



City of Edgewater

104 N. Riverside Drive
Edgewater, FL 32132

Meeting Minutes City Council

Monday, August 7, 2023

6:00 PM

Council Chambers

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Depew called the meeting to order at 6pm.

Present: 5 - Mayor Diezel DePew, Councilwoman Charlotte Gillis, Councilwoman Gigi Bennington, Councilwoman Debbie Dolbow, and Councilman Jonah Powers

Also Present: 4 - City Attorney Aaron Wolfe, City Manager Glenn Irby, City Clerk Bonnie Zlotnik, and Assistant to the City Clerk Monique Toupin

2. APPROVAL OF MINUTES

None at this time

3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

- a. Presentation by Jones-Edmunds Engineers of the Hurricane Ian Exposure Analysis and Review of City Stormwater Code and Standards
- b. Citizen Recognition Award - Girl Scout Troop 1172

4. CITIZEN COMMENTS

Dawn Dill, 119 E. Park Avenue, spoke of the upcoming visioning session and the possibility of having more dog waste receptacles at Kennedy Park.

Bob Williams, 767 Pines Shores Circle, New Smyrna Beach, of the Southeast Volusia Chamber of Commerce; thanked City Council and Staff, specifically Samantha Bergeron and the Economic Development Board for their work with the Chamber. He informed Council of the initiatives the Chamber had taken to advocate for Edgewater.

Jordan Snipes, 3222 Royal Palm Drive, speaking on behalf of Mission 22, is hosting a Veterans mental health and suicide awareness walk on September 16th. They will be starting at the American Legion Post 285 in Edgewater and plan to walk a little over 22 miles. Anyone is welcome to join.

5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

Council discussed tabling item 10e but ultimately decided to keep it in order to hear citizens comments.

A motion was made by Councilman Powers, second by Councilwoman Gillis, to table Resolution No. 2023-R-15 to a Special Meeting on August 21, 2023. The MOTION was

APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

6. CITY COUNCIL REPORTS

Councilwoman Dolbow reported that she had attended the ribbon cutting for Edward Jones; the budget workshop; a crime watch meeting and the back-pack drive at the YMCA.

Councilman Powers reported that earlier in July, he had attended the Florida Inland Navigation District (FIND) community meeting with Councilwoman Gillis; the Volusia League of Cities meeting with Mayor Depew and Councilwoman Gillis in Debarry and the back-pack drive. He thanked the staff and residents who had made the event possible.

Councilwoman Gillis reported that she had attended the Fourth of July celebration; Yappy Hour at 30th Street Station; Fishing with the Police; the Southeast Volusia Chamber of Commerce Ambassador meeting; July's Code Enforcement Special Magistrate Meeting; she rode along with K9 Officer Nugent; met with members of City Departments to ask budget questions; met with the City of Debarry staff and their Mayor to discuss flooding; she attended the ribbon cutting for Edward Jones; the budget workshop; had toured the FROG Ministries facility; attended the Florida Inland Navigation District Outreach event; the Edgewater Animal Shelter charity corn hole tournament; the Halifax Health Lunch and Learn for cancer awareness event; the League of Cities event in Debarry; toured the City with City Manager Irby to discuss current and future projects; attended Sheriff Chitwoods parent safety meeting and the crime watch meeting. She had brought food to Parks and Recreation and Environmental Services to show her appreciation. She attended mentor training at New Smyrna Beach Middle School to be able to mentor youth; spent the day with Fire Department C shift; the back-pack event; and spent time at the Gifts of Love food bank.

Councilwoman Bennington reported that she had attended the Yappy Hour for the Animal Shelter. She appreciated her fellow Councilmembers for attending so many events.

Mayor Depew reported that he had spoken at WSBB radio and had attended numerous political meetings; the Southeast Volusia Regional Economic Summit; the Kiwanis Club in New Smyrna Beach; ribbon cuttings for Joes Cigar room, the Boston Whaler Customer Experience Center, Complete Health, Edward Jones and the Palmetto Real Estate Brokerage Firm; he spoke to teenagers in Apopka about being Mayor; had a lunch meeting with Mayor Burnette of Port Orange; a meeting with the Housing Authority; helped Habitat for Humanity at the New Hampshire Street location; went on a full ride along with Fire Station 55; attended a Habitat for Humanity groundbreaking ceremony; will be attending and meeting with various new Representatives at Capital Hills Fourth of July training; he attended the Halifax Health Community Outreach program; had a meeting with Jason Meyers at the Synergy Building in Holly Hill; had training in Washington DC; rode along with Code Enforcement; had lunch with Kelly Mcgee from Riverside Conservancy, Ponce Inlet Mayor Lois Paritsky, Daytona Beach Mayor Derrick Henry; Daytona Beach Shores Mayor Nancy Miller, New Smyrna Beach Mayor Fred Cleveland, Port Orange Mayor Don Burnette

and Sheriff Chitwood; he attended a Volusia League of Cities Dinner; and the back-pack event.

Mayor Depew spoke about the need for a Community Center in Edgewater and asked for Councils opinion on creating a 501(c)(3) for residents and organizations to donate and show support.

Councilwoman Dolbow asked where the center would go; Mayor Depew said that would be a discussion for the residents and Council.

Councilman Powers expressed concerns over the 501(c)(3); but would ultimately want Council or appointed staff to have autonomy over it.

Councilman Powers asked if the future City Hall complex would have a community center space; Mr. Irby said that is where he thinks it should go. Councilman Powers wondered if they could start with the community center and build the rest of the complex around it to avoid buying additional property.

Councilwoman Bennington said that while it's not too early to look; she doesn't want them to jump into anything, especially with all the projects the City currently has in progress.

Mayor Depew stated that in July the City had discharged 3.743 million gallons of reclaimed water a day into the River and he had met with many people regarding the excess reclaimed water. Kelly McGee and Randy Coslow, Environmental Services Director, had both suggested moving forward with the Mango Tree Lake facility next to Public Works. The next step is looking for funding; Mayor Depew plans to speak to the Indian River Lagoon Council about this potential project.

Councilwoman Dolbow asked about using Mango Lake for the excess reclaim water; Mr. Irby said that it would have to be engineered to see how much it can take and that a study would have to be done, as they can't just start discharging.

7. CONSENT AGENDA

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve the Consent Agenda. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- a.** Granicus Agreement Renewal
- b.** Authorization to Dispose of Surplus Asset and Non-Asset Items
- c.** FY22-23 Paved Road Resurfacing Strategies
- d.** Request from East Coast Independence Baseball Club for a discounted rate to use the Baseball Fields at Hawks Park Baseball Complex.

- e. Request Approval for the Change Order from Perfect Trades LLC for the City Clerk Metal Building and Authorize the City Manager to Execute the Change Order
- f. Request Approval of Addendum #1 to Extend the Brownfields Assessment Coalition Agreement Between City of New Smyrna Beach, City of Edgewater, and City of Oak Hill
- g. Temporary Staffing Services
- h. Agreement between the City of Edgewater and Orange Data to manage our foreclosed property ordinance.
- i. Addendum No 2 to the Professional Arborist Services Agreements
- j. Addendum No. 2 to the Professional Surveying Services Agreements.

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- a. Resolution No. 2023-R-15: Modifying the Schedule of Fees/Rates

This item was tabled to August 21, 2023

- b. Resolution No. 2023-R-24: Endorsing FDOT's Vision Zero Plan

City Attorney Wolfe read the Resolution into the record.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Mayor Depew asked that they work on Orange Tree Drive.

Mayor Depew closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilman Powers, to approve Resolution No. 2023-R-24. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

9. BOARD APPOINTMENTS

None at this time

10. OTHER BUSINESS

- a. FP-2301, Request for Final Plat Approval for Rivers Edge Subdivision

Ryan Solstice, Interim Development Services Director, provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Chuck Martin, 205 Cherrywood Lane, asked if the subdivision would hold its own water.

Rick Dixon, 102 S. Orange Street, New Smyrna Beach, Engineer for the project, stated that the systems are designed with a central pond and two (2) dry retention wells; it does meet the requirements of the St. Johns Water Management District and the City.

Mayor Depew stated that he hadn't received any comments from surrounding neighbors regarding flooding concerns and that he sees no issues with this development.

Councilman Powers stated that 35-40% had been left open and that there had been an eagles nest situation; the developer had reworked their design to ensure that those elements were preserved. He commended the Planning & Zoning Board for their work as well.

A motion was made by Councilman Powers, second by Councilwoman Dolbow, to approve the Final Plat for Rivers Edge subdivision. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

b. FP-2302, Request for Final Plat approval for Oak Leaf Phase 3a subdivision

Ryan Solstice, Interim Development Services Director, provided a staff report and recommendation.

Glenn Storch, representation for the applicant, stated that the presented plat meets the legal criteria; the comp plan; the zoning and the Land Development Code. He noted that the stormwater discharge is going to be equal to or less than the amount of stormwater undeveloped.

Mayor Depew opened the public hearing.

Chuck Martin, 205 Cherrywood Lane, felt that the County has not been doing their job regarding stormwater and encouraged the residents living on Elizabeth Street to attend County Council meetings.

Tina Richardson, 1513 Elizabeth Street, has had issues with flooding and has been in contact with the County and the gentleman in charge of cleaning out the ditches.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Dolbow, to approve the Final Plat for Oak Leaf Phase 3a. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- c. Accepting a Florida Firefighter Cancer Decontamination Equipment Grant from Division of the State Fire Marshal, if awarded.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilman Powers asked if this would come out of the current fiscal year or the upcoming one; Mr. Irby said that would depend on when it's awarded but they think it's going to be for the month of September.

Councilman Powers asked if the Grant Writer identified this or the Fire Department; Mr. Irby told him it was the Grant Writer. Councilman Powers and Councilwoman Gillis commended Sandy Camp for doing so well getting grants for the City.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Gillis, to accept the Florida Firefighter Cancer Decontamination Equipment grant, if awarded and amend the budget accordingly. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- d. Provide direction regarding settlement related to a motor vehicle accident that occurred on October 28, 2021 (Claim #387403).

City Attorney Wolfe provided a staff report and recommendation.

Councilman Powers clarified that the insurance position is to settle for the \$25,000. In the instance that they did decide to take it to court and lose; the City would owe \$85,000, how much of that would insurance cover? Mr. Wolfe responded that there is a consent to settle clause in the insurance policy; so if they did choose to deny the settlement and do in fact lose, the City would have to pay that difference.

Councilwoman Dolbow asked if the City would be responsible for the opposing parties lawyer fees; Mr. Wolfe said that normally each side pays their own attorneys fees but the City would have to pay the defense attorney fees plus any payment to settle.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to settle Claim #387403 for \$25,000.00. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

e. Sign Discussions

Heather Otero, co-owner of La Familia Latin Cuisine, gave her support for flags being allowed in Edgewater. She also gave support on behalf of:

Max Athletics

Nail'd It Studios

Mac's Smoke Shop

Patties Cheesecakes

Bellasol Paddleboard's

Atlantic Wave Hair Studio

Edgehub Nutrition

Laubster Catering

A motion was made by Councilman Powers, second by Councilwoman Dolbow, to table the sign discussion to a later scheduled workshop. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

f. Accept a Firefighter Assistance Grant for personal protective equipment, if awarded.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilwoman Gillis thinks it is a great idea because to her understanding; the bunker gear expires and does have to be replaced.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Gillis, to accept the Firefighter Assistance Grant and authorize the City Manager to issue a Purchase Order to Bennett Fire Products Co., Inc. in the amount of \$49,115.00 for 10 complete sets of PPE/bunker gear, subject to successful awarding of the grant. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

11. OFFICER REPORTS

a. City Clerk

City Clerk Zlotnik reminded Council that on August 21st there is a budget workshop at 10am and the

Council visioning session at 1pm.

There was a brief discussion on the best time to discuss the fees.

b. City Attorney

City Attorney Wolfe provided litigation updates on the 1859 Pine Tree drive foreclosure; the Ingles case; the Hatcher case and a new case filed by Lawrence Garrett regarding an accident involving a police cruiser and a bicycle.

c. City Manager

City Manager Irby had nothing at this time.

Samantha Bergeron, Economic Development Coordinator, reported that the TechHub grant application that Council approved at the last meeting needed more partners; in their quest to gain those, they had been invited through the Southeast Volusia Manufacturing and Technology Coalition to join a larger consortium that includes Space Florida and Embry Riddle. She asked Council's permission to move forward with that.

Councilman Powers asked for further clarification; Ms. Bergeron said she would give the information to City Clerk Zlotnik and City Manager Irby.

Council gave consensus to move forward.

12. CITIZEN COMMENTS

Chuck Martin, 205 Cherrywood Lane, discussed and apologized for comments made at past meetings.

13. ADJOURN

There being no further business to discuss, Mayor Depew adjourned the meeting at 7:56pm.

Minutes respectfully submitted by:

Monique Toupin, Assistant to the City Clerk.