



**Edgewood City Council Meeting Minutes**  
**Wednesday, August 19, 2020**  
**6:30 pm**

**Call to Order**

Council President Horn called the Edgewood City Council meeting to order at 6:30 pm. He asked for a moment of silence followed by leading the Pledge of Allegiance.

**ROLL CALL & DETERMINATION OF QUORUM**

Deputy City Clerk Riffle announced a quorum with four Council Members present. She announced that Council Member Lomas gave notice of her absence and requested a motion to excuse her absence.

*Council Member Rader made the motion to excuse Council Member Lomas' absence; second by Council Member Pierce. Approved (4/0).*

**Attendees**

John Dowless, mayor  
Richard Horn, Council President  
Ben Pierce, Council President Pro-Tem  
Lee Chotas, Council Member  
Chris Rader, Council Member

**Absent**

Susan Lomas, Council Member

**Staff**

Bea L. Meeks, City Clerk  
Sandra Riffle, Deputy City Clerk  
John Freeburg, Police Chief  
City Attorney, Drew Smith

**PRESENTATIONS**

None

**CONSENT AGENDA**

1. Consideration of Minutes from Previous Meeting(s)
  - Approval of July 21, 2020 City Council Meeting Minutes

Deputy City Clerk Riffle noted corrections from Mayor Dowless and Council Member Rader.

*Council Member Rader made the motion to approved the minutes of July 21, 2020, with corrections; second by Council Member Pierce. Approved (4/0).*

- Approval of July 29, 2020 City Council Budget Workshop Minutes and August 5, 2020 City Council Budget Workshop Minutes

*Council Member Rader made the motion to approved the minutes of July 29, 2020 and August 5, 2020 as presented; second by Council Member Pierce. Approved (4/0).*

<b>Ordinances</b>
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**ORDINANCE 2020-03** - AN ORDINANCE OF THE CITY OF EDGEWOOD FLORIDA, ENACTING AND APPROVING OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF EDGEWOOD AND THE CENTRAL FLORIDA POLICE BENEVOLENT ASSOCIATION FOR THE TERM OCTOBER 1, 2020, TO SEPTEMBER 30, 2023; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Attorney Smith read Ordinance 2020-03 in title only.

Council Member Pierce said that from a financial perspective, this is already reflected in the budget.

There were no public comments.

Attorney Smith asked Chief Freeburg to review the major changes resulting from the Collective Bargaining Agreement (CBA), aside from budgetary issues. Chief Freeburg made the following comments.

1. Educational requirements – They set some limits to how much an individual can receive, which is a maximum of \$2500. It must be approved by the Chief and be related to the field. If there is money left over, individuals can request more. This is fairer across the board.
2. Field Training- An individual that is training a new employee receives \$2 additional per hour and eliminates the field training. Added specialty pay which impacted the budget by \$100 and rewards people taking on special duties.
3. Disability – if any officer is injured on duty they have to be out for a certain period of time before they have worker’s compensation coverage. This helps the officers if they are hurt.
4. Raises- They added PTO for new officers to correct a discrepancy. Newer hires are usually more concerned about PTO versus. benefits. There is more time for family bereavement or for families that are out of town
5. Mandatory equipment – This was updated so that there can be more equipment as needed versus yearly.
6. Footwear and cleaning allowance – They added \$55 a month for cleaning. Officers will get one check at the beginning of the year and prorated based on time they have been here.

Chief Freeburg said that it was smooth negotiation on both sides of the table.

Attorney Smith said the dollars rendered the most conversation but the Union requests were reasonable and accepted by management and many were tracking with statutes.

Council Member Chotas said he spoke with Attorney Smith and Chief Freeburg regarding concerns with arbitration clauses. Chief Freeburg said he reviewed that section and eliminated unnecessary complexity. Council Member Chotas said that he wanted to avoid conflict between the disciplinary side and the grievance side but Chief Freeburg and Attorney Smith feel comfortable that the system will work without further changes, and he will defer to their judgement.

***Council Member Chotas said that he would like to make a motion to approve the agreement as presented with the exception of page 9, section J, on line 9.***

He said that there is a surplus; a clause that does not belong. He suggested to put a period after the word “questions” and strike out “in order for the employee to secure representation.” Then the sentences before and after will make sense. Mayor Dowless requested to change a typographical error section 924, third to the last line remove the duplicate words “and the.” Council member Rader said to remove the period after the word “increase” as well.

Chief Freeburg responded to Mayor Dowless that paid time off for voting has never been an issue. Mayor Dowless added that with early voting it is now a superfluous issue.

Attorney Smith said that language can be removed.

***Second by Council Member Pierce.***

***Council Member Chotas withdrew his motion.***

Council Member Rader asked for clarification on what “upon request” means on page 36, paragraph 5.5 regarding officers being able to train off duty with rounds of ammunition. Chief Freeburg responded that it should be quarterly. Council Member Pierce and Council President Horn confirmed that change was made in the last line.

Attorney Smith confirmed for Council Member Rader that page 44, paragraph 9.6 refers to longevity of service in law enforcement.

Chief Freeburg responded to Council Member Rader’s question regarding page 44, paragraph 9.8 and page 46, paragraph 10.1. Previously, detectives earned an additional 35 cents per hour and sometimes they would cover the road, which was not addressed in the contract.

They get paid for 84 hours per pay period and they have to make up the extra 4 hours and it is difficult to track. The issue is how to schedule 40-hour week, plus the 4 hours per pay period, to compensate for when officers are off work and after hours, but still take phone calls. This is to balance it out and eliminate the tracking.

Attorney Smith responded to Council Member Rader’s concerns about labor laws. Overtime and the 4 hours are counted. Officers have to clock in. Regular officers are scheduled for 84 hours in 12-hour shifts.

In response to Council Member Rader, Chief Freeburg said he does not foresee military reserve time being an issue for the City to pay for a differential pay rate. Attorney Smith added that the union never asked for this.

In response to Council Member Rader, Chief Freeburg said all employees receive \$2,000 on the direct benefits card. The city pays for 50% of coverage for dependents.

Attorney Smith said that he recollects that the \$2,000 was a gift from the City to incentivize the bargaining unit to accept the reduction in how much the city was paying for dependent coverage. City Clerk Meeks confirmed and added that a former Council Member decided that the health care plan needed to be changed. City Clerk Meeks said that the benefit must be used each fiscal year and it does not carry over to the next year.

No substantive changes were made.

***Council Member Chotas reinstated his motion to approve Ordinance 2020-03, with the corrections; second by Council Member Pierce. Motion passed (4/0).***

A roll call vote was taken.

Council President Horn	Favor
Council Member Chotas	Favor
Council Member Pierce	Favor
Council Member Rader	Favor
Council Member Lomas	Absent

The second reading will be on Tuesday, September 15, 2020.

<b>PUBLIC HEARINGS</b>
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**ORDINANCE 2020-02** - AN ORDINANCE THE OF THE CITY OF EDGEWOOD, FLORIDA, EXTENDING THE CITY’S APPROVAL OF THE INCLUSION OF A PORTION OF THE CITY OF EDGEWOOD WITHIN THE LAKE MARY (JESS) MUNICIPAL SERVICE TAXING UNIT (“LAKE MARY (JESS) MSTU”); EXTENDING THE CITY’S CONSENT TO THE INCLUSION OF A PORTION OF THE CITY OF EDGEWOOD WITHIN THE BOUNDARIES OF THE LAKE MARY (JESS) MSTU; ACKNOWLEDGING AND CONSENTING TO THE IMPOSITION OF AD VALOREM TAXES UPON PROPERTY WITHIN THE LAKE MARY (JESS) MSTU; PROVIDING FOR CONTINUING CONSENT FOR A TERM OF YEARS FROM THE CITY PURSUANT TO SECTION 125.01(1)(q), FLORIDA STATUTES, FOR PROPERTIES WITHIN THE LAKE MARY (JESS) MSTU TO BE INCLUDED IN THE MSTU, INCLUDING ANY LANDS IN THE MSTU ANNEXED INTO THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SUNSET; AND PROVIDING FOR AN EFFECTIVE DATE

Attorney Smith read the ordinance in title only.

No public comments and no discussion.

***Council Member Pierce made the motion to approve Ordinance 2020-02; second by Council Member Chotas. Motion passed (4/0).***

A roll call vote was taken.

Council Member Rader	Favor
Council Member Chotas	Favor
Council President Horn	Favor
Council Member Pierce	Favor
Council Member Lomas	Absent

## **UNFINISHED BUSINESS**

### **Solid Waste Review Committee**

City Clerk Meeks referred to the memo included in the agenda regarding the bid opening. The four contractors with accepted bids are Waste Management, FCC Environmental Services Florida, LLC, JJ's Waste and Recycling, and Waste Pro of Florida, Inc. are all in attendance. Included in the agenda, for each proposer is fee information, the review committee's ranking sheets, and the final calculation with each bid. The ranking sheets and tally were open for all contractors to review during review committee meeting. City Clerk Meeks provided her own notes with her own rankings as requested by Council and does not necessarily reflect the committee's opinion.

Council President Horn said this was quite a task. He agreed that FCC Environmental Services Florida, LLC. and Waste Pro were close but FCC had better pricing. With the weighted score, FCC would be the better option. The City will reduce current non ad-valorem costs with some trade-offs. The current contractor has been picking up everything the residents put out on the street. New agreements have separate fees for anything above the two waste bins that are allowed, up to 2 cubic yards. The extra would be billed to the homeowner. In the end, the non-ad-valorem will not be affected and may actually be below. Residents will be charged individually beyond what the contract allows for white goods, bulk pickup and yard waste.

City Clerk Meeks said this will require re-education of residents to know that if the extra items are taken to the curb, they will be charged. Council Member Rader added that this will create a lot of calls for the City.

City Clerk Meeks added that going above the 2 cubic yards is usually during a storm such as a hurricane. Staff is prepared for any calls.

Council Member Rader asked if the City decides what kind of trash cans to provide or would it be up to each resident. He asked if there is a price deduction for not using the cans provided. City Clerk Meeks said that this provision was optional in the RFP.

Council President Horn asked if the trucks are able to accommodate 96 gallon bins.

Charles Merkley, Area Manager with FCC, said the price includes a 50-gallon cart per unit or a reduced price if the City wishes to continue using residents' carts. The size of the cart does not matter as they use semi-automated equipment and can accommodate whatever is at the curb. Mr. Merkley confirmed to Council Member Rader that they will not weigh the carts, but if it is manageable, they will take it.

Platt Loftis, with Waste Pro Florida said they offer two options; once or twice per week. Council President Horn said the City prefers service twice a week to maintain level the level of service. Council Member Chotas added the recycling and yard waste pick up once a week.

Mr. Loftis said their equipment can accommodate any size cart that the City decides to go with. They prefer to use a rear loader but bid was left open ended for that purpose.

Council Member Chotas asked if there was input from contractors regarding RFP process.

Mr. Merkely said that he witnessed the meetings. He was impressed with Edgewood's process because they were allowed to participate. This gives committee members more information and the ability to ask questions.

Mr. Loftis said this was a good input/output meeting and gave Council additional information about Waste Pro. He said Waste Pro was not the lowest price but they have an excellent reputation; they would appreciate a holistic outlook during the decision.

Jose Boscan with Waste Management said they would continue the same service as provided. They have been honored to provide the service to Edgewood, and if another vendor is chosen, Waste Management will assist with the transition. Council Member Chotas thanked him for the service they provided.

No public comment.

***Council President Horn made a motion to accept FCC as the waste services company, beginning January 1, 2021; second by Council Member Chotas. Motion passed (4/0).***

A roll call vote was taken.

Council Member Pierce	Favor
Council Member Chotas	Favor
Council Member Rader	Favor
Council President Horn	Favor
Council Member Lomas	Absent

City Clerk Meeks asked Mayor Dowless if she should set up a meeting for negotiations. Mayor Dowless will be the point person and Council President Horn will continue to participate in the process.

Council President Horn commented that commercial rates actually went down and franchise tax will go down a little.

Mayor Dowless said he would like to keep contract as long as possible and would like to consider auto renewals.

**NEW BUSINESS**

None

**PUBLIC COMMENTS**

None

**BOARDS & COMMITTEES**

**City Attorney Report**

The Florida Legislature passed a new law regarding food trucks which preempts the City's regulatory authority. The City cannot regulate or prohibit food trucks as our policy is close enough to a ban as we only allow food trucks during special events. If the City is concerned about this, we can go to a zoning model and allow in zones. Trucks are not allowed in residential zoning right now.

Food trucks fit in with zoning as a commercial use in the Edgewood Central District (ECD; however, tenants may have complaints and landlords will have to give permission for the trucks to be on private property. The City cannot ask for their licensing. Attorney Smith asked Council if they would like to move forward with zoning restrictions with the understanding that trucks cannot be pushed out of the City.

Mayor Dowless said that the City passed the food truck ordinance because some trucks were continually setting up, which was confirmed by City Clerk Meeks.

After further discussion, Mayor Dowless said that there is no problem yet to regulate.

In response to Council Member Rader, Attorney Smith said that a food truck would be treated like a brick and mortar business and would not be allowed to have digital signs or flashing lights. They also cannot take up parking spaces.

Attorney Smith responded to Council Member Rader that if the City pursues zoning food trucks, he would prepare an ordinance and it would need a reasonable basis to distinguish a food truck business from the ECD as they are a commercial activity. They cannot be totally prohibited and they must be allowed in some zones.

No action was taken.

**Police Chief Report**

Council Member Rader congratulated Chief Freeburg on attaining \$58,000 in grants.

Chief Freeburg said that the Cares Grant is at approximately \$27,000. Stacey Salemi has been doing a great job with the grant.

The Police Department can make another arrest on the 4-wheelers with the return of DNA evidence.

He attended a commands meeting with Central Florida area chiefs about biased based policing; Central Florida is progressive. This gave them an overview of a 2-day course about bias that one of his instructors will attend. This is another tool for the times.

CBA contracts went well. There were comments about Attorney Smith and how helpful he was. He follows up with the officers, he helped Shannon Patterson through the RFP process for debris cleanup, and he has been a real help with emergency orders during Covid-19.

Chief Freeburg presented Attorney Smith with a plaque and a gift. Mayor Dowless thanked him and Council President Horn said the City is grateful.

### **City Clerk's Report**

City Clerk Meeks said the big item is budget hearings. Four council members need to be present with a favorable vote or the process starts again. Wednesday, September 9, 2020 at 6:30 pm is to set the tentative and asked for Council Members' attendance.

City Clerk Meeks asked for feedback about the tree at regal cleaners at the corner of Gatlin and Orange Avenues. It is fairly large laurel oak in a prominent location. Deputy City Clerk Riffle said the Central Florida Arborcare looked at it and it is at the end of its life but still healthy. City Clerk Meeks said that code requires an arborist report or insurance report saying that it is damaging infrastructure. Council Member Chotas said to tell them it does not comply with the tree ordinance.

City Clerk Meeks said that City Hall was getting calls about a yard belonging to an ill elderly couple. Code Enforcement Officer Renteria reached out to nonprofits and churches for guidance on how to help. She called Champions Ministry, a church in the city, and they will step in to help. When there is help, it is a better alternative to code enforcement.

New photos of City Council will be taken before the meeting on September 15, 2020. City Clerk Meeks asked Council to dress up for the photo.

In response to Council Member Chotas, City Clerk Meeks said the millage was set to 5.25 and Council President Horn said he is comfortable with that. City Clerk Meeks said the accounting firm agreed there will be a general fund balance transfer and \$100,000 roads and streets funds balance where there was a deficit. Council Member Rader said Council did not want to lower the rate and then raise it again the next year given the uncertainty of the times.

### **Mayor & Council Reports**

Mayor Dowless

Mayor Dowless said there are some sidewalks that are trip hazards. The City needs to take care of liabilities and correct those sidewalks.

Council Member Chotas congratulated Chief Freeburg for what he has done and to Mayor Dowless. He is happy with state of financial decisions of the city. He compared the current state of the City with the island of Saipan that he recently visited.

Council Member Pierce said the review of audit is this coming Monday.



Council President Horn said there is a light strip in in dog grooming window and they now have an LED sign and light string. Deputy City Riffle said Code Enforcement Officer Renteria received a permit for the light string but she did not know about the LED sign.

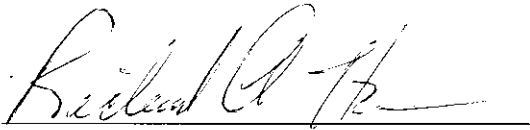
People need to stop blowing their lawn clippings in street. City Clerk Meeks said if Code Enforcement can witness the action, she can issue a violation. City Clerk Meeks said that Mandalay Road has complaints. She tells them to tell your neighbors to stop blowing into the drain.

Council Member Rader asked for an Oakwater annexation update. Attorney Smith said the ordinance is done and City Clerk Meeks said the first reading could be September. She will let him know what we need for a map to go with the ordinance. She also confirmed to Council President Horn that this will not be for this fiscal year.

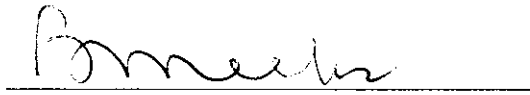
Chief Freeburg responded to Council Member Chotas that the City does rely on the State Attorney, depending on the nature of the cases. Chief Freeburg will update council next month on the Chief's meeting.

<b>ADJOURNMENT</b>
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*Council Member Rader made the motion to adjourn; second by Council Member Pierce. The meeting adjourned at 8:06 pm.*



Richard A. Horn  
Council President



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

*Approved in 9/15/2020 City Council meeting.*