



City of Edgewater

104 N. Riverside Drive
Edgewater, FL 32132

Meeting Minutes City Council

Monday, June 1, 2026

6:00 PM

Council Chambers

We respectfully request that all electronic devices are set for no audible notification.

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

Mayor Depew called the meeting to order at 6pm.

Present: 4 - Mayor Diezel DePew, Councilwoman Charlotte Gillis, Councilwoman Debbie Dolbow, and Councilman Eric Rainbird

Excused: 1 - Mike Thomas

Also Present: 3 - Assistant to the City Clerk Monique Toupin, City Manager Joe Mahoney, and Anthony Sabatini

2. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

Council gave consensus to table items 9b,c & d and item 11d due to Councilman Thomas' excused absence.

3. APPROVAL OF MINUTES

None at this time.

4. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

None at this time.

5. CITY MANAGER'S REPORT

City Manager Mahoney reported that he had authored a letter to the listing agent of 4401 South Ridgewood Avenue, situated south of Terra Mar Village. The City, partnering with Volusia Forever, submitted a letter of intent to pursue purchasing the property, hoping the landowner would accept.

City Manager Mahoney recognized Aaron Yarborough as the City's Team Member of the Month for his outstanding service. Yarborough, a City Electrician in Public Works and Utilities, Wastewater Collection Division, is praised for his commitment, particularly during after-hours emergencies, and assisting various departments. He played a key role in resolving a recent electrical outage at the Police Department and City Hall that affected servers. Besides addressing lift station issues, he has supported Parks and Recreation and handled park camera troubleshooting. In the Wastewater Collection Superintendent's absence, Yarborough served as Acting Superintendent. Mahoney declared his reliability and leadership as tremendous assets.

6. CITIZEN COMMENTS

Kim Long, 3312 Mango Tree Drive, clarified that the item regarding the Charter Amendment Discussion and Selection was tabled. She emphasized flooding concerns, criticizing the policy of elevating homes which worsens flooding, and called for ending "fill and build days." She noted the City's financial struggles despite new developments and called for fixing existing issues. On riverfront property, she warned against private development on land promised to citizens and urged transparency in City plans. Finally, she asked the Council to bring Charter Amendments to voters and return the riverfront deed to citizens as promised.

Michelle Delaney, President of the Volusia Building Industry Association (VBIA), expressed VBIA's concerns over Charter Amendments mandating stem wall foundations and limiting annexation density, arguing both could raise construction costs and limit future flexibility. She urged the Council to opt for planning and Ordinance discussions instead.

Ken Cartisano, 3312 Mango Tree Drive, expressed concerns about stupid growth, shared praise for the Council's integrity, recounted using a visual aid to block a past sign Ordinance, and suggested the real power may lie with staff.

Marilyn Bennett, 194 Jones Fish Camp, reported delivering a packet with documentation about her drainage problem in Riverfront Estates a month ago, with no confirmation received. Mayor DePew acknowledged receipt and suggested she contact him or other Council members directly, offering a personal visit. Councilman Rainbird also pledged to follow up.

Kelly Dotson, Executive Director of Volusia County Association for Responsible Development (VCARD), highlighted that some proposed charter amendments might be better suited for the Land Development Code instead. She suggested that the native landscaping, stem wall requirements, and water-conserving fixtures provisions should be reconsidered for unintended impacts and clarification. Dotson also raised concerns about the legal implementation of annexation density provisions and referenced amendments Q9 and Q10 on property sales.

Janet Shira, 148 Williams Street, reported that Insertec cleared trees and removed one with an osprey nest five days later, despite her complaints filed with authorities. She urged the City to ensure construction workers avoid active nests. Mayor DePew acknowledged the issue and thanked Ms. Shira.

Candise Gress, 1101 Regent Street, opposed data center development, citing their high water usage, anywhere from 300,000 to 5,000,000 gallons daily, threatening Florida's aquifer, potential 25% energy cost spikes in heavy data center regions, and limited job creation, urging the Council to decline data centers in Edgewater.

Chuck Martin, 205 Cherrywood Lane, introduced himself as a candidate for City Council District 1 and outlined his priorities and his qualifications for the role. He also listed his volunteer and community involvement and stated that if elected, fellow Councilmembers phone numbers would be blocked to prevent any sunshine law violations.

Jim McGinnis, 2607 Willowbrook Drive, provided research he had done on the City Hall riverfront property and discussed the Council decision to change the deed in 2015.

Michelle Jackson, Volunteer for the Volusia Builders Association (VBIA), highlighted concerns over rising housing costs, advocating for safe building practices and responsible growth. She emphasized the need to evaluate the aggregate cost of new regulations and their potential impact on housing affordability for young families and working people in Edgewater.

Robert DeVoe, 232 N Ridgewood Drive, Secretary/Treasurer of Persimmon Place HOA, raised concerns about the canal behind Persimmon Place, noting lack of water flow and mosquito issues. He questioned the progress of the planned retention pond before hurricane season and reported that 48 homeowners pay a monthly stormwater fee without having stormwater pipes. Mayor DePew requested Mr. DeVoe's contact information for follow-up with City staff.

Allison Root, Executive Officer for Volusia Building Industry Association (VBIA), expressed concerns over the proposed stem wall and annexation Charter Amendments, arguing that they limit flexibility in construction and planning. She suggested these issues should be addressed in the Land Development Code, not the Charter, and advised the Council to carefully consider long-term impacts, referencing SB 180.

Brian White, New Smyrna Beach Resident and Candidate for Volusia County Council District 3, praised the Edgewater citizens and City Council for considering the Charter Amendments, stating that despite opposition, he supports the measures. He argued against the notion that new developments are automatically affordable, highlighting risks like flooding and rising costs. White backed the use of stem walls, native landscaping, and public approval for land sales, stressing the permanence of selling public lands. He urged residents to support the amendments.

Shirley Chambers, West Pine Bluff Street, raised safety concerns about flooding and speeding on her street. She mentioned frequent accidents and noted she attempted to contact Mayor DePew without success. Mayor DePew shared his cell number and Councilwoman Gillis, serving on the FDOT Safety Committee, invited Ms. Chambers to discuss the issues further.

Mandi Bullard, 1417 Needle Palm Drive, a Charter Review Board member, researched City Charter amendments to address flooding, water conservation, and resident protection. For Amendment 5, she advocates that builders replant with environmentally appropriate greenery post-clear-cutting, citing over 440 options. For Amendment 6, she argues for stem walls to improve water absorption, referencing existing Transform 386 funding for such foundations. With Amendment 7, she supports using water-conserving fixtures in new homes, given 1,000 recent permits, as effective conservation. Lastly, Amendment 8 aims to limit annexation density to prevent resource strain.

7. CITY COUNCIL REPORTS

Councilman Rainbird felt dismay over the osprey nest destruction, emphasizing that they are

stewards of local wildlife. He had participated in a City tour of downtown Mount Dora, Clermont and Winter Park with City officials to gain insights for Edgewater's downtown development. He visited the Vietnam Traveling Memorial at AMVETS and commended Parks and Recreation for their exceptional work during the Memorial Day ceremony and Laser Light Show. He suggested adding shade structures in Whistle Stop. He concluded by providing an update on acquiring riverfront property through a letter of intent submitted with Volusia Forever.

Councilwoman Gillis thanked Parks and Recreation for their hard work at the Veterans Park's ribbon cutting. She attended the FDOT District 5 Safety Summit, stating that she serves on the safety committee, and invited Ms. Chambers to discuss the local speed issues with her directly. She mentioned frequent contact with FDOT regarding Edgewater Landing speeding concerns, highlighted the importance of required safety studies, and added that Pine Bluff could be checked by the Police Department. She had attended various events, including AMVETS and Memorial Day ceremonies, she emotionally noted the significance of veterans' memorials. She announced that she had been appointed as the TPO Secretary and 2nd Vice Chair and praised the City's organization of the Volusia League of Cities at Hacienda. She spotlighted new local businesses, including ACE Veterinary Clinic, Drew's Haircuts, PowerSwings, and Besties.

Councilwoman Dolbow thanked the City for hosting the Volusia League of Cities dinner, noting two of the three vendors, Laubsters Catering and Pattie's Cheesecakes, were local businesses. She discussed the three-city downtown tour alongside most of the Council and various members of staff, agreeing that ideas gathered would help inform future downtown planning. She had attended the AMVETS Post 285 traveling Vietnam War and War on Terrorism memorial. She had also attended the Veterans Park ribbon cutting and had spoken with residents to address concerns and questions.

Mayor Depew thanked Parks and Recreation and the City Manager for expediting the Veterans Park ribbon cutting and dock project, recognizing the City Managers networking efforts in fast-tracking FDOT permits for the 18th Street canal dredging. He thanked AMVETS Post 285 for the traveling Vietnam memorial, thanking Councilman Rainbird and Bonni Myska for their efforts as well. He had represented the City at a stormwater mitigation meeting with the Volusia League of Cities Flood Sub-Committee.

8. 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: 4 - Mayor DePew, Councilwoman Gillis, Councilwoman Dolbow and Councilman Rainbird

- a. Authorization to Dispose of Surplus Asset Items
- b. Professional Engineering Services Proposal for Edgewater Utility Relocations for SUNTrail Project - North (FPID 439862-3-54-01)
- c. Request approval for the Change Order from Halff Associates, Inc. for the proposed

emergency traffic signal at Fire Station 55.

9. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- a. 2nd Reading - Ordinance No. 2026-O-06: Request to amend Article II, Article VI, Article XVIII, and Article XX of the City of Edgewater's Land Development Code to create a new sign code.

Ryan Solstice, Development Services Director, presented the Ordinance, explaining that it amends Articles 2, 6, 18, and 20 of the Land Development Code to simplify the sign code and make it content neutral following a legal notice that the existing sign code was unconstitutional under the Town of Gilbert decision. He noted that items the Council had requested, such as allowing sign spinners and mascot-style sign holders, were codified in the new code.

Mayor Depew suggested amending the code to allow for repairing or replacing existing pole signs when businesses move into a location with an existing structure without having to permit new pole signs. Mr. Solstice confirmed this change could be included between the first and second reading.

Councilwoman Dolbow noted that Kings Koffee was unable to update a pole sign with their new logo due to restrictions and that new monument signs can cost up to \$40,000. Councilwoman Gillis mentioned other business facing similar issues. Mr. Solstice noted that the code unintentionally allowed pole signs to deteriorate.

Councilman Rainbird confirmed that sign spinners are permitted.

City Attorney Sabatini advised that the motion should include the amendment as described in Council discussion.

A motion was made by Mayor DePew, second by Councilman Rainbird, to approve Ordinance No. 2026-O-06: Request to amend Article II, Article VI, Article XVIII, and Article XX of the City of Edgewater's Land Development Code to create a new sign code that will also allow pole signs that are already in existing to be repaired or replaced. The MOTION was APPROVED by the following vote:

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

- b. 1st Reading - Ordinance No. 2026-O-07: Request for annexation of Parcel ID's 8412-02-08-0010, 8412-02-08-0040, and 8412-02-08-0090 from Volusia County into the City of Edgewater generally located West of Starboard Avenue and East of San Remo Subdivision.

Item was tabled.

- c. 1st Reading - Ordinance No. 2026-O-08: Request for small scale comprehensive plan amendment to the Future Land Use Map for Parcel ID's 8412-02-08-0010, 8412-02-08-0040, and 8412-02-08-0090 from Volusia County Commercial and Urban Low Intensity to City of Edgewater Commercial.

Item was tabled.

- d. 1st Reading - Ordinance No. 2026-O-09: Request for rezoning for 2.95+ acres (PID's 8412-02-08-0010, 8412-02-08-0040, and 8412-02-08-0090) generally located West of Starboard Avenue and East of San Remo Subdivision from Volusia County Commercial (B-4) and Volusia County Urban Low Intensity (R-3) to City of Edgewater Highway Commercial (B-3).

Item was tabled.

- e. 2nd Reading - Ordinance No. 2026-O-12: Permitting the ownership and housing of chickens in residential areas

Police Chief Geiger presented the proposed ordinance to amend Section 5.8, lifting the chicken prohibition in favor of a permitted ownership regime and introducing a new section about keeping backyard hens. Noting that about 94% of major U.S. cities have residential chicken policies affecting 6-11 million households, he emphasized that well-structured ordinances tend to elicit minimal complaints.

Chief Geiger outlined the key provisions involving hen limits; setbacks; permit requirement; primary concerns and revocation. He also referenced Palm Coast's 2025 pilot program, which was originally designed for 50 permitted residents with four (4) hens each. It was so successful it became permanent.

Councilman Rainbird raised concerns about waste management near the river due to the chicken manure's nitrogen content. He suggested receiving neighbor permission before issuing permits. Chief Geiger acknowledged these concerns, noted current challenges, and assured that Code Enforcement and permit revocation would address any violations.

Mayor Depew felt the Ordinance was thorough and well-written, covering education and waste management effectively.

Mayor Depew opened the public hearing.

Kim Long, 3312 Mango Tree Drive, admitted that most residents thought chickens were legal already and stated that the farms on Volco sell composted chicken manure and do not smell or have fly issues because they are managed correctly in a hot compost pile.

Cindy Black, Umbrella Tree Drive, expressed concerns about the Ordinance including the lack of minimum lot size requirement; the fact that chicks are not sexed at purchase which inevitably leads to roosters; chickens attracting coyotes and raccoons; the noise from hens; renters being able to obtain permission without landlord approval; and the absence of a shelter for displaced chickens.

Chief Geiger clarified that the Ordinance places no restrictions on what the owner can do with their chickens, including eating them. The only prohibition is on using them for commercial enterprise.

Mandi Bullard, 1417 Needle Palm Drive, stated her support for the Ordinance as her children wanted them. She felt that as long as everyone cares for their chickens accordingly, there shouldn't be issues. She also mentioned wanting to present a homeschool unit on chickens her family was doing.

Councilwoman Dolbow asked for clarification on whether renters need landlord approval and whether coop placement would be inspected to avoid low-lying flood areas. Chief Geiger confirmed that the City would not be involved in the tenant-landlord relationship but there would be coop inspections that would ensure the enclosure is predator-proof, meets size requirements, and incorporates appropriate stewardship measures.

Chief Geiger assured that he would present a full staff plan at the second reading.

Councilwoman Gillis noted that setback requirements would effectively exclude some smaller lots from being able to pull a permit regardless of the desire to participate.

A motion was made by Councilwoman Dolbow, second by Councilwoman Gillis, to approve Ordinance No. 2026-O-12: Permitting the ownership and housing of chickens in residential areas. The MOTION was APPROVED by the following vote:

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

- f.** Resolution No. 2026-R-19 - Volusia ECHO Grant Program Application for the new Edgewater Boat Ramps, Trailhead, & Amenities Project - Phase 2

City Manager Mahoney presented the item, explaining that it would authorize the City Manager to apply for, enter into, and execute grant documents associated with the Volusia ECHO Grant Program for the new Edgewater Boat Ramps, Trailhead and Amenities Project Phase 2.

Mayor Depew opened and closed the public hearing.

Mayor Depew expressed support, calling it a great thing for the City.

A motion was made by Councilwoman Gillis, second by Councilman Rainbird, to approve Resolution No. 2026-R-19: Volusia ECHO Grant Program Application for the new Edgewater Boat Ramps, Trailhead, & Amenities Project - Phase 2. The MOTION was APPROVED by the following vote:

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

- g.** Resolution No. 2026-R-23; June Amended Budget for Fiscal Year 2025-2026

Bridgette Vaissiere, Finance Director, presented the June Amended Budget for Fiscal Year 2025-2026. She explained that the total budget amendment before Council is \$2,023,651, of which \$769,500 represents transfers to capital projects and internal service funds for accounting controls, and the total increase in expenditures is \$1, 254,151. She outlined the key items:

Community Planning Technical Assistance Grant: \$44,000 with a \$5500 City match.

Boat Ramp Grant Match: The May budget amendment initially allocated \$200,000 from general fund reserves and \$684,400 in recreation impact fees. During the application process, a \$625,000 additional cash match was needed. This was met by reallocating \$150,000 from recreation impact fees originally set for a bike trail park and \$475,000 from general fund reserves.

Air Park Silver Palm Sidewalk Project: \$62,019 in transportation impact fees.

Jones Fish Camp Development Agreement: \$154,072 in transportation impact fees.

Tree Mitigation Funds: \$180,000 for various landscaping projects including Menard May Park (\$75,000), future City Hall landscape buffer (\$75,000), Public Works and Utility staging lot landscaping (\$15,000), Public Works site landscaping (\$10,000), and Park Town landscaping (\$5,000)

CRA Fund: \$140,000 being reallocated from facade grants towards land acquisition; a further CRA budget amendment will be brought back before Council.

Solid Waste fund increase for a class 8 truck (previously awarded grant): \$251,079

Stormwater operating and capital project funds increase for Jones Fish Camp Road storm pipe crossing: \$82,481

Clarification was made on \$2,000,000 from the original budget for dredging and canal armoring, which is being further codified.

Councilman Rainbird asked about the monetary gain from new constructions, having heard they were getting significantly less than expected. Ms. Vaissiere noted that the current budget was still in process but confirmed ad valorem tax revenues had increased by approximately 1.4 million the past two (2) years, though this year's increase seemed much lower.

She offered to provide detailed data to the Council at a later date.

A motion was made by Councilwoman Dolbow, second by Councilwoman Gillis, to approve Resolution No. 2026-R-23: June Amended Budget for Fiscal Year 2025-2026. The MOTION was APPROVED by the following vote:

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

- h.** Resolution No. 2026-R-22: Request to approve the submission for a Community Planning Technical Assistance Grant to address the impacts of SB 399 and to allocate the necessary funds for the grants match should the grant be awarded.

Ryan Solstice, Development Services Director, presented the Resolution and explained that House Bill

339 established a new statutory requirement that local governments must charge fees for development permits based upon the reasonable direct and indirect costs associated with the review, processing and final disposition of development permits. He noted that the City would need to create a new matrix to show the true cost of that work. City Staff were already working on an hourly rate sheet but hoped to acquire the grant to help create a more robust and defensible fee schedule in response to the bill.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve Resolution No. 2026-R-22. The MOTION was APPROVED by the following vote:

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

- i. Resolution No. 2026-R-21: Request to authorize the City Manager to execute the Air Park Road/Silver Palm Drive Sidewalks from 30th street to South of State Road 442 (FPN 448814-1-32) Locally Funded Agreement.

Ryan Solstice, Development Services Director, provide a brief explanation of the project's background. The City acquired funding for a sidewalk feasibility study for Air Park Road from the River to Sea Transportation Organization in 2018, completed by 2021. By 2025, Florida informed staff of available design funding, but the design cost had risen up to \$705,284, from the estimated \$394,000, which was an increase of about \$300,000 that the City must cover for the FDOT grant.

Despite this, staff recommends approval, emphasizing the long process duration of about six (6) years.

Mayor Depew opened and closed the public hearing.

Councilman Rainbird was dismayed by the significant cost increase.

A motion was made by Councilwoman Dolbow, second by Councilwoman Gillis, to approve Resolution No. 2026-R-21. The MOTION was APPROVED by the following vote:

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

10. BOARD APPOINTMENTS

None at this time.

11. OTHER BUSINESS

- a. Diesel Emission Mitigation Program (DEMP)

City Manager Mahoney requested approval for submitting a grant application to the Florida Department of Environmental Protection's Diesel Emission Mitigation Program to replace a class 8 diesel vehicle. He is seeking approval to execute the necessary documents and authorize the disposal of the fixed asset as per grant requirements. The grant, estimated at \$251,000, requires no City

match.

Mayor Depew commended the City's grant coordinator for her efforts.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilwoman Gillis, to approve Diesel Emission Mitigation Program (DEMP). The MOTION was APPROVED by the following vote:

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

- b.** SD-2408: Request for Preliminary Plat and Construction Plan Approval for Deering Park North Phase 1 for 347 residential units located west of Interstate I-95 and North of Indian River Boulevard within Deering Park North.

Ryan Solstice, Development Services Director, noted that the applicant first submitted on September 10, 2024, and subsequent reviews followed. The Technical Review Committee found the preliminary plat and construction plans compliant with the Comprehensive Plan, the City's Land Development Code, and the Deering Park North MUPUD agreement. The plan was also approved by the City surveyor and third-party engineers, Zev Cohen and Associates.

He outlined Deering Park North as comprising of 347 residential units divided into the Neighborhood General, Neighborhood Center, and Town Square districts, featuring lot sizes from 60x130 feet to 24-foot townhomes. The applicant had met all criteria, and Zev Cohen and Associates provided a stormwater report and analysis as required by the Planning and Zoning Board.

Mayor Depew clarified for the record that this was not a new planned unit development agreement and that the project was already grandfathered in, this was just an administrative action.

Mayor Depew opened the public hearing.

Kim Long, 3312 Mango Tree Drive, asked for clarification on the lot sizes, Mayor Depew let Mr. Solstice clarify.

Robert DeVoe, 232 N Ridgewood Avenue, inquired about potential impacts from the stormwater system on Florida Shores, specifically over the capacity of existing infrastructure. Mayor Depew assured him that Deering Park North's stormwater system was designed to hold more water than it did currently and had been tested for 100-year, 500-year and 1,000-year storm events without affecting Florida Shores. He clarified that these findings were from scientific and engineering analyses, not his own views.

Shirley Chambers, West Pine Bluff Street, asked what would happen to water along SR-442 as development continued, noting that she had already observed concerning conditions. Mayor Depew responded that the City had recently received it's Stormwater Master Plan, which provides a guide

for what needs to be done in various areas through the City to ensure flood protection.

Mayor Depew reiterated for the record that this project has been in the planning process for longer than the current Council had been seated, this was an administrative function. He also emphasized that Deering Park North was part of the City's Storm Water Master Plan.

Councilman Rainbird pointed out that the project was already moving forward as it had completed it's clearing phase and was now in the rebuilding phase (constructing retention ponds, road, track areas etc.)

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve Other Business Item No. SD-2408: Request for Preliminary Plat and Construction Plan Approval for Deering Park North Phase 1 for 347 residential units located west of Interstate I-95 and North of Indian River Boulevard with Deering Park North.. The MOTION was APPROVED by the following vote:

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

- c. SD-2409: Request for Preliminary Plat and Construction Plan Approval for Deering Park North Phase 2 for 169 residential units located west of Interstate I-95 and North of Indian River Boulevard within Deering Park North.

Ryan Solstice, Development Services Director, stated that this was a request for a preliminary plat and construction plan approval for Deering Park North Phase 2, which includes 169 residential units. The plan adhered to the Neighborhood General design standards within the MUPUD, featuring lot sizes of 60x130, 50x120 and 40x120 feet. Initially submitted in September, 2024, the Technical Review Committee verified compliance with the Land Development Code, Comprehensive Plan and the MUPUD agreement. Confirmation of the application's completeness also came from the contracted City surveyor and Zev Cohen and Associates.

Mayor Depew noted for the record again that this was administrative in nature, that the project was grandfathered in, and the Council was simply checking boxes at this point.

Mayor Depew opened and closed the public hearing.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve Other Business Item No. SD-2409: Request for Preliminary Plat and Construction Plan Approval for Deering Park North Phase 2 for 169 residential units located west of Interstate I-95 and North of Indian River Boulevard with Deering Park North. The MOTION was APPROVED by the following vote:

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

- d. Charter Amendment Discussion and Selection

Item was tabled.

- e. SA-2606: Request for a waiver of all fees in association with the Wilkie Wonka Day Event.

City Manager Mahoney presented the item on behalf of applicant Robert Wilkie and explained that Mr. Wilkie had applied for a special activity permit to host Wilkie Wonka Day at Hawks Park on December 13, 2026. The event would feature a Christmas giveaway, Santa, food trucks, and music. Mr. Wilkie was requesting a waiver of the special activities permit application fee (\$25), the park reservation fee (\$250), and approximately \$2,400 in police overtime and community officer overtime (20 hours and 10 hours respectively). Mr. Wilkie is present.

Robert Wilkie, 209 San Remo Circle, thanked the Council for hearing the item and explained that he was getting an earlier start on planning the event this year. He informed them that the format of the event was changing; rather than distributing gift signs at Christmas parades, all approximately \$20,000 in gifts would now be given away at this event. The event would draw residents from New Smyrna Beach, Oak Hill, Samsula, and Edgewater. Any profits would benefit from the nonprofit strongforyou.org. He reported that last years event had over 2,000 attendees and included local businesses, vendors, food trucks, entertainment, kids' areas, and local school participation. He expressed his desire to grow the event into a formal annual City partnership similar to Port Orange Family Fun days, and asked the Council to consider that possibility.

Councilman Rainbird pointed out how much the children loved the event.

Councilwoman Dolbow thanked Mr. Wilkie, his family, and his employees for their contributions to the community.

Mayor Depew echoed his fellow Councilmembers sentiment and called for a motion.

Following the vote, Mayor Depew raised a policy question with the City Manager and requested Council consensus to explore creating an Ordinance that would set a threshold up to which City administration could approve fee waivers without Council action, streamlining the process for community events. Mayor Depew felt that given the timing of budget season, it was the perfect time to discuss the parameters.

Councilwoman Gillis suggested the possibility of the City sponsoring something through Mr. Wilkie's nonprofit if he were to apply. Mayor Depew stated that the City Manager should meet with Mr. Wilkie to explore partnership options.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve SA-2606: Request for a waiver of all fees in association with the Wilkie Wonka Day Event. The MOTION was APPROVED by the following vote:

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

- f. AR-2026-0156: Request to approve the Jones Fish Camp Public-Private Partnership Roadway Agreement.

Ryan Solstice, Development Services Director, provided background on the history of the project, noting that the City approved the River Oaks Condominium project in 2005. In 2006, voters placed a Charter amendment restricting residential height east of US 1 to 35-feet. In 2023, the original River Oaks Condominium PUD (entitled for 308 units at up to 190 feet in height) was replaced by the Edgewater River Oaks MUPUD, which substituted 196-unit two-story apartment style buildings with dry stack storage, a hotel, and a marina.

Mr. Solstice explained that the developer had met with Riverfront Estates residents to gain input on design features such as traffic safety, transportation options, and aesthetics, which influenced the current roadway design. He noted that the previously approved Edgewater River Oaks MUPUD and Yardly apartment site plan included a proportionate share agreement for Jones Fish Camp Road reconstruction at \$3,776,311.29.

Under the public-private partnership agreement, the developer will hire a contractor to construct Jones Fish Camp Road, with City reimbursement. Interim repairs will be done at no cost to the City, and the road must be completed within five years. This condition was crucial to Councilman Thomas, who was absent. The City's cost is \$1,888,155.82, with the developer covering the other half. Multimodal transportation impact fees were identified to fund the City's portion.

Mr. Solstice outlined the enhancements from community feedback: two (2) roundabouts (including one at Alice Street), 10-foot lane widths for traffic calming, a north-side bike path, underground utilities, landscaped medians and roundabouts maintained by the developer indefinitely, and a stormwater pond on the developer's property to manage roadway drainage. The design includes a turn lane and provision for a future signalized intersection, ensuring no right-of-way is taken from existing south-side residents.

Mark Watts, Cobb Cole Law Firm on behalf of the applicant, explained that the agreement structure through a brief slide show. He highlighted the Council's condition from the previous year requiring the developer to engage with residents for the road design beyond a standard reconstruction. The original plan involved a basic two-lane road, but an enhanced design was achieved within the same budget by using impact fee revenues from other developments in the area alongside City contributions.

Mr. Watts highlighted key issues with the current roadway, including its substandard width and depth, inadequate shoulders, obsolete stormwater design, increasing demand from local residents, and overhead utilities. The agreement features include developmental oversights like checkpoints at 60%, 90%, and final design stages, costs overseen by the developer, performance bonding, insurance, indemnity, and a warranty post-city acceptance. The City will officially accept the roadway upon final inspection, with enhancements like roundabout landscaping and stormwater infrastructure remaining the developers responsibility.

Mayor Depew opened the public hearing.

Jim Lovegren, 182 Jones Fish Camp Road, expressed concern over the single-access road for the Jones Fish Camp Road community, noting that 6,500 new trips would be added daily. He cited safety risks like hurricanes and emergencies at nearby facilities. He mentioned a petition from 29 residents opposing the project without a second access and suggested a potential secondary route via US 1 to Riverfront Way.

Vince Boskovich, 353 Riverfront Way, spoke in support of the project. He had recently purchased a home in the Riverfront Way community in part because of the planned marina development and road upgrade. He stated that the developers were being very reasonable by paying half the reconstruction costs, and that the result would be something the community could be proud of.

Ann Snyder, 180 Jones Fish Camp Road, raised concerns about the construction impact on residents at the latter end of Jones Fish Camp Road. The construction dust and debris will impact homes and air conditioning units. Initially, she was informed the development would be a small boutique hotel and marina. While road improvements are needed, the prolonged construction period will be challenging for residents and requires consideration of its impacts.

Renee Richards, 136 Jones Fish Camp Road, stated her opposition to the project itself, noting she did not believe the road would be as pleasant during construction as described. She also had doubt about the market for a high-end hotel in that location given it's proximity to Boston Whaler, she felt the community did not need the development.

Lisa Archer, 176 Jones Fish Camp Road, expressed her support for the marina and the development. She was excited about the economic growth, the dry stack boat storage, and the hotel. She plans on using the facility herself. She did note a specific concern that the sidewalk along Jones Fish Camp Road narrowed in an unusual way near the Dollar General Market and hoped the upgraded road would fix that.

Robert DeVoe, 232 N Ridgewood Avenue, asked whether the Council had considered hosting a community meeting specifically with the residents in the communities involved.

Mayor Depew reiterated his previous 'no' vote on the Marina project based on concerns about the infrastructure. He sympathized with residents affected by the prior approvals for Riverfront Estates' single-access design. Despite those concerns, Mayor Depew emphasized the necessity of following existing frameworks for stormwater and infrastructure improvements funded by impact fees. He urged Taylor Morrison to maintain communication with the HOA and requested Mr. Lovgren's input on alternative route access.

Councilwoman Dolbow had been supportive of the development from the beginning and was excited about the investment it represented for Edgewater. She expressed appreciation that the agreement included a five-year completion timeline rather than an open-ended one. She acknowledged the residents valid frustration about construction impacts but felt confident that the developer would work to minimize those impacts and make periodic road repairs as needed during the construction

period. She was also particularly pleased that the stormwater pond on the developers property would benefit the road and surrounding residents.

Councilman Rainbird confirmed that the overhead utilities would be underground as part of the project. He had empathy for residents based on his own experience of a having a new development built directly behind his home. He questioned whether or not there was a possibility of a secondary access, noting that the Planning and Zoning principle of two access points existed for a good reason. He also urged the developers' representatives to direct their contractors to be respectful of sound Ordinances during construction and to be mindful of residents. He stated that while he would have liked to vote no due to the single-access situation, the inevitability of the project meant the enhanced road was the best available outcome for the community.

Councilwoman Gillis inquired about the nature of the improvements for Jones Fish Camp Road, specifically questioning whether the Council had the option to decide on enhancing the road design versus maintaining a basic standard. Mr. Solstice stated that no matter what the Council decided regarding this specific agreement, Jones Fish Camp Road had to be improved. The enhanced designed addressed multiple community concerns and that even a hypothetical secondary access would eliminate the funding mechanism for the road construction.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to approve AR-2026-0156: Request to approve the Jones Fish Camp Public-Private Partnership Roadway Agreement. The MOTION was APPROVED by the following vote:

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

g. City Clerk Discussion

City Manager Mahoney reported that the previously selected candidate for the City Clerk position had declined the City's offer. He advised the Council that of the two (2) other candidates previously interviewed, Celine Kidwell had accepted another position elsewhere, and Cassandra Kilgore still remained interested. He sought direction from the Council on whether to offer the position to Ms. Kilgore or to re-advertise for a new recruitment process.

Mayor Depew stated that his preference was to re-open the posting for one (1) work week to see what additional applicants may apply, emphasizing the importance of the position and his desire for due diligence. He noted that each time the position had been advertised, stronger applicants had come forward. He had no issues with Ms. Kilgore and thought she was qualified but did not want the Council to fall short by not re-advertising. He felt Councilman Thomas should also have a say in the decision given his absence.

Councilwoman Dolbow was torn regarding the decision but felt the City needed stability in the City Clerk's office. She preferred to move forward with Ms. Kilgore or at least have further conversations with her about the position.

Councilman Rainbird spoke strongly in favor of offering the position to Ms. Kilgore. He noted that

she had appeared before Council four (4) times, had strong credentials including experience with the 7th Circuit Court of Appeals, and had continued to demonstrate interest in the position despite the drawn-out process. He expressed concern that re-advertising would cause them to lose her to another employer. He reminded his fellow Councilmembers that the City had previously made an offer to a candidate from Colorado who ultimately declined, noting full disclosure that the City had been prepared to increase that offer and cover relocation costs.

Councilwoman Gillis acknowledged Ms. Kilgore's qualifications and noted that she was a strong candidate. She did wonder if the decision should be tabled to include Councilman Thomas, particularly given that the Charter Amendment discussion and other significant items had also been table for his participation. She suggested that if a special meeting was being scheduled for June 15th, the City Clerk decision could be addressed there as well.

City Manager Mahoney asked for clarity on the Council's direction, noting that if the item were to be tabled to the next Council meeting on July 6th or a special meeting on June 15, there would not be sufficient time to advertise, conduct interviews and schedule Council interviews within that window. He urged the Council to make a decision presently.

The discussion proceeded with general agreement that the special meeting tentatively set for June 15 would allow Councilman Thomas to participate. However, Councilwoman Dolbow ultimately called for a motion to appoint Ms. Kilgore.

Following the vote, City Manager Mahoney sought clarification that the offer would be at the previously established salary range of \$93,000 to \$97,500. The Council confirmed this, and Mayor Depew noted that as Ms. Kilgore resided in Volusia County, there would be no relocation expenses included in that offer.

A motion was made by Councilwoman Dolbow, second by Councilman Rainbird, to appoint Cassandra as the new City Clerk. The MOTION was APPROVED by the following vote:

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

12. OFFICER REPORTS

a. City Clerk

Interim City Clerk Toupin had nothing at this time.

b. City Attorney

City Attorney Sabatini advised the Council that the Florida Legislature was currently in session and encouraged members to contact their state legislators regarding the importance of responsible legislation that would not devastate the City. He noted that once the legislative session concluded, he would present the bill update that had been discussed at the prior month's meeting.

13. CITIZEN COMMENTS

Kim Long, 3312 Mango Tree Drive, urged the Council to place the Charter amendments on the ballot for voters and criticized previous Councils for not codifying stem wall and landscaping practices into the Land Development Code. She urged Council to let the voters decide.

Mandi Bullard, 1417 Needle Palm Drive, had been attending meetings for four (4) years and hearing ongoing flooding complaints. She compared the Land Development Code sign amendments to the argument against Charter amendments belonging in the LDC. She urged the Council to focus on Edgewater residents' needs.

Linda Mojer, 319 Leaning Oak Drive, noted that persistent concerns about traffic routing through Oak Branch had been addressed by adding a front entrance from US 1. While uncertain who was responsible, she was thankful. Mayor Depew credited the Building Department and City Manager.

Ken Cartisano, 3312 Mango Tree Drive, had concerns regarding the City's current office space being insufficient and suggested considering temporary options, like renting or purchasing the Badcock building. He also felt there was a lack of transparency in accessing agendas online and highlighted the problem of systemic flooding due to home being raised significantly compared to their neighbors. He felt the City needed strategic resolution instead of relying on old agreements.

14. ADJOURN

There being no further business to discuss, Mayor Depew adjourned the meeting at 8:48pm.

Pursuant to Chapter 286, F.S., if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made. The City does not prepare or provide such record.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerks Office, 104 N. Riverside Drive, Edgewater, Florida, telephone number 386-424-2400 x 1102, 5 days prior to the meeting date. If you are hearing or voice impaired, contact the relay operator at 1-800-955-8771.