



CITY COUNCIL REGULAR MEETING

City Hall – Council Chamber
405 Bagshaw Way, Edgewood, Florida
Tuesday, December 20, 2022 at 6:30 PM

MINUTES

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 the Pledge of Allegiance.

ROLL CALL & DETERMINATION OF QUORUM

City Clerk Riffle announced a quorum with three Council Members and Mayor Dowless present. Councilmembers Chotas and Rader were unable to attend and requested to be excused.

Councilmember Pierce made a motion to excuse the absences of Councilmembers Chotas and Rader; seconded by Councilmember Lomas. Motion approved by voice vote (3/0).

PRESENT

Mayor John Dowless
Council President Richard A. Horn
Council President Pro-Tem Ben Pierce
Councilmember Susan Lomas

ABSENT

Councilmember Chotas
Councilmember Rader

STAFF

Sandra Riffle, City Clerk
Pete Gauntlett, Interim Police Chief
Tim Cardinal, Police Sergeant
Shannon Patterson, Police Chief of Staff
Stacey Salemi, Code Compliance Officer
Ellen Hardgrove, City Planner

PRESENTATION OF PROCLAMATION

Citizens of the Year 2022

Mayor Dowless read the Citizens of the Year Proclamation and read the corresponding Proclamation to honor Dan and Janie Drummond.

Mayor Dowless said that the Drummonds have offered many hours of volunteer time to the Edgewood community; they are always ready to help. Dan has piloted Santa Clause in over several years, often at his own expense to ensure that the children at the event had an incredible experience. The City of Edgewood wished to thank them for their time and service.

CONSENT AGENDA

November 15, 2022 City Council Meeting Minutes

City Clerk Riffle said there was one correction to the minutes on page four, changing "was" to "said". The sentence should read, "Attorney Smith said the City might not be able to compel them to do anything."

Councilmember Lomas made a motion to approve the November 15, 2022 meeting minutes with the correction; seconded by Councilmember Pierce. The motion was approved by voice vote (3/0).

ORDINANCES

- **Ordinance 2022-08: Comprehensive Plan Amendment**

AN ORDINANCE AMENDING THE CITY OF EDGEWOOD COMPREHENSIVE PLAN RELATED TO THE CREATION OF A SITE-SPECIFIC FUTURE LAND USE DESIGNATION AND GENERAL TEXT TO FUTURE LAND USE POLICY 1.1.6; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Attorney Smith read Ordinance 2022-08 in title only.

Planner Hardgrove said this agenda item is a Comprehensive Plan amendment to add a new future land use designation, Site Specific Plan, to be transmitted to the Department of Economic Opportunity (DEO) for State review. This is the same amendment that Council denied in July 2022; however, based on new input, Council agreed to reconsider the amendment.

She explained that the proposed new designation would allow a use that would require extra scrutiny to ensure land use compatibility with adjacent uses. To use the new designation, applicants must submit a policy along with a Future Land Use Map (FLUM) amendment that details their proposal. The implementing district will require stronger requirements than standard zoning.

Planner Hardgrove recommended changes to lines 109 and 110 from how it went to the State during the last review. There were density caps with a maximum of 16 units per acre for residential and the Floor Area Ratio (FAR) for non-residential was 1.0. She recommended this be removed to allow flexibility for new uses. The density and/or intensity would be identified in the correlated policy when the future land use designation was established on a parcel.

There was no public comment.

Mayor Dowless said he would appreciate the Council's approval.

Council President Horn made a motion to approve Ordinance 2022-08 with changes proposed by the City Planner; seconded by Councilmember Lomas. Motion approved (3/0) by roll call vote.

A roll call vote was taken.

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

3. Ordinance 2022-09: Small Scale Comp Plan Amendment for County to City Zoning

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA, TO AMEND THE FUTURE LAND USE MAP OF THE EDGEWOOD COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE DESIGNATION ON TWO PARCELS: 1) FROM COUNTY COMMERCIAL AND OFFICE TO CITY COMMERCIAL ON THE APPROXIMATELY 8.79 ACRE OAKWATER PROFESSIONAL PARK AND 2) FROM HIGH DENSITY RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 0.78 ACRE LOCATED AT 5517 HANSEL AVENUE; FINDING THAT SUCH CHANGE IN THE FUTURE LAND USE MAP ARE SMALL SCALE AMENDMENTS UNDER SECTION 163.3187, *FLORIDA STATUTES*; PROVIDING FOR FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Attorney Smith read Ordinance 2022-09 in title only.

Planner Hardgrove said this Ordinance relates to the City’s effort to administratively rezone areas that continue to have the County zoning after annexation to a City zoning district. Per code, all territory that was annexed into the City is considered to be zoned the same as the County zoning classification unless changed by the City. Rezoning, however, requires consistency with the City’s future land use map. The proposed amendment would provide for this consistency.

Oakwater’s County designation is Office, but the City does not have that classification, and it would be designated as Commercial.

The 5517 Hansel Avenue property has a High-Density Residential future land use designation even though the property is zoned PO (Professional Office). The proposed future land use is Commercial; as stated above, the City does not have an Office future land use designation.

There was no public comment

Councilmember Pierce made a motion to approve Ordinance 2022-09; seconded by Councilmember Lomas. The motion was approved by roll call vote (3/0).

A roll call vote was taken.

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

4. Ordinance 2022-10: CIE Annual Amendment Transmittal

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, FLORIDA, ADOPTING THE 2022/2023 FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE ANNUAL UPDATE; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Smith read Ordinance 2022-10 in title only.

Planner Hardgrove said this agenda item is for approval of the proposed Comprehensive Pan’s fiscal years 22/23-26/27 Capital Improvement Schedule, as required by the State. It is a list of capital expenditures of \$10,000 or more that are needed to maintain the level of service standards required by the Comprehensive Plan. Florida Statute requires an annual update to the schedule.

She said that drainage is the only level of service responsibility the City has. According to CPH, no expenditures are needed to maintain the drainage service level. All other responsibilities are implemented by other agencies such as Orange County and OUC. Orange County and FDOT maintain the roads.

There was no public comment

Councilmember Lomas made a motion to approve Ordinance 2022-10; seconded by Councilmember Pierce. The motion was approved by roll call vote (3/0).

A roll call vote was taken.

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

5. Ordinance 2022-11: Boat Docks

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA AMENDING CHAPTER 14 OF THE CITY OF EDGEWOOD CODE OF ORDINANCES REGARDING RULES AND REGULATIONS FOR BOAT DOCK CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

Attorney Smith read Ordinance 2022-11 in title only. He said this is in response to Council's direction to amend Edgewood's boat dock ordinance to capture Orange County's most recent amendments.

Attorney Smith said some housekeeping items and clarifications were made to the Code. He noted that the substantive changes were that setbacks changed from a uniform 15 feet to setbacks based on lakefront lengths. Height requirements were changed from a maximum of 13 feet to 15 feet.

Council President Horn said he prefers that the Code be uniform with the County.

There was no public comment.

Council President Horn made a motion to approve Ordinance 2022-11; seconded by Councilmember Pierce. The motion was approved by roll call vote (3/0).

A roll call vote was taken.

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

6. Ordinance 2022-12: Rezoning Process

AN ORDINANCE OF THE CITY OF EDGEWOOD, ORANGE COUNTY, FLORIDA AMENDING CHAPTER 134, "ZONING," SECTION 134-121, "REZONING PROCESS," SUBSECTION (d) RELATING TO NOTICE REQUIREMENTS FOR REZONINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

Attorney Smith read Ordinance 2022-12 in title only. He said this is part of the preparation to prepare for rezoning from County zoning to City zoning. The proposal is to reference notice for rezonings consistent with State law. The Code currently references the variance notice procedures for rezonings.

There was no discussion or public comment.

Councilmember Lomas made a motion to approve Ordinance 2022-12; seconded by Councilmember Pierce. The motion was approved by a roll call vote (3/0).

A roll call vote was taken.

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

7. Ordinance 2022-13: ECD Wall Locations

AN ORDINANCE OF THE CITY OF EDGEWOOD, FLORIDA, AMENDING CHAPTER 134 OF THE CODE OF ORDINANCES RELATED TO THE EDGEWOOD CENTRAL DISTRICT TO CORRECT SCRIVENERS' ERRORS, PROVIDE CLARIFICATION OF ADOPTED REGULATIONS AND STANDARDS, AMEND CERTAIN DESIGN GUIDELINES AND STANDARDS, AND TO PROVIDE AMENDED REGULATIONS RELATED TO LOCATION OF WALLS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

Attorney Smith read Ordinance 2022-13 in title only.

City Planner Hardgrove said a scrivener’s error was caught in the regulation related to the location of the required wall when a proposed ECD development is adjacent to a property with a Low-Density Residential Future Land Use designation. The Code referenced the location of the required wall when ECD is adjacent to Low-Density Residential land as five feet from the rear property line. Council had changed this to “on the property line” in 2021, but the signed ordinance did not reflect this change. In discussions with the Planning and Zoning Board it is now recommended that placement of the required wall for both the side and rear be “on or within five feet of the property line” to provide flexibility.

There was no public comment.

Council President Horn made a motion to approve Ordinance 2022-13 for a change to wall locations in the ECD when a rear or side yard abuts a property with a Low Density Residential Future Land Use designation; seconded by Councilmember Lomas. The motion was approved by a roll call vote (3/0).

A roll call vote was taken.

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

PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION) - None

UNFINISHED BUSINESS - None

NEW BUSINESS - None

GENERAL INFORMATION - None

CITIZEN COMMENTS - None

BOARDS & COMMITTEES - None

STAFF REPORTS

City Attorney Smith

Attorney Smith thanked City Council for a great year and said the City got a lot done. Mayor Dowless complimented him and noted that he speaks up for the benefit of the City and is constantly available.

Police Chief Gauntlett

- Several people were in attendance as they were being interviewed for Police Chief. This has been a difficult time for law enforcement with staffing challenges and the City competes with other agencies.

Chief Gauntlett responded to Council President Horn and said he is aware of the State offering \$5,000 to out-of-state candidates.

- The state puts out grants, and the Police Department aggressively pursues residual funding. Two vehicles need replacement and the City also needs software and hardware.
- Uniform prime reporting will be completed soon.
- The food and toy drive is completed and went very well. He and Sergeant Cardinal offloaded trailers to the Orlando Rescue Mission. Their donations were down this year and they were very grateful.
- Horn asked about the Thursday night motorcycles and off-road bike racing. He heard Orlando is being aggressive with them and making arrests. Chief Gauntlett said it is a nationwide epidemic and is very dangerous, often involving injury. The Police Department does make arrests.

City Clerk Riffle

- City Clerk Riffle explained the 2023 election calendar, with qualifying taking place from Monday, January 23, 2023 at 9:00 am through Friday, January 27, 2023 at Noon.
- Councilmembers Rader's and Lomas' seats are up for election.
- If more than two people qualify and there is an election, it will be necessary to appoint a canvassing board that typically includes a Councilmember that is not also a candidate, the City Clerk, and a resident. This does not need to be decided until the January Council meeting.
- The Jessamine Glen HOA requested No Parking signs on Glen Grove Lane where the road curves to avoid double parking and keep the road open for garbage and emergency vehicles. Sergeant Cardinal said the signs would be helpful.

Mayor Dowless would like the Police Department's feedback on if the signs should be on one or both sides of the road.

Council President Horn said it is a City road, enforced by the City, so the signs should be supplied by the City.

City Attorney Smith noted that signs are installed if there is a finding that they are necessary for safety.

- The pipe on Harbour Island Road was scoped, and there is new damage, possibly caused by Hurricane Ian. It was part of the report to FEMA.

It also seems probable that there is road failure which will require a core sample. CPH is involved and will guide the diagnosis and repair process. Council President Horn said it is better to repair the damage now rather than wait and have a more significant expense to repair if the failure worsens.

MAYOR AND CITY COUNCIL REPORTS

Mayor Dowless

- Mayor Dowless said the Santa Fly-in was very successful and all went smoothly.
- Holiday banners have been installed on the power poles throughout the City. When the Edgewood banners come in he would like to put up some more.
- City Clerk Riffle told Mayor Dowless that she calls Orange County periodically but they do not have a process or a board in place for municipalities to place their legal ads in lieu of a periodical of general circulation. Mayor Dowless said he will check with the League of Mayors.
- He asked Planner Hardgrove if a full-service car wash should be defined in the Code for the ECD. Planner Hardgrove said she researched the car wash industry and there is a definition that says that for full service the driver has no responsibility for cleaning. Mayor Dowless said he would like to include the definition in Code.

Attorney Smith said that the industry standard definition can be used even if it is not in the City's Code. Planner Hardgrove clarified that the definition she used was from multiple websites, but uniformly it is clear that a driver does not perform any work.

- Mayor Dowless said that there are potentially four properties coming up for sale near the Holden and Orange Avenue intersection which includes the shopping center property at the corner, Coq Au Vin, Fulford Warehouses, and Pep Boys, and there is an opportunity for someone to assemble the properties. The Coq Au Vine property is in the middle.

He said the County said they would do a ROW study to estimate the cost to acquire right-of-way through the shopping center in order to realign Gatlin with Hoffner, but the County's transportation tax did not pass and it may be doubtful that funds would be available to purchase shopping center land.

There is approximately \$1.5M in ARPA funds which can be used for most governmental services. He asked Council for their opinion on purchasing the Coq Au Vin property to hold for the Holden realignment as well as for assembling properties for a transformational

redevelopment instead of incremental development. He believes the property is approximately \$1.6M.

Council had no objection to getting more information and Council President Horn said there is no harm in exploring it.

Council Member Chotas – absent

Council Member Pierce – no report

Council Member Rader - absent

Council President Horn

1. The power poles are unsightly and some are leaning. He asked if there is something in Code to require them to be plumb and to require uniform sag. Attorney Smith said he would look into it for the January Council meeting. Mayor Dowless said that he has already written to Duke.

2. Debris is not always cleaned up after car accidents and it can be seen on the roads. Chief Gauntlett said it is a common issue with tow truck operators and frequently cars will leave the scene without using them. They will push on the operators as much as they can.

Council Member Lomas

The grass is growing over the white lines on Holden Avenue and has not been trimmed. Mayor Dowless added that the area by the railroad tracks is a mess and Council President Horn said that the ROW by FK Your Diet has not been maintained.

ADJOURNMENT

Councilmember Pierce made a motion to adjourn the meeting; seconded by Councilmember Lomas.
The meeting was adjourned at 7:37 pm.



Richard A. Horn, Council President

Attest:



Sandra Riffle, City Clerk

Approved in the 1/17/2023 City Council Meeting