **original work order** confirming receipt and the City's agreement with the compensation terms listed above.
- Sign, have notarized and return the enclosed State Highway Lighting, Maintenance and Compensation Agreement Certification.
- If the Resolution document referenced above is no longer current, return a copy of the current Resolution.

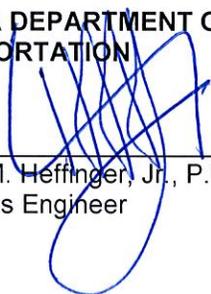
If you wish to receive payment for the Fiscal Year 2013/2014 Work Order, please submit an invoice to this office any time after May 19, 2014. The State Highway Lighting, Maintenance and Compensation Agreement, Paragraph 2.c. states: "Invoices may be submitted any time after May 19th of the fiscal year in which the services were provided, but no later than 180 days after the end of the fiscal year. Payment shall be made in one lump sum as provided in paragraph 4 hereof." Invoices for Fiscal Year 2013/2014 must be received no later than December 26, 2014.

A sample invoice is attached for your information. Please verify that all information contained on the sample invoice is included on your invoice.

If you have any questions, please contact Renee' Hutchison at 407-858-5900.

Attachments: State Highway Lighting, Maintenance and Compensation Agreement Certification
Sample Invoice

FLORIDA DEPARTMENT OF
TRANSPORTATION



Charles M. Heffinger, Jr., P.E.
Operations Engineer

MAINTAINING AGENCY

Concurrence By: *Ray Bagshaw*
** - City of Edgewood*

Typed Name: *RAY Bagshaw*

Title: *Mayor*

Phone: *407-851-2920*

Date: *5 16 2014*

**STATE HIGHWAY LIGHTING, MAINTENANCE AND
COMPENSATION AGREEMENT CERTIFICATION**

I, Ray Bagshaw, Mayor,
(Name) (Title)

City of Edgewood, hereby certify that the State Highway Lighting
(Local Maintaining Agency)

Facilities for Financial Project ID: 413615-6.78-08, Contract No.: AM310

In Orange County (Counties)

were performed to keep all Facilities fully operating, properly functioning, with a minimum of 90% of the lights burning for any lighting type (ex. high mast, standard, underdeck, sign) on the roadway system at all times for their normal expected useful life in accordance with the original design thereof, whether necessitated by normal wear and tear, accidental or intention damage, or acts of nature.

All maintenance was performed in accordance with Agreement terms and according to the Manual of Uniform Traffic Control Devices; all other applicable local, state or federal laws, rules, resolutions or ordinances and FDOT procedures.

Ray Bagshaw 5/6/2014
(SIGNATURE) (DATE)

State of Florida

County of Orange

Sworn to and subscribed to before me this 6th day of May, 2014.

Bea L. Meeks Notary Public, State of Florida at large.

Bmeeks
My Commission expires _____



INVOICE

City of Edgewood
Bea L. Meeks, City Clerk
405 Larue Avenue
Edgewood, FL 32809

May 6, 2014
Invoice #-2014-1
Orange County
VF-591282305-003

To: Florida Department of Transportation
Attention: Contract Manager
420 West Landstreet Road
Orlando, FL 32824

Contract No.: AM-310

Date of Service: FY 2012/2013

QUANTITY	DESCRIPTION		TOTAL
1	Lump Sum		\$16,512.00
SUBTOTAL			\$16,512.00
TOTAL DUE			\$16,512.00

Note: State Highway Lighting, Maintenance and Compensation Agreement

Certification Must Accompany Your Invoice.

RESOLUTION NO. 2014-05

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Edgewood (City) has been the maintaining agency for traffic signals on the State highway systems that are within the City and intersect with City streets,

WHEREAS, the maintenance of these traffic signals has been at the sole expense of the City, and

WHEREAS, the State of Florida Department of Transportation and the City now desire to share the cost of traffic signal maintenance for those traffic signals.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FO THE CITY OF EDGEWOOD, FLORIDA, as follows:

Section 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this Resolution.

Section 2. The City Council of the City of Edgewood hereby authorizes the Mayor to execute the Traffic Signal Maintenance and Compensation Agreement with the State of Florida Department of Transportation.

Section 3. This Resolution shall take effect immediately upon the enactment date.

PASSED and ADOPTED at the meeting of the City Council of the City of Edgewood on the _____ day of May, 2014.

Ray Bagshaw, Mayor

John Dowless, Council President

Neil Powell, DDS
Council Member

Pamela Henley
Council Member

Dan Drummond
Council Member

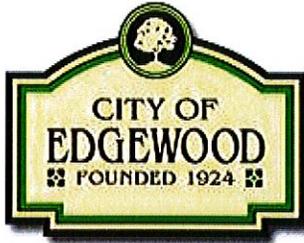
Michael Hendrix
Council Member

ATTEST:

Bea Meeks, MMC
City Clerk

PLANS ASSOCIATED WITH RALPH HANSEL'S BOATDOCK ARE ATTACHED SEPARATELY IN THIS AGENDA PACKET. DUE TO THE SIZE OF THE PLANS, THEY HAVE NOT BEEN SCANNED HOWEVER, THEY ARE AVAILABLE FOR PUBLIC VIEWING IN CITY HALL.

**Bea L. Meeks, MMC
City Clerk**



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: APRIL 6, 2014

SUBJECT: BOAT DOCK – LAKE GATLIN
429 HARBOUR ISLAND ROAD – RALPH HANSEL, OWNER
FEG 11-081 - TA-14-013

Pursuant to your request, I have reviewed the application, which we received on April 2, 2014 for dock construction on Lake Gatlin at 429 Harbour Island Road.

The boat dock plans, as submitted, meet the requirements of Section 14-11 - Boat Dock Construction Rules and Regulations, Part b. of the City of Edgewood Code of Ordinances.

The plans show a setback of 15 feet on the west side and a setback of 10 feet on the east side, which meet the minimum required 10 foot side setback per Section 14-11 - Boat Dock Construction Rules and Regulations, Part b(1) of the City of Edgewood Code of Ordinances . The applicant has also provided a notarized consent form from the owner of the property on the east side as required by this section, since the side setback on the east side is less than 15 feet.

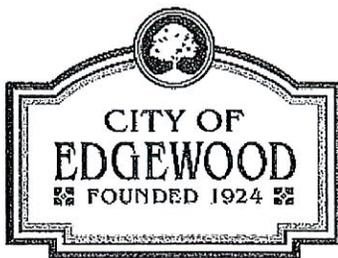
I have no objections to this application, and the boat dock application can be approved once the noticing requirements are met.

Please contact me if you have any questions or would like to discuss.

Thank you.

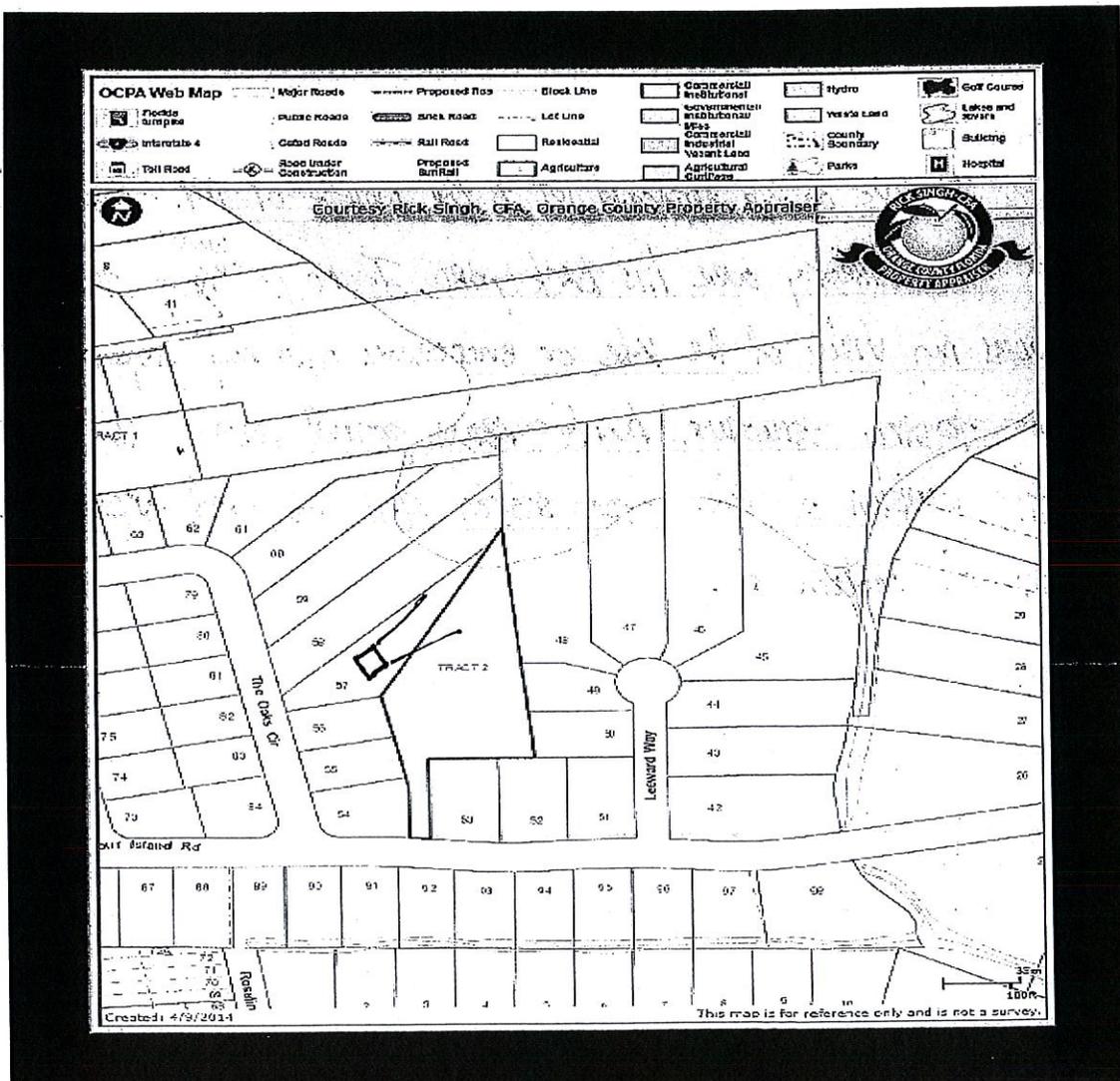
END OF MEMORANDUM

FILE: FEG 11-081; TA-14-013



PUBLIC NOTICE

The City of Edgewood, Florida has received an application to construct a boat dock on Lake Gatlin at a site for which you are described as an adjacent or otherwise potentially affected property owner (e.g. shoreline property owner within 300 feet of the property on which the dock is to be located). The boat dock application was submitted by Ralph Hansel, owner for property located at 429 Harbour Island Road.



The City is providing you with this notice to allow you the opportunity to voice any concerns which you may have regarding this project or to inform the City of any adverse impact you may expect as a result of this activity. Any comments that you may have regarding this notice must be provided in writing to the City Clerk's Office, City of Edgewood, 405 Larue Avenue, Edgewood, FL 32809, or bmeeks@edgewood-fl.gov. Said comments should state in detail your concerns.

Pursuant to City Code Section 14-11 (c) (2), you have 15 calendar days from the date of this notice to provide a written response. If no written objections are returned by property owners receiving notice by **April 24, 2014** such owners shall be deemed to have given consent and to have waived their right to object to the construction of the dock.

Should you desire additional information, regarding this application, please feel free to contact the City Clerk's Office at 407-851-2920, or e-mail at bmeeks@edgewood-fl.gov.

Dated: **April 9, 2014**

COMMENTS: I live on the adjacent lot to the north of Mr. Hansel. (see other side)
my house looks directly over his back yard. I do not ^{want} any structure built
that hinders my view of the lake or encroaches onto my property variance.
I object to any structure built above ground level. I want
all of the provision of City code section 14.11 followed especially the
provisions of section (b).