

**CITY COUNCIL OF EDGEWATER
REGULAR MEETING
JUNE 15, 2009
6:00 P.M.
COUNCIL CHAMBERS**

MINUTES

1. CALL TO ORDER

Mayor Thomas called the Regular Meeting to order at 6:00 p.m. in the Council Chambers.

ROLL CALL

Mayor Michael Thomas	Present
Councilwoman Debra Rogers	Excused
Councilwoman Gigi Bennington	Present
Councilwoman Harriet Rhodes	Present
Councilman Ted Cooper	Present
City Manager Tracey Barlow	Present
City Clerk Bonnie Wenzel	Present
City Attorney Carolyn Ansay	Present

INVOCATION, PLEDGE OF ALLEGIANCE

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

2. APPROVAL OF MINUTES

There were no minutes to be approved at this time.

3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

- A. Presentation of Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year 2007 by Finance Director John McKinney

Finance Director John McKinney presented the Certificate of Achievement for Excellence in Financial Reporting to Council. He also recognized Malecia Williams and Michelle Grenham.

Councilwoman Bennington felt it was wonderful that they could do the CAFR in-house.

B. Presentation of the FY 2008 CAFR by Finance
Director John McKinney and McDirmit Davis

Eldon McDirmit, McDirmit Davis went over a Powerpoint Presentation by presenting the highlights of the FY 2008 CAFR. (Attached) He elaborated on the three current year comments included in their Management Letter. He then highlighted what was included in the Management Discussion and Analysis of the CAFR as well as the Fund Financial Statements. He ended his presentation by going over the Financial Condition of the City. He thanked Council and staff for the opportunity to work with the City.

Councilman Cooper referred to the 81% fixed asset. He asked how that compared in today's market and economy. Is it better to be that high in fixed assets or are other cities starting to learn toward keeping real cash. Mr. McDirmit stated one of his recommendations is they should be working towards building up the cash reserves.

Councilman Cooper asked for a City our size, where should we be? Mr. McDirmit referred to Page 11 of the CAFR, Bullet #4. The City has about \$3.2 million in unrestricted fund balance. The fund balance is about 26% of that. He feels that is not bad but he has seen some 30% or 35%. He spoke of breaking it down by how many months of reserve they want in expenditures through the year. As the budget increases, the reserve needs to increase also.

Mr. McDirmit commented on what they have seen in the 13 or 14 other cities they have audited this last year. There hasn't been any building of reserves. They have had to dip into reserves for obvious reasons. That is an excellent reason to have reserves, for times like this.

Councilwoman Rhodes pointed out our Charter requires us to have 15% to 25% in reserves. This is the first year in ten years that the reserve has been what it was supposed to be.

Councilman Cooper referred to Page 106. He spoke of the adjustment of almost a quarter of a million dollars. That to him is a pretty big oops. He didn't understand.

City Manager Barlow assured him that has been corrected, which was an operational issue in house. He spoke of part of this being from the changing of the guard. Finance

Director McKinney stated in the changing of the guards, prior City Manager/Finance Director, when SBA fell apart at the State level and they created all of these accounts, it just got posted twice. The City never lost a dime. He further commented on what was done to correct this.

Councilman Cooper asked if this deficit is in the budget for this year. Finance Director McKinney explained we have \$3.2 million in unreserved fund balance. Last year they spoke of targeting 60 days, which is roughly 16.7% of our budget. Of the \$3.2 million he took 16.7%, which is just over \$2 million and that was not touched. He then referred to the mid-year budget and the extra amount over the \$2 million or just over \$1.1 million being added into the budget at mid-year. He then spoke of setting aside \$1.3 million going into next fiscal year. They are smoothing our available resources into future years and not spending it now.

Finance Director McKinney referred to Pages 46-52 of the CAFR, which are our changes in long-term debt. He spoke of reducing the debt in the General Fund by \$1.8 million. They only incurred \$143,000 in new debt. He then spoke of reducing the total debt by \$2.8 million in the Enterprise Funds. There is a huge reduction in our debt load from last year to this year and they are roughly reducing our debt every year by just over \$4 million.

Councilwoman Bennington asked about the 9 inconclusive ratios. Mr. McDirmit explained what these are for her. He also wanted to mention the overall rating is favorable. He then went over each of the 9 inconclusive ratios. He highlighted there was improvement this year in those. They are making progress.

C. Presentation by Rafael Montalvo on the Smart Growth JPA's

Mayor Thomas stated he has sat on the VCOG Smart Growth Committee for about three years. Rafael Montalvo has been their top advisor and has done a lot of helpful work for them. Edgewater and the County of Volusia are the only two entities that have approved the ECO Map. When they finished with the initiatives, they tried to figure out how they were going to get the information to the other Councilpeople that weren't there. He made mention of holding an eastside and westside Summit. Mary Swiderski,

Executive Director of VCOG, pointed out this would occur after they have addressed all of the cities.

Ms. Swiderski introduced herself as well as Rafael Montalvo, who is the representative from the Florida Conflict Resolution Consortium.

Ms. Swiderski thanked the City's member from the TAC/PAC from the Planning Department who was at their meetings and participated and was one of those key individuals to make all the final suggestions of reality.

Ms. Swiderski commented on the information provided to Council with regard to what the Technical Advisory Committee has recommended. The report was approved by VCOG as well as a resolution that is going to be coming before the June 22nd VCOG meeting.

Ms. Swiderski started going over a Powerpoint presentation by going over the Recent Volusia Smart Growth History. (Attached)

Rafael Montalvo continued the Powerpoint presentation by discussing his role and explaining the Four TAC Documents and the Conservation Development Recommendations with regard to the Volusia Smart Growth Initiative. He then went over the Model Conservation Development Ordinance, the Model Smart Growth Resolution and the Model Smart Growth JPA. He also commented on other things the TAC looked at over the past year.

Ms. Swiderski spoke of Edgewater being two steps ahead of every other municipality in Volusia County, due to having already adopted the ECO map into the Comprehensive Plan and they have already had the workshop that VCOG is requesting each municipality to have to understand the Smart Growth process. The next step is now it is down to everyone taking a commitment in this. They have to indicate whether they are going to pursue conservation development and if they will adopt a resolution indicating the areas and or the issues of interest in Smart Growth discussions in the Joint Planning Agreement with our neighbors. She spoke of this being very important. In order to make Smart Growth work, they have to work together.

Mayor Thomas asked Ms. Swiderski how far ahead of the rest of the State Edgewater is. Ms. Swiderski stated they are

miles. We are the example of people who care about their environment and about Smart Growth. Smart Growth is about living the way you really want to live and respecting the world in which you live in. They need to look at things outside of the box a little.

Mayor Thomas asked Ms. Swiderski what DCA had to say about it. Ms. Swiderski stated at first they were not as happy as they would imagine they would be. They have come around and they are very pleased with what Volusia County has done.

Mr. Montalvo commented on the next steps VCOG has asked jurisdiction to take. He spoke of there being several efforts to develop the joint planning agreements early. Ms. Swiderski stated their goal is to have the JPA's in line before the end of this year.

Mayor Thomas stated he would ask Council if they had any questions. Then he would ask the citizens if they had any questions. Then he would jump to Item 8H where they are going to vote on this.

Councilman Cooper stated Smart Growth was one of the biggest things he campaigned on. They spoke about JPA's for Southeast Volusia County. How do they answer the question when the public asks, the horse has already left the barn and now they want to take the very tip of Southeast Volusia County and stop any development?

Mr. Montalvo stated the process is not designed to stop development; it is designed to make it compatible with the continuing and permanent protection of environmental resources and open space.

Councilman Cooper referred to Mr. Montalvo's comments regarding mixed use. He commented on having an issue for two elections with regard to 35-foot buildings and the scare was out to the public. None of them want high-rise buildings scattered around our City or on Riverside Drive but where they can be mandated, those types of buildings where it keeps the sprawl down and they have a business opportunity for that, is that what they were professing?

Ms. Swiderski presented examples of what mixed uses can be. She pointed out they weren't talking about 35 floors; they were talking maybe two or three floors.

She spoke of what happens when they have mixed uses and this cutting down on transportation. That is what sustainability is all about.

Mr. Montalvo commented on height being up to the local jurisdiction.

Councilman Cooper commented on being a bedroom community and paying the highest taxes and having very limited industry. He asked how they feel their Smart Growth plan addresses a City's problem like that?

Mr. Montalvo spoke of exploring early on making specific recommendations about uses and relative mixtures of uses for particular places. He spoke of the Committee leaving this up to the JPA process and the planning process generally and this being left to the local jurisdictions to consider and decide whether to include and how to include in the JPA process.

Councilman Cooper stated we have a large area and we are trying to protect this water right and our basin all the way down through. It only works if Port Orange, New Smyrna and Oak Hill help where they are talking about the JPA. He was hoping they would be coming out with recommendations or plans where how that can be connected with federal type development such as fish hatcheries, colleges and universities with specific laboratories about our conservation. He further spoke about bringing high paying jobs to our area.

Mr. Montalvo explained this is a process going back seven years. To a remarkable degree all of that earlier work has been carried forward and not lost. He referred to the Implementation Committee's report from 2005 where they focused in part on economic development that is appropriate to each community and allows it to keep its character while developing mixed uses developing in the ways it wants to. He then stated the TAC and Smart Growth Committee based its work really very directly on that report. The TAC tried to develop the vehicles for implementation.

Councilman Cooper thought if they had more of that and more input on the federal level where those type of entities can be acquired, they get their JPA's a lot easier for four or five cities because that would take in a massive land mass area and yet it brings prosperity to the entire community.

Councilwoman Rhodes felt sustainability is the key. At some point in time, people are going to need to be able to go to school, work, worship, grocery shop and go to the doctor near to where they live. There is no getting around that. The only issue she has with Smart Growth is she doesn't necessarily think they have to give away density to make it happen. She is absolutely in favor of this. She thinks it is very important that these communities are developed this way and that they partner with those around them to preserve our resources. It took a long time to get here but she is glad they are here.

Councilwoman Bennington stated when they talk about Smart Growth, Edgewater hasn't been very smart with the strip malls and shopping centers that we have. We have several that are approved just waiting to be built. With the way it's zoned, they have commercial and the residential behind and to her that is not Smart Growth.

Ms. Swiderski spoke about beautiful concepts out there that they can change a little and they would have a village in our community that is sustainable.

Councilwoman Bennington commented on planning for the future and Smart Growth. She spoke about the large blighted areas in Edgewater and asked how they incorporate that into Smart Growth to correct those blighted areas. Ms. Swiderski suggested looking at mixed use and looking at changing. She commented on what Deland did to correct their blighted areas.

City Manager Barlow commented on the Visioning Session where they talked about some of the blighted areas. A lot of things incorporated in the vision were the Smart Growth initiatives. Today they advertised for a Planning Consultant to help establish the CRA districts to talk about the blighted areas. One of the goals is an overlay district in some of the older parts of town such as Ridgewood and they incorporate those Smart Growth Initiatives in the overlay district. As businesses change, then they bring it up to the standards identified in the overlay district and they can also use CRA funding that they save over time to make the changes within that district. A lot of the initiatives they have heard on Smart Growth are exactly what staff has been working with on the Restoration development.

Councilwoman Bennington commented on a lot of it being geared towards Restoration but they have to look at what they have now and there are some real serious problems.

Councilwoman Rhodes stated as they go forward. They can't just willy nilly tear down buildings because they don't like them and make something different there. They can make ordinances and agreements for when those things are turned over.

Councilwoman Bennington stated her point was what she was getting from them was future development of Smart Growth.

City Manager Barlow commented on also applying those same philosophies in redevelopment.

Mayor Thomas stated they are instituting a set of rules and standards countywide. What the resolution that they are going to vote on today says is their intentions are to be good neighbors with the other. The next thing they are going to approve is VCOG is going to come up with a model resolution that adopts the rules and if they don't like the exact verbiage it can be changed.

Ms. Swiderski informed Mayor Thomas they had the model JPA already. City Manager Barlow informed Mayor Thomas it was part of their packet.

Ms. Swiderski commented on part of smart development being green development and looking at how they can go forward in more of an environmentally sensitive way.

Mayor Thomas felt if this would have been done twenty years ago we would look totally different. He is all for more green.

Mr. Montalvo explained the TAC was charged for the past year pretty specifically with finding ways to protect the existing natural areas and open space.

Mayor Thomas asked if any citizens had any questions for Mr. Montalvo or Ms. Swiderski.

The following citizens spoke:

Mike Visconti, 316 Pine Breeze Drive, asked if the County overrides the City when the City makes the decision on

development. He was speaking about west of I-95. We have development going right now and reading in the paper a little while back the County has denied that and they cannot build. He asked if that was dead?

Ms. Swiderski explained that is why they are approaching each municipality. She spoke of the County property, the way they have that overlay is within their Comp Plan. It is within their jurisdiction. When the land comes into a municipality, it will normally take on that city's land use and zoning. They are asking that every municipality recognize that overlay when they take it in so that land doesn't become high-end commercial or extensive sprawl without conservation subdivisions being considered. She spoke of the sensitive lands, NORMA, which is a majority of the land in the center of the County, that have been lost. They don't want to lose anymore of it. They are asking for complete cooperation between the County and the municipalities to work together in agreeing the land that is left can be preserved through proper development. She spoke of offering incentives.

Mr. Visconti stated according to the developer of Restoration he is taking $\frac{1}{4}$ of that land to develop and leaving $\frac{3}{4}$ for conservation and green. Mr. Montalvo stated his understanding was the County has chosen not to challenge that. City Manager Barlow informed him that was correct. Councilwoman Rhodes stated the State has a problem with it but the County doesn't. City Manager Barlow stated the County hasn't expressed any additional concerns as it relates to the development of Restoration.

Agnes Witter, 223 Flagler Avenue, asked if the dark areas on the map were what they hoped to retain as conservation properties. Ms. Swiderski pointed out the property they want to keep as the ECO area.

Ms. Witter commented on the statement where they said they can't tell people what to do with their land because that would be an unlawful taking. Her personal opinion is if a person buys a piece of property that is zoned agriculture, since they pay taxes for the amount of years they have owned it, they should be entitled to do something with their property. There is no guarantee that just because they want to sell their piece of property as an RPUD that that is what they are going to get. She feels the

assumption should be for the benefit of the entire population rather than an individual.

Ms. Witter feels any place that you construct a new community, she doesn't care how ecologically friendly it might be unless there is employment within that community so those people don't have to travel outside of that community to another county for a job. It is not sustainable growth. For any sustainable growth to occur within Volusia County there has to be an emphasis on economic development first and then residential growth is to infill around that economic development. Otherwise they are going to be doing a feel good thing. They are going to be building these fancy communities that they can drive golf carts around.

Mayor Thomas then went to Item 8H.

H. Resolution No. 2009-R-13, City of Edgewater's intention to continue to cooperate with Volusia jurisdictions to achieve smart growth and to consider participating in a process to develop Smart Growth Joint Planning Agreements

City Attorney Ansay read Res. 2009-R-13 into the record.

Due to the previous discussion, there were no additional comments to be made for the staff report.

Mayor Thomas asked if they are incorporating the VCOG resolution when they vote for this. City Manager Barlow informed him no. The City's resolution states that they are going to adopt some of those initiatives to create JPA's with neighboring jurisdictions. If they adopt the resolution now, down the road they will draft a JPA that they can use and model and mold what is applicable to Edgewater and they can affect those with neighboring Volusia County. They started many years ago and have a draft JPA that didn't seem to go anywhere. The goal would be to do one with our immediate adjacent neighbors, Volusia County and New Smyrna.

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

Councilwoman Rhodes moved to approve Res. 2009-R-13, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

Mayor Thomas called a fifteen-minute recess at this time. The meeting recessed at 7:29 p.m. and reconvened at 7:45 p.m.

4. CITIZEN COMMENTS

The following citizens spoke:

Agnes Witter, 223 Flagler Avenue, commented on the presentation the Council just heard about sustainable development and smart growth. She spoke of Councilwoman Bennington's comments regarding areas in the City where it would be appropriate to have some type of a mixed use development in and Councilwoman Bennington also commented on how our zoning is set up so we have a strip mall or strip shopping center and then all residential development behind it. She mentioned the Council having the power to change the zoning and suggested they do it.

Bill Glaser, 1703 Needle Palm Drive, asked if there is any City/county or State organization or agency that is responsible for picking up discarded tires around the City. City Manager Barlow stated if it is littered tires, it is abandoned and that Public Works would pick them up. Mr. Glaser stated they have been laying out in front of somebody's house for six months and now the Mosquito Control people are telling them to clean up their tires so they don't have water standing in tires. He wondered if there was somebody responsible for picking this stuff up. Environmental Services Director Brenda Dewees commented on the City having a limit of four per year per household. City Manager Barlow explained if they exceed that, it stays at the curb and they notify Code Enforcement.

City Manager Barlow asked for a specific address and he would look at it. Mr. Glaser informed him 1611 Royal Palm Drive. He also informed him of one laying down on Hibiscus Drive north of the Boulevard that is kind of in the weeds.

Mr. Glaser stated back in February there were some folks from MGM/ParkTowne that came before Council asking if they could postpone their final payment on the ParkTowne property until June. He asked if they had or had not paid. Finance Director McKinney stated the payment is due June

30th. Today he sent their attorney the principal amount plus they did the extension of \$3,046. He gave him a total amount due of one million one hundred ninety something thousand dollars.

City Manager Barlow stated they have met with him on another subject earlier and he has assured them he is going to make the payment.

5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

Mayor Thomas wanted the record to reflect that Item 8H was moved to coincide with the presentation by Rafael Montalvo about Smart Growth.

6. CITY COUNCIL REPORTS

Councilwoman Rhodes had nothing at this time.

Councilman Cooper summarized his written report.
(Attached)

Mayor Thomas needed someone to attend the WAV meeting.
Councilman Cooper agreed to attend for Mayor Thomas.

Mayor Thomas commented on issues brought to his attention with the boat ramps at Kennedy Park by a local businessman. He spoke of having design flaws with the launching and retrieving of boats. He suggested changes to the parking and adding trailer parking only signs. He also mentioned having two lanes, one pickup and one pullout or have a reserve officer sitting there on the weekends during prime hours directing traffic and eliminating fights. He spoke about a guide who pulled in at 11:30 with two clients on the boat and he laid out about 30 fish and started cleaning them for thirty minutes clogging the boat ramp. A citizen went up and started ragging on him. He told the gentleman that he was a guide and should have known better. When he got done he threw the carcasses in the water and left all the blood, guts and slime on the dock. He spoke about the slime being slippery. He feels they need to make some type of ordinance.

Police Chief Bennett spoke with Jack Corder a little bit about making two lanes but since he has talked to Darren he doesn't think the area is wide enough. A pickup and drop-

off lane might not work. He also mentioned speaking to Darren and we are maxed out on what we can pave.

Leisure Services Director Jack Corder spoke to David King, the engineer for the job, and we do have enough stormwater, we could add a little bit to one side or the other if needed on the asphalt. Police Chief Bennett presented potential problems with that suggestion and provided another suggestion. He spoke of changing the arrows but they would have to change the parking spaces as well.

Mayor Thomas thought the design looked good on paper. There are just a few flaws that they need to correct. He wanted to bring it to Council's attention in case they get any complaints.

City Manager Barlow stated they are going to continue to wrap their minds around this and come up with some economical solutions for long term to resolve.

Councilwoman Rhodes asked if there was a way they could have on the south side a holding pattern there. She spoke of there being a point that they can't go past.

City Manager Barlow stated the problem with stacking them there is they can't get the empty trailers in there to get the boats out of the water.

Leisure Services Director Corder was viewing the situation on Saturday. They are going to do some adjustments as they go. He thinks some property signage with right verbiage will help the situation. They will adjust it as they go to make it work.

Councilman Cooper asked if there is presently anything limiting the length of the boat. He could never put his boat in there because it just wasn't deep enough. Leisure Services Director Corder stated there really wouldn't be anything they would be able to do to limit the size. That would be up to the individual if they had a large boat whether they wanted to take a chance or not and launch it there.

Leisure Services Director Corder agreed to continue to monitor the situation.

There was a brief discussion about a boat wash and a fish cleaning area being in prior plans for Kennedy Park. City Manager Barlow commented on the ordinance that talks about parks, which is one of the ones they want to refresh which they have to refresh anyway to work on some of the language that allows animals in the park as well. When they open up that ordinance, they could talk about some language about where you can and can't clean fish.

Councilwoman Bennington thanked Councilwoman Rhodes for the Pension Board. She went to her first meeting and she felt a little lost at first and then it started all coming together. It was very interesting and she could see why she would want to get off of it. They are moving forward. They are in the process of unbundling and hopefully within three to six months they will be out of the fund we are in if everything goes all right.

7. CONSENT AGENDA

- A. Authorization to permit the Department of Children and Families (DCF) use of available office space in the Criminal Investigations Building
- B. Agreement with the Florida Department of Health, Volusia County Health Department for Rabies Control Activities

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

The MOTION CARRIED 4-0.

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. Resolution No. 2009-R-14, Approving the Mid Year Amended Budget for the City for Fiscal Year 2008-2009

City Attorney Ansay read Res. 2009-R-14 into the record.

Finance Director McKinney made a staff presentation by going over the amendments to the budget. They are reducing the overall budget by \$638,391.

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

Councilwoman Bennington moved to approve Res. 2009-R-14, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

B. 2nd Reading, Ordinance No. 2009-O-01, City of Edgewater requesting an amendment to the Comprehensive Plan to include the Water Supply Plan

City Attorney Ansay read Ord. 2009-O-01 into the record.

City Manager Barlow made a staff presentation. He explained after the first reading, they transmitted to DCA and St. Johns. They make comments and come back. They affect those comments in there. Since they published this one, Darren received a few more comments from St. Johns. He asked him to come to the microphone and put those on record and for Council to make those part of the motion to adopt this.

Development Services Director Darren Lear informed Council Peter Brown from St. Johns contacted him late Thursday and said they had more things for the City to do. The first one is from Figure 1 of the Water Supply Plan itself it is showing Utility Service Area. They asked for them to also show the County's Utility Service Area, which is what is shown in the lower right of the hatched area. In the tables, also in the Water Supply Plan itself, in the far right on the upper table, the CUP allocation, they had just transposed some numbers so they asked them to fix those as well as a footnote because there was a conflict with the footnote below it. Next is from the Quentin Hampton document, which is the City's backup for the Water supply Plan, the far right, the CUP allocations, they fixed those as well. They asked for in the potable water element in Policy 1.2.4 about four lines down. He read "The City shall require the Restoration developer to participate in the development of facilities currently anticipated to be the addition of four Floridan aquifer wells, storage tank and pump station." They asked them to add the words raw water transmission lines. They did that as well. He asked for these to be identified in the motion.

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

Councilwoman Rhodes moved to approve Ord. 2009-0-01 including the changes made by Darren Lear for St. Johns River Water Management District, second by Councilman Cooper.

The MOTION CARRIED 4-0.

C. 2nd Reading, Ordinance No. 2009-0-02, Amending Chapter 5 (Animals and Fowl) of the Code of Ordinances

City Attorney Ansay read Ord. 2009-0-02 into the record.

City Manager Barlow made a staff presentation regarding changes made between the first and second reading of the ordinance with regard to venomous snakes.

Councilman Cooper questioned if the owner or the City would be held accountable to make sure they have anti-venom available. City Manager Barlow informed him there was nothing he was aware of that requires any responsible organization including hospitals to have certain quantities or enough anti-venom if they know that type of venomous snake is in the City. Councilman Cooper feels if they know they have and are going to allow venomous snakes that it would behoove them to have the anti-venom. City Manager Barlow stated most anti-venoms can only be administered by the doctor any how. Mayor Thomas stated and that has to be updated every so often. Councilwoman Rhodes commented on the liability to the City. City Manager Barlow was pretty sure hospitals have policies and they know where the anti-venom is and is stored. Jack Corder had the State send a list of those animals that must be registered with the State to us and we don't have any within the City of Edgewater. We have one pretty far west of town but it doesn't say what type of animal it is. Mayor Thomas asked if we had any poisonous venomous reptile owners in the City. City Manager Barlow stated not that they are aware of.

Mayor Thomas asked City Attorney Ansay when the State makes those rules its sort of like a guideline. He wanted to know why they are backing off on being more restrictive than the State is. City Attorney Ansay commented on

comparing the City's relationship and regulating with the State. It is different than a voluntary private club verses a State regulation. When it comes to local governments in particular cities and their ability to regulate, there is a legal concept called preemption which means there are some subjects where essentially a higher power, be it in this case the State government, and sometimes this comes in with Federal law as well where the law comes in at the State level and specifically regulates a subject and therefore takes the ability of the local governments' authority to regulate that away. She further commented on there being two types of preemption, express preemption and implied preemption. She is unable to find any cities that have gone further. Her advice to the City Manager was there is no clear-cut answer on whether they can or can't regulate it. Her opinion to Council is unless this is a real problem she doesn't think Edgewater wants to be the test case to run up through the court system on whether or not they can ban reptiles when they have no problem when the cities that do have a problem said they aren't willing to do it.

Councilwoman Bennington stated with the State controlling they know who has what animals where supposedly. Mayor Thomas stated if they are registered.

Councilwoman Bennington stated any time the City wants to find out if there is any type of venomous or dangerous animal, they can contact the State and they will provide the City with that information. City Manager Barlow informed her that was correct and that the City is also going to require the venomous snakes be registered locally as well.

Councilwoman Bennington asked about the snakes that are non-venomous. City Manager Barlow informed her the only ones that are required to register are venomous. Any animals in the various classifications have to be registered with the State and we can get that list. When someone from the City of Edgewater comes up on that list they can make an effort to talk to them to find out what type within that classification of animal they have for knowledge purposes. They can't regulate beyond what the State has already regulated essentially.

Councilman Cooper asked if they know if the State regulation mandates that they have the anti-venom. Mayor Thomas stated they don't have to.

Councilwoman Bennington commented on a pet store that was on Canal Street years ago west of the railroad tracks that were selling cougar cubs. All they said was you pay the money and take it home. Mayor Thomas stated those have to be regulated also. Councilwoman Bennington stated they were supposed to but back then they didn't care. They were thinking about getting one and started looking into it and decided against it.

Mayor Thomas spoke of a lady in Florida Shores who owned two cougars and she let them go once in a while and they responded often.

Councilwoman Bennington stated even though it was supposed to be state regulated this was a shop that was selling them and not telling the people what is required. She was sure that happened with the reptiles.

Leisure Services Director Corder stated currently we have one pet store in town. The owner was present tonight. He had conversations with the owner. The reptiles of concern, he thought there were six, she isn't licensed to sell and does not sell those. She is also educating the public that anybody that does have one does need to have a permit. They are going to start an aggressive educational campaign with Animal Control that they need to be permitted so they can find out if anyone has anything in town or not.

City Manager Barlow continued his presentation by referring to Page 3-2(e) regarding an animal being leashed and controlled when it is off the property. Councilman Cooper had recommended they include "physically" controlled at all times when it is not secured on the property. He spoke of an instance in Pelican Cove West where a lady was concerned with someone tying a dog to a bike and riding around and not physically controlling the dog and the dog could break free before they could react. He asked Councilman Cooper if he thought this would address that complaint. Councilman Cooper didn't know and would have to ask the City Attorney. He doesn't know what the legalize was.

City Manager Barlow recommended if they put physically controlled they would actually have to hold the leash.

Councilwoman Rhodes felt that the dog would knock the person off the bike long before Animal Control every gets anywhere near it.

Councilwoman Bennington felt if they just put in physically controlled they are taking away the dogs that are very well trained that can be controlled verbally. They are being prejudicial against those dogs and people that have those dogs. City Manager Barlow stated they have a leash law now anyhow. Councilwoman Rhodes stated they have always had a leash law. City Manager Barlow stated they have always had the leash law. They have to be on a leash even if they are being obedient. Councilwoman Bennington questioned why they have to say physically controlled if they have a leash law. Councilwoman Rhodes thinks if they are being physically controlled they don't have to have the word leash in there.

City Attorney Ansay stated if the goal is to prevent anybody from having a dog tied to their bike and riding, she would say there is a way to address that. The issue is once the dog goes out of control she thinks it is covered now. She didn't think they needed the word physically. Once the dog takes off and knocks the bike over and bites someone or bites another dog he is no longer controlled. If they want somebody to have a leash in their hand at all times, that is a different issue.

Councilwoman Rhodes stated they could have a leash in your hand and ride a bike. There is no way to legislate.

Mayor Thomas asked for citizens comments.

Kelly Pyle, 126 Wildwood Avenue, owner of Animal Aholc Pet Store at 2115 S. Ridgewood Avenue, had a petition signed by 89 Edgewater citizens who own non-venomous, non-indigenous, not reptiles of concern, small reptiles. Ms. Pyle read the petition. She then referred to Page 5 of the Florida Fish & Wildlife Office of General Counsel Memorandum dated May 17, 2007 regarding local ordinances and the regulation of captive wildlife. She understands the Council's issue with safety for public officials. She thinks it would hinder normal people who have little lizards and little pythons.

Councilman Cooper asked Ms. Pyle if there is anything in the ordinance or the licensuring that they are required to have the anti-venom. Ms. Pyle informed him she doesn't

have a venomous license. It isn't something she would never do but it's not what she has right now. She doesn't sell venomous and doesn't have venomous. Gene Lamier does and he would know more about the venomous regulations.

Gene Lamier, 1728 Willow Oak Drive, stated they are not required to have anti-venom on site if they have venomous reptiles in their possession. Councilman Cooper asked if he notifies the particular EVAC and hospitals of those reptiles and would they automatically fill the void. Mr. Lamier informed him there is a place in Ft. Lauderdale that has all the anti-venom necessary for all venomous reptiles that are known to man to this day. Usually they can get them anywhere in the country within a couple of hours. There are some times when you don't have a couple of hours. Councilman Cooper stated an indigenous coral snake gives you seven minutes. Mr. Lamier pointed out it depends on the size, weight and health at the time. There are so many determining factors as far as time is concerned.

Bill Glaser, 1703 Needle Palm Drive, commented on a few years ago when a house across the street from him had an eight foot constrictor and one day the snake decided it would try and make a great escape and was coming towards his house. He asked if he shot somebody's pet if he would be in trouble. Mayor Thomas informed him they couldn't discharge a firearm in the City limits. Mr. Glaser asked about a shovel or a pick or whatever. City Manager Barlow informed him it would be a civil matter at that point and there could be animal cruelty charges as well from the City. It depends on the situation. It is hard to hypothetically say.

Mayor Thomas stated he knows the Fish & Wildlife has the regulatory powers over wildlife and fresh water aquatic life. He thinks what the intention of the law was to not let a City say they could have all they want. He respects City Attorney Ansay and the way she put it, it's different than that and he will have to go with her.

Councilwoman Rhodes moved to adopt Ord. 2009-0-02, second by Councilman Cooper.

The MOTION CARRIED 4-0.

D. 2nd Reading, Ordinance No. 2009-O-03, Amending
Chapter 10 (Health and Sanitation) of the Code of
Ordinances

City Attorney Ansay read Ord. 2009-O-03 into the record.

City Manager Barlow made a staff presentation.

Councilwoman Bennington stated the agenda package weighs a ton. 99% of what they have is duplication of what they already have. She doesn't need to be reading this all over again and doesn't need to be carrying it around all over again. It is a waste of time, money and paper. Why can't they have a summary of just the ordinance or resolution that they are approving and a summary from staff without all of the added paper, especially on second reading?

Councilwoman Rhodes could understand getting it on first reading but also didn't find it necessary for the second reading.

City Attorney Ansay explained on this particular one there have been some slight modifications and that is often times the case. Councilwoman Bennington asked to just get a summary of the changes. City Attorney Ansay guessed a separate document could be created that would outline the changes.

Councilwoman Bennington then asked when they have bids, do they have to have a whole copy of the whole package of the bid that went out and all of the answers. Why can't they just have a summary? If they as individual Councilmembers want more they can ask for it.

Councilwoman Rhodes stated that is the way it used to be. When new Councilmembers came on they asked that it be like this.

City Manager Barlow stated they could be flexible. He asked Council to direct himself and City Clerk Wenzel and they can put together the agenda packages the way Council wants them. He supports going more green and being more efficient because it also saves staff time as well.

City Attorney Ansay felt it was important to distinguish between whether everybody is given a piece of paper verses whether they actually are provided it and read it. A lot

of this stuff is posted electronically. Councilwoman Rhodes felt then they could go online and read it. City Attorney Ansay felt they needed to be careful when they reach a point where they are boiling everything down to a one-page summary and Council has to make decisions on it that is when they start getting into issues. She also mentioned other cities being provided their agenda packet on a CD.

Councilwoman Bennington stated she was particularly aiming at second readings of stuff and bids.

City Manager Barlow stated each Councilperson is different and unique in their own way as far as whether they have computers or not. He asked Council to communicate to the City Clerk exactly what they would like to see in their particular agenda packet. They will aim to please and make that happen.

City Manager Barlow also informed Council their ultimate goal is they will either have a monitor or laptop at the dais that will help reduce the paper reduction. They have some of the infrastructure but don't have all of it yet. He is hoping to have it all in place before the end of this year.

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

Councilman Cooper moved to approve Ord. 2009-0-03, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

E. 2nd Reading, Ordinance No. 2009-0-04, Amending Chapter 21 (Land Development Code) of the Code of Ordinances

City Attorney Ansay read Ord. 2009-0-04 into the record.

City Manager Barlow made a staff presentation.

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

Councilwoman Rhodes moved to approve Ord. 2009-0-04, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

F. Resolution No. 2009-R-11, Adopting a Water System Business Plan for the Alan R. Thomas Water Treatment Plant New Water Supply Wells as required by the Department of Environmental Protection

City Attorney Ansay read Res. 2009-R-11 into the record.

City Manager Barlow made a staff presentation.

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

Councilman Cooper moved to approve Res. 2009-R-11, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

G. Resolution No. 2009-R-12, Adopting a Water System Business Plan for the Southeast Water Storage and Pump Station as required by the Department of Environmental Protection

City Attorney Ansay read Res. 2009-R-12 into the record.

City Manager Barlow made a staff presentation.

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

Councilwoman Rhodes moved to approve Res. 2009-R-12, second by Councilman Cooper.

The MOTION CARRIED 4-0.

H. Resolution No. 2009-R-13, City of Edgewater's intention to continue to cooperate with Volusia jurisdictions to achieve smart growth and to consider participating in a process to develop Smart Growth Joint Planning Agreements

This item was discussed earlier on the agenda.

9. BOARD APPOINTMENTS

- A. Planning and Zoning Board - Councilwoman Rhodes' appointment due to the expired term of William Miller, who seeks reappointment

Councilwoman Rhodes moved to reappoint William Miller to the Planning and Zoning Board, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

- B. Citizen Code Enforcement Board - Councilwoman Rogers' appointment due to the resignation of Lawrence Leaf

Councilwoman Rhodes moved to continue this until the July meeting due to Councilwoman Rogers not being present, second by Councilman Cooper.

The MOTION CARRIED 4-0.

10. OTHER BUSINESS

- A. Bid Award for 09-FR-001, Authorization to award and purchase a transport capable rescue vehicle

City Manager Barlow made a staff presentation.

Due to there being no Council or public comment, Mayor Thomas entertained a motion.

Councilman Cooper made a motion to authorize the City Manager to execute the vehicle bid award to Ten-8 Fire Equipment for the amount of \$204,980, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

- B. Bid Award for 09-CM-001, Award Bid Proposal for Wrecker/Towing Services

City Manager Barlow made a staff presentation.

City Attorney Ansay pointed out for the record there was an add on document that is before Council that had some revisions to the contract that she incorporated in there included in the document that staff had placed before them.

She asked Council to include in the motion any changes that are contained within the revised agreement.

Due to there being no Council or public comment, Mayor Thomas entertained a motion.

Councilwoman Bennington made a motion to approve the bid to Edgewater Garage Inc. with the amendment that the City Attorney has given them, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

C. Road Resurfacing - Approval to resurface roads as budgeted, piggybacking Volusia County's Bid in the amount of \$124,500.00

City Manager Barlow made a staff presentation.

Due to there being no Council or public comment, Mayor Thomas entertained a motion.

Councilman Cooper moved to approve the use of budgeted funds to pave roads and piggyback the Volusia County bid in an amount not to exceed \$124,500, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

D. 4th of July Parking - Event License Agreements for the use of vacant property located at the corner of Lamont and North Ridgewood Avenue and property within the Edgewater-New Smyrna Cemetery for the 4th of July fireworks

City Manager Barlow made a staff presentation.

Due to there being no Council or public comment, Mayor Thomas entertained a motion.

Councilman Cooper moved to approved attached agreement and authorize Mayor to execute, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

E. Kennedy Park Change Order - Approval of the
Change Order for \$36,795.55 to Allegiance
Contracting

City Manager Barlow made a staff presentation.

Andrew Giannini, Quentin L. Hampton Associates, commented on City Staff and his firm going back and forth on the different surfaces. He spoke of changes in the quantities and he just kind of left some things out.

Councilwoman Rhodes questioned if they had a final design. Mr. Giannini informed her they did. Councilwoman Rhodes felt they should have been able to calculate how much asphalt they needed. Mr. Giannini stated true. Councilwoman Rhodes informed him it was their fault and they needed to pay. Mr. Giannini stated he would take the blame. The quantities that are in place, they got what they paid for. If the quantities were correct in the beginning it would have been the same as it is now.

City Manager Barlow stated Councilwoman Rogers contacted him this afternoon and expressed concerns with this change order as well similar to some of the things Councilwoman Rhodes has already addressed of whose fault and who is funding some of that fault.

Councilman Cooper stated what he is hearing is Mr. Giannini has accepted the mistake and is willing to pay the additional \$36,795.55. Mr. Giannini confirmed he was not saying that.

Councilwoman Rhodes felt if they would have had a copy of the contract it would have been helpful. City Manager Barlow asked her if she was talking about the bid or the contract with Quentin Hampton, which is a continuing services agreement and wouldn't be specific on some of that unless they talked about it. He referred to errors and omissions.

Councilman Cooper asked if it was anything the City changed midstream after Quentin Hampton made their estimates. Leisure Services Director Corder stated the final plans were done and the bid specs were put together. The final tally that they used for the footage for the asphalt was what everybody bid on. The odd part of this is is they had the plans where everyone could have done their own

measuring. They had the specs where they put a certain amount in there. All of the contractors did not catch the difference either.

Councilwoman Rhodes felt it's not the contractors' job to catch it. It's Quentin Hampton's job to catch it. They were paid to do a job and didn't do it.

Mr. Giannini stated in defense the quantities taken off are an estimate. Sometimes people make mistakes. They have gotten everything. They did not get shorted anything. Even if it was correct the amount would be what it is today.

Councilman Cooper asked what the engineering fee was for this job. Leisure Services Director Corder informed Council the fee was about \$15,000. Councilwoman Rhodes felt they should give them some money off the engineering fee since we are getting the asphalt and it is our asphalt. She feels they should give them a portion of their fee back because they messed them up. It's their fault. She feels to pay them to make a mistake is not fair. She feels they should negotiate a 10% reduction on the fees they charged the City because they made a mistake and it cost the City money. Mayor Thomas asked if he was authorized to do that tonight. Mr. Giannini informed him no. Councilwoman Rhodes felt they should let City Manager Barlow handle that if Council agrees that should occur.

City Manager Barlow suggested he could talk to the powers to be at Quentin Hampton and he could calculate and put a price on what kind of burden an additional staff time including the finance to make these adjustments to the budget and use that figure to be able to reimburse. He stated Mr. Giannini is correct. Had the estimated quantities been correct the final bid project would have been the additional \$36,000 so they would have been there. The only damage done now is it is additional burden on staff time to make those corrections in house. Councilwoman Rhodes stated had that \$36,000 been in the original bid they might not have done the project. They might have not been able to afford it but they never had that option.

Councilman Cooper stated obviously a mistake was made and he would like to hear what Quentin Hampton's people offer back as to what they deem would be a viable fix.

City Manager Barlow questioned the effect this would have on the grants because they have grants attached to this.

Councilwoman Rhodes suggested they pay this and then negotiate. Leisure Services Director Corder was also going to suggest that.

City Manager Barlow agreed to negotiate with the powers to be at Quentin Hampton for some type of reduction or credit.

Councilman Cooper moved to approve the change order for \$36,795.55 to Allegiance Contracting Inc. under the understanding the mistake will be negotiated with the City Manager, second by Councilwoman Rhodes.

The MOTION CARRIED 4-0.

Mayor Thomas stated understanding the concern of the heavy packet, he asked if they needed to go back to two meetings a month. City Manager Barlow commented on it being the content that was put in the agenda making it a heavy agenda. Councilwoman Rhodes stated it wasn't that it was such a long agenda it was just the packet was so massive.

City Manager Barlow commented on budget hearings that will be coming up.

11. OFFICER REPORTS

A. City Clerk

City Clerk Wenzel commented on having the Florida League of Cities Annual Conference coming up on August 13th - 15th and asked if any of the Council would be attending. Of anybody would be attending she needed to be told who the voting delegate would be. She asked to be told as soon as possible if anyone is interesting in going.

Mayor Thomas, Councilwoman Bennington and Councilman Cooper would possibly be attending.

B. City Attorney

City Attorney Ansay had nothing at this time.

C. City Manager

City Manager Barlow informed Council they advertised for a Planning Consultant. The opening will be August 14th. He would like Council to appoint one Councilperson to sit on the Review Committee, which would interview the firms that submit. Councilwoman Bennington offered to do it if nobody else wanted to.

It was the consensus of Council to allow Councilwoman Bennington to sit on the Review Committee for the Planning Consultant.

City Manager Barlow also requested permission to allow him to solicit one County Councilperson to also serve on the Committee. He has spoken to our local rep and he would be interested.

It was the consensus of Council for City Manager Barlow to solicit one County Councilperson to serve on the Review Committee for the Planning Consultant.

City Manager Barlow informed Council Development Services Director Darren Lear would be chairing that Committee and they would also have one representative from the Planning and Zoning Board and Economic Development Board as well.

Councilwoman Rhodes suggested possibly having someone from the County's Planning Department as well. City Manager Barlow informed her when you get too big it gets too complicated to coordinate schedules.

City Manager Barlow wanted direction from Council on consideration of various Economic Stimulus initiatives that they could present to businesses to attract them to Edgewater. He mentioned some of the incentives that other cities are offering. He asked Council to provide him with some things they would consider.

Councilwoman Bennington would consider waiving the police impact because it is a business and businesses don't have the impact that residential does. She would also consider waiving the recreation impact fee. Development Services Director Lear informed her the recreation impact fee only covers residential.

Councilwoman Rhodes would be willing to do whatever other cities are doing. She feels they need to be competitive.

She feels they need an edge and whatever it takes to get that edge is what they need to do.

City Manager Barlow reminded Council they weren't giving him permission to waive anything. He would bring each one of those individual projects back to Council in resolution form and they would put their fingerprints on that.

City Manager Barlow commented on having the Planning Consultant work on looking at some economic incentives.

City Manager Barlow commented on utilizing the current auditor for about four years. He needed direction from Council if they wanted to go out for bids. Councilwoman Rhodes stated go out for bids. City Manager Barlow agreed to do that. He also informed them they could re-bid on it as well.

Councilwoman Rhodes thinks it is a good idea to change auditors and better for transparency if every so often they change auditors.

City Manager Barlow informed her they would start that process very soon and see what they receive on proposals.

City Manager Barlow stated they are working with our financial advisor and the representative from our bank at looking at some different strategizing opportunities as it relates to restructuring some of our debt based on some of the shortfalls in revenue we have coming up. They may down the road see a presentation and some opportunities to restructure based on the advice of our finance advisor. This is not adding any new debt. This is restructuring the debt, which could yield a lower interest rate. They may have to extend the term of some of that debt just to be able to continue debt payments without affecting services a great deal at the same time trying to keep our taxes currently where they are with the millage rate.

City Manager Barlow commented on the preliminary results from the Property Appraiser. On an estimate he thought it was like \$877,000 shortfall just in ad valorem property taxes, which doesn't include all the other State Revenue Funds we get that they are also expecting a reduction in. He also spoke of not having the ParkTowne payment this year as this year will be the last one. Next year's budgeting process is going to be extremely challenging.

City Manager Barlow stated New Smyrna Beach is currently advertising for a federal lobbyist. They are looking to do an RFP to do some interviews and put one on retainer for times they need a federal lobbyist as it relates to some of these stimulus packages and anything on a federal level. New Smyrna Beach asked if Port Orange and Edgewater would be interested to have them listed as part of the RFP process. They wouldn't pay for anything unless they use the services. If Council is interested he can give New Smyrna Beach the nod and say to put our name on there and that they may be interested.

Councilwoman Rhodes stated yes if it is worth their while. City Manager Barlow thinks it would be. If they don't use them they don't use them.

Councilwoman Rhodes stated if they use them are they going to get them enough to pay for using them. City Manager Barlow stated that is part of just establishing that and knowing how much that cost is and evaluating that cost benefit analysis out on each individual initiative they ask them to go and start beating on the desk for.

Councilman Cooper expressed concern with there being a conflict of interest.

City Attorney Ansay stated unfortunately with lobbyists a lot of this stuff is not very clear. They would have to clearly make sure the City has no exposure and then she thinks it would be ultimately up to the City whether they thought it would be appropriate for them to use that lobbyist for any given engagement when they thought perhaps they would be in competition with New Smyrna Beach, she would say they don't use that lobbyist in that particular case. If there is no cost at this point it's probably not a bad idea just to have them there.

Councilman Cooper felt if City Attorney Ansay felt confident the City wasn't obligated then in each situation take it as it comes. He understands the lobbyist wants to say he is controlling that large of a population. He understands how they work.

It was the consensus of Council to include Edgewater in the RFP process as long as they are not obligated.

12. CITIZEN COMMENTS

The following citizens spoke:

Bob McIntosh, 2921 Sabal Palm Drive, feels the lobbyist is a good idea. He urged them to be aware that it is costly and that every grant they apply for now if they use a lobbyist even in the remotest possibility they have to tell the grant people they are using a lobbyist and they have to fill out the forms for using a lobbyist and they are quite lengthy.

Councilman Cooper clarified that if Edgewater is on this list as a piggyback, then indirectly he is Edgewater's lobbyist. Mr. McIntosh informed him that was correct. Councilman Cooper felt that contradicted what he asked previously.

City Manager Barlow agreed to do some research on that.

Councilwoman Rhodes stated if they don't pay him any money then he isn't their lobbyist. Mr. McIntosh stated if he has Edgewater's name on the list and they don't put their name when they ask them and they apply for the money and they ask them specifically are you related to any lobbyist, it doesn't have to be federal.

City Manager Barlow stated if he is lobbying for a grant for the City of Edgewater verses lobbying to have a bazillion dollars put in the HMGP grant fund and we independently compete for that as it is divvied up through out is a different animal. Mr. McIntosh stated the only thing he is looking at is it says relationship.

Councilman Cooper stated he could conceivably say he was working for you too and you have no way of proving he wasn't.

City Manager Barlow agreed to do some more research with City Attorney Ansay on this and get the legal opinion on that. If that is factual and that is the concern they can back off until he comes back and brings direction.

Bill Glaser, 1703 Needle Palm Drive, was wondering if he could get a copy of the impromptu, unbiased third party traffic survey that was done a couple of weeks ago.

City Manager Barlow asked Brenda if Rusty ever finished the count on that street. He asked if they kept a copy of it or if he gave everything he had to the Mayor. Mayor Thomas stated he still had it at the house. He still thinks it was unfair because they took his on Friday, which is a heavy volume of traffic and they did his street on Monday, when all of the rains came. That was the first day when they were telling everyone to stay home and not drive. He didn't think it was fair but he has the numbers if Mr. Glaser wants them.

Mr. Glaser asked if there was a status of the 30-year-old petition they turned in a couple months ago. City Manager Barlow asked him if he was talking about the dust reduction petition and to pave the roads to keep the dust down. Mr. Glaser stated stop signs, something to control the traffic on a street. They still have ten times more traffic than anybody north of the Boulevard. City Manager Barlow didn't have a status on that.

City Manager Barlow asked if 16th Street was one of the ones Council just approved for repaving. Councilman Cooper informed him yes. City Manager Barlow felt that may help alleviate some of the traffic.

Mr. Glaser asked City Manager Barlow if he got the e-mail he sent him asking for interpretation by the City Attorney. City Manager Barlow stated he had just provided a copy of his e-mail from June 10th to City Attorney Ansay today.

City Attorney Ansay stated she has to speak with the City Manager. Typically it is the City Council or the City Manager that asks her to look into research questions so she just needs to know what he needs her to do.

13. ADJOURNMENT

There being no further business to discuss, Councilwoman Rhodes moved to adjourn. The meeting adjourned at 9:24 p.m.

Minutes submitted by:

Lisa Bloomer

Attest:

Bonnie Wenzel, City Clerk

APPROVED:
City of Edgewater, Florida

Michael L. Thomas, Mayor