

**CITY COUNCIL REGULAR MEETING**  
City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, June 21, 2022 at 6:30 PM

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**MEETING MINUTES**

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**CALL TO ORDER**

Council Pro Tem Pierce called the meeting to order at 6:30 pm. He asked for a moment of silence, followed by leading everyone in the Pledge of Allegiance.

**ROLL CALL & DETERMINATION OF QUORUM**

Administrative Assistant Brett Sollazzo announced a quorum with four Councilmembers present, as well as Mayor Dowless. Council President Horn sent notice of his absence in advance.

*Councilmember Chotas made a motion to excuse Council President Horn's absence; seconded by Councilmember Lomas. Approved (4/0).*

**PRESENT**

Mayor John Dowless  
Councilmember Chotas  
Councilmember Lomas  
Councilmember Pierce  
Councilmember Rader

**ABSENT**

Council President Horn

**STAFF**

Brett Sollazzo, Administrative Assistant  
Stacey Salami, Code Enforcement Officer  
David Ireland, Police Sergeant  
Drew Smith, City Attorney  
Ellen Hardgrove, City Planner  
Allen Lane, P.E. CPH, City Engineer

**APPLICANTS**

Jay Voelpel - 600 Gatlin Rd.

- **APPROVAL OF MINUTES**

- **May 17, 2022 City Council Meeting Minutes**

- The following corrections were requested to the May 17, 2022 meeting minutes.

Councilmember Lomas requested clarification regarding the condition of approval for the Haven Oaks PD. Councilmember Rader motioned a condition of approval for the preservation of the property boundary at the wall, from the northernmost 30 feet of the west property line. Councilmember Lomas also requested for Mrs. DePorter's address be reflected in the minutes that the survey would be corrected to show Mrs. DePorter's ownership.

Attorney Smith suggested tabling the approval of minutes until the next meeting so that Interim Clerk Riffle could provide a direct quote of the motion from the recording.

Councilmember Pierce noted that on the roll call vote on page 9, the vote after his name should state absent. Brett confirmed Interim Clerk Riffle would make the correction

***Councilmember Lomas made a motion to table the approval of the May 17, 2022 meeting minutes until the next meeting and have Interim Clerk Riffle confirm the exact wording of the motion from the audio recording; and correct Councilmember Pierce’s vote; seconded by Councilmember Rader. Approved (4/0)***

**ORDINANCES FIRST READING**

- **Ordinance 2022-04 LOT SPLITS**

Attorney Smith read Ordinance 2022-04 in title only. The Ordinance is a proposed amendment to Chapter 126 of the City Code to provide a lot split procedure instead of re-platting.

Attorney Smith stated that the Planning and Zoning Board reviewed Ordinance 2022-04 on Monday, June 13, 2022. Three Board members were present at the meeting, but Board Member Gragg had a voting conflict leaving two voting members who did not make a quorum. Their consensus was to recommend approval of the Ordinance.

Discussion ensued regarding the lot split procedure. Councilmember Chotas stated he wanted to be sure that any lot split would not negatively impact adjacent properties. Planner Hardgrove said she would add that to the Ordinance before the second reading.

City Council established the process with Resolution 2005-R002, but did not amend the Code to allow the revised process. Planner Hardgrove said the Ordinance would simplify the process for lot splits and is consistent with State statutes that define a “subdivision” as the creation of three or more lots. A lot split is the process of dividing a single parcel into two, and the process can only be done one time for the lot of record.

Planner Hardgrove confirmed to Councilmember Pierce that an applicant would be required to submit a drawing to scale and a boundary survey of both the existing and proposed lot. Councilmember Pierce suggested replacing the word “sketch” with “scaled drawing.”

There was no public comment.

***Councilmember Pierce made a motion to approve the first reading of Ordinance 2022-04 lot splits with conditions of approval that the verbiage “any lot split will not negatively impact adjacent properties” be added; and replace the word “sketch” with the term “scaled drawing”; seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved with a roll call vote.

|                                  |        |
|----------------------------------|--------|
| Council President Pro Tem Pierce | Favor  |
| Councilmember Chotas             | Favor  |
| Councilmember Lomas              | Favor  |
| Councilmember Rader              | Favor  |
| Council President Horn           | Absent |

**PUBLIC HEARINGS (ORDINANCES – SECOND READINGS & RELATED ACTION)**

- **Ordinance 2022-02 Window Signage**

Attorney Smith read Ordinance 2022-02 in title only. The Ordinance is a proposed amendment to the Chapter 122 of City Code relating to window signs.

Planner Hardgrove stated that this is the second reading of the Ordinance, and no changes were made since the first reading.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2022-02; seconded by Councilmember Lomas. Approved (4/0).***

The motion was approved with a roll call vote

|                                  |        |
|----------------------------------|--------|
| Council President Pro Tem Pierce | Favor  |
| Councilmember Chotas             | Favor  |
| Councilmember Lomas              | Favor  |
| Councilmember Rader              | Favor  |
| Council President Horn           | Absent |

**NEW BUSINESS**

- **Fiscal Year 2022-2023 Non-ad Valorem Assessment**

Mayor Dowless explained that the City’s contract with FCC Environmental Services allows them to raise its collection rate by 3%, and there is no doubt Orange County will increase their disposal rate as well. If the City increases by the same amount would result in approximately \$8 more per year per parcel.

Mayor Dowless recommended increasing the non-ad valorem rate from \$292.96 to \$300.04. The reason for the increase is to ensure funds are available for hurricane cleanup. A rate of \$300.04 would add around \$6,000 per year, which would cover most administrative costs for City Hall.

Councilmember Lomas questioned if we would be adding a line item for this. Mayor Dowless said we would need to designate the funds. In the past, Waste Management had to loan the City money for cleanup. With the City not having utilities for revenue, this aligns with the proper use of funds.

There was no public comment.

***Councilmember Pierce made a motion to increase the 2022-2023 non-ad valorem assessment to \$300.00; seconded by Councilmember Rader. Approved (4/0).***

The motion was approved with a roll call vote.

|                                  |        |
|----------------------------------|--------|
| Council President Pro Tem Pierce | Favor  |
| Councilmember Chotas             | Favor  |
| Councilmember Lomas              | Favor  |
| Councilmember Rader              | Favor  |
| Council President Horn           | Absent |



**BOARDS & COMMITTEES**

- **Variance 2022-03 – 600 Gatlin Ave. Fence & Gate**

City Engineer Allen Lane explained that the homeowner requested a variance for a proposed five-foot-high decorative aluminum fence and electronic gate to be constructed in front of the residence, taller than the four-foot-high allowed by Code.

Engineer Lane explained that Gatlin Avenue experiences heavy traffic, and the fence would offer better security. He presented Councilmembers with photos of different homes along Gatlin Avenue, which showed fences as tall or taller than the proposed fence. He also showed pictures of the proposed fence location and said it would be set far enough back to avoid traffic backup issues on Gatlin.

Engineer Lane then stated he had no objection to the variance. The Planning & Zoning recommended denial of the request as they determined the application did not meet three of the seven variance criteria.

Engineer Lane confirmed to Councilmember Chotas asked Engineer Lane that there is room for landscaping along the fence line.

Discussion ensued regarding other properties along Gatlin avenue with fences and gates taller than what Code permits. Attorney Smith explained that some properties may have been annexed from Orange County and may not have permitted their fences and gates with the City.

Planner Hardgrove confirmed to Councilmember Lomas that the four-foot height requirement was always in the Code.

Councilmember Lomas stated she agreed with Planning & Zoning's recommendation for denial. She said the current City Code should be upheld regardless of the permitting procedure prior to annexation.

Mayor Dowless questioned if needs have changed and if City Code should be updated. Councilmember Rader responded that HOA restrictions would supersede City Code.

Attorney Smith said four-foot is still a fairly common standard for front yards. Mayor Dowless stated that Gatlin Avenue is more of a major road as compared to a neighborhood road, and said there is sometimes different code for thoroughfares.

Property owner Jay Voepel, said his purpose was to have a safe and beautiful house with a five-foot fence in front of the property. He explained the property has more than sufficient space from the sidewalk to the property line and is willing to plant vegetation in front of the fence line. He said that a four-foot-high fence feels minor for such a major street. He expressed that he wants to keep the City beautiful and ensure he is not obstructing anyone's view.

Councilmember Chotas suggested that the fence could be moved back and vegetation could be added. He also brought up changing the character of Gatlin Avenue, especially with traffic increasing along that road.

Planner Hardgrove agreed with Councilmember Chotas' suggestion to add a provision to code for major roads. From a safety standpoint she would want a taller fence as well.

Councilmember Chotas said he thought the requirements for a variance have been met and would vote accordingly but would like to take steps towards changing the code so people in the future do not need to come in for this issue.

Councilmember Rader agreed that it made sense for this property to have a taller fence, but it is unclear if they meet the requirements for a variance. He then confirmed that he would rather see a change in Code than approve the variance. Councilmember Chotas followed up by stating while he supports changing the code, he does not want to vote no on this variance which would delay construction for Mr. Voelpel.

Attorney Smith responded to Councilmember Rader and said that variances do not set a precedent, but Council should act consistently. Councilmember Lomas said she would rather change the code to allow different kinds of roads to have specific requirements rather than approve the variance.

**Public Comment:**

**Adrianna Sekula**, an Edgewood resident, spoke in favor of the variance request and stated that it should be up to the homeowner about what level of safety and privacy they have on their property. She noted the gate and fence would not affect the neighbors on either side.

**Kathryn Peters**, an Edgewood resident, and abutting neighbor, submitted a written comment before the meeting, “We object to this variance. We do not need a compound. Vegetation will work.” The comment was read aloud by Administrative Assistant Brett Sollazzo.

***Councilmember Chotas made a motion to approve Variance 2022-03 with a condition of approval that the fence would be moved back sufficiently from the property line in order to have landscaping on the applicant’s property rather than on the public right-of-way, and landscaping will be part of the construction; seconded by Councilmember Pierce. Approved (3/1).***

The motion was approved with a roll call vote

|                                  |        |
|----------------------------------|--------|
| Council President Pro Tem Pierce | Favor  |
| Councilmember Chotas             | Favor  |
| Councilmember Lomas              | Oppose |
| Councilmember Rader              | Favor  |
| Council President Horn           | Absent |

**STAFF REPORTS**

**Police Chief Freeburg – May 2022 Report**

- Chief Freeburg was unable to attend the meeting due to being sick. Sergeant David Ireland reported in his place to provide a staff report.
- Detective Nicole Crock was awarded Crisis Intervention Team (C.I.T.) Officer of the Year for 2020 and Officer Adam Lafan was presented with C.I.T. Officer of the Year for 2021.
- Edgewood Police Department Honor Guard participated in the annual Law Enforcement Memorial Service at the Orange County Courthouse.
- Edgewood Police Department partnered up with the G.R.O.W. Central Florida Program, where they gave sports balls to children in hopes of increasing the bond between our officers and the community.
- Starting May 23rd, the Edgewood Police Department participated in the Click It or Ticket campaign. During this time, 44 seat belt violations were given.



- Detective Nicolle Crock and Officer Chris Meade spent time with children at the Shining Star Academy teaching them all about their Police Cars

Interim City Clerk Riffle - absent

## MAYOR AND CITY COUNCIL REPORTS

### Mayor Dowless

- Retired Lieutenant Vincent Jackson passed away. Service was at Pine Castle Baptist. There was a lot of representation from the City and community members.
- Chief of Staff Shannon Patterson's son, Florida Wildlife Commissioner Officer Kyle Patterson, died in a head on collision. Police Department support has been incredible with the love and support for Shannon and her family.
- The Orange County Holden realignment meeting was re-scheduled due to incorrect notice. Mayor Dowless proposed that Council to hire a lobbyist to get the needed votes. He will present lobbyist quotes during a future Council meeting.

### Councilmember Rader

- Asked the status of the ARPA Funds and about appointing a committee.

### Councilmember Lomas

- Drove with Interim Clerk Riffle to look at sidewalks, and note any damage and/or repairs needed throughout the City.

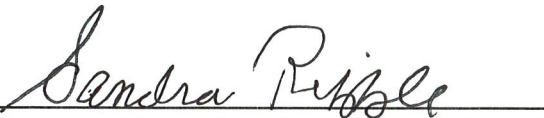
## ADJOURNMENT

*Councilmember Chotas made a motion to adjourn the meeting; seconded by Councilmember Pierce. Council President Pro Tem Pierce adjourned the meeting at 7:39 pm.*



Richard A. Horn  
Council President

Attest:



Sandra Riffle, CMC, CBTO  
Interim City Clerk

Approved in the 7/19/2022 Council meeting.