



CITY COUNCIL MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, July 16, 2024 at 6:30 PM

MINUTES

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

Council President Horn called the meeting to order at 6:31 pm.

B. ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle confirmed that a quorum was present. Councilmember Steele requested to be excused as she could not attend.

Council President Horn voted to excuse Councilmember Steele's absence; seconded by Councilmember Lomas. Motion approved by voice vote (4/0).

The following elected officials and staff were present:

Elected Officials:

John Dowless, Mayor
Richard A. Horn, Council President
Chris Rader, Council President Pro-Tem
Susan Lomas, Councilmember
Casey McElroy, Councilmember

Staff:

Sandra Riffle, City Clerk
Dean DeSchryver, Police Chief
Miguel Garcia, Deputy Police Chief
Shannon Patterson, Chief of Staff
Stacey Salemi, Code Enforcement Officer
Ellen Hardgrove, City Planner
Drew Smith, City Attorney

Absent:

Beth Steele, Councilmember

C. PRESENTATIONS AND PROCLAMATIONS

- Proclamation

Mayor Dowless presented a Proclamation in appreciation of Shannon Patterson for her service to Edgewood and to the Police Department upon her retirement.

D. CONSENT AGENDA

- June 18, 2024 City Council Meeting Minutes
- July 10, 2024 1st Budget Workshop Meeting Minutes

Councilmember Rader suggested removing “more designated fund lines” to “added designated fund lines” on page two of the minutes.

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

E. ORDINANCES (FIRST READING)

- **Ordinance 2024-06: Tattoo Establishments**

Attorney Smith said that the ordinance was presented for discussion, not first reading, as display advertisements will need to be placed. The request to consider allowing tattoo establishments in the ECD came from a request from an existing salon in the ECD.

Discussion ensued regarding allowable locations for tattoo establishments. Attorney Smith pointed out that the proposed 500-foot distance restriction from churches, schools, and daycare would eliminate this use from shopping centers.

Council President Horn expressed concern that the legislation would not benefit the community. He stated that legislation should not be based on a single request. Councilmembers Lomas and Rader agreed. Councilmember Rader added that he did not have an issue with tattoo establishments, as they are very different now from how they used to be.

Mayor Dowless said he was frustrated because at the last discussion, Council seemed to be okay with the use now they are not.

Attorney Smith said the issue is that the separation requirement would not allow the requestor to operate a tattoo establishment from their location and suggested removing the 500-foot separation language to make the use more accessible.

In response to Councilmember Lomas, Attorney Smith said there is an evolution in cities and codes are relaxing.

Attorney Smith said he was looking for direction on whether this proposed ordinance should go for first reading.

Public Comment:

Tina Demostene, an Edgewood resident, said she understands the use is becoming more common, but she would want some requirements. She also did not agree with spending taxpayer money on consultants for a single applicant. She made several suggestions to incorporate into the code.

Attorney Smith said that legislative change usually originates from a small number of interested people. Another interested person may ask to change the code to prohibit the use.

The ordinance will go for first reading at the next Council meeting.

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

- **Ordinance 2024-05 - Sign Regulations**

Attorney Smith read ordinance 2024-05 in title only.

Planner Hardgrove provided a recap of the proposed changes to the sign code. The purpose of the changes is to clarify the code, eliminate sign clutter, and protect the health, safety and welfare of the city's citizens, businesses, and visitors.

She said that signage is important for providing marketing, identification, and location of a business. Ground and wall signage are tailored for people in vehicles, and window signs are geared for pedestrians.

The 2018 sign regulations allow up to 25% coverage of all windows, and it has created a lot of clutter. This was not achieving the City's ECD vision for Orange Avenue. She noted that there is a correlation between property value and aesthetics.

Planner Hardgrove reviewed current window sign regulations, which allow one five-square-foot sign or two identical signs for a total of seven square feet. She proposed allowing a maximum of two signs of a total maximum of six square feet.

She said staff member Brett Sollazzo suggested offering everyone six square feet to make it easier for code enforcement to identify whether signage is in compliance.

In addition, businesses would be allowed an area for decals, one neon sign per façade, and one large window sign in lieu of a wall sign.

In response to Mayor Dowless, Planner Hardgrove confirmed that the code can aid the uniformity within shopping centers but that it is a landlord issue. Mayor Dowless said that uniformity would help the plazas look better. Attorney Smith noted that leases are already in place at the shopping centers, and the City cannot interfere with existing contracts.

Mayor Dowless suggested making the option available to the shopping center, not to the tenants.

Planner Hardgrove said that single-occupant businesses are allowed a ground sign, a wall sign, and window signage that faces the parking lot. Multi-tenant parcels are permitted the owner's ground sign, a window sign, and a wall sign.

Further conversation ensued regarding what signage and banners should be available for each business.

Public Comment:

Tina Demostene suggested implementing standards to prevent a new wall sign from covering an entire wall face. She also recommended not exempting or grandfathering those businesses with big window signs and no wall signs but allowing them to get a two-year extension.

Attorney Smith suggested tabling the ordinance to a date certain.

Councilmember Lomas motioned to table the second reading of Ordinance 2024-05 to August 21st at 6:30 pm; seconded by Council President Horn. Motion approved by voice vote (4/0).

G. UNFINISHED BUSINESS

H. NEW BUSINESS

• Mutual Aid Agreement

Chief DeSchryver discussed the mutual aid agreement with the Orange County Sheriff’s Office. He said the previous agreement did not address that the DUI center is outside of the city boundaries. The updated agreement has language allowing the Edgewood Police Department to take someone outside of the city limits to gather evidence.

There was no public comment.

Council President Horn made a motion to approve the mutual aid agreement; seconded by Councilmember Lomas. Motion approved by roll call vote (4/0).

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

• Set Tentative Millage Rate and Public Hearing Date for Proposed FY 2024/2025 Budget

City Clerk Riffle reminded the Council that the tentative millage rate should be set higher rather than lower, as they will not be able to raise it at the final hearing. However, they will be able to lower it. The current rate is 5.25 mills.

She explained that Orange County Fire and Rescue’s rate is projected to increase significantly from \$970,143 to \$1,325,120.

Mayor Dowless said that he spoke to Orange County about forming an MSTU; but was turned down.

Discussion followed about the projected budget and how to offset the unexpected increase. Council President Horn suggested adding fire as non-ad valorem. Attorney Smith said the cost would be the same. Councilmember Rader added that it is a direct pass-through and the City is not making money from it.

Attorney Smith said that Orange County has financial control over Edgewood for not having its own fire department. He suggested that the City might want to talk to Belle Isle about a joint

fire department. Council President Horn said that would provide control. Councilmember Rader said the mutual aid agreement would still be in place.

In response to Councilmember Lomas, Attorney Smith said a tentative millage rate of 5.75 would put the ad valorem collection close to where the City needs to be.

Councilmember Lomas moved to set the City's millage rate at 5.75 mills and direct the City Clerk to complete the DR420 and DR420MMP forms to provide to the Orange County Property Appraiser on or before noon on August 4, 2024. The motion was seconded by Councilmember McElroy.

The motion was approved (3/1) by roll call vote.

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

- **Discussion Item - 5028 S. Orange Avenue Bell Rentals**

Councilmember Rader said he wants action, specifically regarding the use of the Bell Rental property. He said storing RVs and other vehicles is not an acceptable use in the ECD or in the past when it was C-3. In the 2001 meeting minutes, when Orange Avenue beautification was discussed, storage was an accessory for the use of their own equipment and now they are outsourcing their parking lot.

Planner Hardgrove showed the progression of the property from 2001 and the addition of RV storage. Overnight storage was not permitted in 2001. She added that a nonconforming use cannot be expanded.

Attorney Smith said the use was a violation of the code. Code Enforcement has heard that a notice of violation is to be sent to the property owner.

- **Discussion Item - Personnel Policy**

Police Department Chief of Staff Shannon Patterson addressed the City Council and said that the current personnel policy was written in 2012. She would like to propose a new bracket of longevity for employees who have been with the City for more than 14 years, which is where the policy ends.

Chief of Staff Patterson said they she proposes to raise the available hours of PTO for civilian employees to 480 hours but to keep the payout the same as it is now for employees who leave the City. At this time, employees can accrue six weeks of PTO. Any additional hours are dropped on the 1st of October each year.

Attorney Smiths suggested a shared bank

Councilmember Rader said he is in support for medical needs but not a blanket payout.

Attorney Smith suggested offering a personal catastrophic leave and having a definition within the policy to define what is catastrophic.

A work group will meet to discuss ideas.

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

- **Special Exception 2024-01: 220 Verizon Ct. - Guest Cottage**

Note: This item was moved to be heard after the Consent Agenda.

Planner Hardgrove said the applicant proposes to add a guest cottage on the property, which is zoned R-1A. She gave the definition for a guest cottage and explained the criteria for a special exception

She said that the property is a half-acre and there is room for the open space requirement. The only property impacted is to the north and they received a public notice letter. Parking should not be a problem because the driveway is long.

In response to Councilmember Lomas, Planner Hardgrove said the special exception would go with the land. Attaching the cottage would not work with the flow of the house.

In response to Councilmember Rader, Planner Hardgrove said it is similar to a cabana, and he responded that perhaps a pool house should require a special exception. Attorney Smith clarified that a guest cottage is meant to be habitable, which makes it a special exception. Attaching the cottage would not change the need for a special exception.

Alex Maldonado, the property owner, addressed the council and said they are asking for an addition to his home to care for a family member as they are elderly.

In response to Councilmember Rader, Attorney Smith said a separate address would not be assigned to the cottage.

Councilmember Lomas said her concern is for future owners and Attorney Smith said her concern would apply to any special exception.

Public Comment:

Edgewood resident Tina Demostene said that prohibiting 220V outlets would prevent a range from going in and making a kitchen.

In response to Council President Horn, Attorney Smith Drew said the code already prohibits a second kitchen. The City Clerk can record an order to go with the land.

Councilmember Rader made a motion for approval of a guest cottage at 220 Verzon Court with the following conditions: no installation of internal 220V outlets for kitchen use and remaining consistent with requirements of Code Section 134-1 that guest cottages shall not be rented or otherwise be used as a separate dwelling. Seconded by Councilmember McElroy. Motion approved by roll call vote (3/1).

Councilmember Rader	Favor
Councilmember Lomas	Oppose
Councilmember McElroy	Favor
Council President Horn	Favor
Councilmember Steele	Absent

L. STAFF REPORTS

City Attorney Smith

- First Amendment Audits

Attorney Smith explained the purpose of First Amendment auditors and that it is important to be clear that they are permitted to be in public areas but not in office areas. City Clerk Riffle and City Attorney Smith will work on writing a policy.

Police Chief DeSchryver

- Chief's Report June 2024
 - Chief DeSchryver said he looked at signage and the City ordinance for no-thru trucks on Holden Avenue. He said the ordinance has no teeth because the violation is by the traffic control device and officers cannot go after the owner of the truck company.

To go beyond a standard 316 violation, an officer would have to be location on South Orange Blossom Trail and watch the truck go to Orange Avenue and vice versa.

Attorney Smith said the police would also have to verify that there wasn't a valid reason to travel that route.

Councilmember Lomas asked if Councilmembers could meet with Boise to discuss the truck traffic or send a letter alerting them of options. Councilmember Rader added that there are multiple 4-lane road alternatives to Holden Ave.

Chief DeSchryver said there is a coalition of big trucks, and it might be helpful to know more.

- Chief DeSchryver said they are compiling the historic list of Edgewood Police Chiefs and asked if anyone has any information.

- City Clerk Riffle– no report

M. MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless – no report

Council Member Lomas– no report

Council Member McElroy– no report

Council Member Rader– no report

Council Member Steele– no report

Council President Horn– no report

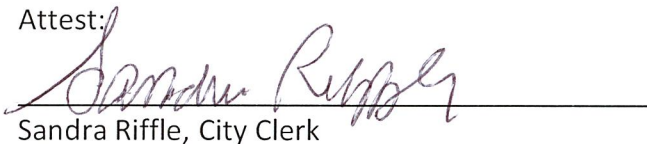
N. ADJOURNMENT

Councilmember Rader made a motion to adjourn at 10:10 pm.



Richard A. Horn, Council President

Attest:


Sandra Riffle, City Clerk

Approved in the 9/17/2024 Council Meeting