

John Dowless
Mayor

Ben Pierce
Council Member

Chris Rader
Council Member

Richard Alan
Horn

Lee Chotas
Council Member

Susan Lomas
Council Member

CITY COUNCIL AGENDA
Regular Meeting
City Hall – Council Chamber
405 Larue Avenue, Edgewood, Florida
Tuesday, March 19, 2019
6:30 p.m.

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

A. CALL TO ORDER

B. INVOCATION & PLEDGE OF ALLEGIANCE

C. ROLL CALL & DETERMINATION OF QUORUM

D. ORGANIZATIONAL MEETING

1. Administer Oath of Office
 - Chris Rader
 - Susan Lomas
2. Election of Council President and Council President Pro Tem
3. **(Pgs. 1-2)** Council President to designate areas of responsibility (not already under the Jurisdiction of the mayor), to be assigned to individual Council members pursuant to Section 3.12 of the City Charter.
4. **(Pgs. 3-11)** Review and Appointment of Consultants per City Charter

E. PRESENTATION

Police Chief John Freeburg – Employee of the Year Presentation

F. (CONSENT AGENDA)

I. Review and Approval of Minutes

- **(Pgs. 12-23)** February 18, 2020

(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.)

F. ORDINANCES

None.

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

(Pg. 24) Memo RE: Planning & Zoning Board’s Recommendation of Ordinance 2020-01

(Pgs. 25-29) **ORDINANCE 2012-01** - AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, “ZONING,” SECTIONS 134-1, 134-605, 134-606, AND 134-607 OF THE CODE OF ORDINANCES; INCLUDING A DEFINITION FOR OPEN AIR SEATING AREAS; PROVIDING FOR MINIMUM PARKING REQUIREMENTS FOR PLAYGROUNDS, AND DOG PARKS ACCESSORY TO COMMERCIAL BUSINESSES; AMENDING PROVISIONS RELATED TO THE USE OF OFF-SITE PARKING SPACES TOWARD MEETING REQUIRED OFF-STREET PARKING AND THE USE OF SHARED PARKING AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

H. UNFINISHED BUSINESS

None.

I. NEW BUSINESS

None.

J. GENERAL INFORMATION (No action required)

K. CITIZEN COMMENTS

L. BOARDS & COMMITTEES

None.

M. STAFF REPORTS

City Attorney Smith:

Police Chief Freeburg:

- **(Pg. 30)** Monthly Report

City Clerk Meeks:

N. MAYOR & COUNCIL REPORTS

- **Mayor Dowless**
- **Council Member Chotas**
- **Council Member Pierce**
- **Council Member Rader**
- **Council Member Lomas**
- **Council President Horn**

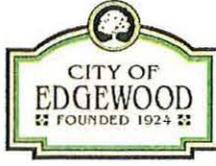
O. ADJOURNMENT

UPCOMING MEETINGS:

Monday, April 13, 2020.....Planning & Zoning Meeting (6:30 p.m.)

Tuesday, April 21, 2020.....Regular City Council Meeting (6:30 p.m.)

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.



From the desk of the City Clerk....

Bea L. Meeks, MMC, CPM, CBTO

TO: Mayor Dowless, Council President Horn and Council Members Chotas, Pierce, Pierce, Rader and Lomas

DATE: March 5, 2020

RE: 2020 Council Assignments.

The Code provides the following:

Section 3.12. - Areas of responsibility.

Upon the start of a new council session, the council president shall designate areas of responsibility (not already under the jurisdiction of the mayor) to be assigned to individual council members. Each council member shall assume responsibility for the assigned area and execute his/her other responsibilities within the broad guidelines established by the council. The council members shall render reports regarding other areas during regular or special meeting of the council.

The areas of responsibility are the following:

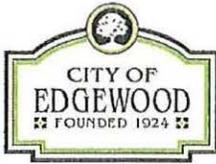
Finance
Code Enforcement
HAINC liaison
Cypress Grove liaison
Land Development/Master Plan
Public Works
Metro Plan
Police Department*
City Hall*
Contract Staff*
Pursuant to Section 4.04 of the <i>City Charter</i> , the mayor has jurisdiction over the police department, city hall and contract staff.

The Code does not provide the duties associated with Council Members' Charter designated responsibility. Historically, I have found that Council members serve as City liaisons when contacting various agencies and elected officials to aid the City in projects and other type of assistance that may be needed. The Council Member who accepts the assignment for finance will be needed to sign checks every other week and sometime in-between, if needed. Please note that all Council Members need to have check signing ability.

Assignments designated for 2019:

Finance & Budget – Susan Fortini
Code Enforcement Lee Chotas HAINC liaison Cypress Grove liaison
Land Development/Master Plan Ben Pierce
Public Works Alan Horn
Metro Plan John Dowless Police Department* City Hall* Contract Staff*

*Pursuant to Section 4.04 of the *City Charter*, the mayor has jurisdiction over the police department, city hall and contract staff.



From the desk of the City Clerk....

Bea L. Meeks, MMC, CPM, CBTO

TO: Mayor Dowless, Council President Horn and Council Members Chotas, Pierce, Rader and Lomas

DATE: March 20, 2020

RE: Review of City Contracts

This report is being provided in compliance with the Charter, which provides:

Section 4.11. - Consultants.

Consultants for the city shall be appointed by the mayor subject to the confirmation by the council and shall serve at the pleasure of city council. All consultants shall be appointed on an annual basis. Consultants shall include but not be limited to the following:

- A. **Legal.** Legal consultants shall be an attorney (or firm) who shall provide legal advice to the council, represent the city in legal cases and provide legal services for the city as required.
- B. **Engineering.** The engineering consultant (or firm) shall provide such engineering services that the council shall request.
- C. **Accountant.** An accountant (or firm) shall be retained for annual audits and other related work as deemed necessary by the council.
- D. **Other.** As the circumstances require, the council may retain consultant services from a recognized authority or firm.

I have provided you with a spreadsheet that provides you with information regarding who provides the above-referenced services, along with their fees, terms and the approved budget for their services in the current budget. You will note that the spreadsheet includes information regarding other contracts; this is informational only and is not an inclusive list.

There are two agreements that Council needs to address and provide direction to staff. First, City Attorney Smith has advised that the City is required to bid out for auditing services. This can be done through a Request for Qualifications (RFQ). I have included the section of Florida Statute that provides the procedures for auditor selection.

The second agreement that needs to be addressed is the City's services with Waste Management. You will note that this agreement expires December 31, 2020.

RECOMMENDATION: Per the City Attorney, the City is required to bid out for auditing services; therefore, I recommend Council direct the City Clerk to proceed with the preparation of an RFQ for auditing services. Regarding the RFQ, I have a 2019 RFQ from another municipality that I can tailor for to the needs of the City and provide to the City Attorney for his review and confirmation of legal format. Additionally, I recommend Council direct the City Clerk to place auditing services on a future agenda for the purpose of selecting an auditor selection committee per F.S. §218.391.

Lastly, I have been told by Jerry Reynolds, New Horizon's that he wants a price increase in the current contract. I have asked him to provide me with an amount and written explanation of why there needs to be an increase. You will note in the information I provided, the current rate is in place for three years; for this reason, I refer you to the City Attorney if you have any questions.

CITY OF EDGEWOOD AGREEMENTS/CONTRACTS

SERVICE	CONTRACT AGREEMENT / VENDOR	EXPENSE/REVENU	TERMS	19/20 BUDGET
Legal (City Attorney Drew Smith)	Shepard, Smith, Kohlmyer & Hand P.A.	\$175.00 Hourly Exclusive of costs (court costs, filing fees, taxes, recording fees, etc.)	Serves at the pleasure of council; Notice to terminate not required by City; however, KSK&H will give 30-days Notice to terminate	\$65,000
Legal Debra Nutter, Code Enforcement Special Magistrate	Garganese, Weiss, D'Agresta & Salzman	\$150 Hourly	Serves at the pleasure of Council; however, GWD&S will provide not less than 30-days notice to terminate	\$4,500
Legal Kate Hollis, Red Light Hearing officer	Garganese, Weiss, D'Agresta & Salzman	\$150 Hourly	Serves at the pleasure of Council; however, GWD&S will provide not less than 30-days notice to terminate	\$5,000
Engineering (City Engineers David Mahler & Allen Lane)	CPH	Maximum hourly rate is \$150.00 Exclusive of costs	3-year contract 9/7/15 with 2 automatic renewal. In 2018, Council agreed to allow to automatically renew. City can terminate w/o cause with 30-day written notice.	\$35,000

SERVICE	CONTRACT AGREEMENT / VENDOR	EXPENSE/REVENUE	TERMS	19/20 BUDGET
Accounting (Prepare monthly FS and accounting staff Lindsey rock handles the City's AR/AP)Accountant	McDermit=Davis	\$2600 monthly Additional Services Billed: Partner \$285 Manager \$175 Bookkeeper \$85.00 (Lindsey)	F/Y Letter of Engagement	\$32,250
Audit Service	Holland & Reilly, CPA	Estimate fee to be \$26,500 If State or Federal single audit is required, the fee increases \$5000	Letter of Engagement Specific to FY 18/19 audit By mutual agreement, may be extended	\$26,000
Planning	Planning Consultant, Inc. Ellen Hardgrove, AICP	\$125.00	No Agreement	\$45,000
Street Maintenance	New Horizon's Jerry & Sande Reynolds	\$49,062	7/29/2019 Agreement *3-Year Agreement *Extends 1-year after unless 30-day notice provided by either party *Either party may terminate with 30-day notice *Contractor may request an increase at least 60-days prior to the expiration of any term of the agreement	\$49,062

SERVICE	CONTRACT AGREEMENT / VENDOR	EXPENSE/REVENU	TERMS	19/20 BUDGET
Repair & Maintenance of traffic lights	Amerifactors f/k/a Control Specialists	Rate sheet provided seperately	Initial contract signed in 2008 Extended 1 year per 9/17/2019 extension signed (no change in terms)	\$25,000
Traffic Signal Maintenance and Compensation Agreement	FDOT Contract #ARZ58	19/20 Revenue \$10,179 20/21 Revenue \$10,434		Budgeted in Revenue Effective July 1, 2021, this Agreement terminates and maintenance transfers to the State
State Highway Lighting Maintenance and Compensation Agreement	FDOT Contract #AM310	19/20 Revenues \$15,995.66		Budgeted in Revenue
NPDES	Orange County Interlocal Agreement Municipal Separate Storm Sewer System Permit Activities	Watershed Atlas Project \$1146 Annually Water monitoring & Sampling \$8256 Annually	2/22/2018 The term commensurates with the NPDES Permit;however, can be terminated w/o cause not less than 60-days notice	\$10,000

SERVICE	CONTRACT AGREEMENT / VENDOR	EXPENSE/REVENUE	TERMS	19/20 BUDGET
Solid Waste Services	Waste Management		2015 5-year Contract Expires 12/31/2020	\$210,000

MAN HOURS	2008	2017	DESCRIPTION
	\$110	\$121	Reg. Time Emergency Maint.
	\$125	\$137.50	OT Emergency Maintenance
	\$110	\$121	Flat Rate Per Intersection
RENTAL RATES			
	\$88	\$98	Bucket Truck
	\$88	\$98	Lift Truck
	\$125	\$138	Auger/Crane Truck
	\$50	\$61	Service Vehicle

Amerifactors f/k/a Control Specialists rates through September 30, 2020

Monthly Invoice for routine maintenance is \$ 363.00 (Invoice may vary if additional work is required)

Damage to pedestals and lights will be compensated by the State when paperwork is provided.

Select Year:

The 2019 Florida Statutes

[Title XIV](#)
TAXATION AND
FINANCE

[Chapter 218](#)
FINANCIAL MATTERS PERTAINING TO POLITICAL
SUBDIVISIONS

[View Entire
Chapter](#)

218.391 Auditor selection procedures.—

(1) Each local governmental entity, district school board, charter school, or charter technical career center, prior to entering into a written contract pursuant to subsection (7), except as provided in subsection (8), shall use auditor selection procedures when selecting an auditor to conduct the annual financial audit required in s. [218.39](#).

(2) The governing body of a county, municipality, special district, district school board, charter school, or charter technical career center shall establish an auditor selection committee.

(a) The auditor selection committee for a county must, at a minimum, consist of each of the county officers elected pursuant to the county charter or s. 1(d), Art. VIII of the State Constitution or their respective designees and one member of the board of county commissioners or its designee.

(b) The auditor selection committee for a municipality, special district, district school board, charter school, or charter technical career center must consist of at least three members. One member of the auditor selection committee must be a member of the governing body of an entity specified in this paragraph, who shall serve as the chair of the committee.

(c) An employee, a chief executive officer, or a chief financial officer of the county, municipality, special district, district school board, charter school, or charter technical career center may not serve as a member of an auditor selection committee established under this subsection; however, an employee, a chief executive officer, or a chief financial officer of the county, municipality, special district, district school board, charter school, or charter technical career center may serve in an advisory capacity.

(d) The primary purpose of the auditor selection committee is to assist the governing body in selecting an auditor to conduct the annual financial audit required in s. [218.39](#); however, the committee may serve other audit oversight purposes as determined by the entity's governing body. The public may not be excluded from the proceedings under this section.

(3) The auditor selection committee shall:

(a) Establish factors to use for the evaluation of audit services to be provided by a certified public accounting firm duly licensed under chapter 473 and qualified to conduct audits in accordance with government auditing standards as adopted by the Florida Board of Accountancy. Such factors shall include, but are not limited to, ability of personnel, experience, ability to furnish the required services, and such other factors as may be determined by the committee to be applicable to its particular requirements.

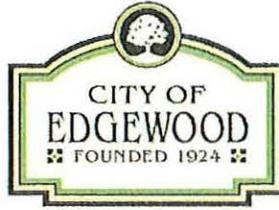
(b) Publicly announce requests for proposals. Public announcements must include, at a minimum, a brief description of the audit and indicate how interested firms can apply for consideration.

(c) A provision specifying the contract period, including renewals, and conditions under which the contract may be terminated or renewed.

(8) Written contracts entered into pursuant to subsection (7) may be renewed. Such renewals may be done without the use of the auditor selection procedures provided in this section. Renewal of a contract shall be in writing.

(9) If the entity fails to select the auditor in accordance with the requirements of subsections (3) - (6), the entity must again perform the auditor selection process in accordance with this section to select an auditor to conduct audits for subsequent fiscal years.

History.—s. 65, ch. 2001-266; s. 1, ch. 2005-32; s. 15, ch. 2019-15.



CITY COUNCIL REGULAR MEETING MINUTES
Tuesday, February 18, 2020
6:30 p.m.

CALL TO ORDER

Council President Horn called the Edgewood City Council meeting to Order at 6:30 p.m. Council President Horn asked for a moment of silence, followed by leading everyone in the Pledge of Allegiance.

ROLL CALL & DETERMINATION OF QUORUM

City Clerk Meeks announced a quorum, with all Council Members present.

Attendees

John Dowless, Mayor
Richard Alan Horn, Council President
Ben Pierce, Council President Pro-Tem
Chris Rader, Council Member
Lee Chotas, Council Member
Susan Fortini, Council Member

Staff

Bea L. Meeks, City Clerk
John Freeburg, Police Chief
Drew Smith, City Attorney
Ellen Hardgrove, Planner
Allen Lane, Engineer (CPH)

PRESENTATION

Robert Grimaldi, Legal Advisor for the Orange County Property Appraiser (OCPA) gave a PowerPoint presentation regarding the history of the City's non-ad valorem assessment process, as it relates to providing unit counts to OCPA. The purpose of the presentation was to answer questions that the Mayor and Council Members had in a previous meeting regarding the omission of the assessment on some Edgewood resident's tax bill. Attorney Grimaldi was accompanied by Beth Watson, OCPA Manager, Communications and External Affairs. There were no public comments/questions and no comments or questions from the Mayor and Council Members.

CONSENT AGENDA

1. Review and Consideration of City Council Meeting Minutes
 - January 21, 2020 Regular City Council Meeting

Mayor Dowless noted a clerical correction on Page 3, Paragraph 2: ... *Mayor Dowless replied that he believes that the City needs to be upfront about whether or not short-term rentals are allowed or not, and make it clear they ~~would~~ should be hosted stays only...*

Council Member Rader made the Motion to approve the January 21, 2020 minutes with correction; Second by Council Member Fortini. Approved (5/0)

ORDINANCES

None.

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

None.

UNFINISHED BUSINESS

None.

I. NEW BUSINESS

None.

GENERAL INFORMATION (No action required)

None

CITIZEN COMMENTS

None.

BOARDS & COMMITTEES

[EACH WAIVER WILL BE PROVIDED INDIVIDUALLY WITH THEIR VOTE, AS WILL THE SITE PLAN; HOWEVER PLANNER HARDGROVE EXPLAINED ALL IN ONE REPORT, FOLLOWED BY PUBLIC COMMENT AND THEN INDIVIDUAL MOTIONS PER WAIVER AND THE SITE PLAN. PER REQUEST, A RECORDING OF THE MEETING WILL BE PROVIDED FOR ANYONE PREFERRING A VERBATIM OF THE PROCEEDINGS]

5156 S. Orange Avenue – Bailey’s Pharmacy

1. Waiver in ECD Ordinance Section 134-461(b)(4) (Specific Design Standards for Drive Up Windows) to allow the queuing distance for a drive-up window to accommodate 2 cars (40 feet) before the first stopping point in lieu of 6 cars (120 feet).

Edgewood Planner Ellen Hardgrove provided her report regarding the waivers that Bailey Pharmacy’s requested. She referred Council to her report and explained the first waiver is to allow the queuing distance for a drive-up window to accommodate two cars before the first stopping point. Planner Hardgrove said staff recommended approval, which includes a condition for City Council’s approval. The

condition is for a use other than a pharmacy’s use of the drive-up window, with such approval based on documentation of adequate queue length for a new use. Planner Hardgrove’s report confirmed that the Planning & Zoning Board recommended approval, including staff’s recommendation.

Motion by Council Member Chotas to approve the waiver in ECD Ordinance Section 134-461(b)(4), as recommended in the Staff approval; Second by Council Member Pierce.

The Motion was approved by the following roll call vote (5/0):

<i>Council President Horn</i>	-	<i>Yes</i>
<i>Council Member Fortini</i>	-	<i>Yes</i>
<i>Council Member Chotas</i>	-	<i>Yes</i>
<i>Council Member Pierce</i>	-	<i>Yes</i>
<i>Council Member Rader</i>	-	<i>Yes</i>

- 2. Waiver in ECD Ordinance Section 134-458(h)(2)b. (Site Design-Tree Location) to allow the trees in the Tree/Furnishing/Sign Area to be located on the property line in lieu of a 12.5 feet offset.

Planner Hardgrove said the Planning and Zoning Board recommended of approval of site-design-tree location as presented.

Motion by Council Member Chotas to approve waiver in ECD Ordinance Section 134-458(h)(2)b as set forth in the Staff recommendation; Second by Council Member Pierce.

The Motion was approved by the following roll call vote (5/0):

<i>Council Member Chotas</i>	-	<i>Yes</i>
<i>Council Member Fortini</i>	-	<i>Yes</i>
<i>Council President Horn</i>	-	<i>Yes</i>
<i>Council Member Pierce</i>	-	<i>Yes</i>
<i>Council Member Rader</i>	-	<i>Yes</i>

- 3. Modification of conditions for previously approved waiver to ECD Ordinance Section 134-460(f)(3) related to driveway design.

Planner Hardgrove referred Council to her report, in particular, the modification of conditions, provided as follows:

- A. North side of driveway buffer: Minimum 6 feet in width with a continuous hedge of shrubs to be at least 30 inches high at planting of a species capable of growing to at least 3 feet in height within 6 months and at least 6 feet in height at maturity, to be maintained at a height of at least 6 feet, shrubs planted at 30 inches on center.
- B. South side of driveway buffer: Minimum 2 feet 8 inches in width continuous hedge and small trees. Trees to be planted 35 feet on center, to be multi-stem/tree form, with a minimum of three (3) stems, each stem a minimum 1.5 inch caliper and 4 feet spread. The

continuous hedge shall be of plants at least 30 inches high at planting, planted 30 inches on center, of a species capable of growing to at least 3 feet in height within 6 months, and maintained at a height of not less than 36 inches.

- C. The remaining conditions of the November 2019 approval continue to apply related to the primary entrance (i.e., east side) and sidewalk width connecting the public sidewalk to primary entrance:
 - 1. The building entrance on the building’s east side shall be designed and maintained for the general population (not employees only) and is handicapped accessible.
 - 2. A minimum eight feet wide sidewalk shall connect the public sidewalk within the road right-of-way to the building entrance (east side).

Planner Hardgrove said the Planning & Zoning Board recommended approval of the waiver with the modifications presented.

Motion by Council Member Chotas to approve the modification of landscaping conditions for the previously approved waiver to the ECD Ordinance Section 134-460(f)(3) related to driveway design as set forth in the Staff recommendations; Second by Council Member Pierce.

<i>The Motion was approved by the following roll call vote (5/0):</i>	
<i>Council Member Rader</i>	<i>- Yes</i>
<i>Council Member Pierce</i>	<i>- Yes</i>
<i>Council Member Chotas</i>	<i>- Yes</i>
<i>Council Member Fortini</i>	<i>- Yes</i>
<i>Council President Horn</i>	<i>- Yes</i>

Requested Variances

- 4. A request for a variance in Code Section 134-608(a) to allow two grassed parking spaces on either side of the historic tree adjacent to the north property line in lieu of the required durable all-weather surface (a total of 4 grass spaces).

Planner Hardgrove referred Council to her report explaining that Staff’s recommendations which includes the grass parking, shall be constructed using a polypropylene or recycled plastic product produced for the function of stabilizing grass overflow parking spaces such as Grass Pave 2, Core Grass, or True Grid. She said a stabilized base for the grass parking constructed of compacted aggregate will not be acceptable. The stabilization must allow for permeability plus structural support for vehicles and pedestrians. The sod used for this area shall be Geo Zoysia or Empire Zoysia. Planner Hardgrove said the Planning & Zoning Board recommended approval with the recommendations presented.

Motion by Council Member Chotas to approve variance in Code Section 134-608(a) to allow two grassed parking spaces, as set forth in the Staff recommendations; Second by Council Member Pierce.

The Motion was approved by the following roll call vote (5/0):

<i>Council Member Fortini</i>	-	<i>Yes</i>
<i>Council Member Chotas</i>	-	<i>Yes</i>
<i>Council Member Pierce</i>	-	<i>Yes</i>
<i>Council President Horn</i>	-	<i>Yes</i>
<i>Council President Rader</i>	-	<i>Yes</i>

Site Plan

Planner Hardgrove explained the change in the site plan from the receipt date of January 31, 2020 and as amended on February 11, 2020. She explained that the amended site plan included the requirements for the addition of lighting to cover all areas of the parking, and pedestrian areas consistent with Section 102-23. She said the Planning & Zoning Board recommended approval as presented.

Motion by Council Member Chotas to approve, subject to the comments set forth in the Staff report provided by CPH Engineering, the site development plan package dated receipt January 31, 2020, and as amended on February 11, 2020; Second by Council Member Pierce.

The Motion was approved by the following roll call vote (5/0):

<i>Council Member Rader</i>	-	<i>Yes</i>
<i>Council President Horn</i>	-	<i>Yes</i>
<i>Council Member Fortini</i>	-	<i>Yes</i>
<i>Council Member Pierce</i>	-	<i>Yes</i>
<i>Council Member Chotas</i>	-	<i>Yes</i>

At the conclusion of her report and before any Motions and vote was taken, Planner Hardgrove confirmed for Council Member Chotas that the applicant accepted the changes and that detailed lighting will be provided at a later time.

Council President Horn opened for public comment.

Public Comment

Lisa Harrison Cain, Nathaniel Hope, Inc. - Ms. Cain said she noticed the applicant is showing the fence at the cross access is to be removed. She said they just repaved this area and have dumpsters and their trucks are there. In response to Ms. Cain's request for more information regarding the ingress/egress, Planner Hardgrove explain that the Code requires cross access. She explained that if Nathaniel's Hope doesn't agree to the cross access, it stops at the property line. Planner Kim Fisher said the fence Ms. Harrison is talking about is on Bailey's property. Planner Hardgrove said the fence is required to be taken down because it is in the ECD. Council Member Rader confirmed that the survey shows the fence is on the applicant's side.

Tina Demostene – Ms. Demostene said staff did a great job in making compromises so that the intent of the district was met.

5655 South Orange Avenue -- Cornerstone Pace Commercial Site Plan Review

City Engineer Allen Lane, CPH, presented the staff report regarding Cornerstone’s site plan review. He said the plan shows the existing plan and the proposed plan. He said the Planning & Zoning Board recommended approval however after meeting, Engineer Lane said CPH revisited the site with regards to the overhang in the rear and found it encroached into the side setback. For this reason, Engineer Lane said a waiver will be required for the encroachment. He said the waiver request will come back to the Planning and Zoning Board and Council.

The applicants’ Attorney, Brent Spain, explained why Cornerstone is back before Council for approval of the site plan. He said one of the overhangs is for patient drop-off. The other awning is a covered patio and will be protected from the elements. Attorney Spain said the project was approved in 2016 and Cornerstone did not proceed because of funding. Attorney Spain requested approval of the commercial site plan with the condition that the awnings will not be installed without an approved waiver. Engineer Lane confirmed for Council Member Rader that the encroachment is approximately 10 feet into the side setback. He said staff has no objections to Council approving the site plan with the stipulation that a waiver is approved.

Public Comment

Tina Demostene –

Resident Demostene said staff did a good job of approving the aesthetics of the back of the building, which is creating a front.

Motion by Council member Chotas to approve the site plan, subject to the conditions of the awnings not being installed, unless waivers are approved to allow the encroachment into the setback; Second by Council Member Rader.

<i>The Motion was approved by the following roll call vote (5/0):</i>		
<i>Council Member Pierce</i>	-	<i>Yes</i>
<i>Council Member Chotas</i>	-	<i>Yes</i>
<i>Council Member Fortini</i>	-	<i>Yes</i>
<i>Council President Horn</i>	-	<i>Yes</i>
<i>Council Member Rader</i>	-	<i>Yes</i>

5501 S. Orange Avenue – Boozehounds Bar

City Planner Ellen Hardgrove presented the staff report. She said that Council is not approving the site plan; the site plan is for illustration purposes only. She said the proposed use is permissible in the ECD. She explained that the applicant has chosen to build in the rear area and there is a road view and a rear view, which is 100 feet back. Planner Hardgrove said the 100 feet would accommodate an out parcel in the future. Planner Hardgrove explained that the application that went before the Planning & Zoning Board was for eight waivers and two variances. Now the applicant is only seeking three waivers and one variance. Planner Hardgrove used a screen presentation to explain the waivers and variance requests.

Planner Hardgrove explained that the applicant is using containers which affect elevation. She said that the waivers are given for an impossible situation; however, staff said this is not an

impossible situation and windows could be placed all the way around the structure. Planner Hardgrove said the Planning & Zoning Board recommended approval because they felt the applicant showed the intent. (transparency requirement). The applicant's planner, Solange Dao, answered questions regarding the garage door and how it becomes a window when it is down to meet transparency. Council Member Rader explained why he thought there could be issues with the transparency. Planner Hardgrove confirmed the bar will face Orange Avenue. Planner Hardgrove explained that the next two waivers are related to fencing. She said the fence in the dog park needs to be higher than three feet, and on the Orange Avenue side the fence needs to be higher than forty-eight inches. She said the applicant is proposing an Omega fence along the Orange Avenue and Mary Jess Road side; a metal fence is being proposed along the southern property line. Planner Hardgrove said neither fence meets ECD requirements. She said she had an architect look at the plan and there was a suggestion of a street wall with a fence as an option. The second option is another street wall with Omega fencing; the fence would be the whole height and include landscape. Another option was a decorative fence with a second fence (decorative railing and chain link) but the ECD does not allow a chain link fence. Planner Hardgrove said the Planning & Zoning Board found the six feet height acceptable but recommended architectural embellishments. Planner Hardgrove said her recommendation is that if Council approves the fence, that at least add landscaping if the applicant does not want a street wall. Council Member Pierce noted placing a double row of landscaping in front of the fence. Planner Hardgrove said the City needs to be specific with fencing. She said the Planning & Zoning Board recommended opaque fencing on the south wall but must be set back from Orange Avenue, the same distance as the building on the adjacent property (Dan's Saw) . Council Member Rader spoke favorably for the Omega fence. Planner Hardgrove said architectural embellishments were non-specific and can be presented during site plan review. She explained the variance which is to allow off-site parking within ¼ mile of the principal entrance. Planner Hardgrove explained the six criteria for variance approval. She said the six criteria have not been demonstrated but staff discussed this and thought a change was needed leading City Attorney Smith to provide parking regulations. She explained that City Attorney Smith drafted a parking Ordinance; however, the Planning & Zoning Board did not like the Ordinance. Planner Hardgrove continued through the criteria and said they might meet criteria #5. At Council Member Rader's request, Planner Hardgrove explained the parking calculation for a dog park. She said the parking calculations was acceptable to the applicant, which is why the variance application was removed. She confirmed all ADA parking will be onsite. The current plan shows 13 parking spaces but might be decreased to 11 depending on the final calculation. In response to Council President Horn, City Attorney Smith said you cannot control where patrons park but can control the applicant's approved parking. If offsite parking is no longer available, the applicant's use goes away. Planner Hardgrove said parking is measured from the front door to the parking space; measured as the pedestrian walks.

Solange Dao (Applicant Representative)

The applicants' Planner Solange Dao said the applicants are in favor of the ECD. She said they are a dog park, not just a bar. She said the activity of the business is the dog park in the front. She said the ECD prefers windows to be full height. Planner Dao pointed out that the Omega fence is not seen, which is why the applicant chose the Omega fence and because of the closed

fence pickets. She said the opaque fence is to work as a noise barrier from Dan's Saw. The proposed dog run is 11,8800 sq. ft. Solange explained parking calculations and researched three nearby parks and described their parking versus dog park area. The applicants' suggestion of one parking space per 1000 sq. ft. which equals eleven parking spaces. Planner Dao explained what she found in the Code that also helped to minimize the parking spaces. City Attorney Smith asked if Planner Dao wanted to offer testimony regarding the six criteria. Council Member Chotas said Planner Dao might want to wait on explaining the applicants' hardship. Planner Dao said they believe that the Code is incorrect with regards to parking, and asked for approval of a Code that might be amended. Council Member Chotas said an attorney might be able to make a case for an interim variance.

Paul Jaszczenski

Applicant Paul Jaszczenski said if the intent of Edgewood is to become a walkable community, the dog park meets the intent. He said Council agreed over 2 ½ years ago that Edgewood wanted the park. Applicant Jaszczenski said he used Planner Hardgrove's map regarding parking and found there were 625 parking spaces in Edgewood. He explained why they prefer the Omega fence; citing safety.

Lainie Pekich-Co-founder of Boozehounds

Ms. Pekich addressed parking and questioned parking based on public transportation and ride sharing. She said if you do this, you implement no onsite parking requirements, or at the very least there would be an onsite minimum of parking.

COUNCIL PRESIDENT HORN CALLED FOR A RECESS 8:35-8:40

Council President Horn reconvened the meeting then asked for a show of hands from those who were not in favor of the dog park. No hands were raised.

PUBLIC COMMENTS

Bob Leland (Paul Jaszczenski father) –

Mr. Leland said he is an expert witness and said Edgewood is already known for the dog park. Favored the park.

James Guthrie –

Mr. Guthrie introduced his service dog. He said it would be a disservice to take away the dog park even for those who do not have a service dog. Favored the park.

Chris Lerch –

Mr. Lerch read from his notes stating the park would be space to gather and share common interest. Favored the park.

Tony Aslanian –

Mr. Aslanian explained his reasons for having the dog park, including greater uses of a lifestyle. Favored the park.

Tina Baker –

Ms. Baker read two letters regarding the need for the dog park. Favored the park.

Ross Santore-

Favored the park.

Heather Papoulis –

Ms. Papoulis noted this is an area of her expertise. She said at minimum, a 6-foot-high fence should be in place. She said running space is needed for the dogs. She said dogs are not going away and this is an industry that has been increasing every year. Ms. Papoulis said the Omega fence is the state of the art fence. Favored the park.

Lea Reynolds –

Favored the park.

Andrew Keiser –

Mr. Keiser said he is excited for the dog bar/park. He addressed the windows, fence and the variances, including the criteria. Favored the park.

Paula Clifton –

Ms. Clifton said she is the HOA president in Camelot and said the Camelot residents have a lot of dogs and they have no place to run. She said they are excited and they do not have to worry about parking because they can walk to the park. Favored the park.

Erin Sterk – (provided handouts)

Ms. Sterk said she has been a planner for eight years. She provided a handout to follow her screen presentation. She said she is trying to convey that the development will affect all the other sites in this corridor. Ms. Sterk said she is not opposed to the bar/dog park; however, she is trying to convey there is an alternative idea. She said staff is trying to make the case that doesn't meet the intent of the ECD. Ms. Sterk proposed a redesign to bring to the front of the street. She said her biggest concern is if insurance goes up, the applicants cannot convert to anything else. She said you cannot add another building because there is no parking. Ms. Sterk showed her alternative solution.

Tina Demostene – (provided handouts)

Ms. Demostene said she is in support of the bar/dog park but wants it to look good and meet the intent of the ECD. She said there is a need to pay attention to the aesthetics of the fence. She said it is not clear in the staff report that the applicants are proposing a zero lot line. Ms. Demostene said she is not opposed to any other waivers and variance. Ms. Demostene addressed the parking variance She said she has been a planner for 25 years and that the variance criteria are nationwide. She said if Council says no to any of the variances, they cannot approve. Ms. Demostene referenced the criteria, and said the applicants do not meet the variance criteria and it needs to be denied.

Paul Jaszczenski and Lainie Pekich

Ms. Pekich said she feels they have addressed all the requirements. Council Member Chotas if there would be a fee, Mr. Jaszczenski said yes. He explained the membership requirements wherein proof of dog vaccinations is required. Council Member Chotas asked about the required parking for food and beverage other than the grass area. He said you may be able to show similar and compatible use. Ms. Pekich said the size of the dog park is critical. It was confirmed there are twenty-six food seats and thirty-one parking spaces without dog park. Council member Fortini referenced Discovery Church’s parking agreements and Planner Hardgrove said the bar/dog park is not on an arterial road.

City Attorney Smith confirmed for Council President Horn that if the parking ordinance passes, the bar/dog park will have their 1320 feet. He said they can pass the variance now but if Ordinance passes the variance is moot.

In response to Council Member Pierce, Mr. Jaszczenski said that he prefers the Omega fence and explained why.

Mayor Dowless said he does not care if the fence is five or six feet; he just wants aesthetics. He said he believes there should be a buffer along the fence to the sidewalk. Mayor Dowless said the building to the front was to get parking to the rear so that parking was not along Orange Avenue. Mayor Dowless said he agrees with Council Member Chotas; he wants to see a condition that if the business loses parking, the use is gone. Mr. Jaszczenski said that this is not a problem. Council Member Chotas said he agrees that the applicants are being asked to have too many parking spaces, and that he favors an Ordinance that is clear about parking. Council Member Chotas also suggested a preliminary site plan to show all of the proposed site.

Brief discussion was held regarding on-street parking. City Attorney Smith confirmed for Council Member Chotas that this can be worked into the Ordinance.

Council Member Rader said he supports the dog park. He said he was part of the Edgewood Central District (ECD) process, and part of the discussion regarding placement of the building. Council Member Rader said aesthetics is needed and he favors the Omega fence. He said they need a pedestrian scale that creates a buffer, and that a six-foot sidewalk is important. He noted pedestrian interaction and creating an entrance on the southern edge with the same orientation. Council Member Rader said he is in favor of parking changes. He said the purpose and intent of the ECD did not consider windows. Council Member Rader said he said that going through process and changing code is not just for the applicants’ benefit; it also is a benefit to the City.

Motion by Council Member Chotas to approve a waiver to ECD Ordinance Section 134-459(a)(2) to allow windows to be placed 5 feet 6 inches above grade in lieu of the maximum 3 feet; Second by Council Member Pierce.

<i>The Motion was approved by the following roll call vote (5/0):</i>	
<i>Council Member Rader</i>	<i>- Yes</i>
<i>Council Member Fortini</i>	<i>- Yes</i>
<i>Council Member Chotas</i>	<i>- Yes</i>
<i>Council Member Pierce</i>	<i>- Yes</i>
<i>Council President Horn</i>	<i>- Yes</i>

Motion by Council Member Rader to approve a waiver to ECD Ordinance Section 134.460 (c)(3) to allow for the dog park use a 6-foot high fence on the property as associated with the dog park, and only as long as that use continues on the property; Second by Council Member Chotas.

The Motion was approved by the following roll call vote (5/0):

- Council Member Chotas - Yes*
- Council Member Pierce - Yes*
- Council Member Rader - Yes*
- Council Member Fortini - Yes*
- Council President Horn - Yes*

Motion by Council Member Rader to approve a waiver to ECD Ordinance Section 134-460 (c) (1) to allow a six-foot-high black omega fence within the road view area, with a three-foot opaque landscape buffer, and decorative treatments, to break up the fence, to be reviewed and approved by the City at the time of site plan; Second by Council Member Fortini.

The Motion was approved by the following roll call vote (5/0):

- Council Member Chotas - Yes*
- Council Member Pierce - Yes*
- Council Member Rader - Yes*
- Council President Horn - Yes*
- Council Member Fortini - Yes*

Motion by Council Member Rader to approve a waiver to ECD Ordinance Section 134.-460 (c)(1) to allow an opaque fence on the minimum portion of the southern property line to create the necessary screening from sound/noise pollution; materials and location to be reviewed for ECD consistency at the time of site plan approval; Second by Council Member Fortini.

The Motion was approved by the following roll call vote (5/0):

- Council President Horn - Yes*
- Council Member Pierce - Yes*
- Council Member Chotas - Yes*
- Council Member Fortini - Yes*
- Council Member Rader - Yes*

Variance

Council Member Chotas made the Motion to table the request for the parking variance; Second by Council Member Rader. Approved (5/0).

STAFF REPORTS

No staff reports were given.

MAYOR & COUNCIL REPORTS

No Mayor or Council Member Reports were given.

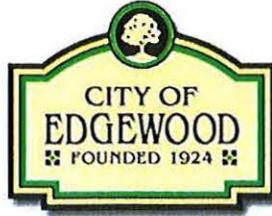
ADJOURNMENT

Having no further business, the City Council meeting adjourned at 11:00 p.m. on the Motion of Council Member Rader; Second by Council Member Fortini.

Richard A. Horn
Council President

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

Approved in



Memo

To: Bea Meeks, City Clerk
CC: City Council
From: Sandy Riffle, Deputy City Clerk
Date: March 17, 2020
Re: Ordinance 2020-01 Parking Regulations

During the March 9, 2020 Planning and Zoning Board meeting, the Board considered Ordinance 2020-01 Parking Regulations.

The recommendation from Planning and Zoning is as follows:
Board Member Santurri moved recommend approval of Ordinance 2020-01 as drafted; second by Chair Rayburn. The motion was approved (4/0).

ORDINANCE NO. 2020-01

1
2
3 AN ORDINANCE OF THE CITY OF EDGEWOOD,
4 ORANGE COUNTY, FLORIDA AMENDING CHAPTER
5 134, "ZONING," SECTIONS 134-1, 134-605, 134-606, AND
6 134-607 OF THE CODE OF ORDINANCES; INCLUDING A
7 DEFINITION FOR OPEN AIR SEATING AREAS;
8 PROVIDING FOR MINIMUM PARKING REQUIREMENTS
9 FOR PLAYGROUNDS, AND DOG PARKS ACCESSORY
10 TO COMMERCIAL BUSINESSES; AMENDING
11 PROVISIONS RELATED TO THE USE OF OFF-SITE
12 PARKING SPACES TOWARD MEETING REQUIRED OFF-
13 STREET PARKING AND THE USE OF SHARED PARKING
14 AGREEMENT; PROVIDING FOR SEVERABILITY;
15 PROVIDING FOR CODIFICATION, CONFLICTS, AND
16 EFFECTIVE DATE.
17
18

19 WHEREAS, Section 134-606 of the Code of Ordinances provides that required off-street
20 parking spaces must be provided on the same lot where the principal use is located or within 300
21 feet from the pedestrian entrance as measured along the most direct pedestrian route; and
22

23 WHEREAS, the City desires to promote development and redevelopment within the
24 City's commercial corridor; and
25

26 WHEREAS, the City Council recognizes the tension between configuration of existing
27 lots and site development proposing to maximize use of the land can, from time to time, create
28 challenges in the provision of adequate off-stree parking; and
29

30 WHEREAS, the City Council also recognizes that a properly implemented shared
31 parking program can alleviate some of the challenges site development can present and create
32 opportunities for greater efficiency of development; and
33

34 WHEREAS, the City Council also recognizes, though, that without necessary
35 protections shared parking arrangements can negatively impact future development; and
36

37 WHEREAS, the City currently allows off-site off-street parking when the parking spaces
38 so provided are within three hundred feet of the principal entrance of the building for which the
39 parking is required provided that such spaces are not on the opposite side of an arterial road from
40 the building for which the parking is required; and
41

42 WHEREAS, the City currently allows shared parking agreements to be used to count
43 parking spaces that fall within the above referenced requirements and which are located on a
44 separate developed lot provided such spaces are not required for the building or buildings located
45 on the donor lot or if the uses on the donor and donee lot occur at such different times that there
46 is not overlap of the demand for the spaces; and
47

48 **WHEREAS**, the City Council desires to extend the allowed distance between the
49 building needing parking spaces and the off-site off-street parking spaces while also providing
50 more protections related to the use of shared parking agreements; and

51
52 **WHEREAS**, the City Council finds that playgrounds, and dog parks that are accessory to
53 a commercial business are unlikely to drive the same parking demand as they would when
54 standalone uses; and

55
56 **WHEREAS**, the City Council finds it appropriate to amend the Code of Ordinances to
57 provide different minimum parking requirements for playgrounds, and dog parks depending
58 upon whether the amenity is accessory to a commercial business or standalone; and

59
60 **WHEREAS**, a proposal has been made to amend the method by which minimum parking
61 is calculated for open air seating areas; and

62
63 **WHEREAS**, the City Council finds it appropriate to define “open air seating areas” and
64 amend the method by which required parking is calculated for such areas.

65
66 **WHEREAS**, the City Council of the City of Edgewood finds that this Ordinance is in the
67 best interest of the health, safety, and welfare of citizens, businesses, and visitors to the City of
68 Edgewood.

69
70 **NOW, THEREFORE, BE IT ENACTED** by the City Council of the City of
71 Edgewood, Florida as follows:

72
73 **NOTE:** Underlined words constitute additions to the City of Edgewood Code of
74 Ordinances, ~~strikethrough~~ constitutes deletions from the original Code of Ordinances, and
75 asterisks (***) indicate an omission from the existing text which is intended to remain
76 unchanged.

77
78 **Section 1.** Chapter 134, Sections 134-605 134-606 and 134-607 of the City of
79 Edgewood Code of Ordinances shall be amended as follows:

80
81 **Sec. 134-1. - Definitions.**

82 Except where specific definitions are used within a specific article or section of this chapter,
83 the following terms, phrases, words and their derivation shall have the meanings given herein
84 where not inconsistent with the context. Words used in the present tense include the future,
85 words in the plural number include the singular number and words in the singular number
86 include the plural number. The word "lot" includes the words "plot" and "tract." The word
87 "building" shall include the word "structure." The words "used for" shall include the meaning
88 "designed for." The word "person" shall include the words "firm, association, organization,
89 partnership, trust, company, corporation," as well as "an individual." The word "shall" is
90 mandatory. Whenever in this chapter a term, phrase or word is not defined, then in that event the
91 city council shall define the same.

92 * * *

93 *Odor* means that property of a substance which affects the sense of smell; any smell; scent;
94 fragrance.

95 Open air dining area means a seating or dining area of a restaurant, grill, bar, lounge, or
96 similar dining or drinking establishment with or without a roof that is open on at least two sides;
97 for the purpose of this definition an area shall be considered open on a side if there is no barrier
98 between the seating area and the exterior environment or if any barrier is pervious and nonrigid
99 such as, but not limited to, canvas or screening.

100 Open space means an area of land, excluding rights-of-way, not covered by an impervious
101 surface.

102 * * *

103

104 **Sec. 134-605. - Quantity of off-street parking.**

105 (a) *Number of required spaces.* Off-street parking spaces shall be provided for any use
106 hereafter established or at the time of the erection of any main building or structure or at the
107 time any main building, structure or occupational use is enlarged or increased in capacity by
108 adding dwelling units, guestrooms, floor area, seats, or by increasing employment,
109 according to the following minimum requirements:

110 * * *

111 (16) *Office building, including business, commercial and government.* One space for each
112 200 square feet of floor area used for office purposes.

113 (17) Playground and dog park accessory to a commercial business. No minimum.

114 (18) Playground and dog park, standalone. 1 space per 10,000 square feet. 1 per 500 sq. ft.
115 of GFA for buildings and enclosed structures.

116 (19) *Restaurants, grills, bars, lounges, similar dining and/or drinking establishments.* One
117 space for each four fixed seats provided for patron use, plus one space for each ~~75~~ 100
118 square feet of air conditioned floor area provided for patron use which does not
119 contain fixed seats. In lieu of the above, required parking for open air dining, as
120 defined herein, shall be provided at the ratio of one space for each 200 square feet of
121 open air dining area, provided that nNo use covered by this sub-paragraph shall have
122 less than four spaces.

123

124 * * *

125 **Sec. 134-606. - Location of off-site off-street parking.**

126 The parking spaces provided for herein shall be provided on the same lot where the principal
127 use is located or within ~~300~~ 1,320 feet from the principal entrance as measured along the most
128 direct pedestrian route from each space to the principal entrance of the building for which the
129 space is to be used as required parking; provided, however, that parking spaces provided across
130 an arterial road from the lot where the principal use is located shall not be counted toward the
131 parking spaces required herein. Off-site off-street parking shall also be subject to following:

132 (a) At least thirty percent (30%) of the required parking shall be provided on-site.

133 (b) No required Americans With Disabilities Act accessible parking spaces may be provided
134 off-site;

- 135 (c) If valet parking is proposed, an on-site vehicle drop-off and pick-up lane shall be
136 provided and included on the site-plan;
- 137 (d) Off-site off-street parking spaces may only be counted toward required parking if such
138 spaces are located on a paved and lined parking area which has been approved by the
139 City for use as a parking area;
- 140 (e) Off-site off-street parking spaces may not be counted toward required parking if such
141 spaces are part of the required parking calculation of any other use unless approved by
142 the City Council based on competent, substantial evidence that the different uses occur
143 at such different times that there would not be overlap of demand for the shared spaces;
- 144 (f) If shared parking agreements are proposed for new development or redevelopment of an
145 existing site, fully executed agreements contingent upon approval by the City shall be
146 submitted to the City no later than submission of an application for site plan review; and
- 147 (g) With the exception of shared parking agreements approved prior to effective date of this
148 ordinance, all shared parking agreements and any amendments thereto shall be submitted
149 to the City for approval and must include all of the following:
- 150 (1) Provision for which party is responsible for the maintenance of parking area;
- 151 (2) Specificity as to the days and/or hours when the shared parking spaces may be used
152 by the party granted use of the shared parking spaces (note: when shared parking
153 spaces are used to satisfy required parking, site plan approval may include a
154 condition that hours of operation are restricted to the hours of availability of the
155 parking spaces);
- 156 (3) Provision that the agreement shall not be terminated for convenience, the number of
157 shared parking spaces shall not be reduced, nor shall the hours of availability of the
158 shared parking spaces be changed without at least twelve (12) months' notice in
159 writing delivered to all parties including the City;
- 160 (4) Provision that the agreement shall benefit and be binding on any subsequent
161 purchaser of either parcel;
- 162 (5) Provision that the agreement shall be recorded in the Official Records of Orange
163 County, Florida;
- 164 (6) Acknowledgement by the grantor of the shared parking spaces that it understands the
165 granting of shared parking spaces may impact future requests for expansion or
166 change of use during the term of the shared parking agreement; and
- 167 (7) Acknowledgment and agreement by the grantee of the shared parking spaces that if
168 such shared parking spaces become unavailable for any reason the grantee must
169 immediately reduce its use of the property benefitted by the shared parking
170 agreement in a manner that existing available parking shall be sufficient to meet the
171 parking requirements of this Code. The grantee shall acknowledge that it
172 understands the loss of shared parking spaces may have negative financial impacts to
173 it and that it accepts the risk of such impacts and shall hold the City harmless from
174 any lawful action taken by the City to cause compliance;
- 175 (8) Inclusion of the City as a party to the agreement for the purpose of enforcing any of
176 the above required provisions;
- 177 (9) Notarized or attested signatures of all parties.

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Sec. 134-607. -- Joint use of off-street parking space. (Reserved).

~~No part of an off-street parking area required for any building or use for the purpose of complying with the provisions of this chapter shall be included as part of any off-street parking area similarly required for another building or use, except in the case where the parking demands of different uses occur at different times. The following requirements must be satisfied in order to comply with this exception:~~

- ~~(1) A notarized statement from all property owners involved indicating that the activities of each separate building or use which creates a demand for parking shall occur at different times. Such statement must include an agreement between the parties involved indicating responsibility for maintenance of the parking area.~~
- ~~(2) Such agreement shall run with the duration of the occupational licenses of all buildings or uses involved in the agreement and shall be required to be renewed at the time of occupational license renewal. Where an occupational license is not required, then the agreement shall run with the duration of the uses. Nothing in this chapter shall be construed to prevent the joint use of off-street parking space by two or more buildings or uses, if the total of such spaces, when used together, shall not be less than the sum of the requirements for the various individual uses of buildings computed separately.~~

Section 2. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Edgewood.

Section 3. If any section, sentence, phrase, word or portion of this ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 4. All ordinances that are in conflict with this Ordinance are hereby repealed.

Section 5. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020, by the City Council of the City of Edgewood, Florida.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

Richard A. Horn, Council President

ATTEST:

Bea L. Meeks
City Clerk

**Edgewood Police Department
February City Council Report
2020**

	January	February
Residential Burglaries	2	0
Commercial Burglaries	1	0
Auto Burglaries	0	3
Theft	1	2
Assault/Battery	1	2
Sexual Battery	0	0
Homicides	0	0
Robbery	0	0
Traffic Accident	7	13
Traffic Citations	148	247
Red Light Citations	734	475
Traffic Warnings	448	456
Felony Arrests	2	3
Misdemeanor Arrests	2	0
Warrant Arrests	1	7
Traffic Arrests	7	7
DUI Arrests	2	1

Department Highlights:

- On January 9th the Edgewood Police Department began to promote a training for the public. This training is for Adult/Child/Infant CPR and will be coordinated and run by trained CPR instructors here at the Department. The Department is working to announce a date.
- This month the Edgewood Police Department nominated Officer Christopher Meade as the Edgewood Police Department Crisis Intervention Team Officer of the Year due to all of his hard work in year 2019.
- On January 31st, Officers of the Department participated in a countywide DUI saturation detail held by the University of Central Florida Police Department.
- On February 2, 2020, Officer Ron Beardslee and Officer Chris Meade conducted a traffic stop on a vehicle. During the traffic stop and subsequent investigation- 137 baggies of heroin, melted heroin, Xanax, and multiple pieces of drug paraphernalia were recovered. Both the driver and passenger were arrested for felony drug possession charges.