



Edgewood City Council Meeting Minutes
July 21, 2020
6:30 pm

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

Deputy City Clerk Riffle announced there was a quorum with the Mayor and three of the five Council members present. Council Members Rader and Chotas have given notice of their absence.

Council Member Pierce made the Motion to excuse Council Members Rader's and Chotas' absence; Second by Council Member Lomas. Approved (3/0).

Attendees

John Dowless, Mayor
Richard Alan Horn, Council President
Ben Pierce, Council President Pro-Tem
Susan Lomas, Council Member

Absent

Lee Chotas, Council Member
Chris Rader, Council Member

Staff

Bea Meeks, City Clerk
Sandy Riffle, Deputy City Clerk
John Freeburg, Police Chief
Shannon Patterson, Police Chief of Staff
Drew Smith, City Attorney
Allen Lane, City Engineer
Ellen Hardgrove, City Planner

As a point of order, Council Member Horn noted that the review for Boards & Committees - Discovery Church will be moved forward in the agenda to after Presentations.

PRESENTATIONS

- **Officer of the Year – Presentation by Police Chief John Freeburg**

Chief Freeburg presented 2019 Officer of the Year to Officer Adam Lafan. Officer Lafan is the Accreditation Manager and he was successful in leading the team through the process. He also serves on the social media board for accreditation across the State of Florida and has completed Apopka, Kissimmee, Altamonte Springs, and Ormond Beach accreditations. Officer Lafan thanked the City and his team.

- **Recognition of Employee Retirement - Presentation by Police Chief John Freeburg**

Debbie Cabales has been with the City since 2006 and has filled several positions in City Hall and Edgewood Police Department. He said she is moving on to her retirement and will be missed. .

- **Florida Association of City Clerks (FACC) Honoring Immediate Past President Bea L. Meeks—Presentation by Debra Buff, FACC President and Pat Burke, FACC Central East District Director**

FACC Officers Buff and Burke presented City Clerk Meeks with two Resolutions for her service and dedication over the last year in her role as FACC President. Director Burke said that City Clerk Meeks has served with dignity, professionalism and honor. City Clerk Meeks was thankful for the honor and noted the support that she has received from Former Mayor Bagshaw, City Council, Mayor Dowless and her support staff.

City Clerk Meeks left the meeting at 6:40 pm.

CONSENT AGENDA

Council President Horn asked if there were any changes to the minutes from June 16, 2020 meeting. Mayor Dowless said that he had a minor change on page 4; the vote should be changed from “5/5” to “5/0”.

Council Member Pierce made the Motion to approve the minutes from June 16, 2020 as amended; Second by Council Member Lomas. Approved (3/0).

BOARDS & COMMITTEES

4400 South Orange Avenue – Discovery Church Commercial Site Plan

Mayor Dowless asked for someone to inform anyone waiting outside City Hall that the Discovery Church plan was to be heard. Deputy City Clerk Riffle called Attorney Alex Mestagh, legal

counsel for Deeper Fellowship so that he could make any needed comments on behalf of the contracted buyer of the property.

Planner Hardgrove came to the podium and introduced Discovery Church's request for to amend the site plan for Discovery Church that City Council approved in 2002. The intent of the site plan amendment is to eliminate a nonconforming parking which is having parking located across an arterial road as well as to correct a noncompliance issue with too many seats in the sanctuary. The 2002 site plan specifically limits seats to 650 and at present there are 750 seats.

Planner Hardgrove explained that the parking formula is based on 2002 site plan; 173 spaces were required for the 650 seats. The current parking formula would require 257 parking spaces. They are allowed to use the 2002 formula as long as they don't exceed 650 spaces.

To get all parking onsite, Discovery Church proposes to restripe, reconfigure, and add parallel parking spaces to the parking lot. They will remove existing accessory buildings and equipment to allow vehicular traffic to the west side of the property and add spaces. Landscaping requirements will be met and the consultants are eager to meet the requirements. Planning and Zoning approved this plan unanimously and both CPH and City Planner recommend approval.

In the future, if they add any seats, they must come back to Council for site plan amendment. At that time, the current parking code requirements will be applied.

In response to Council Member Lomas, Planner Hardgrove said that the 650 seats are just for the sanctuary.

In response to Council Member Pierce Planner Hardgrove said that it will be a code enforcement issue to present the number from moving back up beyond 650 seats. Attorney Smith added that it will be treated the same as a restaurant.

City Planner Hargrove asked Attorney Mestdagh for Deeper Fellowship's current membership or the average attendance. After researching, Attorney Mestdagh said that membership is at 850 members and average attendance is at approximately 400 people. There are two services on Sundays.

Council Member Lomas stated her concern about potential uprooting of the parking lot and City Planner Hardgrove said that the landscape architect approved these trees due to their proximity to the stormwater pond. She added that most oaks are located on the other side.

In response to Council Member Pierce, Attorney Smith said the City cannot force the church to terminate their parking lot agreement. The City monitors that they are provided the required parking spaces.

Attorney Mestdagh said that Deeper Fellowship cannot use the parking spaces without the current owner's approval across the street. It is not their intention to use that parking. Attorney Mestdagh said that it will be terminated ahead of the closing

Deputy City Clerk read Council Member Rader's questions regarding the proposal, which were answered by City Planner Hardgrove. Council Member Rader's questions have been entered into the agenda record. Council Member Rader's questions with City Planner Hardgrove's responses are as follows:

Question: I did a quick scan and note trees are being demoed and planted. I just want to make sure all tree requirements are being met including heritage requirements if any tree is large enough. On quick scan it appeared to be.

Response: There is one heritage tree that is impacted. It is located adjacent to the SW corner of the building. They are replacing it per code and I had them locate it in the SW corner of the existing pond in the front of the property.

Question: I believe the site plan is a good modification, but would also hope to see that come with the elimination of the off-site agreement, which is a safety and traffic impact to residents of the City and surrounding areas. I would hate to see this investment simply result in a later conversation where the City is pressured in to revisiting the parking agreement changes, which previously resulted in legal action to pressure the City.

Response: There no longer is a need from the City's perspective for an off-site parking agreement. They meet their obligation for parking onsite. Note that I used the word "obligation; "they are not meeting the current code requirement. Since they aren't increasing the number of seats in the sanctuary, they can use the parking calculation on the 2002 site plan. Where that formula came from, I have no idea as the current code formula was in place in 2002. The difference in parking is 173 vs. 257.

Question: Generally, the new plan looks functional. How does it sit with impervious requirements?

Response: CPH checked this and they are still within code limits.

Question: What is to prevent the church or a future church from over-seating the sanctuary like before? What will control the 650?

Response: Code enforcement

Question: Are there no other classrooms used for small groups, Sunday school, etc.? Seems the count is likely larger than just sanctuary.

Response: I agree with you, however, the parking formula is based on seating

Question: Is the parking agreement going away?

Response: Yes, as far as the City is concerned. They can have offsite parking if they want. The only thing the City can control is meeting the minimum and they do per the answer above.

Question: Is the city prepared to code enforce when Easter and Christmas services far exceed allow capacity?

Response: Goes back to your question as to how do we know there isn't more than 650 seats in the sanctuary. Currently they have at least 750. If the issue is traffic, at least there is less traffic on Easter and Christmas.

Engineer Gentry, with KCG Engineering, came to the podium and thanked staff for all of their efforts and guidance. He said that he is available to answer any questions.

PUBLIC COMMENT

Bobby Lance – business property owner in Edgewood, said that he was highly in favor of approving Discovery Church’s plan.

There were no other comments or discussion amongst City Council.

Council Member Pierce made the Motion to approve the amended commercial site plan as presented; Second by Council Member Lomas. Approved (3/0).

A roll call vote was taken.

Council President Pro-Tem Pierce	Approve
Council Member Lomas	Approve
Council President Horn	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

PROPOSED ORDINANCES

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

City Attorney Smith read the ordinance in title only. The existing agreement with the MSTU is expiring. The only change is the effective date of term. On the recommendation of Orange County, it has been modified from sunseting it in five years it would automatically renew, but either party can opt-out. Getting rid of the MSTU would not change the taxation of properties.

There was no discussion.

There was no public comment.

Council Member Pierce made the Motion to approve Ordinance 2020-02 as stated; Second by Council Member Lomas. Approved (3/0).

A roll call vote was taken.

Council President Horn	Approve
Council Member Lomas	Approve
Council President Pro-Tem Pierce	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

Debris Monitoring Review Committee - Council Member Ben Pierce

Council Member Pierce referred to City Clerk Meeks' memo. There were two bidders that were very similar in quality. The Debris Monitoring Committee's recommendation is to accept CMTS as their cost schedule was less than the other bidder while qualifications were similar. The Committee recommends to approve CMTS and to get a secondary provider in case they say elect not to accept. Attorney Smith added if also CMTS is needed elsewhere and is not available.

As there was no public comment or further discussion, Council President Horn made a motion.

Council President Horn moved that the recommendation of CMTS, LLC be approved as the City's debris monitoring service and Disaster Program and Operations, Inc. as the secondary provider, and authorize the Mayor to sign the contract prepared by City Council; Second by Council Member Horn. Approved (3/0).

A roll call vote was taken

Council Member Lomas	Approve
Council President Horn	Approve
Council President Pro-Tem Pierce	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

NEW BUSINESS

- **Setting Tentative Millage Rate**

A report was provided by City Clerk Meeks regarding the tentative millage rate. Council Member Pierce said that he was surprised at the assessed value. Mayor Dowless said that property values from last year to this year went up approximately \$30M for taxable value in Edgewood. Some properties have sold and are set at a new value, which may be part of the reason. City Clerk Meeks noted that the current millage rate is 5.35. The tentative millage rate is the high mark then can decide where to land while Council is in the budget process. Mayor Dowless does not think that the mood is to increase millage, especially as it was raised last year, but it may be better to err on the side of a higher tentative millage rate to allow some leeway.

Mayor Dowless added that is asking for funds for capital improvement but it is up to Council to decide. The budget is not complete and fire is much higher

In response to Council Member Lomas, Mayor Dowless said we are setting the maximum rate – it can be decreased but not increased. Also, the budget is set on 95% of revenue, not 100%.

Council Member Pierce said that he is inclined to have some latitude, until Council actually sees budget and he is inclined to set tentative millage at 5.35.

Council President Horn said that his goal is to get the 5.25 down to 5 or 4.95. Mayor Dowless said that would be nice but in terms of the demands on the City, it will be tough.

Public Comment

Mike Hendrix – Edgewood resident said that many people going through a hard time. Need to look at the budget and get there somehow. It would be difficult to explain to residents that city is not tightening their belts.

President Horn responded that at the same time, the city has obligations

Council Member Pierce moved to set the City’s millage rate at 5.35% and direct the City Clerk to complete the DR-420, the DR-420MMP to Orange County Property Appraiser’s Office; Second by Council President Horn. Passed (3/0).

A roll call vote was taken.

Council President Pro-Tem Pierce	Approve
Council President Horn	Approve
Council Member Lomas	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

City Attorney Smith said that City Clerk Meeks will have a memo that includes hearing dates Discussed workshop dates July 29 2020 at 9:00 am, September 9, 2020 at 6:30 pm Special Council Meeting, and at the regular City Council meeting September 15, 2020 at 6:00 pm.

- **2020/2021 Neighborhood Grant Application – Legacy**

Mayor Dowless referred to City Clerk Meeks memo and he recommended that this be brought before City Council for consideration as he lives in the Legacy subdivision. His recommendation is for approval. The gated communities that are responsible for their own roads and infrastructure and this is something the City can do.

Council Member Lomas said that approves and she is sorry that all the plants died.

Edgewood Resident Hendrix said that witch’s broom just spreads and the landscape company did not catch it in time.

Council President Horn made a motion to approve the neighborhood grant application for Legacy subdivision with a 50% match not to exceed \$4,612.20 and to submit a proof of payments for installation of improvements for the 2019/2020 fiscal year; Second by Council Member Lomas. Passed (3/0).

A roll call vote was taken.

Council President Horn Pro-Tem Pierce	Approve
Council President Pro-Tem Pierce	Approve
Council Member Lomas	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

- **First Extension to Interlocal Agreement Between Orange County and Edgewood
RE: Permitting Services – City Attorney Drew Smith**

Council President Horn said that he recently has had projects in Belle Isle and they use a 3rd party for permitting and do not have to bring it in house. He said that working with Orange County building is difficult.

Mayor Dowless said that it is worth an investigation.

City Attorney Smith said that building departments are operating at a break even.

Council President Horn said that the benefit would be the speed of the process. Orange County is mostly electronic and pretty quick with residential permitting. In his two cases in Belle Isle, Universal was a little slower; however, with Covid-19 related projects workload went up dramatically

City Attorney Smith said that there can be a blended system and have Orange County as a backup.

In response to Council Member Lomas, Attorney Smith said that Maitland is an example with an internal department and the use of vendors.

There was no public comment.

Council Member Lomas made a motion to approve the first extension of the interlocal agreement with Orange County and Building and Safety Division as presented and to authorize the Mayor to execute the agreement; 2nd by Council President Horn. Passed (3/0).

A roll call vote was taken.

Council President Pro-Tem Pierce	Approve
Council Member Lomas	Approve
Council President Horn	Approve
Council Member Chotas	Absent
Council Member Rader	Absent

CITIZEN COMMENTS

None.

STAFF REPORTS

City Attorney:

City Attorney Smith said that the City just had their first meeting with the bargaining unit for the Police Department; there will be one or two more meetings and then it will go to City Council for approval.

Chief Freeburg:

Chief Freeburg said that he received notification of a 3rd grant this year. In the last three weeks there were almost \$60,000 in grants for the year. The Police Department has approved grants for a new car, phone system and lights.

City Clerk:

No report.

MAYOR & COUNCIL REPORTS

Mayor Dowless:

- Mayor Dowless appointed Shay Harold to the solid waste RFP and John Sharpe to the audit services committee.
- City Hall has a new logo on the wall in Council Chamber and in the front office wall.

Council Member Pierce:

No report.

Council Member Lomas:

Council Member Lomas said she had questioned the road and street report and is not aware if any more information has come in. Mayor Dowless said that the information on sidewalks was in the report but CPH had to point it out. Council Member Lomas said she would review once she receives the information. Council President Horn said there needs to be a priority list and Mayor Dowless agreed.

Council Member Pierce mentioned that the city sign facing south does not look good. Mayor Dowless added that he would like to phase in the new signage that Mayor Bagshaw had begun to put in. He also agreed that repairs are needed and that the maintenance crew has made note of those.

Mayor Dowless said that with new paving coming in on Orange and Hansel Avenues, he has requested design for cross walks from DOT. He prefers the paver look and does not know yet if DOT will grant the request.

Council Member Lomas asked Chief Freeburg about the recent HOA meeting with Stratemeyer Drive. He said that it went very well and everything was resolved. There have been no new calls at the Police Department regarding the parking signage.

Council President Horn:

No report

Council Member Pierce:

No report.

Council Member Lomas:

No report.

No further business.

ADJOURNMENT

Having no further business, the City Council meeting adjourned at 7:30 pm on the motion of Council President Horn.



Richard A. Horn
Council President



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