

CITY COUNCIL OF EDGEWATER  
REGULAR MEETING  
OCTOBER 20, 2008  
7:00 P.M.  
COMMUNITY CENTER

MINUTES

1. CALL TO ORDER

Mayor Thomas called the Regular Meeting to order at 7:00 p.m. in the Community Center.

ROLL CALL

Mayor Michael Thomas	Present
Councilwoman Debra Rogers	Present
Councilwoman Gigi Bennington	Present
Councilwoman Harriet Rhodes	Present
Councilman Ted Cooper	Present
Acting City Manager Tracey Barlow	Present
City Clerk Bonnie Wenzel	Present
Assistant City Attorney Michael Ciocchetti	Present

INVOCATION, PLEDGE OF ALLEGIANCE

There was a silent invocation and pledge of allegiance to the Flag.

2. APPROVAL OF MINUTES

A. Regular Meeting of September 8, 2008

Councilwoman Rhodes moved to approve the September 8, 2008 minutes, second by Councilwoman Bennington.

The MOTION CARRIED 5-0.

3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

A. John McKinney, Finance Director - to give the City's quarterly investment report

Finance Director John McKinney discussed the City's investments and where we stand. In April the Council passed an investment policy that had three key points to it

and that was safety, liquidity and yield. He assured Council and the public that we are completely safe in all of our money. We haven't lost any of our total pool of cash and/or investments and we have maintained a reasonable rate of return over the past twelve months. In November 2007, the SBA with the State of Florida pretty much had a collapse and due to that, the previous City Manager/Finance Director did wisely move all of the money out of the SBA they could and into our bank with Wachovia. Long term strategy that might not be a wise thing to do but in the past two months with the sub prime and the mortgage backed securities that there has been a complete collapse and the stock market has dropped 2,000 or 3,000 points. Some cities that heavily invested in the mutual funds and stocks have seen 33% declines in their investment pool. We have not lost one dime. He referred to an Interoffice Memorandum he did to Acting City Manager Barlow regarding the FY2008 Fourth Quarter Investment Report. He referred to Graph 1 and stated the Fed Funds rate has dipped down from last year a high of 4.5% and they are now trading at just over 1 1/2%. The SBA has maintained the last two quarters a 2.43% rate of return. Wachovia has guaranteed us a 1.85% rate of return. We could be earning a little bit more money in the SBA but he went to a seminar with Federated who is now running the SBA and they are urging all local governments to come back to them now that they have taken over and they are hoping to have everything through the State of Florida and the regulatory pieces of how they are to operate in place by the end of this year. SBA has two pools, A & B. Pool A was heavily into the sub prime market/mortgage market and we currently have \$68,000 in there and we have been getting about \$2,500 to \$5,000 back every month. They are hoping to eliminate/terminate Pool B by December. He then referred to Graph #2. He pointed out 97% of our funds are currently residing within Wachovia. They had at the end of 9/30/08 just shy of \$10 million. On 10/1/08 he made \$4.5 million in debt payments. We are now roughly sitting on \$5 million cash in the bank. When November 30<sup>th</sup> rolls around and we get our first ad valorem tax distribution, they will look into going back in to the SBA with a ladder approach to earn a little bit higher rate of return. We are completely safe in our current cash reserves and balances.

Councilman Cooper questioned the money he was talking about in the SBA being what they mandated that they couldn't draw it all out and the \$68,000 was what was left over. Mr.

McKinney referred to Page 2, Table 1 with regard to the Investment Allocations.

Councilman Cooper asked Mr. McKinney if the SBA has changed some of their rules and regulations and put in more safeguards. Mr. McKinney informed him prior to Federated coming on board there was no oversight, rules or regulations. He is limited to 20% on the mortgage-backed securities. They could go to 100%. They purposefully have safeguards in place on the maximum percentage they can invest for that very reason. They had no committee oversight they had to report to and there was no audit being done by a second party, it was all internal.

Councilman Cooper asked Mr. McKinney if he was saying on a move back with the money, new safeguards have been put in and he imagined the government would be imposing even stronger safeguards. Mr. McKinney referred to an excerpt of an article that he feels fits Edgewater to a T. If they go with SBA or Florida Safe, they are transferring money to and from on a 30/90 day cycle. They are the ones that are paid to have the strategies worked out on the rate of return. If Wachovia can give us 1.85%, as long as we can exceed that in today's market we are doing pretty good. A month ago he was going to go out and buy all these treasures and increase our year and now they are down to trading at almost 1% on a one-year treasury. It doesn't make sense to move from Wachovia at the present time.

Councilman Cooper stated with the volatility in the stock market, it is going to bounce up and down for another month or two. Mr. McKinney commented on government bonds being worthless right now.

#### **4. CITIZEN COMMENTS**

The following citizens spoke:

**Barb Herrin**, 465 Wildwood Drive, New Smyrna Beach, introduced herself as the new Chairperson for ECARD. Dorothy Carlson was a good friend of hers and she asked her to carry on her work. Richard Burgess is their new Vice Chair. She brought to their attention the letter their attorney delivered to them today and she asked that these questions be investigated and placed on an agenda in the very near future so they all can find out the answers to the questions.

David Morley, 312 Shangri La Circle, representing Shangri La Village Homeowners Association, confirmed they met with Mr. Barlow and several City staff in Stormwater. They are at the moment satisfied and will take his word that things will move forward in that direction.

Mr. Morley further stated with improvements and increasing traffic on U.S. #1 outside of their development, there is a major traffic safety issue. They have closed the cut through across from the old Regions Bank on Thomas Street. That has completely disrupted traffic in that area. Last week they contacted DOT in Deland and they have addressed the initial part of their concerns. They had signage up still showing the cut through existed and people have been driving through there. He had copies of a reduction of the traffic study. There was a 50-page traffic study presented when EW was put in, which they didn't object to. This had nothing to do with the business part. They need some sort of traffic control between Indian River and Park to slow down traffic and make a traffic break. They are taking a position as a Homeowners Association with FDOT of what they would prefer. They were wondering if the City Council had plans or a preference on this so they aren't off chasing something different than the Council is. They would like to coordinate with the City and the City's best interest. He knew they didn't have direct control or impact on them but hopefully they will also listen to the City. They are going to ask for a stacked light at Marion, Shangri La or Turgot Avenue. One of those three needs a traffic light. The traffic study supports it however the traffic study they did and all the plans Edgewater approved were contingent upon the Thomas Street cut remaining. By removing the cut they are pushing up to 40 cars during rush hour to their turn to U-turn. All the cars that used to go to the car wash now have no place to go in or out of. They are using Marion, which FDOT already classifies as an F Level intersection, even before this. With the new traffic that will be generated by the business park and the removal of the Thomas cut, Marion is incredibly overloaded but a lot of the traffic is being diverted to them and when the bank opens their entrance will be overloaded. They were asking for assistance or how the City plans to handle traffic flow on U.S. #1. The traffic study documented U.S. #1 is already at capacity. After this the traffic study is at 99% of U.S. #1 passing them. Their intersection is only rated a D, with Thomas remaining in place. Mr. Morley

asked them to make it an agenda item or consider it in the future and direct to appropriate staff if they have it that wants input on this before they go off on their own and pursue an agenda that may not be in the best interest of the whole City. They would like to work with the Council.

Acting City Manager Barlow brought the Mayor and Council up to speed on some of these issues. He asked Mr. Morley for a copy of the 50-page report in its entirety. Mr. Morley informed him they paid for a copy from City Hall. The Planning Department has the original. Acting City Manager Barlow asked him if he was talking about the one that was done at Turgot Avenue. Mr. Morley informed him it was for EW Business Park.

Acting City Manager Barlow stated within the last six months they had requested FDOT to do a study in an effort to put a traffic light at Turgot Avenue. That study came back and recommended it did not meet the qualifications for a traffic light. He asked Council to give staff an opportunity to go back in there and look at the traffic study Mr. Morley was talking about. They will put together if there is an opportunity for a tactic if the Council wants to partner with local businesses or the residents in that area. It is regarding the intersection cut through at Thomas, which was closed off by FDOT unbeknownst to the City that that plan was even in the works. It was independent and separate from our approval. The permitting requirement on that was totally FDOT.

Councilwoman Rogers stated Mr. Morley said at the very beginning regarding the water issue that he presented to Council and then she also presented to Council that they have his word. She asked what his word means and what is going to be done about the water situation on Shangri La property.

Acting City Manager Barlow informed her he was going to bring this up under his report. Councilwoman Rogers asked if they could do it now so Mr. Morley didn't have to wait until the end of the meeting. Mayor Thomas didn't have a problem with that.

Acting City Manager Barlow stated he and staff with Brenda's crew had met with Mr. Morley and other residents last week to evaluate the situation. Their concerns were that a neighboring commercial business, that water was

spilling over into their subdivision. They evaluated the situation and talked to the Vice President of the company there and talked to them about some improvements they request that they make to increase capacity in their stormwater system. They also went into Shangri La and they have discovered it is an old subdivision and they have had stormwater issues in there for many years, since the mid 1980's. Tommy Smith, Stormwater Superintendent, has found some areas in backyards and worked with the residents where they have altered some of the conveyance and stormwater flow.

Councilwoman Rogers stated she walked it and took pictures and she didn't recall it was altered on the Shangri La side, just on the G & W side. Acting City Manager Barlow informed her it was altered on the Shangri La Side.

Acting City Manager Barlow stated Mr. Smith was in there the next day and was able to evaluate Shangri La to find out where the flows were stopping. One even had a portable shed in what used to be the conveyance system. They have even found one area where water was leaving Shangri La going under the wall and going onto the G & W property. He mentioned there being multiple different opportunities. He has pledged to Mr. Smith as being a top priority is to work with them and get them to make some corrections there and they are working with G & W to make some corrections there. He is pretty confident they can get a good handle on that situation.

Councilwoman Rogers stated her biggest concern is that at the rear end of the property the retention pond was overflowing and the retention pond seemed awful small for the amount of non-pervious concrete that was laid out. Did anybody go back to the initial permit from St. Johns to see if the retainage area was adequate for something that was previously there but maybe something changed? She was talking about G & W's retention. Shangri La's retention pond was not overflowing, it was G & W's. Acting City Manager Barlow stated it appears that G & W's retention pond is probably the capacity, which was permitted for the impervious surfaces there. Obviously they have drove on some of those other areas and compacted some soils.

Councilwoman Rogers stated so they have not expanded any of that drive from behind the building. She finds it strange that from the road to the rear of the property that they

had a concrete slab or asphalt from the road to the rear. Acting City Manager Barlow informed her it appears to be asphalt. Councilwoman Rogers asked if it was that way when the initial retainage pond was permitted by St. Johns. Acting City Manager Barlow informed her he had not dug that deep into it. The objective was to correct the stormwater and that issue and that is what they are doing. They are creating capacity. Councilwoman Rogers asked what kind of improvements are going to be done to help eliminate this water issue on Shangri La. Acting City Manager Barlow stated they are working with G & W to increase the stormwater capacity within that one stormwater pond. Councilwoman Rogers asked if they would be expanding the retention pond. Acting City Manager Barlow informed her they would be expanding the capacity. He wasn't sure if they were going deep, wide or tall. Councilwoman Rogers asked if they would be going back to St. Johns because they can't just do that willfully. Don't they have to have permits? Acting City Manager Barlow informed her there are some minor modifications they can do before they trip the St. Johns threshold and they have been compliant with that. They are also going into Shangri La. The back part of that you can drive the back of Shangri La and you can see that the soil stays moist. It is close to the water table. They certainly would not build a subdivision based on the stormwater standards of that subdivision that was built back in the late 1970's or early 1980's. We don't do those anymore because we learned from history. You can stand at the top of the drive coming into Shangri La and look down the hill and Florida doesn't have many hills. They are going to work with some of those. Mr. Smith was there the next day and looked to see where the water had stopped flowing. All of the neighbors they talked to that had issues in their backyard seemed to be very appreciative.

Councilwoman Rogers wanted to hit upon the thoughts and ideas she brought out at the last meeting. She felt the retainage pond was not adequate and she suggested and is now going to ask that the initial permit be pulled and they see what conditions have changed from the time the initial permit was pulled to what conditions are there now. On the east side of the property where they have improved and they have obviously brought in soil to bring up the elevation and they brought in the rock, that created another water problem for Shangri La. Did anybody look at any of that? Acting City Manager Barlow stated they looked at all of it and came up with solutions to fix both ends. It is going

to take work on both sides. Councilwoman Rogers feels G & W has done something that has encroached upon Shangri La. She sees St. Johns not being contacted and Acting City Manager Barlow is saying minor modifications can be done and in all her years of dealing with St. Johns she never knew they could just go out and do something and change without going back to St. Johns unless the initial permit has been pulled and if that hasn't been done how do they know what minor modifications they can do. If they are telling them to do it, that puts the City at liability.

Acting City Manager Barlow agreed to go back and do some research and put that project on hold so they can dig through that at Councilwoman Rogers' request.

Mayor Thomas stated he had several complaints from businesses in the shopping plaza across from Shangri La about the closure. He did some research and it is not our street, it is DOT's street. He asked if they asked the City's input. Development Services Director Darren Lear stated that was the only way they could get the permit. The only way they could get approval from the City was to get a DOT permit.

Councilwoman Rhodes suggested that Acting City Manager Barlow continue working on solutions to the problem as well as doing what Councilwoman Rogers' is asking him to do. She didn't think one necessarily eliminates the other one. She feels it is important. We are getting into the season now where it is hopefully not going to be as wet so maybe some of those problems can be corrected before it becomes wet rather than putting it off. Acting City Manager Barlow stated he was just concerned of maybe some exposure he may expose the City with St. Johns River Water Management. If there are those concerns he can stop the project and start that research and come back to Council.

Councilwoman Rogers stated she wouldn't stop it. Why would you tell them to do something if you feel that they can start doing something and it will start benefiting Shangri La, by all means. She didn't like it when he mentioned improvements and his word. Now a days there are a lot of promises made by our two previous City Managers and they are dealing with it. They need to put something in writing so they don't have this problem creeping up in the future. The St. Johns River Water Management District permit needs to be looked at. What was it initially permitted for? She

feels something has changed since the initial permit was pulled. Acting City Manager Barlow didn't want to alter those if those suspicions are there until they can continue that investigation.

Councilman Cooper agreed with Councilwoman Rhodes as far as moving forwarding and remedy the problem for the residents in Shangri La. They shouldn't slow that down in any fashion or form. He asked Councilwoman Rogers if she believes there may or she wants to know if there was something that was done after permitting or not with permitting from G & W that they might have raised. Councilwoman Rogers stated they definitely did on the east side of the property. Her concern by just looking at it, where the concrete is or asphalt from the road to the rear behind the structures, it goes all the way to the rear and she can't imagine that would have been permitted and allowed because the retention pond is so small. She believes they created more of a problem. She wasn't saying don't do something to help Shangri La. Continue what you are doing but let's not be short sighted and not look back at the initial permit and see if something has happened that needs to be justifiably fixed right now. We have a lot of development coming into this City and if they don't fix these little things how can they take on larger things.

Councilman Cooper commented on three months ago asking for a study for DOT to put a traffic light at Turgot Avenue and they kind of shot them right out of the water. He knows there is a timeframe for doing a re-study. He asked Mr. Morley if he would rather have the traffic light at Turgot or if it was better for him for something to be done at Shangri La Drive. Serving on the MPO and talking constantly with the DOT people, his first thought was to go back and say they just did a study and they closed off this road, which makes their study fallible. Can we re-look at that traffic light there again? He is trying to expediate something. He wanted Mr. Morley's opinion. Mr. Morley informed him they don't want to be counterproductive if the City is pursuing an agenda. The study that was generated there that they approved for EW Business Park but then the study did not project the closing of Thomas, he feels the best odds are that FDOT will have to agree to a traffic control of some sort at Marion, even though they would prefer it at Turgot or Shangri La. He further commented on Marion being an F intersection so it is already deficient. Everything else is pushing what they consider deficient at

99% capacity. It is already over capacity because people coming out of Marion can not safely get out of Marion and cross U.S. #1. That is what the study shows. By diverting all the Thomas cut through detours to Marion, those people are never going to get out of Marion. There are 46 in one hour trying to exit left turn and cross the Marion cut through to go northbound in the peak hour. They are going to divert about 50 more cars an hour to left turn down there so they are going to have several hundred cars trying to turn at Marion. It does not meet their classification. They don't really care. Anything will be a traffic break. If the City has a preference, he would think they would want Turgot. Councilman Cooper informed him they went after Turgot because of the functions back there and knowing that is going to get busier. It also breaks up U.S. #1 to get to Indian River Boulevard. Mr. Morley feels their best approach might be Marion because it is a deficient intersection and the study this year proves it. They approved those plans knowing that was a deficient, dangerous intersection and it is only going to get worse once the new bank opens and now that they have closed Thomas, all of the snowbirds that have come back do not know that Thomas cut is closed and every day cars are cutting through there and they have not marked it as not a cut through. They are riding through the sod and getting stuck out there. Councilman Cooper commented on it being summer when they had the survey done and the snowbirds not being here.

Mayor Thomas stated they have to have a traffic survey through DOT. Mr. Morley informed him that they said they will but they don't want to be counterproductive with the City. DOT has started calling them but they don't want to step on the City's toes. They would like to work with the City. They feel the City working with them will have better success.

Councilwoman Bennington stated before they go pointing fingers at anybody violating any codes or doing something they shouldn't have done, they need to make sure. Talk about putting us at liability. By publicly accusing a company of doing something that maybe they had the right to do. Councilwoman Rogers stated she wasn't publicly accusing. She informed Councilwoman Bennington she could walk out there and look at it. If you want to go toe to toe, walk out there and look at it. She didn't take the time to and they received letters well in advance.

Councilwoman Bennington stated they just needed to be careful. She wasn't saying they did or didn't but they need to make sure that they know what they are talking about before they do that. Councilwoman Rogers informed her she does.

Councilwoman Bennington told the Shangri La Homeowners Association that she really appreciated them coming up with this and being willing to work with the City. They realize they need a traffic light. She hoped the City would be more than happy to work with them. She believes the City should be working with the Homeowners Association and the City should be working with the Homeowners Association. She hopes they can resolve their stormwater issues to everybody's satisfaction without any accusations to anyone.

**Bill Glaser**, 1703 Needle Palm Drive, stated back when they were discussing the utility rate increase he forgot to ask a question or bring to their attention under the sewer fees, it said \$350 per gallon. He was quite apprehensive when he got his utility bill but he realized his sewer hadn't gone up to \$17,000 so he assumed they meant \$3.50 per \$1,00 gallons for the sewage. It was on Page 5 of the Resolution. He assumed some eagle eye proofreader had already found that error.

Mr. Glaser asked if anybody knew anything about PAC's. We have a new PAC in Edgewater, Political Action Committee and they aren't registered with the Department of Elections in Tallahassee. He asked if anyone knew why not.

Mr. Glaser asked what union was representing our firefighters. Acting City Manager Barlow informed him the International Association of Firefighters. Mr. Glaser asked if it was IAFF. Acting City Manager Barlow informed him that was the acronym.

Mr. Glaser stated he has seen some signs, Firefighters for Obama, so he wanted to make sure before he no longer made his contributions.

**Vernon Rupp**, 219 Shangri La Drive, wanted to comment on Mr. Morley's suggestion for U.S. #1. That they would do everything possible to work with them to see what they can do to get a traffic light up there. It would really be appreciated. He asked to be kept posted.

Acting City Manager Barlow agreed to work with Mr. Morley on that. He will put that report together with the most recent one that FDOT did. City staff is committed too. They agree Marion or Turgot would be two of the most ideal locations to break up that traffic.

**Dominic Capria**, 606 Topside Circle, stated when they got the raises in the Enterprise Fund he was led to believe and he still believes that the stormwater was going to raise 16%. He is only talking about pennies but it is the principle. He figured it out to be 16.66%, not 16%.

Mr. Capria stated the Finance Director did a great job so they have got \$5 million cash in the bank and it was discussed a month ago with Mr. Barlow. He feels if they have that kind of money in the bank which is great and wonderful but why did the millage rate go up so high. Why couldn't they use some of that money to keep the millage rate lower?

Finance Director John McKinney stated they are required by the Water & Sewer bonds to hold \$1.2 million in cash reserves for a rainy day. They have \$1.9 million required for the General Fund and when you take into account the special revenue funds, when it comes down to it on a \$36 million budget annually, to have \$5 million at 9/30, that's not a whole lot. Not when they consider they put \$110,000 just in salaries every two weeks, plus pennies, plus the \$1.6 million they put in the pension. We are down to \$3.2 million right now.

Mr. Capria stated it seems like they have to do something about that.

Mr. Capria then stated Restoration cannot be done to conformity with the dwelling units per 20 acres and thus Hammock Creek would be forced to abandon development. They knew this when they started this. Why are they complaining now? It's a little late isn't it? We are voting for this and voting for that. The City is against them so they are against the City. It just doesn't make sense.

**Carol Ann Stoughton**, 2740 Evergreen Drive, stated she didn't know if the Council saw the letter from the City of New Smyrna Beach dated October 15<sup>th</sup> from Mark Rakowski, Development Services Director. His certain concerns were

our watershed, the floodplain development, needs analysis, transportation and potable water. Yet you people decided you are all going to work together. Sad to say, as these poor people with their water problems, the City has to continually pay for and spend taxpayers' dollars to rectify problems that builders and developers leave. She asked for a public records request. Mr. Hooper who was our City Manager, who was part of Professional Engineering, who really wasn't our City Manager but they paid him through a company. She saw he was still getting paid for projects as late as 2008 as \$39,000. She can't understand who paid for the new brochure. It's a group called a Vision Group. She hoped they didn't pay for it. She also has two letters that appeared in the Vision book and where it is told that if this development goes through we will need another Police Department and Fire Department equal to what we have here. She thinks they need Acting City Manager Barlow back as Fire Chief and they should be hiring a City Manager who is not connected in any way to any developer and see that our City is running properly. Not people that run around to secret meetings, of which she has many pictures, in favor of the developer. She thinks they should start looking for a City Manager. She thinks they should know how much the City has paid the City Attorney to fight against our citizens and charge the taxpayers. It is a sad state of affairs when the City is pushing something when the people didn't want it.

## **5. CITY COUNCIL REPORTS**

Councilman Cooper stated all of his committees have been canceled or postponed until later in the month. They had a 4 ½ hour workshop on October 15<sup>th</sup> with the MPO as far as long range planning, looking at things for 2035. All of the cities and their representatives were there. There was great give and take. Universities were there pushing their models on how it is determined. He suggested people check out the MPO's website and review some of this. There was a lot of discussion about road improvements, light rail and things of that nature. These are all things that will affect us all in the next 20 or 30 years.

Councilwoman Rogers stated she is taken back by a letter from Leslie Blackner. It is dated the 19<sup>th</sup>. She asked when they got it? Acting City Manager Barlow believed it was at 9:30 this morning by e-mail. Councilwoman Rogers stated that was a lot for them to digest and to be giving them

tonight. She suggested if they ever get anything like that, that the Council be notified about these types of letters rather than seeing all of this stuff given to them the night of a Council meeting.

Acting City Manager Barlow stated as soon as it was brought to his attention, it was turned over to the attorney as well. She is researching the authenticity of some of the exhibits, the validity and the accuracy of some of the accusations in there. It is way premature for anybody to make a comment regarding any of that. He thinks based on a 59 page document, he thinks it would be a pretty aggressive assumption to think the attorney could do the research and be here tonight to make that presentation for that.

Councilwoman Rogers stated her big concern is the timing of this because they are going to be going over some items regarding Restorations later tonight and this letter is very serious. She just glanced at it and hit a few things and it is enough for her to take a hard swallow.

Acting City Manager Barlow cautioned her jumping into conclusions based on what she is seeing on that. The Attorney is doing the research for the Council. She will be back with a report on this.

Councilwoman Rogers asked Acting City Manager Barlow if he would be going over any of this due to there being allegations about her as well. She saw where she was billing us and we are billing Restorations. She didn't understand why we are billing Restorations and why she isn't billing Restorations. Acting City Manager Barlow informed her absolutely not. He wasn't sure that was an accurate statement in there. He wasn't going to put any credibility into that. Carolyn is reviewing it and is going to go over it with Council. He is going to review it as well. His schedule didn't permit him an opportunity to read it.

Councilwoman Rogers asked what the time frame was going to be. They need to respond to this. If any of the allegations are truthful they need to do something immediately. Acting City Manager Barlow informed her they would have plenty of time for City Attorney Ansary to respond to that for them prior to a development order being issued.

Councilwoman Rogers informed him she wasn't concerned with a development order. She was concerned that the City is paying for bills for somebody else and it isn't like the City has all this money. You can see what is happening to our reserve.

Councilwoman Bennington informed Councilwoman Rogers she was bringing up something she just glanced at.

Councilwoman Rogers stated she was glancing at it and it was her time to ask a question. She told Councilwoman Bennington not to go personal. She didn't want to go there with her.

Acting City Manager Barlow stated he spoke to City Attorney Ansay this morning when they received it and she is researching the authenticity of the exhibits and the validity of the allegations.

Councilwoman Rogers asked if they could speed it up rather than wait for the development order. Acting City Manager Barlow informed her it was a priority for City Attorney Ansay and that she also didn't receive it until 9:30 this morning. She understands the urgency.

Councilwoman Bennington had nothing at this time.

Councilwoman Rhodes had nothing at this time.

Mayor Thomas stated he was requested to attend the Commission meeting of New Smyrna last Tuesday night. He really fought with a decision by crossing lines with another municipality. Upon the Council's consensus at one of the meetings about working together, he went before the Commission and said he wasn't pro or con. He informed them if they had reservations and the City of Edgewater has reservations that they didn't mind sitting down at the table with them and working everything out. They voted unanimously to sit down at the table with them and work everything out.

Mayor Thomas then reported that he attended the WAV meeting on Wednesday morning. He then passed around stickers. He also mentioned being able to request more on WAV's website. They also voted to spend \$10,000 on rain barrels from approved dealers. He spoke about giving out \$20 vouchers. WAV wants to be very proactive in water conservation.

Their Executive Director is going around to schools giving demonstrations and presentations to the school children about water conservation. It's hard to change our ways. We are water wasters. If they can teach the children how to conserve water, he feels that is a very proactive stance.

Mayor Thomas reported on attending the Mayor's meeting today where they discussed problems within the cities.

Councilwoman Bennington reminded him he also went to the Hob Nob.

Councilwoman Bennington stated the Hob Nob was sponsored by the Chamber and the candidates got up and gave ten minute dissertations. It was very interesting.

#### **6. CONSENT AGENDA**

- A. Professional Services Contracts for Surveyors - Addendum #1 (Extending the term for one year)
- B. Approval to piggyback on the Orange City bid/contract for gasoline and diesel fuel to use Exum Energy Inc., for the purchase of gasoline and diesel fuel

Acting City Manager Barlow made a staff presentation regarding Items A & B of the Consent Agenda.

**Councilwoman Rhodes moved to accept the Consent Agenda, second by Councilwoman Bennington.**

**The MOTION CARRIED 5-0.**

#### **7. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**

- A. Edgewater United Methodist Church requesting a Special Activity Permit for the Christmas Under the Palms event to be held on December 13, 2008, at 211 N. Ridgewood Avenue

Acting City Manager Barlow made a staff presentation.

Due to there being no comments, Mayor Thomas opened and closed the public hearing.

**Councilwoman Bennington moved to grant the Special Activity Permit, second by Councilwoman Rogers.**

**The MOTION CARRIED 5-0.**

B. Light of Calvary Church, requesting a Special Activity Permit for a Fall Festival to be held on November 22, 2008 at 2140 N. Ridgewood Avenue

Acting City Manager Barlow pointed out that the address was not correct. The address was 2140 S. Riverside Drive. This will be the first time for this organization to have a Special Activity.

Mayor Thomas asked about traffic problems on Riverside Drive. Acting City Manager Barlow didn't think there would be any due to not anticipating this being an extremely large event. It will be monitored. If they request additional permits in the future then they can address some of those things.

Councilwoman Bennington asked about the amusement rides. Development Services Director Darren Lear informed her it was mostly bounce houses and inflatable slides.

**Councilwoman Bennington moved to grant the Special Activity Permit, second by Councilman Cooper.**

**The MOTION CARRIED 5-0.**

**8. BOARD APPOINTMENTS**

There were no Board Appointments at this time.

**9. OTHER BUSINESS**

A. Ratification of the Coastal Florida Public Employees Association Agreement (General Employees Union Contract)

Acting City Manager Barlow made a staff presentation. The only change to the agreement from last year is the employees will receive an additional floating holiday. The other change is the 3% wage increase.

Councilman Cooper asked if anyone was present from the PEA. Mayor Thomas informed him Tyna Hilton was present.

Tyna Hilton, PEA Representative, explained the Union wanted to do the minimum but also protect the employees. The 3% was what was budgeted so that is what they went with. She further explained the extra day is a give and take type of a thing.

Councilman Cooper thanked Personnel Director Donna Looney for her help with this and expressed his appreciation for this being a relatively easy one to pass and go forward with.

Ms. Hilton wanted to thank the guys.

Councilwoman Bennington agreed with Councilman Cooper and expressed her appreciation for their willingness to go through with this as fast and as relatively painless as it was.

Due to there being no further comment, Mayor Thomas entertained a motion.

**Councilman Cooper moved to approve the Coastal Florida Public Employees Association Agreement for fiscal year 2008-2009, second by Councilwoman Rogers.**

**The MOTION CARRIED 5-0.**

B. Review of draft Vision Plan as obtained from the two Community Visioning Workshops

Acting City Manager Barlow briefly commented on the draft Vision Plan that everybody in the City was invited to participate in. Many in the audience participated and he appreciated everybody's effort towards the draft product. The goal is for them to walk through where we are in some of the draft and some of the findings from the workshops. At the December 8<sup>th</sup> meeting they will present a completed Vision Book for the City of Edgewater, which will allow staff, once it is adopted, to actually start to put plans together going forward as it relates to future zoning areas.

Acting City Manager Barlow then turned the presentation over to Greg Witherspoon & Chelsea Seifert from Canin Associates.

**Greg Witherspoon**, Canin Associates, commented on the two workshops that were held. He walked through the plan by highlighting some of the items such as defining a main street, creating access to the river, historic buildings, inclusion of a new community park along the main street, creating some gateway features at U.S. #1 and Park Avenue. They are looking at getting revisions and reworking the plan per any comments in preparation for the December 8<sup>th</sup> meeting.

Councilman Cooper stated so far all of the visioning and the multiple meetings they have had and all of the drawings they have done, has it cost the City any money at this stage? Mr. Witherspoon didn't believe it had. Acting City Manager Barlow confirmed it had not. Councilwoman Rhodes commented on paying for pizza. Acting City Manager confirmed they paid for pizza, donuts and sandwiches.

Councilman Cooper stated it has been no cost to the City and this visioning project was attended and meant for the residents and the Council to have some input at different looks. U.S #1 offers a whole new look to property. As they look today they have for sale signs all over it. Some of these things they have to start planning for and start saving money for to be able to have any of that stuff come to fruition.

Mr. Witherspoon stated this is a Vision Plan. This is an idea of what could happen. The issues they would have to tackle as citizens and City staff aren't solved by saying this is the vision we want to go forward with. There is a lot of work that still has to be done to create an effective implementation plan to realize this vision well into the future.

Acting City Manager Barlow commented on one of the goals of staff being once they get direction from Council this is where they want to go. One of the first steps on staff's part would be to start to do a U.S. #1 overlay. He then referred to the overlay on SR 442.

Councilman Cooper solicited the newspapers to get as much information out to the citizens as possible so the website can be looked upon by our 22,000 citizens and maybe get some more input so they see they are trying to do their darndest to long range plan for some things and now is the time to offer changes and offer different ideas or solicit

the comments from the citizens that were at the meetings and the input that was determined during those meetings. He feels it would be a great thing if the newspapers could help them out.

Acting City Manager Barlow stated this is a 20-year plan. This plan will stay dynamic and will continue to massage it as time goes on.

Councilwoman Rogers referred to Item 7, an amenity for all and where they indicate that the park must be redesigned to allow greater use and then they go on to say not just the boating community and they explain it is going to be a large shaded, public green and exterior boardwalk with boat docking capability. She commented on buildings and a lot of green on the drawings as well as where boats could pull up along the seawall where they have a wooden walkway on the perimeter. She asked where the boat docking facility would be since this is indicating that it will have boat-docking capability. She asked where they would be launching the boats from? They obviously won't be launching it from there. On the website it indicated they are planning on making the boat launching facility or leaning towards it in the 20 years, that it would be then at Menard May Park. Menard May Park is used by a large majority of citizens of this City in ways this park can't be used currently and it wouldn't be used in the future because there are people that go there and swim and fish and they pull up and park and it is a shallow park. Along the perimeter of the park it is very shallow. It is not conducive of becoming a boat launching facility. They must have something else in mind.

Mr. Witherspoon stated as part of the vision sessions they had on the last day, that was a big issue and in fact there was quite a bit of discussion. He didn't believe there was a final resolution on how to fully achieve the vision from a boat ramp standpoint. There was discussion of Menard May Park. There was discussion of another potential site further down the river.

Councilwoman Rogers stated Menard May Park is listed as number one on the website. She has a personal interest. She lives across from Menard May Park and she owns the property on the south end of it. There are also deeds and covenants that run with that land where nothing can be built over three feet and there is more.

Councilwoman Rhodes felt everybody agreed at that meeting that there needs to be a boat ramp. Menard May Park was mentioned as an alternative source and Councilwoman Rogers has some valid points but all of those things could be worked out. Councilwoman Rogers was concerned because it was listed as number one.

Councilwoman Rhodes informed her on that day it was number one but that doesn't mean it has to stay number one until the end of time. It was number one of a list of many that they discussed that day.

Acting City Manager Barlow stated the Comprehensive Plan dictates so many launching ramps along with parking spots. He further commented on opportunities down the river that they can discuss between now and 20 years from now.

Mayor Thomas felt this was very similar to a dream. They have to have money to make those things happen.

Councilwoman Rogers stated when it says that it will have boat-docking capability when they are going to have launching they need to have parking. Right now there is parking available for the park across the street. They need to have something this size and Menard May is not even close to it.

Councilman Cooper stated it is a visioning and they want to solicit citizens' comments as well as Council comments. They knew the boat launch was very important to Edgewater and didn't want it to go away. They knew they had to reposition it if they were to look at the park activity at Kennedy Park. They have to plan ahead and move forward. They don't want to get rid of the boat launching. Most of our industry here is boats.

Mr. Witherspoon commented on the need to have an overall Parks and Recreation Master Plan. One of the first things that is a potential next step is for the city to actually engage upon that type of activity and when they think about a Parks and Recreation Master Plan, a true needs assessment and evaluation of different potential sites and all of those kinds of issues associated with a boat ramp should absolutely be a part that.

Acting City Manager Barlow commented on this being a draft. They can certainly take Menard May Park out of the final book and leave generic language that other locations will be evaluated for a boat launch.

Councilwoman Rogers stated most of Kennedy Park is the boat launch and the boat parking. Acting City Manager Barlow stated the consensus that participated in the vision is they didn't want that to be a boat launch. They want that to be a park. The Comp Plan says the City still has to have so many ramps and so many parking spots. They don't have anything that says they have to be at that location.

Councilwoman Rhodes felt they did a really good job of listening to what they said and coming up with the Vision Plan. This says what everybody said at that meeting. They did a really good job conceptualizing what was said. They did what the City asked them to do.

Mayor Thomas did a poll and asked how many were at the visioning session, how many liked the concept and how many did not like the concept. The results were about even for who liked or didn't like the concept.

Councilwoman Rogers stated ultimately it's what can be done at Menard May and what cannot be and that can't be done at Menard May so oh well. Councilwoman Rhodes stated Menard May may never even enter the picture. This has nothing to do with Menard May. Councilwoman Rogers stated there aren't too many other places on Riverside Drive where they could put in a boat launch.

Mayor Thomas asked for citizen comment.

The following citizens spoke:

**Carol Ann Stoughton**, 2740 Evergreen Drive, stated she didn't know who paid for this. They had a project called ParkTowne Industrial Park that we are still in debt by another City Manager. It's nice to have a vision. She doesn't care for the contact person, our City Manager. She didn't know who this man was or who he represents. She thought he represented Mr. Canin. She checked and went to Park and they aren't too happy with Canin Associates there. She saw in a vision project the City of Stewart. She called the County and the City. They never did any work there. They bid on a job and Villa Construction got the

job. Circuit City had a vision too and today they are closing down 160 stores. A vision is great if the City and taxpayers do not have to pay for it. She has a \$25,000 paid for Ford Hybrid. She would like a Cadillac. She feels this is way out of line. You can't park behind City Hall. It all looks cute but she feels Restoration is behind this.

**John Taylor**, 2529 Silver Palm Drive, stated he is a boater and he has used this ramp for years. He is aware of Menard May Park. His concern is it is too shallow. It seems like a huge waste of money to try to dig out or build another boat ramp when you have one that works. He feels the money would be much better spent redoing what we have. He thinks outside of that, the mainland side of it looks fine but he thinks it is just a waste of time and money to try to create something that we already have. He thinks this works fine and needs a little bit of prettying up. Spending taxpayer money to reinvent something somewhere else that is already there that works fine is kind of the definition of insanity to him.

Councilwoman Bennington commented on being in the process right now of prettying up Kennedy Park and making it more accessible for the boats.

**John Cordeiro**, Pine Tree Drive, stated he understood Don Mears from Restoration was financing this vision project and paying all these people. He asked if he is going to pay for all of the construction or are the taxpayers going to pay for it.

**Mike Visconti**, 316 Pine Breeze Drive, stated when they had the two meetings for the vision, in the audience they had 75 people at the first meeting and they had 32 people at the second meeting. It was advertised for months by the City Manager. Where were the people? The people didn't show up. He commented on the people trying to envision Edgewater in the future. Edgewater needs a main street, something for Edgewater that we haven't got. This is going to take place as a 20-year project anyways. Some of them won't be here but the vision is for the future of our children, grandchildren and the future is for Edgewater. Edgewater does need some sort of a main street. We haven't got anything right now. He commented on there being a lack of participation at the meetings but as soon as something

comes up they have this negative attitude. The people speak they say and the people have spoken.

**Jack Hayman**, 3003 Travelers Palm Drive, County Councilman, asked who paid for the study. Acting City Manager Barlow stated it was disclosed when they entered into the agreement and at the beginning of both workshops. Restorations sponsored half of it and the second half was the Central Florida Sustainable Communities Initiative, which is backed by Canin Associates.

County Councilman Hayman stated the community needed to know this. He brings it up because it is an important point. They have had several people speak to the question of who is doing this and they suspect that there is an ulterior motive. During the time he was Mayor they were interested in bringing Barnett Bank into the community. He was designated as the person to call on Barnett Bank and try to encourage them to come down and look at our City and listen to the deal we had for them and it was a good deal. They made their trip down and they called him and asked him to come up and have lunch. He went to Daytona and they had lunch and they said they liked the City but that we had a terrible looking U.S. #1. They told him if he straightened out U.S. #1 they would build a bank. They showed him pictures of three derelict buildings that were north of here. Then they showed him some other buildings further south that were derelict. They showed him some unsightly things. His colleagues on the Council at the time said they had to take down those buildings and they did. Then they filed the liens on the property and the property owners had to satisfy those liens. There were some in Florida Shores they did the same thing. He commented on seeing a lot of banks coming into Edgewater now. They smell money and they smell success. They have to have a vision to know where they are going to go. They need a vision because the State legislature back in 2005 told all of them through Florida Chapter 163 that they enacted that says they want sustainable communities in this State. They also want to preserve and protect the rural area and they don't want any more sprawl. They are saying the cities and counties need to work together to redevelop the cities. He commented on the new infrastructure that was put into the City when he served as Mayor a decade ago. He commented on forty and fifty year old infrastructure that was in place a decade ago that still has not been replaced. They have

relined the sewer lines, he didn't know how many times on the north and east end of the town.

Mayor Thomas informed Ms. Stoughton if she interrupted one more time that he would send her from the meeting. Ms. Stoughton informed County Councilman Hayman that is three minutes were up. Mayor Thomas informed her he was running the meeting not her.

County Councilman Hayman agreed to summarize. He then commented on boat launching. Volusia County as well as the Port Authority and Inland Navigation District have invested heavily on boat launch sites here. Before they tear one out they need to talk to those people. They don't take kindly to having taxpayer money tore up. The idea of reinventing the City and creating a central City is an important idea. That is what the State is driving us to and that is what they are telling them they are going to have to do. How do you pay for it? Tax Increment Financing. It is a partnership between the counties and the cities. The County helps the City reinvent and recreate the infrastructure. If there is one thing he must criticize this rendering for. He doesn't see people on bicycles. He sees parking spots and asphalt and pavement. They need to get rid of that and convert that to places where people have bicycles. If they could cut the parking area in half and create additional space for people to live and recreate, what would they have? A much better town and they would accommodate more people and it would be just as comfortable as it is now.

Acting City Manager Barlow further commented on who funded this being disclosed. It's not a new concept to Edgewater. He commented on three local businesses donating \$15,000 for the fireworks show. It is nothing unusual to partner with local businesses or other entities. This is just the tip of the iceberg. This is just starting the process. There is a lot of work to be done. He then commented on the U.S. #1 overlay, which is going to take consultants and facilitators. He plans on bringing in all the property owners on U.S. #1 and help us help crop the overlay on U.S.# 1. That is going to take facilitators too. He is open to suggestions.

Councilwoman Rhodes stated she knows they didn't pay for it and she knows they don't have to do it. They aren't obligated to put this into practice. She feels they need a

vision. They need a long-range plan. Now we have one. She suggested if they have a place to put their focus then they can put their resources into making that come true.

Mayor Thomas stated even though they can't complete the full dream they may be able to complete half the dream. He is very pleased at the proactive stance that Acting City Manager Barlow has taken on the direction.

**Dominic Capria**, 606 Topside Circle, stated he would be real fast because he knew he would only be given three minutes. He isn't going to get more than three and he respects Mr. Hayman. If he goes over three minutes he is told sit down.

Mayor Thomas informed him if he had the experience County Councilman Hayman had then he would listen to Mr. Capria too. Mr. Capria agreed with him 100%. He feels three minutes is three minutes and he doesn't care who it is.

Mr. Capria commented on Mr. Visconti's comment regarding being negative. Sure it is negative. Why shouldn't it be negative? They come here meeting after meeting after meeting. Like he has said before. People can get up and they listen to them. Some of them will get up and they pretend to listen to them but they do not. Carol Stoughton just got up and asked a question and wanted an answer and did not get it. Mr. Hayman gets up and he respects him and asks the same question and he gets an answer.

**Dave Ross**, 2803 Needle Palm Drive, stated this is a vision for downtown area, this is not an Edgewater vision as it is titled. They don't know what is going to happen between the south end of that and the city limits of Oak Hill. What is your vision for the riverbank all the way from here to the Oak Hill city limits? What is your vision for south U.S. #1 all the way to the Interstate? That is Edgewater folks. This is just a tiny little part of Edgewater. Don't call it an Edgewater vision. It's not. What's your vision for the rest of the acreage out where they are going to build little Miami? He doesn't hear anybody talking about an Edgewater vision. Call this what it is. A downtown. Will it accommodate 75,000 to 100,000 people? That is what the expected population is to be in the City of Edgewater within twenty or twenty-five years.

Mayor Thomas asked Mr. Ross if he attended the Visioning Session. Mr. Ross informed him no. Mayor Thomas commented

on the map they had at the Visioning Session of the entire City limits and they put the problem spots and the visions on the entire City limits. This is just one little piece.

Chelsea Seifert, Canin Associates, commented on the Preference Mapping exercise they did at the first Vision Workshop and why they focused on this area.

Mr. Ross stated he wasn't criticizing this. He asked if they were going to bring the City of Edgewater Vision to the Council for comments in a public hearing. Acting City Manager Barlow commented on out of the two workshops they ran out of steam just on this area. His goal is if they end up getting enough sponsorship and time and participation he would like to see the whole City of Edgewater vision but that is many hours of work.

Mr. Ross stated his only criticism of this, and he isn't for it or against it, that it says Vision Edgewater. It's not. It is Vision Downtown Edgewater. He feels that needs to be made public too.

Mr. Visconti stated he came into this City fifteen years ago and when he came into this City on U.S. #1, Mr. Hayman just talked about how U.S. #1 as at the time. It was a mess. He joined the Beautification Committee and his vision was U.S. #1 had to be beautified. Mayor Hayman at the time, Mr. Visconti brought in a tape that took 45 minutes for that tape to show Edgewater what U.S. #1 looked like and what south of Daytona looked like. If they didn't have that vision at that time U.S. #1 would have still been fifteen years ago. Not only did they beautify U.S. #1, they also beautified SR 442, even though it was enlarged they appropriated the money for the Department of Transportation and got \$225,000 and beautified SR 442. They still want to beautify U.S. #1 but the funds are not there. They can't do it. They can't plant the trees because they have to be a certain size. They have to go to the Department of Transportation and get their okay. In the past five years, U.S. #1 has stayed just the way it was five years ago when they beautified it.

Mayor Thomas was getting ready to let Mr. Capria know he had already spoken and Mr. Capria informed him Mr. Visconti got up twice. Mayor Thomas apologized. Mr. Capria informed him not to be sorry. He wouldn't have gotten up if he didn't. He is only going to be 30 seconds as usual.

He respects Mr. Visconti even though they are on opposite sides of the fence. They didn't used to be but somehow he got closer to the people that are against what they are trying to do. He wished Mr. Visconti a lot of luck. He heard through the grapevine that he is moving out of Edgewater. He told Mr. Visconti to tell the Council. Mr. Visconti informed him they already knew.

**Richard Burgess**, 2724 Juniper Drive, stated it looks like a nice vision but the bigger problems the City faces overshadow how happy they should be about something like this. We are about to take our town and double its size and increase the amount of services that we provide, the cost of providing those services, the cost of Fire, Police, water, sewer, drainage, etc. What inevitably happens through expansion and growth like that is you get caught up with an inability to predict the actual cost of the infrastructure in the newer parts of town. What happens is you can go up and down U.S. #1 in Florida and about 80% of the U.S. #1 corridor looks like crap. Normally it is because it gets left over and they don't have money to spend on it because they have expanded in other direction and things cost more and they end up with problems and people and it never works out exactly like you want. The keyword he heard that people need to focus on is sustainability. If they can't manage and maintain a budget in a city and keep things nice without a city growing, you will certainly never maintain and expand it and make it look beautiful like this all over town as you grow. It just won't be done. There are reasons why some of them don't want to see the town doubled over night. They just know it never works out as nice as everyone says it will. That's aside from the environmental impact and the fact that there are water shortages. There are a million reasons not to and very few to do it, other than it gives you just a spurt of cash up front and it gives a few people a really big bank roll.

Acting City Manager Barlow stated he was looking for some consensus. He commented on taking out the reference to Menard.

Ms. Seifert stated for them to move forward, she would like to have everyone's comments to Tracey and to them within a week so they can make revisions to the plan and present them back to Council.

Councilwoman Rogers asked if had a TIF deed for a portion of the property. That would be something to look into. If they did have a TIF deed that would give the City rights to go out further than what we have currently. She spoke of dealing with the water agencies. They could probably fill and extend that park and perhaps achieve some of this and keep the boat launch. That's an idea and something to look at. She has a TIF deed out 197 feet on her property. That takes you within 10 feet of the channel.

Acting City Manager Barlow commented on traffic calming devices that would be located in the downtown area and there being a concern of the boat trailers driving down residential streets to stay away from the downtown area. He feels there is plenty of opportunity.

Councilwoman Rogers referred to the Wilkinson property and this being a large massive piece of property. Imagine. Boat launch and then across the street one day it's not being used. There aren't houses around there.

Councilman Cooper feels they need to get off the specifics of what everyone wants. This was a conceptual design and it's a good design. The City needs to start planning on having a vibrant downtown and a progressive area. He hates to see concepts thrown out but he would like the citizens to review this and make comments and then the Council will look at it as they go forward. Nothing is cemented in stone. He doesn't want to see them take anything off of here because the whole concept was to give them a look to start looking forward of things that might happen. Not things that are going to happen tomorrow. None of this may ever happen but they have to start planning otherwise it will look the same as it does right now.

Mayor Thomas asked if that was a motion. Councilman Cooper informed him yes. Councilwoman Rhodes seconded the motion.

The MOTION CARRIED 5-0.

Mayor Thomas called a ten-minute recess at this time. The meeting recessed at 8:50 p.m. and reconvened at 9:00 p.m.

## 10. OFFICER REPORTS

A. City Clerk

City Clerk Wenzel had nothing at this time.

#### B. City Attorney

Assistant City Attorney Ciocchetti commented on the City being involved in a vested rights determination with SeaGate for the River Club development. They were successful in representing the City in that matter. Ms. Ansay circulated a memo that should answer any detailed questions.

#### C. City Manager

Acting City Manager Barlow presented an update on the mold in the CID building. They are going to have to come back and put a whole new roof on it but there are several buildings within the City that was budgeted for replacement so they are going to bundle those together for a better deal so they are going through that bidding process. He spoke of the cost to mitigate the mold being between \$9,000 and \$12,000. We are also bidding those services as well. He commented on one of the things they are looking at to kill the mold without having to rip out the walls.

Acting City Manager Barlow informed Council the pest control companies would no longer be utilizing the reclaimed water. They have since stopped that practice and are going to go back and readdress it on determining what kind of metering and offer that service that can be metered and charged. They have dismantled the disbursement apparatus and it will have to be relocated.

Acting City Manager Barlow commented on looking at the opportunity to update the City seal. He had copies in front of Council on the current City seal along with some suggestions for a new one. They can talk about the designs, ovals verses circles, captain's wheels, the internal and they can talk about the banner.

Acting City Manager Barlow commented on the City seal not only being on the City facilities but also on the capital equipment and letterhead and envelopes, uniforms, etc. as well.

Acting City Manager Barlow stated the point of the city seal is to brand and market your City. Quality is

extremely important to him as they look at any type of branding opportunity for the City.

Acting City Manager Barlow asked for comments and suggestions from Council.

Councilman Cooper asked if on the artist renditions, rather than make copies could they could get everything in pdf files so they could change the colors to black and white so it is crystal clear so they aren't dealing with copies. Acting City Manager Barlow informed him when it comes out of here they can but let's say that you have something that you have a color City seal on and somebody else outside of here duplicates what can you do the best to protect your identify and the quality of it. It loses its rendition.

Councilman Cooper asked Acting City Manager Barlow if he was able to do any big cost factors if they were to decide on a logo change. Acting City Manager Barlow informed him when he does it he wants to transition it in and it may take a year to do it at essentially no cost.

Councilman Cooper asked if he felt it might be a concept he might put on the website and let the citizens pick. Acting City Manager Barlow wanted direction from Council first.

Councilwoman Bennington asked what the captain's wheel on the platform was in one of the artist renderings. Acting City Manager Barlow informed her this was at the exit off of I-95 as well as there being one at SR 442 and U.S. #1. Councilwoman Bennington stated she never noticed it. She didn't like that on the logo.

Acting City Manager Barlow commented on favoring the oval and it being Tuesday before Fantastic Signs, who is doing this at no cost, could do that and present that. He asked for direction on what Council likes and doesn't like.

Councilman Cooper stated he didn't like any of them. He liked the bottom right hand corner with the ships wheel design around the circle and leaving the banner. The oval is an eye catcher. He feels the overall concept with the ship's wheel would be unique.

Mayor Thomas liked the last one.

Councilwoman Rogers liked the last one but she would substitute the sailboat for something that is a little more conducive of what is out there and also make it oval. She suggested replacing the sailboat with a fishing boat.

Councilwoman Bennington liked the oval design but she doesn't like what is in the oval design. If she had to pick out of the four, she would also pick the last one. She wasn't so cool on the sailboat with the sunburst. She liked the banner, the palm tree and the water.

Councilwoman Rhodes liked the oval as well. She thinks the ships wheel would look stupid oval. She didn't think she could substitute. She liked the ship's wheel that ties in all of the stuff at the exit off of I-95. She suggested they leave the sun, change the boat to a fishing boat with possibly a fisherman on it and make it oval.

Acting City Manager Barlow commented on playing with them once he gets some direction from Council.

Mayor Thomas commented on doing the ship's wheel being all encased or would they be fingers. The fingers would tend to rip off. Acting City Manager Barlow commented on not having City patches but having stickers and the embroidered emblem. Councilwoman Rhodes stated some day they might and suggested they look into the future.

Mayor Thomas suggested keeping it as simple as they can for the cost effectiveness and still be aesthetic to the eye.

Acting City Manager Barlow presented an overview of where we are and where we are headed regarding the Restoration update.

Acting City Manager Barlow would like to set up a joint workshop with the City of New Smyrna Beach. He felt this was an opportunity to enhance their working relationship with New Smyrna Beach going forward. Acting City Manager Barlow informed Council New Smyrna would like to hold the workshop on November 12<sup>th</sup> at 3:00 p.m. in the Community Center.

Councilman Cooper stated with the broad range of ideas and things that are being brought forward all over the entire Volusia County area he started to put together a formula for a Tri City Advisory Board. He was wondering if the

Council might want to entertain looking at that where they include Edgewater, Oak Hill and New Smyrna Beach in these types of meetings and talk about progress and how it would affect all three cities. He has been here 27 years. As Port Orange did that massive growth in the beginning they had little talks with New Smyrna and it started a problem. New Smyrna has done a lot of growth and Edgewater hasn't been included in a lot of those talks. Now they are asking for those talks because if we move forward we will basically get our economic share of those properties. He thinks the way this County is going to grow that they need to look at all three cities and maybe look at formulating an advisory board and starting working at that. He had an outline and objective that he would like to accomplish. He would like to submit it to Council and see if it is something they might want to look at.

There was a brief discussion regarding including Oak Hill and the help Edgewater has done for Oak Hill in the past. Councilwoman Rhodes commented on not only including Oak Hill but also paying their way. Mayor Thomas wasn't sure how much participation they would get from Oak Hill. They aren't at many County meetings and he very rarely sees them at anything. He stated they could invite them. Councilwoman Cooper felt all they could do was not exclude them and leave the door open.

Councilman Cooper commented on the presentation he and Mr. Heeb made to the Oak Hill Commission and the questions they asked being good questions. He feels they may be changing their viewpoints down there and a lot of positive intent being brought forward. He feels it might be the opportune time to come with an advisory board that supports the three cities and get experts involved to talk about how they are going to move forward. Mayor Thomas asked if they could invite Oak Hill to their joint meeting. Acting City Manager Barlow stated the purpose of this meeting with New Smyrna Beach is to talk about Comp Plan consistencies. He mentioned working with Steve Dennis to facilitate as they have done in the past where they had the New Smyrna Beach, Edgewater and Oak Hill and they talk about four topics.

Councilman Cooper briefly commented on some of his ideas for the advisory board.

Councilwoman Bennington asked Councilman Cooper what he was asking the Council, if they as a Council liked the idea?

Councilwoman Bennington felt it was something they needed to check out and that it was a good idea if it could be accomplished.

After some discussion on a date to hold the workshop, it was the consensus of Council to hold the workshop on November 12<sup>th</sup> at 3:00 p.m. in the Community Center.

Mayor Thomas informed Council he would not be at the meeting on Monday November 27<sup>th</sup> due to being at the VCOG meeting. He asked if anybody else would like to go. Councilwoman Bennington agreed to go in Mayor Thomas' place.

Mayor Thomas wanted to address the stormwater going up 16%. He was very proactive in that. He felt they needed to be proactive with their stormwater runoff. They are talking about storms and the water they need to evacuate. He met with Mayor Coleman today from Debary and they had over 100 houses under water. 50% of those will not be rehabilitated because of the severe damage that was done. They spent over \$4 million getting the water out of those neighborhoods. He wants to be proactive to make sure that every house in Edgewater is safe from being flooded. Councilwoman Rhodes agreed.

## **11. CITIZEN COMMENTS**

The following citizens spoke:

**Dave Ross**, 2803 Needle Palm Drive, asked Acting City Manager Barlow what he anticipated based on the Restoration schedule the earliest date they would be looking at issuing a development order. Acting City Manager Barlow didn't have a good answer but agreed to get him one.

Mr. Ross stated he suggested it would be prior to the development order before they would have the attorney answer the question in the letter issued by Ms. Blackner. He was curious why it would take them 6 months to answer that letter. Acting City Manager Barlow informed him she may have an answer tomorrow.

**Carol Ann Stoughton**, 2740 Evergreen Drive, stated PEC, from 2005 to March 2008, how much money are they going to continue to spend on stormwater master plans. It seems like how much can you dig, how much can you flow and how

much can we afford to pay these engineers who keep getting money out of our tax dollars for stormwater master plans. With regard to the Mayor's comment that he doesn't want to see any community go under water, DeBary should have never built where they built in the first place. That is why they need to seriously consider where they are going to think about even entertaining building west of I-95. It's all and still is swampland.

Ms. Stoughton asked what happened to the money that was collected for the shuffleboard court. A lot of people have asked her for that money because the money came from insurance policies and they still don't have the shuffleboard court back.

**Jack Hayman**, 3003 Travelers Palm Drive, Volusia County Councilman, responded to Councilman Cooper's excellent idea about getting together and collaboratively working on regional solutions to development need and challenges. He reminded Council that the idea that they create another agency or organization to reach out to the community and help in the conduit of discourse back and forth may not be the best idea. By law they have a planning agency. Their planning agency is charged with looking into the future and reporting back to this Council and telling them exactly what needs to be done at the present, mid and long time frame. The Planning & Land Development Agency is their planning agency and they work for Council. With the staff to bring to Council plans that will continue to ensure that we have a prosperous and healthy community. The Planning agencies of the County and the sister cities to the north, south and west all are growing together by the Florida Comprehensive Plan, the local Comprehensive Plans and the planning process. They want to make sure each city is consistent with what their land use intentions are via i.e. development intentions are and that they are congruent in concurrency with their infrastructure and their ability to sustain that growth. The idea and the difficulty they are having is bringing them all together and having them talk in a coordinated fashion. Volusia County and Brevard County are coming together to look at the Miami Land Corporation and they are also going to be looking at Restoration. Brevard County has a large piece of the Miami Land Tract and they are concerned about how they are going to water these people, sewer these people and accommodate the transportation needs. It's commendable. Councilman Cooper talks about an inclusive process and they are going

to have an inclusive process. They will see this week that Volusia County and Brevard County are going to have a Memorandum of Understanding about the development process and procedures on the west side of I-95, i.e. Miami Land Corporation. They will see them invite regionally people to the table, the cities to the table and they will ask them to meet with them and their staffs to proceed those meetings to facilitate that outcome. Don't ignore the fact and don't make the planners and advisory boards feel like they have been omitted in the chain of events.

Councilwoman Bennington asked County Councilman Hayman if he was suggesting that they establish ad hoc committees. County Councilman Hayman stated he was not suggesting that. He is saying they have it. The mechanism is in place and is provided by Florida Statutes. They have to ensure the connectivity is in place. The first step is to make sure the boards in each city are communicating. Then what they have is the policy makers giving their vision and guidance and then what you end up with is consistency, which is what they want desperately. The Mayor did a marvelous job with the Manager with New Smyrna Beach the other day. It wasn't expected to go that way. The idea that they reached out and said let's start talking, they need to start now. That did it. That changed the whole political atmosphere. They have two Mayors that need to do the same thing with the Mayor of Oak Hill.

Councilman Cooper stated he didn't mean to misrepresent. They aren't looking to alter any of that or usurp any authority. He is looking for major avenues for economic development and better water management and how there could be collaborative natures between the cities. Also look at the community Fire and those types of things and Police as well that could be collaborative agreement and contracts in management. Those are the areas that would involve more on a City basis, not usurp the City agencies they do an excellent job with but to look at everything else. He doesn't want to change any of the committees that are doing a fine job but he wants to try and pinpoint and be more detailed on things they can help the community on an economic basis for a long range and the type of industry and business and the things we miss out on, medical universities, things of that nature.

Mayor Thomas stated there is nothing wrong with the lines of communication. He stated County Councilman Hayman said

they have a lot of those in place. He has a meeting monthly with the Mayors and City Managers of Port Orange, New Smyrna, Edgewater and Oak Hill is invited but he has never seen them at the table. They meet once a month to discuss the local problems. He commented on some of the other County agencies that are involved such as VCOG, VCOG Smart Growth Committee, the Water Authority of Volusia and the MPO.

Councilman Cooper was looking for more focused situation towards the individual three cities that are going to experience the majority of the growth in the next twenty years in the southern Southeast Volusia County.

Councilwoman Rhodes suggested implementing this with what they already have. She is seeing a whole nother layer that is convoluting the picture. The last thing they need is another layer of government. We have many avenues. They have to talk and communication is essential but maybe with the boards they already have they can accomplish that.

Councilman Cooper stated half of him agrees with her but the other half says they have been doing that. What ends up happening is every individual has their own little program and they fight for their own little program. Collectively they need to come together as a community and bring their community effort forward to collectively do things that are going to play out into the long range planning of everything. He believes something as small as this that doesn't have to usurp anybody's authority can accomplish so much more for three little cities that need the kind of growth and expansion in the right direction. He further commented on needing industry and wanting clean and green industry in Edgewater.

Councilwoman Rhodes suggested getting the Economic Development Board in Edgewater to get with the Economic Development Board in New Smyrna Beach in Oak Hill and the Economic Development Board in the County together. They have the apparatus in place. They just need to use it differently.

Councilwoman Rogers felt it was a good idea and it was different. They need different because what has been going on isn't working. She suggested Councilman Cooper meet with Acting City Manager Barlow and go forward.

## 12. ADJOURNMENT

There being no further business to discuss, Councilwoman Rhodes moved to adjourn. The meeting adjourned at 9:45 p.m.

Minutes submitted by:

Lisa Bloomer