

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

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

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

Attendees:

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

Staff

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

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ORGANIZATIONAL MEETING

1. Election of Council President

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

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

2. Council Vacancy

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

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

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

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

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

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

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

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

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

CONSENT AGENDA

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

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

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

PRESENTATIONS

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

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

Meeting reconvened.

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

CITIZEN COMMENTS

None.

OLD BUSINESS

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

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

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

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

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

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

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)

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

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

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

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

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

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

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

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

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

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

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

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

REVIEW AND CONSIDERATION FOR LOCAL HEARING OFFICER

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

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

STAFF REPORTS

City Attorney:

No report.

Police Chief:

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

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

City Clerk:

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

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

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

Code Enforcement:

No report.

MAYOR & COUNCIL REPORTS

Mayor Bagshaw

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

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

Council President Dowless

No report.

Council Member Powell

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

Council Member Henley

No report.

Council Member Chotas

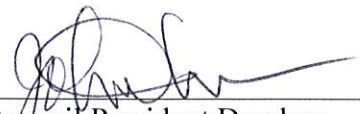
- Council Member Chotas thanked Chief Marcus for his ride with officers and encouraged all Council members to do the same. He said he will be discussing code issues with the Chief that he saw during the ride.

Council Member Hendrix

No report.

ADJOURNMENT

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



Council President Dowless
Approved 9/17/2013

ATTEST:



Bea L. Meeks, MMC, CPM
City Clerk