

Ray Bagshaw
Mayor

John Dowless
Council President

Michael Hendrix
Council Member

Neil Powell
Council Member

Pam Henley
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, January 21, 2014
6:30 p.m.

Dan Drummond
Council Member

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

- October 15, 2013 – Regular City Council Meeting (Pgs. 1 – 8)
- November 26, 2013 – Special City Council Meeting (9 – 10)

(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

ORDINANCES

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

1. **ORDINANCE 2013-08 AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 130-7 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES; DELETING THE REPLACEMENT TREE STOCK LIST CONTAINED**

IN THE CODE OF ORDINANCES; PROVIDING FOR ADOPTION AND AMENDMENT OF THE REPLACEMENT TREE STOCK LIST BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE. (Pgs. 11 – 14)

NEW BUSINESS

1. Planning & Zoning Board Appointments (Pgs. 15 – 16)
2. Canvassing Board – 2014 Municipal Election (Pgs. 17 – 18)
3. **RESOLUTION 2014-01** - A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING A TREE REPLACEMENT STOCK LIST PURSUANT TO SECTION 130-7 OF THE CODE OF ORDINANCES. (Pgs. 19 – 20)

UNFINISHED BUSINESS

1. **RESOLUTION NO. 2013-10** - A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2013-2014 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. (Pgs. 21 – 22)

GENERAL INFORMATION (No action required)

CITIZEN COMMENTS

BOARDS & COMMITTEES

STAFF REPORTS

City Attorney:

Police Chief:

- Police Department Quarterly Activity Update (4th Quarter 2013) (Pgs. 23 – 24)

City Clerk:

Code Enforcement:

MAYOR & COUNCIL REPORTS

- Mayor Bagshaw
- Council President Dowless
- Council Member Powell

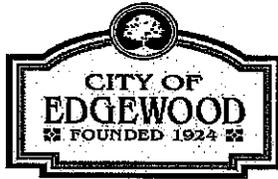
- Council Member Henley
- Council Member Drummond
- Council Member Hendrix

J. ADJOURNMENT

UPCOMING MEETINGS:

February 18, 2014.....City Council Regular Meeting
March 18, 2014.....City Council Regular Meeting
April 15, 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.



**EDGEWOOD CITY COUNCIL
OCTOBER 15, 2013 CITY COUNCIL MEETING**

On Tuesday, October 15, 2013, Council President Dowless called the Edgewood City Council regular meeting to order at 6:32 p.m. The invocation was given by Mayor Bagshaw followed by the Pledge of Allegiance:

The following attendance is noted:

ATTENDEES

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

STAFF

Bea Meeks, City Clerk
Pete Marcus, Police Chief
Drew Smith, City Attorney

CONSENT AGENDA:

1. Review and Approval of Minutes
 - August 5, 2013 – City Council Budget Workshop
 - September 17, 2013 – City Council Regular Meeting

Council President Dowless asked for Council consensus to add Holland & Reilly's Agreement to provide audit services to the City, and AED Agreement to the consent agenda. It was confirmed that the funds were approved in the current budget for audit services. If Council approves, the approval will include the Mayor signing the Agreements. Council President Dowless referred to Chief Marcus to explain the AED Agreement.

The following corrections to the Minutes were provided:

August 5, 2013 (Correction provided by Chief Marcus)

"The salary for police officers is based on ~~2084~~ 2184 hours..."

September 17, 2013 (Correction provided by Council Member Chotas)

"Council Member Chotas made the Motion to approve the applicant's request for a Variance ~~that meets the Code criteria~~ subject to conditions set forth in staff reports, Seconded by Council Member Hendrix."

Council Member Powell made the Motion to approve the consent agenda as presented, including corrections to the Minutes; Seconded by Council Member Hendrix. Unanimously approved (4/0).

PRESENTATIONS

Council President Dowless said that he will move an "Unfinished Business" item regarding legacy tree mitigation to the top of the agenda after presentations. He noted that he was waiting on the arrival of Council Member Henley, who gave advance notice that she would be late.

- Council President Dowless
Council President Dowless did not make his presentation
- Mayoral Proclamation – Week of the Family

Mayor Bagshaw read and presented the Week of the Family Proclamation to Lynn Whitcomb, who was in attendance on behalf of Orange County. Ms. Whitcomb expressed her appreciation for the Proclamation and provided City Clerk Meeks with flyers regarding Week of the Family.

- Mayoral Proclamation – Red Ribbon Week

City Attorney Smith read the Proclamation designating the week of October 23 – 31 as Red Ribbon Week.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

Resolution 2013-09: A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2013-2014 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.

City Clerk Meeks explained that Resolution 2013-09 is a budget amendment. She said if approved, a general ledger account for the HRA funds will be established, along with a designation of funds into the account.

Council Member Powell made the Motion to approve Resolution 2013-09; Seconded by Council Member Chotas. Unanimously approved (4/0).

Council President Dowless said he asked to have code enforcement placed on the agenda because of the appearance of Orange Avenue. He said he wanted to see if the Code is adequate, or if Code Enforcement is lacking. City Clerk Meeks explained the history behind the landscaping code; including how the Ordinance was vacated and recreated in 2003 and amended in 2004. Council President Dowless referred to Chief Marcus to explain the Code Enforcement process. Chief Marcus said the City has a code enforcement officer. Chief confirmed that his report is not broken down to show what violations are being sent out by the Code Enforcement officer. Mayor Bagshaw said he thinks the problem is related to the sign Ordinance. Drew said the moratorium on signs is the loophole. **It was the consensus of Council that Code Enforcement will start enforcing the removal of dead landscaping along Orange Avenue; in particular, the dead hedges.**

Council Member Henley in attendance 6:55 p.m.

UNFINISHED BUSINESS

- Legacy Trees

Council President Dowless and Council Member Hendrix declared a conflict. City Clerk Meeks confirmed that both Council Members were provided with conflict forms.

Council President Dowless turned the gavel over to Council President Pro Tem Powell, for this portion of the meeting.

City Attorney Smith swore in all those in attendance that came to speak. City Attorney Smith confirmed this part of the meeting is quasi-judicial.

Resident David Willis asked for a copy of the tree permit application. City Clerk Meeks said she provided everything that was requested. Mayor Bagshaw said he signed off on an email approving the tree removal, and Administrative Assistant Cinnamon Wild took that as the permit. City Attorney Smith said Council can accept this as the tree application. Council Member Chotas said he has attended meetings on this matter and he has not made a final decision. He said the goal is to have a meeting of the minds as to the type of trees to be placed on Jessamine Lane and Holden Avenue. Council Member Hendrix went to the podium and gave his summary on the meeting that was held to resolve the tree mitigation plan. He said the meeting was held on September 11, 2013. (City Clerk Meeks was provided with a copy of the 9/11/2013 Legacy proposal from this meeting) Council Member Hendrix read HOA president Stephen Klosterman's statement into the record (City Clerk provided with a copy). Council Member Chotas said he wanted to clarify that he asked the forestry representative to visit the area, and while on Jessamine Lane, a Legacy HOA representative came on site; it was not a called meeting. David Willis asked for cross examination

(For further information, please see below).

Due to this matter being quasi-judicial, and the length of time of the proceeding, the information regarding this proceeding will be made available on CD upon request.

The following were sworn-in:

1. Andrew Kittsley, Urban Forrester-City of Orlando
2. Georgia Donberg and Debbie Clements, Duke Energy, (provided handouts to Council and City Clerk)
3. Bonnie Bagshaw, 409 Oak Lynn Drive, Edgewood, FL.
4. Mike Teague, 5553 Jessamine Lane, Edgewood FL.
5. Anthony Franklin, 4911 Oak Terrace Drive, Edgewood, FL.
6. Martha White (Ms. White was not part of the en masse swearing in and did not provide a speaker form)
7. Raquel DuVinage, 4924 Lake Milly Drive, Edgewood, FL.
8. Terry Young, 5115 Crane's Point, Edgewood, FL
9. Charlette Franklin, 4911, Legacy Oaks Drive, Edgewood, FL
10. Inta Carreno, 614 Glen Grove Lane, Edgewood, FL.
11. Jose Behar, 5038 Tuscan Oaks Drive, Edgewood, FL.
12. Brett Barner, 5101 Cranes Point Court, Edgewood, FL.
13. Robert Fisher, 621 Glen Grove Lane, Edgewood, FL.
14. J.T. Blanton, , 637 Viscaya, Edgewood, FL.
15. Liz Gillam, 5113 Tuscan Oaks Lane, Edgewood, FL.
16. Chris Raeder, 4852 Lake Milly Drive , Edgewood, FL.
17. Gail Adam, 5558 Jessamine Lane, Edgewood, FL

Council Member Henley made the Motion that Legacy HOA install (5) live oak trees, no less than 100 gallon; placing (4) on the west side and (1) on the east near the "S" curve on Jessamine Lane. The Motion was Seconded by Council Member Chotas.

Discussion:

Council Member Powell expressed his concerns about the oak trees and the damage they can cause to infrastructure in the future. Resident Bonnie Bagshaw suggested liners. She said there are two products available to keep roots from going into the sidewalk.

Council Member Chotas amended the Motion to include acceptance of the mitigation plan and that one tree removal application be submitted. The application should include Cabbage Palm, and deferral of the request for certain replacement trees on Holden Avenue to be handled at a later time.

Council Member Powell called to question; unanimously approved (5/0).

GENERAL COMMENTS:

Inta Carreno, 614 Glen Grove Lane, Edgewood, FL: Stated her concerns regarding people parking on right-of-way for the school buses (Jessamine Lane/Holden Avenue). She asks for a "no parking" sign to be placed on the east side of Jessamine Lane. Chief Marcus said he will not advocate her request because the sign will create another problem; people will be in the street. Chief Marcus agreed to assess the situation and report back to Council in their November meeting.

10:20 p.m. Recess - Reconvened 10:29 p.m.

Council President Dowless resumed the discussion with Chief Marcus regarding code enforcement, and concerns with landscaping deficiencies on Orange Avenue and Hansel Avenue. Council Member Chotas stated that Orange Avenue could be improved but there needs to be a balance, and the economy has to be considered. Council Member Powell said this is not Winter Park, but a lot of what exists is historical. Council Member Chotas said if there is a code, enforce it or change it.

Richard Fawcett, 234 Prescott Drive, Edgewood : Mr. Fawcett thanked Mayor Bagshaw and Council for all that they do. He said driving northward from City Hall, there is no landscaping, there is dirt and driveways eroding. He said It reminds him of Oak Ridge road. He said he doesn't feel it is that big of a burden for the properties to be maintained.

Brief discussion was held regarding the review of landscape plans for existing business, and how Code Enforcement can locate the plans to determine what the requirements are. It was agreed that the City

Clerk, along with City Hall staff will locate the landscape plans from archives. ***It was the consensus of Council that Code Enforcement start enforcing the Code, as it relates to landscaping particularly, dead hedges.***

NEW BUSINESS:

City Attorney Smith explained the history of an Interlocal Agreement with the School Board that the City didn't sign because they were in the process of amending their Comprehensive Plan. He explained that one of the two comments received from the Florida Department of Economic Opportunity regarding the City's amendment to the Comprehensive Plan, was the Interlocal Agreement. He recommended that the City sign the agreement and satisfy this comment.

Council Member Chotas made the Motion to authorize the Mayor to sign the Interlocal Agreement dated March 9, 2011; Seconded by Council Member Henley. Unanimously approved (5/0).

In response to Council Member Chotas, City Attorney Smith said the City's capital improvement plan will be incorporated into Comprehensive Plan.

As follow-up to concerns stated by Council Member Henley in a previous meeting, City Attorney Smith explained to Council that the Code provides that if the proposed alcohol vendor agreement is approved, it allows for: 1) Agreement to serve alcoholic beverages and 2) Set standards; and he explained the conditions. Mayor Bagshaw said this is not for every week that the Farmers Market is held. He said it is primarily for special events. Council Member Henley stated she is not in favor of serving alcohol at City events.

Council Member Powell made the Motion to approve as amended; Seconded by Council Member Hendrix. Approved (4/1 Henley Opposed).

CITIZENS COMMENTS:

None.

STAFF & COUNCIL REPORTS:

Chief Marcus reported on the following:

- Provided his Quarterly Activity report to the Council and reported on same. Chotas asked the chief for a report regarding unsolved crimes for the past year.
- Officers in competition for growing a beard to raise money for School for Autism.

- Reported on vehicle that crashed into Sharon's Restaurant.
- Chief Marcus confirmed that the Police Department does maintain records retention/disposition pursuant to Florida Records Management program.

City Attorney Smith:

No report.

Mayor Bagshaw:

No report.

Council Member Chotas:

No report

Council Member Hendrix:

No report.

Council Member Powell reported on the following:

- Reported that he had received a complaint about property located on the canal at Tulon Drive . Council Member Powell said he contacted Jeff Charles at Orange County, and was told the County will clean the canal area.

City Clerk Meeks

- City Clerk Meeks referred to Memo dated October 4, 2013; City Hall Operations Update, and provided the following :
 - Status of the City's records retention program
 - Deadline to submit newsletter article
 - Request from Republic Services
 - Doris Click request for donation for Holiday Concert in the Park. Council President Dowless explained the request. Mayor Bagshaw cautioned Council and noted that Ms. Click is asking for donations for other events.

Council Member Henley made the Motion that the City sponsor the Holiday Concert in the Park with a \$720.00 donation; Seconded by Council President Dowless. Unanimously approved (5/0).

Council President Dowless said he want to include a survey in the newsletter to establish a bank of residents who express a desire to help with City projects and/or Boards.

Having no further business or discussion, the Edgewood City Council meeting adjourned at 11:52 p.m.

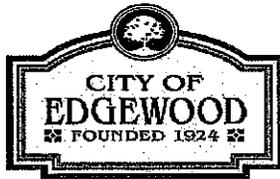
ATTEST:

John Dowless
Council President

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

APPROVED BY CITY COUNCIL ON _____

DRAFT



**EDGEWOOD CITY COUNCIL
NOVEMBER 26, 2013 CITY COUNCIL SPECIAL MEETING**

On Tuesday, November 26, 2013, Council President Dowless called the Edgewood City Council special meeting to order at 9:31 a.m. Council President Dowless chose to forego the Invocation and the Pledge of Allegiance (there was no general public in attendance):

The following attendance is noted:

ATTENDEES

Ray Bagshaw, Mayor
John Dowless, Council President
Pam Henley, Council Member
Lee Chotas, Council Member
Mike Hendrix, Council Member

ABSENT

Neil Powell, D.D.S., Council Member

STAFF

Bea Meeks, City Clerk
Pete Marcus, Police Chief

City Clerk Meeks announced the absence of Council Member Powell and noted there was a quorum. ***Council Member Chotas made the Motion to approve Council Member Powell's absence; Seconded by Council Member Henley. Unanimously approved (4/0).***

RESOLUTION 2013-10: A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2013-2014 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.

City Clerk Meeks read Resolution 2013-10 in title only. City Clerk Meeks acknowledged an error and said she will correct the balance for the Police Department's health insurance.

In response to Council Member Henley, City Clerk Meeks said that two employees were added to the HRA account, as directed by the Mayor, after both employees questioned the Mayor about being added

to the account. Council Member Henley said she thought the card was provided in tandem with those employees that the City provided health insurance to. She said did not think the employees should be added. Council Member Chotas said that Council needs to get an opinion from the City Attorney.

Council Member Hendrix made the Motion to table consideration of Resolution 2013-10 until the December 17, 2013 Council meeting; Seconded by Council Member Henley. Unanimously approved (4/0).

RESOLUTION 2013-11: 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.

City Clerk Meeks read Resolution 2013-11 in title only.

In response to Council Member Chotas, City Clerk Meeks briefly explained how funds are moved from a surplus General Ledger account to an account with a deficiency.

Mayor Bagshaw explained that the tree fund had a large deficit due to fallen trees during rain storms

It was the consensus of Council to ask the City Attorney about how the funds should be handled in the future for road repair.

In response to Council Member Henley, Mayor Bagshaw said it was an oversight that no funds were put in the budget for neighborhood grants.

Mayor Bagshaw said he projects Lindsey, from McDermit~Davis, will be on board December 1, 2013.

City Clerk Meeks said that the auditor will probably still do footnotes and adjusting journal entries for the 12/13 FY audit.

In response to Council Member Chotas, Chief Marcus, explained how he prepared his amendments.

Council Member Hendrix made the Motion to approve Resolution 2013-11; Seconded by Council Member Henley. Unanimously approved (4/0).

Having no further business or discussion, **on the Motion of Council Member Hendrix, with Second by Council Member Henley**, the City Council special meeting adjourned at 10:46 a.m.

ATTEST:

John Dowless
Council President

Bea L. Meeks, MMC, CPM
City Clerk

APPROVED BY CITY COUNCIL ON _____, 2014.

ORDINANCE NO. 2013-08

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING SECTION 130-7 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES; DELETING THE REPLACEMENT TREE STOCK LIST CONTAINED IN THE CODE OF ORDINANCES; PROVIDING FOR ADOPTION AND AMENDMENT OF THE REPLACEMENT TREE STOCK LIST BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 130-7 of the Code of Ordinances contains a replacement tree stock list; and

WHEREAS, in order to make amendments to the replacement tree stock list more efficient, the City Council finds it appropriate to remove the replacement tree stock list from the Code of Ordinances and provide for adoption and amendment of the replacement tree stock list by Resolution.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA AS FOLLOWS:

SECTION 1. Section 130-7 of the City of Edgewood Code of Ordinances is hereby amended as follows (note, ~~strickethrough~~ text indicates deletion and underlined text indicates added text):

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:~~ a stock list adopted by Resolution of the City Council.

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

Daheon holly	Spanish oak; Shumard oak
Flowering dogwood	Swamp chestnut oak
Fringe tree	Swamp dogwood
Green ash	Sweet bay
Hackberry	Sweet gum
Ironwood	Sycamore
<u>Japanese Blueberry</u>	Tulip tree
Laurel oak	Turkey oak
Live oak	Water oak
Loblolly bay	White oak
Loblolly pine	Wild olive-Devilwood
Long-leaf pine	Willow oak
Myrtle oak	Winged elm; Cork elm
Pecan	

(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.

SECTION 2: Codification: Section 1 of this Ordinance shall be codified and made part of the City of Edgewood Code of Ordinances.

SECTION 3: Control: In the event of a conflict or conflicts between this ordinance and other ordinances, this ordinance controls.

SECTION 4: 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.

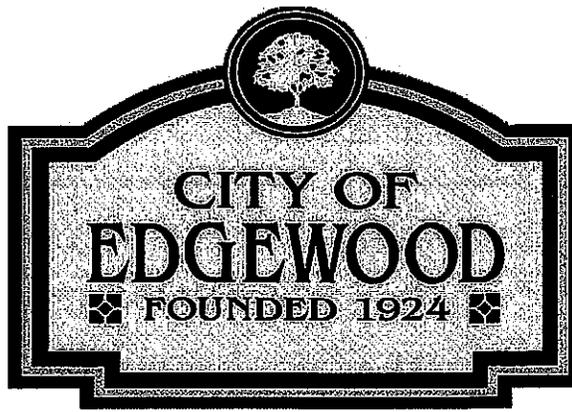
SECTION 5: Effective Date: This Ordinance shall become effective upon final passage and adoption.

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

John Dowless, Council President

ATTEST:

Bea Meeks
City Clerk



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

FROM: Bea L. Meeks, City Clerk

DATE: January 14, 2014

RE: Planning & Zoning Board

Below is the list of the current Planning and Zoning Board Members, please note that some of the terms of these members have expired:

MEMBERS	1 ST DATE OF APPOINTMENT	TERM EXPIRES
BRIAN LEAHY	Sworn-in 12/11	12/31/10 REAPPOINTED TO 12/31/2013
MARIAN RAYBURN	Sworn-in 5/12	12/31/12 REAPPOINTED TO 12/31/2013
REGINA DUNAY	9/18/07	12/31/12 REAPPOINTED TO 12/31/2014
JON VAN VORHIS	Appointed to complete term of Frank Aguilar in July 2012 meeting	12/31/12 REAPPOINTED TO 12/31/2014
SUSAN LOMAS	9/18/07	12/31/12 REAPPOINTED TO 12/31/2013

I contacted the three members whose terms have expired, regarding their interest in continuing on this Board. The three members, with the exception of Brian Leahy, requested to continue serving on this Board. Mr. Leahy informed me that he is unable to seek reappointment at this time. Consideration for reappointments and/or appointment of Board Members requires the Mayor's recommendations, subject to Council approval.

RECOMMENDATION: Staff refers to Mayor Bagshaw for further consideration in this matter.

¹ Sec. 134-69. - Created; composition; membership.

(a)

There shall be a planning and zoning board for the city.

(b)

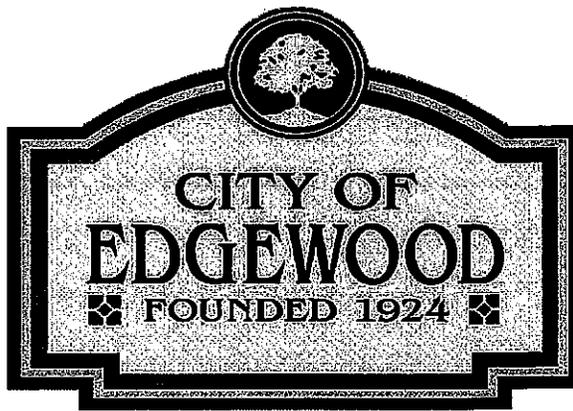
The planning and zoning board shall consist of five members appointed by the mayor subject to confirmation by the city council from among the residents of the city. Members of the planning and zoning board shall be appointed to serve for three years in staggered sequences. Members shall be appointed from among persons who are in a position to represent the public interest, and no person shall be appointed with private or personal interests likely to conflict with the general public interest. If any person appointed shall find that his private or personal interests are involved in any matter coming before the planning and zoning board, he shall disqualify himself from taking part in action on the matter, or he may be disqualified by the chairperson of the board or by three votes of the board, not including the member about whom the questions are raised.

(c)

The members of the board shall appoint a chairperson and vice-chairperson from among themselves to serve for one-year terms.

(d)

Members of the board shall receive no salaries or fees for their services thereon, but may receive necessary travel, per diem and other expenses while on official business for the board or the city if funds are available for this purpose.



TO: The Honorable Mayor and City Council

FROM: Bea L. Meeks, City Clerk

DATE: January 14, 2014

SUBJECT: Appointment of Canvassing Board

Pursuant to Edgewood's agreement with the Orange County Supervisor of Elections, it is necessary to appoint a local canvassing board to canvass absentee and provisional ballots and to certify the municipal election scheduled for Tuesday, March 11, 2014. Generally speaking, the role of the canvassing board is to make a determination as to questioned ballots (e.g. signatures do not match, etc.). The canvassing board will also need to conduct a manual audit of one randomly selected race pursuant to Section 101.591 *Florida Statutes* (i.e. hand count of ballots).

Although Edgewood's *Charter* and *Code* are silent as to the composition of the canvassing board, on the municipal level, the canvassing board typically consists of the city clerk and two members of the city council. For obvious reasons, any sitting council member who is also a candidate, cannot serve on the canvassing board. It should be noted that the canvassing board for the 2013 municipal election consisted of the City Clerk, one Council Member and one resident.

The canvassing board must convene as follows:

- On election night (Tuesday, March 12, 2014), the canvassing board must meet to determine which voted absentee ballots are to be tabulated. Along this line, the City Council also needs to designate the city clerk to assist the election staff with the opening and handling of absentee ballots (generally earlier in the afternoon on election day).
- On the occasion of the Logic and Accuracy Test (Thursday, February 27, 2014 at 10 a.m.) to observe a pre-election test of the automatic tabulating equipment to ascertain that the equipment will correctly count the votes for all offices and on all measures. On this particular date, the canvassing board can designate one of its members to attend on its behalf, although all members will need to sign the test certificate.

All meetings of the canvassing board will be held at the Orange County Supervisor of Elections Office at 119 West Kaley Street, Orlando, Florida. All meetings will be officially advertised.

Recommendation: (1) Appoint the City Clerk and two members of city council to serve on the canvassing board for the City of Edgewood, ***or*** appoint the City Clerk and one city council member and one resident to serve on the canvassing board; (2) Designate the City Clerk to assist the Orange County Election staff with the opening and handling of absentee ballots (if needed).

RESOLUTION NO. 2014-01

**A RESOLUTION OF THE CITY OF EDGEWOOD,
FLORIDA, ADOPTING A TREE REPLACEMENT STOCK
LIST PURSUANT TO SECTION 130-7 OF THE CODE OF
ORDINANCES**

WHEREAS, the City Council for the City of Edgewood adopted Ordinance 2013-08 providing for adoption of a tree replacement stock list by resolution.

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

Section 1. The following tree replacement stock list is adopted pursuant to Section 130-7 of the City of Edgewood Code of Ordinances:

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
<u>Japanese Blueberry</u>	Tulip tree
Laurel oak	Turkey oak
Live oak	Water oak
Loblolly bay	White oak
Loblolly pine	Wild olive-Devilwood
Long Leaf pine	Willow oak
Myrtle oak	Winged elm; Cork elm
Pecan	

Section 2. Conflict: Any and all resolutions in conflict herewith are hereby repealed.

Section 3. Severability: If any section, subsection, sentence, clause, phrase or portion of this resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereto.

Section 4. Effective Date: This resolution shall become effective upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Edgewood, Florida on the _____ day of _____, 2014.

John Dowless, Council President

ATTEST:

Bea Meeks
City Clerk

RESOLUTION NO. 2013-10

A RESOLUTION OF THE CITY OF EDGEWOOD, FLORIDA AMENDING THE CITY'S BUDGET FOR THE 2013-2014 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.

WHEREAS, at its regular meeting on September 17, 2013, the City Council of the City of Edgewood, Florida adopted Resolution No. 2013-08 approving the annual budget for Fiscal Year 2013/2014; and

WHEREAS, it is appropriate to provide for certain transfers, appropriations and authorizations based upon previous and anticipated expenditures and revenues,

WHEREAS, the City Council has determined that it is necessary to amend the budget to reflect these changes,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA AS FOLLOWS:

SECTION 1. BUDGET AMENDMENT: The City Council of the City of Edgewood, Florida amends the Fiscal Year 2013/2014 budget as shown on Exhibit "A", which is attached hereto and incorporated by reference herein.

SECTION 2. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

PASSED and ADOPTED by the City Council of the City of Edgewood, Florida on the _____ day of **January 2014**.

JOHN DOWLESS, COUNCIL PRESIDENT

ATTEST:

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

F.Y. 2013-2014 BUDGET ADJUSTMENTS

SCHEDULE "A"

ACCOUNT ID	DESCRIPTION	BUDGET	*Y.T.D.	ADD	TAKE	MOVE TO ACCT NUMBER	ADDED FROM ACCT NUMBER	NEW ACCT TOTAL
521230.01	Health/Dental/STD/Life Ins. Police Department	\$147,447			\$ 4,000	521231.01		\$ 143,447.00
521231.01	HRA - PD	\$ 26,000		\$ 4,000			521230.01	\$ 30,000

POLICE DEPARTMENT QUARTERLY ACTIVITY UPDATE**4TH QUARTER 2013****RESIDENTIAL BURGLARY (1) (LAST QTR 5)**

DATE	TIME	LOCATION	NOTES
10/01/13	4:36 PM	5102 LEGACY OAKS	GUNS/AMMO STOLEN - UNCOOPERATIVE VICTIM

COMMERCIAL BURGLARY (2) (LAST QTR 0)

DATE	TIME	LOCATION	NOTES
10/07/13	12:30 AM	4710 S. ORANGE - KWIK STOP	CIGARETTES STOLEN - ARREST MADE
12/15/13	9:02 AM	300 GATLIN - DR. BAEZ OFC	CAMERA STOLEN

AUTO BURGLARY (2) (LAST QTR 5)

DATE	TIME	LOCATION	NOTES
11/05/13	7:00 AM	5041 THE OAKS (TOTAL OF 14 VEH HIT IN THE AREA)	ALL VEH UNLOCKED - ONLY 1 VICTIM WANTED TO MAKE A REPORT
12/26/13	10:14 AM	4401 S. ORANGE - SHANNON'S REST	PURSE STOLEN

GRAND THEFT (2) (IN EXCESS OF \$300. VALUE) (LAST QTR 2)

DATE	TIME	LOCATION	NOTES
10/31/13	10:30 AM	232 VERZON	JEWELRY/ELECTRONICS STOLEN
12/09/13	4:14 AM	CASA GRANDE & DEL RIO	THEFT COUNTY VEH - RECOVERED - PERP ARRESTED BY GLADES COUNTY S.O.

PETIT THEFT (1) (UNDER \$300. VALUE) (LAST QTR 2)

DATE	TIME	LOCATION	NOTES
11/17/13	12:55 PM	4401 S. ORANGE - SHANNON'S REST.	ARREST

RESIST OFFICER (1) (LAST QTR 2)

DATE	TIME	LOCATION	NOTES
12/02/13	7:56 PM	4936 S. ORANGE	ARREST

ASSAULT/BATTERY (0) (LAST QTR 2)

DATE	TIME	LOCATION	NOTES
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SEXUAL BATTERY (0) (LAST QTR 0)

DATE	TIME	LOCATION	NOTES
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ROBBERY (1) (LAST QTR 0)

DATE	TIME	LOCATION	NOTES
12/10/13	2:23 PM	5645 HANSEL - 1ST SOUTHERN BANK	ARREST BY F.B.I. IN NEW JERSEY

NARCOTICS ARRESTS (3) (LAST QTR 8)

DATE	TIME	LOCATION	NOTES
10/15/13	1:41 PM	S. ORANGE & MARY JESS	CANNABIS
11/11/13	9:26 PM	S. ORANGE & HARBOUR ISLAND	CANNABIS
11/27/13	3:40 PM	S. ORANGE & MARY JESS	CANNABIS

