



City of Edgewater

104 N. Riverside Drive
Edgewater, FL 32132

Meeting Minutes City Council

Monday, June 2, 2025

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, Councilman Mike Thomas, Councilwoman Debbie Dolbow, and Councilman Eric Rainbird

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

2. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

Mayor Depew asked to table item 10b.

Ryan Solstice, Development Services Director, asked that they also table items 8a, b & c as they were all supposed to be heard together.

Interim City Manager Thurman informed Council that he had been asked to request item 10a be tabled until the next meeting; Mr. Solstice explained that the defendant was unable to attend the meeting but he did advise that the applicant was present.

Councilwoman Dolbow felt it should be tabled until the next meeting so both applicants could be present.

Councilwoman Dolbow made a motion to table item 10a, request to appeal the Planning and Zoning Board's decision regarding an issuance of conditional use permits and variances on the property 1103 S Ridgewood Avenue to the July 7th Council meeting.

Mayor Depew asked for consent to table the other items mentioned; City Clerk Zlotnik advised that there was a motion still on the table.

Further discussion ensued over the items being tabled.

A motion was made by Councilwoman Dolbow, seconded by Councilman Rainbird, to table AP-2500: Request to appeal the Planning and Zoning Board's decision regarding the issuance of a conditional use permit and variance for the property at 1103 S Ridgewood Avenue to the next City Council Meeting, would be July 7. The motion failed by the following vote:

Yes: 1 - Councilwoman Dolbow

No: 4 - Mayor DePew, Councilwoman Gillis, Councilman Thomas and Councilman Rainbird

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to table 8a, b, c and 10 b together to the July 7 meeting. The MOTION was APPROVED by the following vote:

Yes: 4 - Mayor DePew, Councilwoman Gillis, Councilman Thomas and Councilman Rainbird

No: 1 - Councilwoman Dolbow

3. APPROVAL OF MINUTES

None at this time.

4. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

- a.** Proclamation - National Garbage Man Day and Waste and Recycling Workers Week.

Mayor Depew presented the proclamation to members of the Refuse Department.

5. CITIZEN COMMENTS

Paul and Helen Wert, 3652 Ponderosa Drive, Ormond Beach, expressed concern and outrage over an incident their grandson recently had with an Edgewater Police Officer.

Jason Voelz, Deltona, announced that he is a Republican State Senate Candidate for District 8 and discussed his intentions and goals.

Councilman Thomas asked about the issues Deltona has with septic-to-sewer; Mr. Voelz said he was aware of the issues and is hoping to correct it with the help of local officials. Councilman Rainbird asked if Mr. Voelz would attempt to repeal SB180; Mr. Voelz felt the Bill was unconstitutional.

Art Slack, 3031 Umbrella Tree Drive, discussed the incompleteness of Council minutes.

Donna McDavid, 1201 Bond Street, respectfully asked that Council recognize the month of June as Post Traumatic Stress Disorder Awareness month. Mayor Depew asked City Clerk Zlotnik to move forward with the proclamation after consensus from Council.

Ken Roemer, 518 Seagull Court, inquired over the possibility of the City doing a National Founders Day where people get dressed up and celebrate the history of the town.

Patrick Fisher, 2100 S Air Park Road, asked Council to request that the City Manager and staff continue with the comprehensive plan update as it has been paused due to SB180.

Jim Lovgren, 182 Jones Fish Camp Road, thanked Council for tabling item 10b; discussed issues with public notices and asked questions about the item. Mayor Depew advised him to reach out to Council and they would try and get him more information.

City Clerk Zlotnik advised that the items should not be discussed as they had been tabled.

Marilyn Bennett, 194 Jones Fish Camp Road, discussed issues she has with the nearby development, Riverfront Estates and asked about how Council handles Citizens comments and questions after Council meetings. Mayor Depew explained the best ways to reach Council to get issues addressed.

Chuck Martin, 205 Cherrywood Lane, spoke about his history at Council meetings; previous issues and concerns he had voiced; his displeasure with certain Councilmembers and stated he felt City Attorney Wolfe was not the problem, it was Councils lack of direction.

6. CITY COUNCIL REPORTS

Councilwoman Dolbow attended two (2) Memorial Day remembrance ceremonies and commended Gary Snider for his work and effort.

Councilman Rainbird attended the Volusia League of Cities dinner; expressed his displeasure with SB180; spoke about the water runoff issues from Rivers Edge subdivision and asked for ways it can be rectified. Mayor Depew asked if Rivers Edge was fully built out and if they had been issued a certificate of occupancy.

Ryan Solstice, Development Services Director, deferred to Sean Maroney, Interim Public Works Director, regarding the stormwater issues. He informed Council that he believes they still have a maintenance bond; he will check on that.

Sean Maroney, Interim Public Works Director, spoke of issues they had found at the subdivision and provided a tentative plan for improving the situation. Staff plans to be on site in the following weeks; he will provide an update at the following Council meeting.

Councilwoman Gillis attended a Friends of the Edgewater Library meeting and awarded a scholarship to an Edgewater student on their behalf; a Habitat for Humanity Memorial Day ceremony; a Memorial Day Ceremony at Edgewater-New Smyrna Cemetery; a Volusia/Flagler TPO meeting; the Edgefest Schools Out Glow Party; and the Volusia League of Cities annual meeting where she received the Home Rule Hero Award for Advocacy.

She asked for Council consensus to have staff move forward with the comprehensive plan update; Mr. Solstice explained he had paused it due to SB180 and because of the time it was taking staff away from their other duties.

Mayor Depew asked if it would violate the Charter to recommend staff to move forward with the comp plan; Mr. Wolfe advised that it would not. Interim City Manager Thurman said they could

move forward with the process but asked for more public participation.

Councilman Rainbird asked if this would affect the stormwater master plan; Mr. Solstice said it would not.

Further discussion ensued over the lack of participation; staffs time and ineffective workshops in the past.

Mr. Solstice said they can continue to work on the comp plan update and they will send out a flyer letting people know of the next workshop to look at the rough draft.

Council gave consensus to have staff move forward.

Councilman Thomas attended the League of Cities dinner; had participated in a ride along with Tommy Smith, Public Works Superintendent; received an update on his business card from Ms. Zlotnik and spoke briefly of the minutes.

Mayor Depew asked about the minutes; Ms. Zlotnik said that it was still a staffing and time issue.

Mayor Depew commended Gary Snider for his work on the Memorial Day ceremony and Councilwoman Gillis for winning the Home Rule Hero award; attended the Volusia League of Cities dinner and asked if staff could look into purchasing the house located behind the police station.

Discussion ensued over if CRA funds could be used for the home and the timeline for purchase; Ryan Solstice, Development Services Director, explained how the process works and Sean Maroney, Interim Public Works Director, interjected that they can make an offer with the appraisal included. Staff agreed to work together to explore the possibility as they could use CRA funds for it.

7. CONSENT AGENDA

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

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilman Thomas, Councilwoman Dolbow and Councilman Rainbird

- a.** Parking Agreements for the 4th of July Celebration and Fireworks Display
- b.** Award of ITB 25-ES-01 Park Ave Booster Station Rehab and Demo
- c.** Purchase of Property on Pearl Street
- d.** Cancellation of agreement with FASTER for our Fleet Division

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- a. 2nd Reading - Ordinance 2024-O-47: Request for annexation of Parcel ID's 853801000220 and 853801000221 from Volusia County into the City of Edgewater generally located at the end of Jones Fish Camp Road.

This item was tabled to the July 7 meeting.

- b. 2nd Reading - Ordinance 2024-O-48: Request for small scale comprehensive plan amendment to the Future Land Use Map for Parcel ID's 853801000220 and 853801000221 from Volusia County Urban Medium Intensity and Water to City of Edgewater Mixed Use with Conservation Overlay.

This item was tabled to the July 7 meeting.

- c. 2nd Reading - Ordinance 2025-O-55: Request for rezoning for 0.683 + acres (PID's 8538-01-00-0220 and 8538-01-00-0221) located on the northeast end of Jones Fish Camp Road from Volusia County Resource Corridor (RC) and Volusia County Resource Corridor Water (R-6W) to City of Edgewater Mixed Use Planned Unit Development (MUPUD).

This item was tabled to the July 7 meeting.

- d. Resolution 2025-R-11; June Amended Budget for Fiscal Year 2024-2025

City Attorney Wolfe read the Resolution into the record.

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

Mayor Depew stated that they normally don't do middle of the year budget adjustments; Ms. Vaissiere clarified that typically at minimum they do one mid-year and one final budget amendment for various things that may occur throughout the year such as various grant opportunities. The original operating budget is a fluid document.

Mayor Depew noted that they did not raise taxes or do a utility study this year; Ms. Vaissiere said that both were correct. Those things are done during the original budgeting process. The mid year or additional budget amendments are funded by either grants; impact fees or the CRA funds.

Mayor Depew opened the public hearing.

Councilman Rainbird inquired over the amendment to the City Manager search cost; Ms. Vaissiere confirmed that per the contract, the City would pay the cost of flying the candidates in to interview them. Ms. Vaissiere further explained that \$10,000 was originally set aside when they believed there were five (5) candidates, not the remaining two (2) and that it is a high estimate. Anything that wasn't used would go back into the general fund.

Mayor Depew asked how many quotes they had gotten for the City Hall mitigation and remodeling;

Jason O'Keefe, Parks and Recreation Director said they had gone with the original quote from the vendor who had done the mold study; he had gotten two (2) other quotes as well and they were all close and competitive.

Mayor Depew discussed the plans for the portion of City Hall being remodeled; the previous plans for the City Clerks office; the need to fix the mold problem and the additional cost for the City Manager search.

Ms. Vaissiere reiterated for Mayor Depew that the \$10,000 was based on five (5) candidates and that they had estimated high. City Clerk Zlotnik explained that it was a direct reimbursement so they would not know the exact costs until the candidates provided receipts.

Mayor Depew commended staff for their efforts towards the budget and asked if there were additional comments.

Councilwoman Gillis felt unimpressed by the remaining City Manager candidates and felt they should go back out for more applicants, possibly without SGR. City Clerk Zlotnik informed Council that she isn't sure of the exact details of the contract but that the interviews were scheduled for the following week.

Mayor Depew wanted consensus to hold a workshop to discuss the contract and figure out what Council wanted to do.

Councilwoman Dolbow felt they should approve the budget with the \$10,000 just in case it was needed; if it wasn't, it would simply go back into the general fund.

Further discussion ensued on how Council felt they should handle the City Manager Search; the cost of the candidates travel and the SGR contract.

City Attorney Wolfe said he would have to review the contract before giving legal advice.

City Clerk Zlotnik said it would be up to Council to see if there is a penalty to not move forward with SGR and do an independent search. City Attorney Wolfe recommended a public meeting so the residents can participate.

City Clerk Zlotnik said she would not be comfortable heading an independent search as she is not Human Resources but she would figure it out if she had to do so.

Council agreed to hold a special meeting and planned to schedule it during the City Clerks report.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve Resolution No. 2025-R-11; June Amended Budget for Fiscal Year 2024-2025. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilman Thomas, Councilwoman Dolbow and Councilman Rainbird

9. BOARD APPOINTMENTS

None at this time.

10. OTHER BUSINESS

- a. AP-2500: Request to appeal the Planning and Zoning Board's decision regarding the issuance of a conditional use permit and variance for the property at 1103 S Ridgewood Avenue.

Ryan Solstice, Development Services Director, provided a staff report.

Jennifer Fox, 115 E Turgot Avenue, applicant, gave a detailed explanation for her appeal.

Mayor Depew opened the public hearing.

Chuck Martin, 205 Cherrywood Lane, gave his opinion on the matter and on following the City codes.

Marcia Lenninger, 116 E Turgot Avenue, spoke of her negative experience living near All Florida Plumbing; issues with semi trucks on her residential street and asked that Council give their neighborhood careful consideration.

Steve Park, 111 E Turgot Avenue, discussed his recent home purchase, a filled in retention area and his displeasure with what has been approved regarding All Florida Plumbing.

Ms. Fox provided details regarding the filled in retention area and discussed the issues with semi trucks that Ms. Lenninger had mentioned.

Councilman Rainbird spoke of an unsavory experience he had with the owner of All Florida Plumbing where he was disrespectful to the Foxes; his experience with the situation being on the Planning & Zoning board and his displeasure over how the business treats the residents in close proximity.

Mayor Depew questioned why the business in question had not come into compliance; Mr. Solstice explained that while the Planning and Zoning board had given direction, they did not give the business any stipulations besides providing the delivery schedule for the semi trucks.

Councilwoman Dolbow expressed concern that both parties were not present for this discussion and brought up things that the business had changed to rectify the situation. She asked Mr. Solstice if the color of the building violates any codes; Mr. Solstice said not necessarily as that portion of the code is subjective.

Councilwoman Dolbow felt the color of the fence shouldn't be an issue and reiterated that she felt both parties should be present as it wasn't fair to hear one side and not the other. She's concerned the perception will be that Edgewater is not business friendly.

Mr. Solstice interjected that staff had previously tabled the matter for the Foxes for the Planning and Zoning board as a courtesy.

Further discussion ensued that over the tabling of the item; why the defendant was not present; the cost of the appeal and hearing both sides.

A motion was made by Councilwoman Dolbow, to table to the next meeting, July 7. The motion did not receive a second and was LOST.

Councilwoman Dolbow was concerned over the perception that Mayor Depew was being differential towards the Foxes. She felt that if both parties were present; they could work out some type of compromise that made the Foxes happy and allow All Florida Plumbing to stay in business.

Mayor Depew disagreed that it was a small business issue; it was that the business had been allowed to encroach and violate codes.

Councilman Rainbird felt they had been given ample time to correct any issues and hadn't done so; Mayor Depew stated that the agenda had been out two weeks so the business owner should be present.

Councilwoman Dolbow made note that in the past, Council had chosen to table items that had been on the agenda for weeks when they felt they weren't ready to make a decision and they should extend the same courtesy.

Councilman Rainbird remained steadfast that the business would not correct the errors as they had not done so yet.

Councilman Thomas was concerned with the large amount of chlorine kept on site and if it was done so safely; Mr. Solstice gave a back story regarding the stormwater and the warehouse expansion on the property.

Discussion ensued over the way the chlorine on the property is held and what has been done on the property; Mr. Solstice was not sure what had been completed.

Councilman Thomas felt that everyone had to abide by the code; Mayor Depew agreed and said the defendant should have been present.

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to approve the request to appeal. The MOTION was APPROVED by the following vote:

Yes: 4 - Mayor DePew, Councilwoman Gillis, Councilman Thomas and Councilman Rainbird

No: 1 - Councilwoman Dolbow

- b. AR-2025-0174: 1st Amendment to Edgewater River Oaks Mixed Use Planned Unit Development Agreement.

This item was tabled to the July 7 meeting.

11. OFFICER REPORTS

a. City Clerk

City Clerk Zlotnik requested that Council provide their choices for the Charter Review committee and received instruction from Council to schedule a special meeting regarding the City Manager search and how to proceed forward.

b. City Attorney

City Attorney Wolfe provided an update on the Lennar Homes litigation and advised that the Judge's son did work for a law firm that represented Lennar Homes but it shouldn't be an issue as it was a state wide law firm and there were no direct ties. He recommended taking no action on the matter.

Councilwoman Thomas asked for an update about an offer Lennar had made; Mr. Thurman informed him that he had a meeting planned tomorrow with representatives of Lennar to get further details.

Further discussion ensued over the process after the appeal if Lennar agrees to certain items.

c. City Manager

Interim City Manager Thurman thanked Finance Director Bridgette Vaissiere for her leadership in his absence the week prior.

He informed Council that they had received the final vulnerability study last week and will be bringing it to Council on July 7th; he has a meeting with Jones Edmonds to get a progress report on where they're at with the stormwater master plan; there had been an increase of 30 home based business last month, a decrease in one food service and an increase in one manufacturing business.

Councilwoman Gillis expressed gratitude that Mr. Thurman had stepped up and served in the capacity but she had concerns that decisions weren't being made due to the position being interim; Councilman Rainbird expressed the same concerns.

Councilwoman Dolbow felt sympathy for Mr. Thurman and said she felt he kept them well informed. She understood waiting for decisions on bigger things until the new City Manager is put in place. She personally hadn't received any complaints regarding his performance.

Councilwoman Dolbow feared that they would not have any good candidates for the City Manager if

they saw the way the departments are attacked by residents and the volatile nature of things.

Councilwoman Gillis reiterated her concerns and provided reasons for wanting Mr. Thurman to resume his previous position. She inquired if it were possible for a Police or Fire Chief to hold the position. City Attorney Wolfe advised that the issue is that dual office holding is prohibited in the State Constitution; therefore either would have to resign from their respective position to be the Interim City Manager.

Councilwoman Gillis suggested that they move Police Chief Joe Mahoney into the Interim position; citing his 23 years of service to the City and credentials. City Attorney Wolfe confirmed for Councilman Thomas that Chief Mahoney could resume his position once the permanent City Manager is hired.

Chief Mahoney said he would be willing to serve in that capacity and felt prepared to take on the responsibility to make tough decisions.

Mayor Depew felt that the Public Works department would benefit from Mr. Thurman's knowledge and experience more.

City Attorney Wolf suggested the matter be put on an upcoming agenda so public comments could be heard; Mayor Depew said he wanted to have the conversation presently with a full Council.

Mr. Thurman agreed to help Chief Mahoney with the transition into Interim City Manager.

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to open for discussion. The MOTION was APPROVED by the following vote:

Yes: 4 - Mayor DePew, Councilwoman Gillis, Councilwoman Dolbow and Councilman Rainbird

No: 1 - Councilman Thomas

Further discussion ensued over what role Mr. Thurman would be in at Public Works; City Attorney Wolfe referenced Mr. Thurman's contract which states he will be the Deputy Director.

Council gave consensus to attempt to make Mr. Thurman the Interim Director instead of the Deputy Director.

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to terminate Interim City Manager Jeff Thurman's contract and return him back to his previous position. The MOTION was APPROVED by the following vote:

Yes: 3 - Mayor DePew, Councilwoman Gillis and Councilman Rainbird

No: 2 - Councilman Thomas and Councilwoman Dolbow

Chief Mahoney felt that the terms of his resignation to be Interim City Manager should be in his contract as there is no break in service.

City Attorney Wolfe received confirmation from Council that Chief Mahoney would be making the same amount as Mr. Thurman was making in the interim position and advised that he will begin work on the contract.

Councilman Thomas said he voted no because he had concerns over the amount of current interim positions.

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to appoint Chief Mahoney as Interim City Manager with the applicable contract; worded in the contract that it would not affect his pension and anything when he returns to office; with the understanding that Chief Mahoney resigns as Police Chief before accepting the Interim City Manager appointment. The MOTION was APPROVED by the following vote:

Yes: 5 - Mayor DePew, Councilwoman Gillis, Councilman Thomas, Councilwoman Dolbow and Councilman Rainbird

12. CITIZEN COMMENTS

Judy Bourdeau, 2916 Oak Trail, discussed her experiences and the issues living on Oak Trail. Ms. Bourdeau told Mayor Depew that the issues with the road and the water had begun after River's Edge was developed.

Donna McDavid, 1201 Bond Street, stated her experience on the City Manager Search committee and suggested Council forego using SGR.

Ken Roemer, 518 Sea Gull Court, spoke of his experience with certain Councilmembers; felt the City needed better job descriptions and shared ideas that may change the City's perception.

Chuck Martin, 205 Cherrywood Lane, spoke of issues with River's Edge regarding stormwater runoff; shared his plans to run for Mayor and advised Council that he had ideas to help with flooding.

Lana Fisher, 2100 S Air Park Road, said that her property had never flooded before Hurricane Ian or River's Edge.

Dr. Kurt Schierlinger, 201 S Ridgewood Avenue, discussed issues he was having regarding stormwater intrusion from a Habitat for Humanity house being built near his property.

Dorothy Frances, 201 S Ridgewood Avenue, reiterated Dr. Schierlinger's concerns about flooding issues and discussed deteriorating property rates.

13. ADJOURN

There being no further business to discuss, Mayor Depew adjourned the meeting at 9:11pm.

Minutes Respectfully Submitted by:

Monique Toupin, Assistant to the City Clerk.