



City of Edgewater

104 N. Riverside Drive
Edgewater, FL 32132

Meeting Minutes City Council

Monday, June 5, 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

None at this time.

4. CITIZEN COMMENTS

Sue Genthner, 2929 Sabal Palm Drive, suggested a light be put in at Turgot Avenue.

Jeanette Carter, 134 Hibiscus Road, discussed issues with Code Enforcement and feather flags in Edgewater.

Faye Helton, 1710 India Palm Drive, spoke about an issue with FPL.

Loretta Wells, 141 Shangri La Circle, inquired about flooding issues in her neighborhood.

Sue Beaudoin, 139 Shangri La Circle, discussed the flooding in her home from Hurricane Ian.

Jennifer Fox, 115 E. Turgot Avenue, stated her issues with Development Services; Code Enforcement and management of the City.

Cynthia Black, 2923 Umbrella Tree Drive, inquired over the Mayors fitness program and a parking issue at Menard May park. Mayor Depew informed her that the fitness challenge had been canceled but he would like to reinstate it.

Ed Hearsey, 510 S Riverside Drive, spoke about the issues at Menard May park. Samantha Bergeron, Parks & Recreation Director, informed the gentleman of the appropriate parking areas and said it would be looked into.

Judy Bourdeau, 2916 Oak Trail, stated an issue with the entrance and exit of a development across from her street.

5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

A motion was made by Councilman Powers, second by Councilwoman Bennington, to continue item 10b to the July 3, 2023 meeting. 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 Gillis reported that she had attended the Economic Advisory Board meeting and had shadowed Parks & Recreation Director Samantha Bergeron; multiple Hart Avenue progress meetings; an event at New Smyrna Beach Middle School; volunteered at the Animal Shelter; spent two (2) days touring the Parks & Recreation departments; had participated in ride alongs with Officer Rippeon and Officer Ingram; helped deliver baked goods to the nurses at Advent Health and to the elementary schools for teachers week with the Police Department; attended the National Day of Prayer event at Hawks Park; PTA meetings; a staff meeting; toured Creative Pathways Preparatory Academy and the Lineman College; attended the Southeast Volusia Chamber of Commerce quarterly membership meeting; spent the day with the Fire Department C shift; went to the Southeast Volusia Manufacturing and Technology career job fair; an Environmental Services and Parks & Recreation safety meeting; the state of the hospital meeting for Advent Health; toured the Farmton property; attended a visioning session; met with Sheriff Chitwood; a TPO meeting; the League of Cities Annual Service Awards; attended Coffee with the Chief; the Edgefest Laser Light show; a Memorial Day service; two (2) Chamber of Commerce ribbon cutting ceremonies and the New Smyrna Beach High Schools graduation ceremony.

Councilwoman Bennington reported that she had attended the Florida League of Cities dinner; the visioning session; and the Mothers Day event.

Councilwoman Dolbow reported that she attended the quarterly breakfast; the Mothers Day event; the visioning session; the Edgewater Animal Shelter pack walk. She announced that as of May, it had been five (5) consecutive months with no discharge into the Indian River Lagoon. She reminded everyone about the upcoming Fathers Day event and a Summer food service program from June 5th to August for children under 18; She also attended the Edgewater Amvets ceremony.

Councilman Powers reported that he attended the visioning session; the annual Volusia League of Cities banquet; and he asked for Councils opinion on flood vulnerability assessments. City Manager Irby informed them that there was an agenda item pertaining to that.

Mayor Depew reported that he had appeared on WSBB Radio station; had attended a YMCA board meeting; a meeting with residents of Palmetto Avenue; the National Day of Prayer event; the Mayors

Roundtable event; at a tourism breakfast at the Brannon Center; presenting the State of the City of Edgewater; at a political luncheon in Edgewater; the Mothers Day event; a meeting with Chair Brower; a young leadership event; was a celebrity waiter at Southeast Volusia Chambers afternoon tea; a Park Avenue community discussion; a Volusia County Economic Development questioning event; a Daytona Beach Law Enforcement memorial; Edgefests Schools Out YMCA party; a meeting with Steve Beaman regarding bee mats; spoke at Creative Pathways Preparatory Academy graduation; was on Jim Cameron's podcast; two (2) ribbon cutting ceremonies; and a real estate forum.

Mayor Depew asked for an update on the feather flags; Mr. Irby informed Council that no other City; in Volusia allows them. Council asked for further discussion in the future regarding them.

a. Discussion of the City Manager's 2022 evaluation, progress and Council direction.

Councilwoman Gillis stated that City Manager Irby does what she asks of him and that she has no further comments.

Mayor Depew felt, in regards to the City Manager, that there was a lack of communication; support for the community; proper preparedness in terms of hurricanes; and an incorrect handling of the firing of a Department head.

Councilman Powers had no comment.

Councilwoman Dolbow stated that she has had a good relationship with City Manager Irby and has no further comment.

Mayor Depew opened the public hearing.

Jim Fox, 115 E. Turgot Avenue, spoke about his issues with the City Manager.

Jennifer Fox, 115 E. Turgot Avenue, spoke about her issues with the City Manager.

Mike Wellendorf, 1850 Kumquat Drive, spoke about his issues with the City Manager.

Linda Rossi, 1844 Needle Palm Drive, spoke about her issues with the City Manager.

Cory Sapp, 2630 Travelers Palm Drive, gave her opinion on the current issue.

Sue Beaudoin, 139 Shangri La Circle, spoke of her experience with the City.

Mayor Depew closed the public hearing, and passed the gavel to Vice-Mayor Bennington.

A motion was made by Mayor Depew, to continue item 10b to the July 3, 2023 meeting. The MOTION DIED due to lack of second and was WITHDRAWN.

7. CONSENT AGENDA

A motion was made by Councilman Powers, second by Councilwoman Dolbow, 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. 1st Amendment to the Professional Services Agreement, Property Registration Champions LLC
- b. Alternatives Evaluation for G2-G11 Canal Improvement Project
- c. Vac-Truck Refurbishment and Rental
- d. Amending Section 14 Citizen Complaints of the CDBG-DR Grant from DEO for the Hart Avenue Drainage and Water Main Improvements Project
- e. Engineering Design for Duck Lake Outfall
- f. Install Emergency Sewage Pumps at Five Lift Stations in Florida Shores
- g. Sewer Lift Station 52 Pump Replacement
- h. Parking Agreements - 4th of July Celebration and Fireworks Display

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- a. 2nd Reading - Ordinance No. 2023-O-16: Jack Lawson, requesting annexation of 2.12± acres of land located at 1890 Old Mission Rd.

City Manager Irby introduced the interim planning firm; the Principle, Mike Ranken and interim Development Services Director, Ryan Solstice.

City Attorney Wolfe read the Ordinance into the record.

Mr. Solstice provided a staff report and recommendation.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Ordinance No. 2023-O-16. The MOTION was APPROVED by the following vote:

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

- b. 2nd Reading - Ordinance No. 2023-O-17: Jack Lawson, requesting an amendment to the Comprehensive Plan Future Land Use Map to include 2.12± acres of land

located at 1890 Old Mission Road as Low Density Transition with Conservation Overlay

City Attorney Wolfe read the Ordinance into the record.

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

Mayor Depew opened the public hearing.

Councilwoman Bennington inquired about rural transition; Mr. Solstice explained that they have to have a minimum lot size of one (1) acre per one (1) dwelling unit in the zoning category. In this case, rural transition will have a 25% maximum building coverage and then 60% impervious. There would just be one house built on the property.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Ordinance No. 2023-O-17. The MOTION was APPROVED by the following vote:

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

- c.** 2nd Reading - Ordinance No. 2023-O-18: Jack Lawson, requesting an amendment to the Official Zoning Map to include 2.12± acres of land located at 1890 Old Mission Road as RT (Rural Transitional).

City Attorney Wolfe read the Ordinance into the record.

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

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilman Powers, to approve Ordinance No. 2023-O-18. The MOTION was APPROVED by the following vote:

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

- d.** 2nd Reading - Ordinance No. 2023-O-22: Amending Chapter 10 (Health, Sanitation, Property Maintenance and Code Enforcement), of the Code of Ordinances.

City Attorney Wolfe read the Ordinance into the record.

City Manager Irby provided a staff report and recommendation.

Councilman Powers confirmed with Mr. Irby and Mr. Wolfe that this was dictated by the State.

Mayor Depew opened the public hearing.

Councilwoman Gillis stated that her interpretation was that State law had changed to ensure no one was abusing the code.

Mayor Depew closed the public hearing.

A motion was made by Councilwoman Bennington, second by Councilman Powers, to approve Ordinance No. 2023-O-22. The MOTION was APPROVED by the following vote:

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

- e. 2nd Reading - Ordinance No. 2023-O-23: Amending the Police Officers Pension Plan

City Attorney Wolfe read the Ordinance into the record.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilman Powers confirmed with Mr. Irby that the Police Pension Board had approved of the changes.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Ordinance No. 2023-O-23. The MOTION was APPROVED by the following vote:

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

- f. 2nd Reading - Ordinance No. 2023-O-24 - Amending Chapter 9 (Finance)

City Attorney Wolfe read the Ordinance into the record.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilwoman Gillis, to approve Ordinance No. 2023-O-24. The MOTION was APPROVED by the following vote:

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

- g. Resolution No. 2023-R-08; June Amended Budget for Fiscal Year 2022-2023

City Attorney Wolfe read the Resolution into the record.

Bridgette Vaissiere, Finance Director, provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilman Powers asked if the ambulance grant had been awarded; Ms. Vaissiere informed him that they were in the process of applying for it. Due to the lag time regarding getting the vehicles, they were attempting to program the budget accordingly. She confirmed that the majority of the funding was via grants.

Councilwoman Gillis stated that she was happy to see the G2 and G11 projects moving along.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Resolution No. 2023-R-08. The MOTION was APPROVED by the following vote:

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

- h.** Resolution No. 2023-R-09; Authorizing the City Council to participate in a joint meeting with the City of New Smyrna Beach City Commission and the City of Oak Hill City Commission to discuss matter of mutual interest related to economic development in southeast Volusia

City Attorney Wolfe read the Resolution into the record.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilwoman Bennington voiced her approval; Mayor Depew and Councilwoman Gillis agreed.

Mayor Depew closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilwoman Bennington, to approve Resolution No. 2023-R-09. The MOTION was APPROVED by the following vote:

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

- i.** Resolution No. 2023-R-10: Authorization for the Mayor and City Manager to execute an Agreement with East Central Florida Regional Planning Council to prepare a Vulnerability Assessment and Adaptation Action Plan for the City of Edgewater according to the terms of the FDEP Resilient Florida Grant

City Attorney Wolfe read the Resolution into the record.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilman Powers asked if this was a comprehensive view of vulnerability and then an action plan or if it only related to City property. Mr. Irby clarified that it was City property. Councilman Powers asserted that it was fine but thinks that there should be a community wide assessment.

Mayor Depew agreed as New Smyrna Beach's assessment had been very well done; Councilman Powers inquired about that being done for the next meeting.

Mayor Depew closed the public hearing.

A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Resolution No. 2023-R-10. The MOTION was APPROVED by the following vote:

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

9. BOARD APPOINTMENTS

- a.** Economic Development Advisory Board Appointment - Councilwoman Bennington's appointment due to an open seat on the Board.

Mayor Depew opened the public hearing.

Councilwoman Dolbow confirmed that the applicant was with Daytona State College; Council was in agreement that he was a good choice.

A motion was made by Councilwoman Bennington, second by Councilwoman Dolbow, to appoint Mr. Enaris Inman. The MOTION was APPROVED by the following vote:

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

10. OTHER BUSINESS

- a.** Zoll® Cardiac Monitor/Defibrillator

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilwoman Dolbow asked if impact fees were going to cover the cost of the defibrillator; Mr. Irby confirmed that they would.

Councilman Powers asked if it was already in use; Fire Chief Lariscy said it was not as they had not gotten the new ambulance yet. It should be staffed and in use by the first week of July.

Councilman Powers inquired if vehicles could be bought with impact fees if the grant was not obtained; Mr. Irby said yes as it would be an expansion of service.

Mayor Depew closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilman Powers, to approve of the purchase the Zoll® Cardiac Monitor/Defibrillator utilizing fire protection and EMS impact fees. The MOTION was APPROVED by the following vote:

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

b. Fire Services Assessment Programs

This item was continued to the July 3, 2023 meeting.

c. Agreement between the City of Edgewater, Florida and Bound Tree Medical, LLC for the purchase of EMS supplies.

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Bennington, second by Councilwoman Dolbow, to approve the agreement between the City of Edgewater and Bound Tree Medical, LLC.. The MOTION was APPROVED by the following vote:

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

d. Contract for Temporary Planning and Zoning Services

City Manager Irby provided a staff report and recommendation.

Mayor Depew opened the public hearing.

Councilwoman Bennington felt as though there was no other choice.

Councilman Powers pointed out that the City needed both planning services and a rewrite of the Land Development Code; Mr. Irby said there was no process for that. Councilman Powers concluded that this was only for planning and zoning services on an as needed basis until positions are filled.

Mayor Depew asked if City Attorney Wolfe was going to be attending the Planning and Zoning board meetings; Mr. Irby confirmed he would be attending on a permanent basis.

Mayor Depew closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilwoman Bennington, to approve AR-2023-263. 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 reported that she had been working with the Red Cross to conduct an emergency preparedness public meeting and to obtain various resources they may have for the Citizens; she had also done an interview with WSBB to provide an update on the City Clerks office and its duties.

Ms. Zlotnik reminded Council of the Southeast Volusia Chamber Regional Economic Development Summit taking place on June 14 at 9am and of the first budget workshop on June 19 at 4:30pm; it will be to discuss the utility and rate study.

b. City Attorney

City Attorney Wolfe provided litigation updates on the foreclosure of 1859 Pine Tree Drive regarding code liens; the Ingles case; and the Hatcher case.

Councilman Powers asked when the Court would decide to dismiss the Hatcher case; Mr. Wolfe said that the Court could order the complaint to be dismissed on August 7 but they may grant them leave to amend.

Councilwoman Gillis confirmed that the Pine Tree house had been abandoned for a while.

c. City Manager

City Manager Irby asked if Council would like to have an additional visioning session; Councilman Powers said yes and that he felt it was important to communicate effectively as to what the plan is and what its going to accomplish, mainly due to misunderstandings that had taken place during the initial session.

Councilwoman Dolbow agreed that a second one was necessary but asked if the information gathered during the first session could be brought to the second one; that way any additional residents who hadn't previously attended could comment on that. Mr. Irby said he would see what he can do.

Mayor Depews biggest concern was that they had only discussed Park Avenue but the study cost \$75,000; Mr. Irby explained that the study comprised of several meetings and that they were updating the old plan, not creating a new one.

Councilwoman Bennington and Mayor Depew had issues with that as many of the things on the old plan were impossible to do now with the growth of the City. Mr. Irby asked if Council wanted another one-on-one meeting with them again to point those things out; Mayor Depew stated that it was about what the residents wanted and he would like to see a new one based on the whole

community.

Further discussion ensued about the cost of the project; the timeline; getting more public input and the necessity of another meeting.

City Manager Irby asked for Councils consensus to have a longer workshop on a Saturday so it is more accessible to the residents; Council agreed.

12. CITIZEN COMMENTS

Jeanette Carter, 134 Hibiscus Road, spoke about issues with audio during the meeting and feather flags.

Mike Ranken, of LPG, introduced himself and gave his business cards to Council.

Chuck Martin, 205 Cherrywood Lane, discussed election integrities and issues he has with members of the Council.

Mike Wellendorf, 1850 Kumquat Drive, appreciated Councils determination to represent the residents.

13. ADJOURN

There being no further business to discuss, Mayor Depew adjourned the meeting at 7:50pm.