



**CITY COUNCIL MEETING**  
City Hall – Council Chamber  
405 Bagshaw Way, Edgewood, Florida  
Tuesday, February 20, 2024 at 6:30 PM

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**MINUTES**

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**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 Riffle announced there was a quorum with three council members and Mayor Dowless attending.

**City Council and Mayor Present:**

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

**Staff Present:**

Sandra Riffle, City Clerk  
Dean DeSchryver, Police Chief  
Miguel Garcia, Deputy Chief  
Shannon Patterson, Police Department Chief of Staff  
Tim Cardinal, Police Sergeant  
Stacey Salemi, Code Enforcement Officer  
Ellen Hardgrove, City Planner  
Allen Lane, City Engineer  
Drew Smith, City Attorney

**Applicant Present:**

Charlie Crawford, Toll Brothers  
Stuart McDonald, Toll Brothers

**C. PRESENTATIONS & PROCLAMATIONS**

Officer of the Year Presentation

Chief DeSchryver recognized Officer Scott Arellano-Zane as Officer of the Year 2024. Officer Arellano-Zane expressed his appreciation to the City.

**D. CONSENT AGENDA**

January 16, 2024 Draft City Council Meeting Minutes

*Councilmember Lomas made a motion to approve the January 16, 2024 meeting minutes as presented; seconded by Councilmember Rader. Motion approved by voice vote (3/0).*

**E. ORDINANCES (FIRST READING)**

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

**1. Ordinance 2023-18 Lake Mary Jess Shores Court**

Attorney Smith read Ordinance 2023-18 in title only.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2023-18; seconded by Councilmember Lomas. Motion approved by roll call vote (3/0).***

Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor

**2. Ordinance 2023-19 Lake Mary Court**

Attorney Smith read Ordinance 2023-19 in title only.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2023-18; seconded by Councilmember Lomas. Motion approved by roll call vote (3/0).***

Councilmember Rader	Favor
Councilmember Lomas	Favor
Council President Horn	Favor

**3. Ordinance 2023-20 John Scott Property**

Attorney Smith read Ordinance 2023-20 in title only.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2023-20; seconded by Councilmember Lomas. Motion approved by roll call vote (3/0).***

Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor

**4. Ordinance 2023-21 Animals**

Attorney Smith read Ordinance 2023-21 in title only.

Mayor Dowless noted the word "property" was written twice on line 57.

There was no public comment.

***Councilmember Lomas made a motion to approve Ordinance 2023-21 as amended; seconded by Councilmember Rader. Motion approved by roll call vote (3/0).***

Councilmember Rader	Favor
Councilmember Lomas	Favor
Council President Horn	Favor

**5. Ordinance 2024-01 Golf Carts**

Attorney Smith read Ordinance 2024-01 in title only.

There was no public comment.

***Councilmember Rader made a motion to approve Ordinance 2023-18; seconded by Councilmember Lomas. Motion approved by roll call vote (3/0).***

Councilmember Lomas	Favor
Councilmember Rader	Favor
Council President Horn	Favor

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

**1. Haven Oaks Closeout Inspection and Compliance Issues**  
(This business item was heard after the consent agenda.)

Planner Hardgrove said she made a site visit to Haven Oaks to inspect the signage. When she was there, she noticed deficiencies with the planned development and items that differed from the approved plans. City staff was not made aware before or after the changes were made.

Attorney Smith said the Council's options are to enforce or waive portions of the DA.

- **Entry median**

The median at the entry was painted onto the road but should be raised and filled in with brick to prevent entry through the egress gate. It should have two (2) palm trees. The solar panel extends 12 inches outside the median.

Mr. McDonald, with Toll Brothers, said that with pavers the raised area would not provide a deterrent. Councilmember Rader said the engineer does not get to make that decision. It's a safety issue.

Mr. McDonald said trucks were damaging the curbs. Councilmember Rader responded that the median was supposed to be low profile to avoid damage.

Council President Horn asked if the fix to the median could be made after trucks were finished coming in and out of the gate. Mr. McDonald requested to defer raising the median until the homes are completed.

Discussion ensued about when to issue the Certificate of Occupancy (CO). Planner Hardgrove suggested Toll Brothers could wait and do it with a performance bond, but Attorney Smith said he would prefer that Toll Brothers be responsible for getting it done

Councilmember Lomas said the deficiencies should be fixed immediately. Council President Horn said he is good with the last 1 to 2 houses and then rebuilding the median. Councilmember Rader said it is better to do sooner than later as there could be two years of the community operating with that issue.



- **Subdivision wall**

The wall is painted a shade of white. The approved plans showed the wall would be three colors.

Mr. McDonald said the wall is designed to be one color. He admitted that Toll Brothers should have brought it up at the beginning before painting it. They are willing to repaint. In response to Attorney Smith, Mr. McDonald said repainting with three colors would be almost impossible, he is not sure why it was agreed upon, and that it is easier for an HOA to maintain a single-color wall.

Attorney Smith said the frustration is that a lot of time was spent on this, and Toll Brothers did what they wanted to.

- **Buried utilities.**

The Developers Agreement (DA) required that the overhead power lines be buried. On the east side of the property, new poles were installed.

Mr McDonald said Duke would not bury the lines on the east side. They had to install poles for the lift station and to support the existing service to the address on the east.

Planner Hardgrove said the poles could have been pushed back. Mr. McDonald said Duke installs within the ROW and they were provided with only one option. Planner Hardgrove responded that the city would have helped with that.

Councilmember Rader said Duke would have probably given options. If the poles had to be gone, Duke would say how much it would cost. If Duke said no, it should have been a conversation.

- **Width of Sidewalk**

The sidewalk in front of the subdivision was to be seven (7) feet wide. There are locations where the sidewalk reduces to approximately four (4) feet wide. Power lines were to be buried.

Mr. McDonald said the sidewalk was part of Holden Ave improvements and that their engineer discussed the power poles with Allen Lane. Orange County Public Works decided on what to do with the sidewalk.

Planner Hardgrove said she spoke with Orange County. Had Toll Brothers come to the city there could have been a way to move the sidewalk to the buffer. Mr. McDonald responded that Orange County said denied allowing them to put the sidewalk in the buffer.

In response to Mayor Dowless, Allen Lane said he reviewed his emails and could not find communication between him and the engineer discussing the sidewalk width and certainly not from 7 feet to 42 inches, as that would have been a red flag.

In response to Council President Horn, Engineer Lane said they need to coordinate back with Orange County.

In response to Planner Hardgrove, Councilmember Rader said Duke Energy is fairly prescriptive. but the premise of the negotiation was that the poles would be removed.

Attorney Smith said they need to get an understanding if there is room for a waiver and this will probably have to be tabled.

Mr. McDonald said the property on the east is fed above ground, which is why a pole has to be there. He said they removed as much of the fence as possible and took the sidewalk as far as they could with OC public works.

○ **Narrowed median**

The median should have two (2) palm trees. The solar panel extends 12 inches outside the median.

Mr. McDonald said the solar panel was removed. He said the median was being constantly run over, so the engineer narrowed it. He admitted that they should have brought it to the attention of the City.

○ **Landscaping**

There should be an oak and two palms on each side of the entrance. A historic oak was removed and now there are just palm trees.

Planner Hardgrove said the median could be widened. Mr. McDonald believed they narrowed the median about 4 feet on the exit side. Engineer Lane said he measured the entrance which was 71 feet from wall to wall. It seemed like the exit may have been narrower.

Councilmember Rader noted that the perennials are underwhelming.

Councilmember Rader said this was a loss of vegetation and the two oaks that were removed were signature oaks. Planner Hardgrove said there is no longer room for the oaks.

Attorney Smith suggested going through the list and seeing what they can waive in the developers agreement. Otherwise, staff can work with the developer. Planner Hardgrove said she needs to hear what Toll Brothers is willing to do. Attorney Smith said their attorney can contact him.

○ **Subdivision Sign**

The entrance sign was part of a comprehensive sign plan as it is larger than regulations allow. It was approved as a monument sign, but the developer installed a wall sign

Mr. McDonald acknowledged the sign was supposed to be an 8-foot freestanding sign in front of the 6-foot wall. It was not aesthetically pleasing so they installed a wall sign.

Council President Horn said he would support issuing a waiver. Planner Hargrove agreed.

○ **Changes to the architectural guidelines**

- Requirement for side treatment for houses that have a side facing a wall.  
Mr. Crawford distributed elevation and design plans to the Council.

Planner Hardgrove said the developers agreement requires side treatment for when a side faces a road. Lot 41 is the most obvious and Councilmember Rader said it needs to be corrected.

Councilmember Rader suggested landscaping the open space tract. Attorney Smith said adding landscaping could help hide the bare facade.

- Architectural trim on windows on the first and second-floor windows  
Mr. Crawford said the contemporary and modern styles are designed to be clean with sharp lines without a lot of trim. All the plans show the elevations and were approved by the City.

Planner Hardgrove said the permit packages show an elevation, and those elements should have been caught but the deficiencies are now noted. Council President Horn said each site is to be reviewed.

Councilmember Rader remarked that he said he wanted a design book and never received one. The are some elevations that are very stark. Mr. Crawford said they are far into the development to make this change and that they are not trying to cut corners; it is an architectural style.

Planner Hardgrove said nobody reviewed the architecture and it should have been caught by staff. Toll Brothers should have followed the developers agreement.

- Garage doors are to be upgraded from a typical 16-panel door  
Planner Hardgrove said the renderings AVCON showed had upgraded garage doors with each model having a unique style. The doors that were installed do not look upgraded.
- Driveways are 15 to 16 feet wide but were approved to be 18 feet wide. This can be corrected except in lots 42 and 43, which are built. Toll Brothers has already started corrective actions to make the driveways 18 feet.
- Color scheme  
Color schemes were shown in the package Mr. Crawford distributed with six color schemes between elevations. Mr. Crawford said people want white houses; the colors have subtle variations.
- Size of playground  
Mr. McDonald said the playground was installed per the construction plans. The original proposal was conceptual. Planner Hardgrove noted that the size of the playground significantly changed.

Planner Hardgrove said they need to change the mulch out to ADA mulch, which is engineered wood. Planner Hardgrove suggested adding another 15 feet and another structure.



- o Location of air conditioning units

Mr. Crawford said it is common to have 5-foot setbacks and it is not desirable to have units in the back. He said units are on one side, so the other side of the house is clear for access.

Councilmember Rader said that serviceability was a major point, and people need to get a mower between the two lots. Mayor Dowless said it needs to be implemented so the city doesn't have to get involved. Attorney Smith said an attorney would need to answer how to replace a condenser without stepping on another person's property.

Mr. Crawford told Mayor Dowless that not all developments have ingress/egress easements between homes.

Council President Horn said the Council gave the developer flexibility, but Toll Brothers went beyond that. They need to come up with solutions.

Mr. Crawford asked if any items can go forward and they will come back to the council with prescriptive corrections. Council President Horn said not to spend too much time on the sign or the wall.

## 2. **Sergeant Tim Cardinal - Healthcare Plan Request**

Sergeant Cardinal addressed City Council and said that he understands the decision regarding weight loss programs and the use of employees' \$2,000 for healthcare expenses. He gave some facts about the negative effects of obesity in the workforce. He said the police department needs a fitness program and fitness should be a priority.

Council President Horn agreed some accidents are less likely for healthier people. He requested financial statistics.

Mayor Dowless said the Council changed from offering a pre-paid HRA card to avoid unnecessary purchases for reimbursement. He asked if the Council wanted to give more latitude.

Chief DeSchryver noted that the purpose of the \$2,000 is to help reduce costs to the employee. They need guidelines for what is or is not approved.

Mayor Dowless said to come up with quantifiable guidelines and the council will discuss it.

## 3. **Property and Disposal Property**

City Clerk Riffle said the City's auditing firm, CRI requested that the City provide a formalized Property and Disposal Policy. She requested that the Council provide a minimum value for items to be disposed of. Anything above that amount would need the Council's permission before disposal.

Deputy Chief Garcia noted Florida statutes address the disposal of capital items and equipment.

Mayor Dowless suggested a minimum threshold of \$2,500, which was agreed upon by City Council.

*Council President Horn made a motion to approve a minimum threshold of \$2,500 the amount requiring the Council's permission for the disposal of capital items. The motion was seconded by Councilmember Lomas. The motion was approved by voice vote (3/0).*

I. GENERAL INFORMATION

J. CITIZEN COMMENTS

K. BOARDS & COMMITTEES

L. STAFF REPORTS

- **City Attorney Smith**

- **Discussion of Parking Ordinance Revisions**

- Attorney Smith began a discussion about abandoned and unused cars that are kept on the streets.

- Council President Horn said that streets are not parking lots. Parking on the street should be temporary for a defined allowable period of time.

- Chief DeSchryver said the police department does not actively look, but they do receive calls about cars parked in the streets. They are asking for 72 hours to find out who a vehicle belongs to and give them time to move it.

- The consensus of the council was to allow 72 hours.

- Attorney Smith said the Form 6 lawsuit was filed.

- Per Attorney Smith's request, City Clerk Riffle will send legislative Calls to Actions to Council during the Florida legislative session.

- **City Engineer Lane**

- **County Installing No Wake Signage on the Lake**

- Engineer Lane said he received an email from Tara Urbanik at Orange County Environmental Division. They are putting no wake signs on lakes, some of which are in Edgewood such as under the Harbour Island Road bridge.

- Council President Horn noted that water markers have a specific set of standards per State Statute. The City will not be responsible for installing the signage.

- **Police Chief DeSchryver**

- **Chief DeSchryver January 2024 Report**

- Chief DeSchryver said the City needs to promote the message that emergency calls should be sent to 9-1-1, not to individual sergeants. People in dispatch are trained to take the calls.



- **City Clerk Riffle**

Clerk Riffle reminded Council that new Councilmember, Beth Steele, would be sworn in during the March 26, 2024 meeting and that new Council assignments would be made.

**M. MAYOR AND CITY COUNCIL REPORTS**

- **Mayor Dowless**

- Mayor Dowless said there are a couple events coming up including Pioneer Days that weekend and Mecatos Bakery’s grand opening on March 29<sup>th</sup>.
- The City’s 100<sup>th</sup> birthday celebration will be on March 23<sup>rd</sup> with a free community music fest and fireworks. He still needs to raise more funds for the event and credited Kim McFadden’s assistance in planning the event.
- Council Member Rader – no report
- Council Member Lomas – no report
- Council President Horn – no report

**N. ADJOURNMENT**

The meeting adjourned at 9:55 pm.



Richard A. Horn, Council President

Attest:



Sandra Riffle, City Clerk

Approved in the 3/26/2024 City Council Meeting