

**Charter Review Committee Meeting  
City Hall – Council Chamber  
405 Larue Avenue, Edgewood, Florida  
Thursday, September 22, 2016  
6:00 p.m.**

**KEITH FARMER    DAN DRUMMOND    MIKE HENDRIX    WILL MIMS    WALTER MOON    CHRIS RADER**  
**Chair                    Vice-Chair                    CRC Member                    CRC Member                    CRC Member                    CRC Member**

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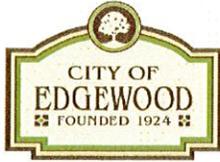
**PUBLIC NOTICE**

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- A. Call Meeting to Order
- B. Approve Minutes of August 23, 2016 CRC Meeting
- C. Approve Minutes of September 13, 2016 CRC Meeting
- D. Approval of Ballot Language
- E. Public Comment
- F. Adjournment

***“More than one member of the City Council may be in attendance at this meeting and may participate in discussions.”***

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 or email [bmeeks@edgewood-fl.gov](mailto:bmeeks@edgewood-fl.gov) 48 hours prior to the meeting.



*From the desk of the City Clerk....*

*Bea L. Meeks, MMC, CPM, CBTO*

**TO: Charter Review Committee Chair Keith Farmer and  
Charter Review Committee Members Walter Moon, Will  
Mims, Dan Drummond, Chris Rader and Mike Hendrix**

**Cc. Mayor Ray Bagshaw and City Attorney Drew Smith**

**DATE: September 19, 2016**

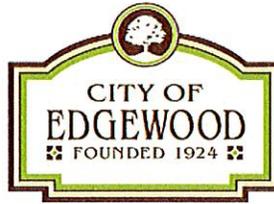
**RE: Request to Redress the August 23, 2016 CRC Minutes**

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In the September 13, 2016 CRC meeting, the Committee approved the minutes of the August 23, 2016 meeting. However, business owner Fran Pignone, who arrived after the approval of the minutes, requested that the minutes be redressed. Ms. Pignone presented a typed paragraph of her requested correction to the August 23, 2016 minutes. In considering Ms. Pignone's request, the Committee unanimously approved that City Clerk Meeks listen to the tape for the comments that Ms. Pignone made in the August 23, 2016. The following paragraph is what is in the August 23, 2016 minutes:

***Edgewood business owner Fran Pignone said she thinks she can serve on the CRC. She said the City needs a professional administrator.***

You are being provided with the correction that Ms. Pignone requested, along with the comments I transcribed from the recording of the August 23, 2016 meeting sans the comments of others.



**August 23, 2016  
Charter Review Committee Meeting (CRC)**

**Attendees**

Keith Farmer, Chairman  
Mike Hendrix  
Will Mims  
Chris Rader  
Dan Drummond, Vice Chair  
Ray Bagshaw, Mayor (Council Liaison)

**Absent**

Walter Moon

**Staff**

Bea L. Meeks, City Clerk  
Drew Smith, City Attorney  
Chris Francisco, Police Chief

**Approval of August 2, 2016 Minutes**

CRC member Mims made the Motion to approve the August 2, 2016 minutes; Seconded by CRC member Rader. Unanimously approved (4/0).

Mayor Bagshaw announced an opening on the Planning & Zoning Board and he wanted to know if any members were interested in filling the vacancy. Charter Review Committee Chair expressed an interest to serve on the Planning & Zoning board. City Clerk Meeks confirmed for Mayor Bagshaw that she will send an appointment form application to CRC Chair Farmer.

**Finalize and Approve Recommended Charter Changes**

The committee was polled as to whether or not they favored having a City Manager form of government, or having a City Administrator with strong Mayor form of government.

CRC Member Mims said he favors having a City Administrator because the City's population is low.

CRC Chair Farmer said he favors having a City Administrator. He said if having a City Administrator "works out", a CRC committee can recommend having a City Manager.

CRC Member Rader said he favors having a City Manager.

City Clerk Meeks reminded the CRC about Mark Durbin saying he would not go to a City Manager form of government when there are only two departments in the City.

Mayor Bagshaw expressed his concern about a City Manager hiring out consultants to do the work that needs to be done. He said a City Manager may only be needed three days a week.

City Attorney Smith said there needs to be a City Manager and City Administrator conversation as it relates to the consideration of the day-to-day operations of the City. He said if you go with a City Administrator, you stay with a strong Mayor who cannot vote.

CRC Member Drummond said people have gotten used to seeing the Mayor work all over town and that should not happen. He said the next Mayor may not have the expertise to do the things that are being done now. He said he favors having a City Administrator, not a City Manager. CRC Member Drummond said that the Mayor should be compensated.

City Attorney Smith provided the following section of the Charter to show the duties of the City Clerk, and the amendment that would apply if you add a section to the Charter for a City Administrator:

- **Section 4.05. - City clerk.**

The city clerk shall be recommended by the mayor and appointed by the city council and shall serve at the pleasure of city council. The following are the major areas of responsibility of the city clerk:

- A. Custodian of municipal records in accordance with state law.
- B. Provide public notice of all meetings subject to Sunshine and State Law and keeps a journal of its proceeding.
- ~~C. Administration of the daily functions of city hall.~~
- D.C Record, type and distribute minutes of meetings and agendas.
- E.D Maintain city hall budget and expenditures within the approved annual budget.
- ~~F.E~~ Provide reports, personnel actions, etc., to the council.
- G.F Execute policies and directions issued by the council and expressed in resolutions, ordinances, the City Code of Ordinances and Charter.
- H. G. Perform other duties assigned by the mayor or council president.

The duties, hours, salary, etc., shall be established by the council who may also delegate the supervision of the city clerk to an elected official.

Section 4.07 – City administrator.

The city administrator shall be recommended by the mayor and appointed by the city council and shall serve at the pleasure of the city council. The city administrator shall be responsible for coordinating and integrating the administrative and executive functions of the city as directed by the mayor and consistent with the policy approved by the city council.

CRC Member Rader said he thinks now is a critical time to make changes.

City Attorney Smith explained that you do not have to create the City Administrator position by Charter, but if you don't, the Council does not have to have a City Administrator. CRC Member Drummond said he would like to take baby steps and encourage Council to hire a City Administrator. CRC Chair Farmer said you have to think long term.

City Clerk Meeks asked about Council assignments that currently exist in the Charter, and City Attorney Smith said that they may want to leave them as liaisons because you only have two departments.

CRC Members were polled again on their preference of having a City Administrator versus having a City Manager:

CRC Member	Favor
Will Mims	City Administrator
Mike Hendrix	City Administrator –Not by Charter
Keith Farmer	City Administrator – By Charter
Chris Rader	City Manager – Five members elected body with voting Mayor and a City Manager working at the pleasure of Council. In the alternative, City Administrator by Charter.
Dan Drummond	City Administrator – Not by Charter

<b>Public Comments</b>
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Edgewood business owner Fran Pignone said she thinks she can serve on the CRC. She said the City needs a professional administrator.

CRC Chair Farmer asked that in the September 13, 2016 meeting, members be prepared to approve a list of recommendations to send to Council for a Charter referendum.

City Attorney Smith explained that he will draft the language for the referendum based on the committee's comments. City Clerk Meeks explained the calendar requirements for the first and second reading of the referendum Ordinance. She explained that the referendum information has to go to the Supervisor of Election's office when she sends the list of qualified candidates for the City's election.

CRC Chair Farmer said the committee needs to decide Council Member's terms. He asked the committee to think about it and be prepared to discuss in the next meeting. CRC Member Mims said he favors three year terms; CRC Member Hendrix agreed.

CRC Member Hendrix said he feels there needs to be a decision about compensation at the next meeting too. CRC Member Mims said he agrees with compensation for the Mayor but not for council members. CRC Chair Farmer said he is split as to compensation for the Mayor and Council Members. CRC Member Rader said he agrees with 3-year terms. CRC Member Drummond favored 3-year terms with

discussion of when the terms are staggered. It was the consensus of the committee to stagger the terms. CRC Member Rader reminded City Clerk Meeks that she wanted consideration for having a 1- week qualifying period, as opposed to the current 2-week qualifying period. City Attorney Smith suggested Council compensation but not in their current term.

In response to CRC Member Rader, City Attorney Smith explained the Charter provision regarding when the Mayor votes on an Ordinance. The Mayor said he has never voted since he has been in office. CRC Member Rader asked the City Attorney to bring back language removing the Mayor's vote.

CRC Chair Farmer provided the following list for consideration in the next meeting:

- Staggered three year terms for Council Members
- 1-week municipal candidate qualifying period
- Mayor's vote per the current Charter
- City Administrator

City Attorney Smith reminded the Committee that he will have draft language prepared for their consideration in the next meeting.

Having no further discussion, CRC Member Hendrix made the Motion to adjourn at 8:13 p.m.; Seconded by CRC Member Drummond.

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Keith Farmer, Chairman

ATTEST:

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

Expert witnesses to this committee have said business owners/property owners should be included on the committee. (Those appointed have presented no CV that indicates if they fit this category.) Members do not have to be residents of, or electors in Edgewood and this Charter provision allows for an adequate representation of this category. However it is not know if members to this committee filled out an application? Or if they are identified as to expertise? Status? Or other qualification

Q

9-13-16

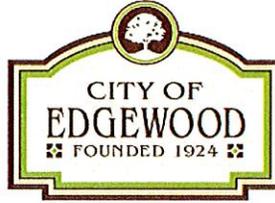
Presented  
by Fran P. Moore  
as correction  
to minutes

~~for correction~~  
into 8/23/16  
minutes

See motion  
of 9-13-16  
minutes

[1:32:32] I am Fran Pignone, I live at 1720 Gatlin Avenue. Make me sit down anytime you want. Are you the chairman tonight. RESPONSE. You all know how to make little signs back there don't you? May I suggest for public for the public (inaudible) we get little cardboards and identify these people. I was noticing in the minutes as I look back, and I have been at every meeting this summer. People say what is she doing here it's summer vacation; I've studied Edgewood. Ugh.. seven members were appointed but I don't know, I keep seeing you Mayor as liaison or something else. You are not actually a member of this Charter Review Commission right? And neither is Mr. Dowless, RIGHT? RESPONSE. That's correct. COMMENT. Because usually Charter Review Commissions only have citizens not elected officials who are serving and who might be thought to be passionate about a lot of things. As I follow your discussion, and I have lived all my life on Gatlin Avenue. The Shopping Center has been there since the late 60s. The family has always been on one side or the other. There are very few people that still live and have business and substantial financial interest in the Orange Avenue corridor here and have lived through Edgewood. My father was persuaded by Edgewood to move the shopping center in because there was a bar in there and there were cigarette machines and the only way that Edgewood at that point in the late 60s I am told could survive was [inaudible] sales tax. I even brought in my mother's piece of property on Lake Gatlin, 20 acres, into Edgewood. So if anyone would think that I am not a supporter of Edgewood would be incorrect. But I live under it every day and I've got very very serious concerns about it. I spent most of my life with the Women League of Voters, 8 years on the St. John's Regional Planning Council; I was an elected official for 4 years. Let me tell you what my perspective is. When I ran for office I didn't have to list any qualifications. I could have never made it out of elementary school. I could have never had a profession. I could have never had a job. Ugh..I might even have been insane; there is no sanity test for that. So there is an art to putting together a Board. We've heard in 2007 are banks too big to fail. I think of the adverse of that for Edgewood. Is it too small to succeed. I think that that is a point that could be debated but we are not here to do this. We are a Charter Review Commission and I have served on those for Orange County. To get back to your thing, and drag me off whenever you want. I am a business owner. I have to live within the framework of Edgewood. Mr. Mayor at one meeting you said that the charter review is not for people in business but then you had experts come in after that who [inaudible] testimony who said you need to involve your business people because we have the most financial exposure to you all in a regulatory sense. So, it's ashamed this committee [inaudible] there is only one requirement that they be a citizen. I could have been appointed to your committee, I can't on most Planning & Zonings but this one I could have been. That's why your Charter is important. I hope before you finish you will go through your Charter and read the things that need to be corrected in there, or amplified or explained. You've got a good lawyer. Ugh..the setup as it is now is arguably if it came down to suing time probably is illegal. The Mayor, I am told often does not vote, but the Mayor does vote and your Charter says he votes. COMMENT. I'm not going to dispute. If you just listen to me. You do vote, it's set up that way. So you are covered under Government in the Sunshine and public records act and everything else. The same way any two County Commissioners or City Commission are. But you don't operate that way, or they don't, you [inaudible] or I should say they don't. But you all are not part of that Board and I'm not either. They don't operate that way and I think the mistakes are high, someone is going to challenge something on the basis of the Charter and the way Edgewood operates if somehow become disjointed [QUESTIONABLE TO WHAT I HEARD]. Yes, there should be a professional administrator; whether you

want to call him City Manager or City Administrator. That person should be fully qualified in a curriculum vitae where you can see that they have had some successes, they have had some training. [INAUDIBLE COMMENT] They should be paid at least the highest rate that you can achieve here to get a good one. And some of you have said that you think that it's impossible to have a situation where you have a City Administrator and somebody called a strong Mayor. And I think you are absolutely right. You'll never even get anybody to apply. But, if you go that way, and as a business person and a fan of government and an observer of government, we need a..an administrator. A professionally qualified administrator. Because Edgewood is too small. When you think about it, I haven't heard any discussion if there is 5000 people, probably less..probably only 30% are registered voters. That's the pool that your [inaudible] of and through the years, through decades I have heard, Edgewood doesn't attract people who run for office. So we've gotten into this crazy system if you look [inaudible] Charter [TIME CALLED] the Mayor of appointing a successors but if you would look at your demographics, it's going to be a continuing problem to recruit people who will run for office. You need to look at whether all these people have been appointed and who appointed them. And what that means for the strength of the City [THANK YOU MA'AM]. 1:39:11



Tuesday, September 13, 2016  
Charter Review Committee Meeting

**CRC Members**

Keith Farmer, Chair  
Dan Drummond, CRC Vice Chair  
Chris Rader  
Walter Moon  
Ray Bagshaw, Mayor (Council Liaison Member)

**Absent Members**

Mike Hendrix

**Staff**

Bea L. Meeks, City Clerk  
Drew Smith, City Attorney

**Council Members**

Susan Fortini

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CRC Vice Chair Drummond called the CRC meeting to order at 6 p.m. (said 6:30 but it is 6 p.m.)

**APPROVAL OF AUGUST 23, 2016 MINUTES**

CRC Member Mims noted the following correction on Page 3, Paragraph 4 of the August 23, 2016 minutes:

*City Clerk Meeks asked about Council assignments that currently exist in the Charter, and City Attorney Smith said that they may want to leave them as liaisons because you only have two departments.*

***CRC Member Moon made the Motion to approve the August 23, 2016 minutes with correction; Seconded by CRC Member Mims. Unanimously approved (4/0).***

**FINALIZE AND RECOMMEND CHARTER CHANGES**

CRC Vice Chair Drummond thanked City Attorney Smith for doing a great job with the wordsmithing of the ballot language.

CRC Vice Chair Drummond questioned Amendment #2, as he thought there would be two Council members up for election. City Attorney Smith said if the election is set up for two Council Members, there will be an election every year. CRC Vice Chair Drummond said he prefers a 2/2/2 election. CRC members Mims, Radar and Moon agreed.

In further discussion, City Attorney Smith confirmed that in the 2018 election, the election would be for three Council Members, the lowest "vote getter" serves a one year term. This would allow the City's election to transition with the Charter Amendment. CRC Vice Chair Drummond said that he preferred staggering the votes after the 2017 election so as to cause two members of the Council to be elected every year, except for the year the Mayor is elected. He said this way there would always be two people up for election. **(6:12 p.m. Chair Keith Farmer is in attendance)**. City Attorney Smith said he will re-wordsmith the ballot language.

Business owner Fran Pignone asked the CRC Committee to open the August 23, 2016 minutes to redress her comments shown in the minutes. CRC Vice Chair Drummond recommended that City Clerk Meeks listen to the tape and insert verbatim what Ms. Pignone said.

***CRC Member Rader made the Motion to re-open the minutes; Seconded by CRC Chair Farmer. Unanimously approved (4/0).***

***CRC Chair Farmer made the Motion to adopt the statement as written and presented in the meeting; Seconded by CRC Member Rader. (Motion failed 2/3 opposed by CRC Members Drummond, Mims and Moon)***

***CRC Member Moon made the Motion to leave the statement in the minutes "as is"; Motion failed due to lack of a Second.***

***CRC Vice Chair Drummond made the Motion to table the minutes until the next CRC meeting thereby allowing the City Clerk time to listen to the tape for a verbatim statement; Seconded by CRC Chair Farmer. Unanimously approved (5/0).***

Business owner Fran Pignone gave comments regarding her review of the Charter. Her comments included her concerns regarding: (1) Mayor's ability to vote, (2) Vacancy on Council, and (3) City Administrator/City Manager.

Discussion was held regarding:

Section 3.10 –Procedures and Council's ability to call a meeting with a 12 hour notice. CRC Vice Chair Drummond said this procedure is important to have and that he saw it used during the hurricanes.

CRC Vice Chair Drummond said he had a conversation with Mark Durbin. He said Mark offered to come to the Council meeting when their recommendations are presented. CRC Vice Chair Drummond said Mark Durbin was in agreement with their recommendations and agreed they should not mandate a City

Administrator or City Manager by charter. He said Council already has the capability to hire a City Administrator. He said he thought he had good counsel by Mark Durbin.

CRC Vice Chair Drummond said they did not address Section 3.11 – compensation for a Mayor. He said Mark Durbin recommended \$8000 to \$10,000. CRC Vice Chair Drummond said he disagreed with Mark's recommendation to compensate the Council members.

**CRC Vice Chair Drummond made the Motion to Modify Section 3.11 to allow compensation as directed by the council to be given to a Mayor set in his term; Seconded by CRC Chair Farmer.**

**Discussion:** CRC Member Rader said he is not a fan because the CRC has ended up with a City Administrator. He noted his concerns about setting compensation during a Mayor's terms, and said he thinks \$8,000 to \$10,000 is too much. CRC Member Rader said he was comfortable with a lower number and include "not to exceed". Mayor Bagshaw said his car is used solely for his time as Mayor, which is need of repairs. He said he is not pleading for money, he said he thinks that there is not an understanding of what it costs to run the City. Mayor Bagshaw recommended the CRC forget the pay so that there is no conflict. CRC Chair Farmer said he feels there needs to be some compensation. CRC Member Moon noted that Section 4.07 still requires the work of a Mayor even with a City Administrator. CRC Member Rader said his comments are not based on people in current seats but what is going to happen in five to ten years. **CRC Vice Chair Drummond said he will amend his motion to state the amount as \$8,000; Seconded by CRC Chair Farmer. CRC Vice Chair Drummond made the Motion recommending to council to amend the charter to [shall] compensate the Mayor \$8000 a year (amended to include) plus expenses; amendment accepted by CRC Chair Farmer. CRC Member Rader questioned expenses. City Attorney Smith said expenses as approved by City Council.**

Council Member Fortini said there was discussion held during the budget meetings/workshops regarding an admin car that the Mayor can use. Mayor Bagshaw said the City is still waiting for the new police vehicle. Council Member Fortini said the Mayor's compensation looks like a stipend.

**Motion Passed 4/1 CRC Member Rader opposed**

In response to Council Member Fortini, City Attorney Smith said the Charter will establish having a City Administrator and that the responsibilities of the City Administrator go through the Mayor. He said the City Administrator will serve at the pleasure of Council. CRC Vice Chair Drummond said it was not his intent for the Charter to mandate a permanent City Administrator because that would be mandating the Council to a permanent cost. He asked as a CRC member, do we want to recommend a charter change to mandate the City Administrator's position. CRC Member Rader said he thinks it should not be left up to Council, it should be by Charter. City Attorney Smith said the Charter does not specify if the City Administrator is a full time position.

Mayor Bagshaw said he agrees with CRC Member Rader but on the other hand, if the residents say no, which has happened before, Council would be hard-pressed to go against the voters and hire a City Administrator because it doesn't have to be a Charter position. The City Attorney suggested "require" in the verbiage. CRC Vice Chair Drummond asked if they would feel better to include part-time or full-time City Administrator serving at the pleasure of the Council; CRC Members Mims and Farmer didn't think it needed to say required. City Attorney Smith said he can bring the language to the CRC meeting and have it for comparison.

It was announced that the CRC will be voting on formal recommendations at the next meeting on September 22, 2016 at 6:00 p.m.

Having no further discussion, the meeting adjourned with a Motion by CRC member Moon; Seconded by CRC Chair Farmer at 7:23 p.m.

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Keith Farmer, Chairman

ATTEST:

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

DRAFT

**City Charter Amendment 1:**

*Shall the Edgewood Charter be amended to provide that the city shall hire a city administrator which shall be recommended by the mayor and appointed by the city council?*

Section 4.07. - City administrator.

A city administrator shall be recommended by the mayor and appointed by the city council and shall serve at the pleasure of the city council. The city administrator shall be responsible for coordinating and integrating the administrative and executive functions of the city as directed by the mayor and consistent with the policy approved by the city council.

**City Charter Amendment 2:**

*Shall the Edgewood Charter be amended to change the staggered two year terms of council members and the mayor to staggered three year terms for council members and the mayor and to include a transition schedule to phase in the altered term lengths?*

Section 3.04. - Election and terms.

The regular election of the city elected officials shall be held in the manner provided in Article VI of this Charter, and the term of office for each elected official shall be for three (3) years. ~~two (2) years.~~

Section 4.02. - Mayor; qualifications and terms of office.

The mayor shall be a qualified elector who is a bona fide resident of the City of Edgewood for at least one year prior to the date of qualifying to run for City office and registered to vote. If he/she shall cease to possess any such qualification during his/her term of office, he/she shall forfeit the office and the council shall remove him/her. He/she shall be elected for a term of three (3) years, two (2) years which term shall begin upon the expiration of the predecessor official's term, and serve until his/her successor takes office.

Section 7.01. – Transition Schedule.

~~With the adoption of this Charter amendment two (2) council members, and the mayor shall be elected in odd numbered years, and three (3) council members shall be elected in even numbered years.~~

Upon the adoption of this Charter amendment transition from two (2) year terms to three (3) year terms shall be accomplished as follows:

In the 2018 election three council members shall be elected. In the 2018 election the two (2) city council candidates receiving the largest number of votes shall take office for a

term of three (3) years and the one (1) city council candidate receiving the third largest number of votes shall be elected to a term of two (2) years.

In the 2019 election two council members and the mayor shall be elected. In the 2019 election the one (1) city council candidate receiving the largest number of votes shall take office for a term of three (3) years and the one (1) city council candidate receiving the second largest number of votes shall be elected to a term of one (1) year. The candidate for mayor receiving the largest number of votes shall be elected to a term of three (3) years.

In all subsequent elections candidates shall be elected to a term of three (3) years.

### **City Charter Amendment 3:**

*Shall the Edgewood Charter be amended to remove provisions that call for at least four members of the city council or three members plus the mayor to cast votes when an ordinance is under consideration and to retain that portion of the Charter that provides a simple majority of those voting shall be required for the adoption of an ordinance?*

Section 3.13. - Ordinances and resolutions in general.

Ordinances may be enacted and resolutions may be adopted in accordance with any applicable requirements of State law.

A. Form. Each ordinance or resolution shall be introduced in writing and shall embrace but one subject and matters properly connected therewith. The subject shall be clearly stated in the title. No enactment shall be revised or amended by reference to its title only. Ordinances or resolutions to revise or amend shall set out in full the revised or amended act, section, subsection, or paragraph of a section or subsection.

B. Procedures. A proposed ordinance or resolution shall be advertised and adopted in accordance with state law.

C. Adoption. ~~A proposed ordinance requires the vote of at least four (4) members of the council or three (3) members plus the vote of the mayor for the adoption of the ordinance.~~ For the adoption of an ordinance, a simple majority of those voting shall be required.

D. Effective Date. Except as otherwise provided in this Charter, every adopted ordinance and resolution shall become effective upon adoption or as otherwise specified therein.

### **City Charter Amendment 4:**

*Shall the Edgewood Charter be amended to allow the city council during its annual budget process to include a salary to be paid to the mayor of up to eight thousand dollars?*

Section 3.11. - Compensation and expenses.

None of the council members shall receive ~~or the mayor receives~~ a salary. All city public officials, either elected or appointed, shall receive reimbursement for their expenses incurred in the performance of their duties of office as provided by law. The city council may during its annual budget process vote to include a salary paid to the mayor of up to eight thousand dollars (\$8,000.00) per year.