



CITY COUNCIL MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, May 21, 2024 at 6:30 PM

MINUTES

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

Council President Horn called the meeting to order at 6:30 pm.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk announced that there was a quorum with four Councilmembers and Mayor Dowless present.

City Council and Mayor Present:

John Dowless, Mayor
Richard A. Horn, Council President
Chris Rader, Council President Pro Tem
Susan Lomas, Councilmember
Beth Steele, Councilmember

Staff Present:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Miguel Garcia, Deputy Police Chief
Stacey Salemi, Code Enforcement Officer
Ellen Hardgrove, City Planner
Allen Lane, City Engineer
Drew Smith, City Attorney
Debbie Goode, CRI
Jennifer Polk, CRI

C. PRESENTATIONS & PROCLAMATIONS

- **FY 2022/2023 Audit Report Presented by Yvonne M. Clayborne, CPA, CAM, CITP and Jennifer Polk, Senior Accountant Carr Riggs & Ingram CPAs and Advisors**

Debbie Goode from CRI presented the fiscal year 2022-2023 audit to Council. She said Edgewood received a clean audit opinion and gave a brief overview of the audit.

A minimum of three months of expenditures is an adequate fund balance. Edgewood has more than a year's worth of expenditures and is financially safe.

***Councilmember Lomas moved to accept the Fiscal Year 2022-2023 financial audit.
Councilmember Steele seconded the motion. Motion approved by voice vote (4/0).***

D. CONSENT AGENDA

- March 26, 2024 City Council Meeting Minutes
- April 16, 2024 City Council Meeting Minutes

Councilmember Rader made a motion to approve the consent agenda; seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

E. ORDINANCES (FIRST READING)

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

G. UNFINISHED BUSINESS

Haven Oaks Status Update

Planner Hardgrove said the development is still not in compliance with the land use plan/development agreement. The report shows outstanding compliance issues.

Toll Brothers cannot get Certificates of Occupancy (COs) for the houses until the City signs off on the Certificate of Completion (CoC) for the subdivision. Most of the noncompliance issues have been corrected; however, the sidewalk issue remains incomplete.

Council waived the CoC approval to allow COs for lots 5, 41, 42, and 43, with Toll Brothers guaranteeing that the noncompliance issues would be corrected. Toll Brothers is now requesting that Council also allow the City to allow COs for lots 9, 10, 11, 12, and 36.

Charlie Crawford with Toll Brothers approached the podium and requested five (5) COs for homes that are very close to completion. He said the timeline for completion of the sidewalks puts buyers in jeopardy of not closing, and some of the sidewalk timing is out of their control.

Mr. Crawford confirmed to Councilmember Lomas that all the previously requested COs have sales contracts. He also confirmed that there are sales contracts on lots 9, 10, 11, 12, and 36. He said those homes will close within the next four months.

Councilmember Lomas would like to see the sales contracts because the word “closing” was not used correctly at the last meeting. She said she is not in favor of approval without seeing them.

Crawford said he could share the information with the city. He has tried to demonstrate that they are being open and honest to correct their mistakes. There was turnover in the personnel, and the Development Agreement (DA) conditions were lost. He is trying to do the right thing with the City and their customers.

Mr. Crawford said the sidewalk is under County review; Mr. McDonald thinks they will have approval in 30 days, as the comments were superficial. They will then need a Maintenance of Traffic permit from the County.

Planner Hardgrove noted that Toll Brothers has to replat before they fix the sidewalk because the land where the sidewalks will go is being dedicated to the County. Toll Brothers have said they are in the process of dedication so as not to hold up the process.

Planner Hardgrove said the replat would come back to Council.

Council President Horn asked for staff's recommendation.

Engineer Lane said he went to the site the day before and most things were taken care of. The crosswalks, and most ADA sidewalk mats were fastened. The drainage issue with the flume is addressed and there is positive drainage. He does not have an issue with allowing more COs.

Planner Hardgrove said the Council could delay for one month, and Toll Brothers can show the contracts. By then, there will be more information about the sidewalks.

Mr. Crawford responded that the closings for the next month are covered. He thinks they have done a lot to make it right. He would really like to get the next five homes approved.

Mr. Crawford confirmed to Councilmember Lomas that they have closed lot 5, and the residents are in. Councilmember Lomas pointed out lot 11 still shows available on the website. Crawford said he is not in sales. He was told the lots he is now requesting are the homes in danger of not closing.

Councilmember Rader thinks they are showing due diligence, and he would support the request. He wants the progress to be documented with staff.

Councilmember Lomas said she agreed with Planner Hardgrove to hold approval until next month so Council can see the contracts.

Mayor Dowless said he thought they had shown progress.

Councilmember Lomas said the No Parking signs appear to be in the wrong place; they are not in the right of way; they are in people's front yards. Mr. Crawford said that someone from Toll Brothers was going out there to look at the signs.

There was no public comment.

Councilmember Rader motioned to approve lots 9, 10, 11, 12, and 36 for Certificates of Occupancy. Motion seconded by Council President Horn. Motion approved (3/1) by voice vote.

During Council President's report, Charlie Crawford returned to Council and asked if they would switch approval from Lot 11 to Lot 7 so that it can close in July.

Councilmember Rader made a motion to amend the lots that are allowed to get Certificates of Occupancy and replace lot 11 with lot 7. Motion seconded by Council President Horn. Motion approved by voice vote (3/1).

H. NEW BUSINESS

- **Budget Amendments**

City Clerk Riffle explained the proposed budget amendments to the 2023/2024 fiscal year budget.

- Update budget for reimbursement from former employee Ronald Beardslee for 2 months of health insurance coverage.
- Update budget for sale of cars sold at auction.
- Adjust for additional special event revenue received.
- Roll unspent FY 2023 neighborhood grants to FY 2024.

There was no public comment.

Councilmember Rader made a motion to approve Resolution 2024-02; seconded by Councilmember Lomas. Motion approved by roll call vote (4/0).

Councilmember Lomas	Favor
Councilmember Steele	Favor
Councilmember Rader	Favor
Council President Horn	Favor

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

- **Variance 2024-01 - 465 Mandalay Road Setback**

Allen Lane introduced Variance request 2024-01. The applicant requests a variance request for an existing single-family home to encroach into the rear yard setback.

It is an existing single-family residence (SFR) on a waterfront lot. Because the home is on a waterfront lot, the rear setback is 50 feet from the Normal High Water Elevation (NHWE). The existing home already encroaches on the 50-foot minimum lake setback. The existing home complies with the minimum side yard setback requirements. The proposed addition to the rear of the property does not extend towards the rear of the lot past the existing rear porch. Additionally, the master bedroom addition complies with the minimum side yard setbacks.

Based on the existing ISR and conditions, they will be over the ISR, so as part of the work, they are going to remove pavers from the ISR on the east side of the house so as not to trip the threshold.

CPH does not have any objections in granting the variance. Planning and Zoning also had no objections.

There were no objections from the Council.

Applicant Kevin McElroy said he would remove the pavers and be under 45%. required ISR.

There was no public comment.

Council President Horn made a motion to approve Variance 2024-01 to construct an addition to the existing home at 465 Mandalay Road, allowing encroachment into the 50' normal high water line setback, not to exceed the current encroachment by the existing structure. Councilmember Steele seconded the motion. Motion approved. (4/0) by voice vote.

L. STAFF REPORTS

City Attorney Smith

Sample Tattoo Regulation

Attorney Smith said the proposed Ordinance would allow tattoo shops by special exception.

In response to Councilmember Rader, Attorney Smith said the business would get the special exception, not the chairs. Tattoo regulation would be included in a new code section.

There was no objection from the Council to move forward with an ordinance.

Police Chief DeSchryver

Chief DeSchryver said that Police Department's Chief of Staff Shannon Patterson will retire on September 27, 2024. Officer Ryan White will be deployed as of June 1, 2024. Another employee will be on maternity leave in a few months.

He said some shots were fired in the Dollar General parking lot Sunday night, which appeared to be self-defense.

Councilmember Rader said that there are lane jumpers going in both directions on State Road 527, to get to the turning lane. It happens most frequently during school drop off times in the morning. It is the worst in front of the former Coq Au Vin and he would like an island in that area.

City Clerk Riffle

- Revised TRIM Calendar FY 2024/25
City Clerk Riffle said the final budget hearing and one workshop day and time were changed to ensure the most council members possible can be present.
- Insurance Outlook
City Clerk Riffle thanked the Council for the opportunity to attend the FLC Insurance Summit. She provided some highlights of the information showing trends and predictions that affect insurance costs.

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

- Melissa Gibson is resigning from the Planning and Zoning Board and he would like to nominate Katherine Charles Phillips to fill Board Member Gibson's seat.

Ms. Phillips introduced herself to Council and said she has lived in Edgewood for five years.

Council President Horn made a motion to confirm Mayor Dowless' nomination of Katherine Charles Phillips to the Planning and Zoning Board. The motion was seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

- Mayor Dowless introduced and nominated Casey McElroy as a candidate to be appointed to City Council to fill former Councilmember Pierce's seat.

Mr. McElroy introduced himself and said that he grew up in the area and resettled in Edgewood. He is interested in serving the community.

Councilmember Rader made a motion to appoint Casey McElroy to City Council; seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

- Mayor Dowless said he spoke to FDOT and the blocking of Lake Gatlin Road and the bike lane where cars cut over to turn right on Gatlin Avenue. FDOT said they will do a study.
- He discussed the proposal from Fishback Dominick LLP retainer agreement as an advisor for code enforcement issues. There was no objection from Council. Mayor Dowless explained the retainer agreement. There was no objection from the Council.

Council Member Lomas

Councilmember Lomas said she went to the HAINC meeting. Commissioner Uribe attended the meeting and spoke about "Orange County Vision 2050," which includes annexation possibilities and new land development code.

Council Member Rader

Councilmember Rader noted that the RVs on Bell Properties at 5028 S Orange Avenue are parking very close to the fence. RV storage is not allowed. Attorney Smith said he will put this on his list.

Councilmember Lomas discussed her concerns about the vehicles and a boat at the old Pop's Auto store, at Holden Avenue. Attorney Sith said that inoperable vehicles can be code enforced.

In response to Councilmember Rader, Attorney Smith said food trucks do not need a BTR for mobile service. Food trucks do not include a trailer. If they stay in one location, it becomes a question of commercial vehicle parking.

Attorney Smith told Council President Horn that fruit stands can be regulated.

Council Member Steele – no report.

Council President Horn

Council President Horn commented on Councilmember Lomas’ report and said that Orange Code 2050 has not impacted Edgewood yet. He explained that it involves taking properties zoned for single-family residences and allowing multifamily homes without needing a special exception. Commission Uribe is not in favor of this, and she is working with other commissioners.

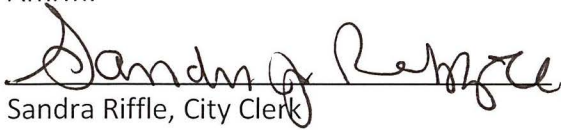
ADJOURNMENT

The meeting adjourned at 8:25 pm



Richard A. Horn, Council President

Affirm:



Sandra Riffle, City Clerk