



CITY COUNCIL REGULAR MEETING
City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, November 15, 2022 at 6:30 PM

DRAFT MINUTES

A. CALL TO ORDER, INVOCATION, & PLEDGE OF ALLEGIANCE

Council President Horn called the meeting to order at 6:30 pm. He asked for a moment of silence and then led everyone in the Pledge of Allegiance.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle announced a quorum with all Council Members and Mayor Dowless present.

MAYOR/COUNCIL ATTENDEES

Mayor John Dowless
Council President Richard A. Horn
Councilmember Lee Chotas
Councilmember Susan Lomas
Councilmember Ben Pierce
Councilmember Chris Rader

STAFF ATTENDEES

Sandra Riffle, Interim City Clerk
Pete Gauntlett, Interim Police Chief
Tim Cardinal, Police Sergeant
Scott Zane, Officer/IT Department
Stacey Salemi, Code Compliance Officer
Drew Smith, City Attorney
Allen Lane, P.E. City Engineer

C. PRESENTATION OF PROCLAMATION

D. CONSENT AGENDA

1. October 18, 2022 Regular Meeting Draft Minutes
2. November 7, 2022 Special Meeting Draft Minutes

Councilmember Chotas made a motion to approve the Consent Agenda as presented; seconded by Councilmember Rader. Motion approved (4/0) by voice vote.

E. ORDINANCES

None

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

None

G. UNFINISHED BUSINESS**1. 524 Harbour Island Rd. - Boat Dock**

Engineer Lane began the continuation of his review of the proposed boat dock. He said he took his kayak to the location and took measurements of the states and along the seawall. He said the dock would be located approximately 28 feet from the dock on the opposite side of the canal.

He said that Orange County Sheriff's Office checked the navigability and had no objections. The code requirement is 25% of the width of the canal. The canal width in this location is 48 feet, and 25% of that width would be 12.5 feet, the maximum amount the dock can extend into the canal. The clearance between the docks would be approximately 21 feet. Further discussion ensued regarding the canal and the location of the proposed boat dock.

Council President Horn asked applicant Rachel Wilson if there is a possibility to adjust the location to the east to allow a little extra space between the docks. Ms. Wilson said her plans meet Code requirements, and the dock is as narrow as she can make it. They discussed trying to move the dock but decided the dock needed to be in the proposed location.

Public Comment

Rich Browning, an Edgewood resident, requested to shift the dock to the east to provide a safer passage.

Joe Olear, an Edgewood resident, said a boat coming through straight would have less than 20 feet of navigability.

Reed Clary, an Edgewood resident, said he respectfully disagrees with the navigation assessment and the standard of 25 feet of clearance has not been met.

Attorney Smith said the property rights of the applicant extend over most of the canal width and asked the Council about the rights for someone to moor their boat on another's property. He clarified that riparian lake rights differ from canal property. Further conversation ensued regarding davits being considered part of the boat dock and the boat itself not being part of the dock's measurements.

Ms. Wilson said the dock meets the code.

Councilmember Pierce made a motion to approve the construction of the proposed boat dock located at 524 Harbour Island Road. The motion was seconded by Councilmember Lomas. Motion approved (5/0).

The motion was approved by roll call vote.

Councilmember Rader	Favor
Councilmember Pierce	Favor
Councilmember Lomas	Favor
Councilmember Chotas	Favor
Council President Horn	Favor

H. NEW BUSINESS

1. Mecato's Bakery and Cafe Discussion of Approved Waivers

Nelson Lerma showed a PowerPoint of the building at 5645 Hansel Avenue. Mr. Lerma said that after Council permitted him to tear the building down to the footers, they found there is little in the building that is workable. He said structural anomalies associated with the building, including 2-inch blocks to patch holes, stem walls 4 feet below the ground, and varying wall heights that are difficult to reuse, were discovered during the demolition process. He said there is no rebar in the whole building.

Mr. Lerma requested to be able to demolish the slab, stem wall around the building, and the footer and start over for structural integrity and to meet building code. He said the building would be built exactly as proposed, and the original bricks would be reused.

Attorney Smith said that allowing him to do what he proposes will allow the project to keep going. He said the reason Mr. Lerma has come before Council is that he is trying to keep as much of the original building as possible with full disclosure of the situation. He would like to be able to keep the approved waivers.

Councilmember Lomas made a motion to allow the waivers to remain even though the footers and slab have to be removed to reconstruct the building. Councilmember Chotas seconded the motion. Motion approved (5/0) by voice vote.

2. Resolution 2022-07 Fiscal Year 2021-2022 Budget Amendment

Attorney Smith read Resolution 2022-07 in title only.

City Clerk Riffle explained to Council that the City's accounting firm reviewed the City's budget for the 2021/2022 fiscal year. Overall, the City was under budget. Amendments occurred in the General Fund and Roads and Streets. The City was slightly over the 75% reserve requirement, so McDirmit increased the transfer from the general fund to roads and streets to cover the increased expenses. This would resolve the reserve requirement.

There was no public comment.

Councilmember Chotas made a motion to approve the final budget Resolution 2022-07; seconded by Councilmember Pierce. Motion approved (5/0).

The resolution was approved by roll call vote.

Councilmember Lomas	Favor
Councilmember Rader	Favor
Councilmember Chotas	Favor
Councilmember Pierce	Favor
Council President Horn	Favor

Councilmember Pierce left the meeting at 7:23 pm.

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

Vernon Hargrave with Brinkman Accounting asked what could be done about the intersection at Gatlin and South Orange Avenue. He said the road has not changed but the number of people going through has increased. Mr. Hargrave showed two photos of north and southbound State Road 527 and asked if there could be a median instead of lines in the middle to stop people from driving the center lane.

Mr. Hargrave said a vehicle was driving in the bicycle lane and hit his wife in the crosswalk.

Councilmember Rader agreed there is a problem at the intersection; however, they are County and State roads, not the City's.

Mayor Dowless said conditions have worsened since the red light cameras have gone. He requested the accident reports from the Police Department, which he will forward to Planner Hardgrove.

Councilmember Chotas said the County is perpetuating an unsafe condition and could be liable in the future. Attorney Smith was the City might not be able to impel them to do anything.

Mayor Dowless reported that Commissioner Uribe said Orange County would look into improvements to the intersection, but the transportation tax did not pass. He noted that he would like to prepare a letter putting them on notice.

In response to Mayor Dowless, Chief Gauntlett said he would contact FDOT and if painting broad white stripes in the intersection would help.

K. BOARDS & COMMITTEES

L. STAFF REPORTS

City Attorney Smith – No report

Police Chief Gauntlett

Chief Gauntlett was welcomed by Mayor Dowless and City Council.

He said he is learning a lot and is impressed with what he has seen. He said they are working to overcome the vacancies and provide the level of service the residents and businesses are accustomed to.

City Clerk Riffle

City Clerk Riffle said that she received the TRIM letter from the State of Florida stating that the City is in compliance.

She explained that during Hurricane Nicole, there was flooding on Harbour Island Road. She is working with Orange County because they last cleaned the drain baskets a long time ago, and the City's maintenance company has had to come in to clean the Orange County drains several times. The City would like to have the company that repaired the pipe in April come back and test to see if the repair held, with the concern being that the backup from the drains may have compromised the pipe's condition. There was no objection from Council.

Councilmember Rader said to be prepared for the County to come back and say that maintenance of the drains on City roads will be the City's responsibility.

Clerk Riffle said the City completed debris removal from Hurricane Ian, and the hauler will restore the temporary debris site to its original condition. The City is in line for reimbursement from FEMA.

Reimbursement for debris removal would be less than from Hurricane Ian because the State of Florida did not declare a disaster for Nicole. Reimbursement for debris removal would not be as much as from Hurricane Ian. The choices are for the City to hire a hauler to remove the debris or for residents and businesses to be responsible for their own debris removal. The third choice is to employ the debris hauler and monitor company but with no assurance of reimbursement from FEMA.

Mayor Dowless asked for consent from Council for the City to pay to remove the debris. The cost was projected to be between \$2,000 to \$5,000, but there is no estimate for the dumping fee. He said there was a sizable debris accumulation on Jessamine Lane and Sergeant Cardinal said there was also a large pile on Haverill Drive. There was no objection from Council.

Councilmember Lomas complimented the City on the cleanup. Mayor Dowless said the quick debris removal will be added to the City's talking points for annexations.

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

Mayor Dowless said that the City of Belle Isle to consider consolidating the Edgewood Police Department with Belle Isle's Police Department. He said that there would essentially be one Chief over both departments. He added that other states have done this, but not yet in Florida, although Belle Isle's City Manager, Bob Frances, has been through the consolidation in another state.

Mayor Dowless said that if the consolidation is made, he would insist on equal representation and would not sacrifice the level of service Edgewood's residents and businesses have come to expect.

Chief Gauntlett said today's challenges are recruiting and competition for staff. The consolidation process is a progressing way to increase resources, cost-saving, and a way to serve communities as a whole. He said Edgewood's and Belle Isle's agencies have great reputations.

Chief Gauntlett said the challenges of integrating staff are complex. Edgewood is fully accredited, and Belle Isle is not, which affects policies, including retirement and jurisdictional issues. A merger of this size has yet to be done in the State of Florida. He said the communities could be territorial, causing anxiety among staff. Both agencies would be disbanded to create one new agency. It is a complex process.

Chief Gauntlett said if the decision is not to move forward, it is necessary to find a new Edgewood Chief quickly.

Councilmember Chotas said Edgewood has a Police Department that works and stated his concern that a recreated agency would not work as well. He wants Edgewood's certification to continue, and he is against merging under joint control.

Councilmember Lomas said Edgewood's Police Department staff has been through enough lately.

Councilmember Rader said there would be an administrative burden, and even though there would be cost savings, he agrees with Councilmember Chotas. Mayor Dowless noted that the City of Edgewood exists because of the Police Department. He would not support an agreement based on population. He said he felt obligated to consider the idea as Edgewood searches for a new Chief. Chief Gauntlett confirmed that he would assist with either searching for a new Chief or for beginning the process of consolidating the two agencies.

Further discussion ensued regarding the administration and Edgewood's control as part of the agency.

Police Department Chief of Staff Patterson stated her concern about the effect the conversation would have on Police Department staff. She would like a decision on whether or not the City would move forward to consider consolidation.

Councilmember Rader said he is interested in efficiency and does not want the department's accreditation or service level to be affected.

Mayor Dowless said he would share that the consensus of the Council was not to pursue consolidation of police departments at this time.

Council Member Chotas - No report.

Council Member Pierce - No report.

Council Member Rader - No report.

Council Member Lomas - No report.

Council President Horn - No report.

N. ADJOURNMENT

Councilmember Rader motioned to adjourn the meeting; seconded by Councilmember Chotas. The meeting adjourned at 8:11 pm.

Richard A. Horn, Council President

Attest:

Sandra Riffle, City Clerk

Approved in the _____ Council meeting.