

CITY COUNCIL OF EDGEWATER
REGULAR MEETING
AUGUST 10, 2009
6:00 P.M.
COUNCIL CHAMBERS

MINUTES

1. CALL TO ORDER

Mayor Thomas called the Regular Meeting to order at 6:07 p.m. in the Council Chambers.

ROLL CALL

Mayor Michael Thomas	Present
Councilwoman Debra Rogers	Present
Councilwoman Gigi Bennington	Present
Councilwoman Harriet Rhodes	Excused
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

A. Regular Meeting of June 15, 2009

Councilman Cooper moved to approve the June 15, 2009 minutes, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

B. Regular Meeting of July 20, 2009

Councilwoman Rogers moved to approve the July 20, 2009 minutes, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

A. Presentation of Proclamation to Carolyn Ansay

Mayor Thomas read and presented a proclamation to City Attorney Ansay recognizing her for being certified in the Florida Bar. He mentioned how fortunate they are to have City Attorney Ansay on staff.

B. Presentation by Stephanie Wolfe of the Marine Discovery Center on shoreline restoration

Mayor Thomas stated he met Ms. Wolfe at the Science Fair at Edgewater Public School. She had some really good ideas through the Marine Science Center that they need to incorporate in the City of Edgewater.

Stephanie Wolfe, Marine Science Center, went through the attached Powerpoint Presentation. She commented on what the Marine Discovery Center does with regard to educating school children and partnering with the cities, counties and state agencies. She then commented on the Indian River Lagoon with regard to the Indian River Lagoon Shoreline Restoration Project. She spoke of problems they were trying to address when they created the grant-funded program with regard to invasive species, loss of mangrove habitat, polluted runoff, freshwater discharge and loss of oyster beds. She also commented on restoring Chicken Island with regard to oyster restoration and how important oysters are. She then spoke about stormwater and stormwater runoff. She also spoke about past restoration efforts. She further commented on different types of invasive species and how to get rid of them.

Ms. Wolfe then spoke about mangroves and the various types of mangroves as well as native landscaping plants that could be planted.

Ms. Wolfe commented on the program ending in September. It has been very successful. They hope to extend it in coming years.

Ms. Wolfe then commented on using brazilian peppers in the City's mitigation scheme and impacting a wetland or salt water marsh in the City and the developer having to pay to remove brazilian pepper from other properties. She felt this would have mitigation value. She hoped the City would take that into consideration in the future.

Mayor Thomas further spoke about having a brazilian pepper tree in his yard and how hard it was to kill. He also spoke about cogon grass and how it affects the gopher tortoise. He spoke of exotic species such as the Mowaluca tree coming north.

Mayor Thomas asked Ms. Wolfe if they were open to the public. If they have exotic species or invasive species can they contact Ms. Wolfe and they would help them eradicate it or tell them what they need to do. Ms. Wolfe informed him they would.

Mayor Thomas was amazed that one oyster can filter 60 gallons of water a day. They also really have to watch their runoff going into the Indian River Lagoon.

4. CITIZEN COMMENTS

The following citizens spoke:

Dominic Capria, 606 Topside Circle, stated the City Manager surprises him because at the last meeting he said to him kidding around make a bet that the Council would approve the 7.1297 and they did.

Mr. Capria stated tonight when the City Manager read the number of people they have, he thought he made a mistake at the last meeting and said they had 180. He was surprised because he got the reports and he has gone through it and he was right. Tonight it is 196. In 2008 it was 192. We went up by 4.

Mr. Capria would like to see them have more time for a workshop, not just an hour and he would also like to see that they get comments from the citizens.

Bill Glaser, 1703 Needle Palm Drive, stated back in April when the Mayor asked the City Manager to do a traffic check on Needle Palm and Royal to see which one of them was the prevailacator, he stated that he would like to see a neutral party do a little impromptu and see if he had any kind of substance to his complaint. He thought in May the traffic check was done by a City employee. The information was given to the Mayor on May 18th. They didn't hear anything in June or July so he was wondering who was going

determine whether there is any kind of substance to his complaint.

City Manager Barlow didn't know that he understood Mr. Glaser's question. Mayor Thomas didn't either. Mr. Glaser stated he said to see if there was any kind of substance to his complaint. He wanted to know if 300 cars in a 7 hour period through a three block long residential street verses 100 cars a day through his residential street, if there was any substance to their complaint that they have all this traffic. Between 4 and 7 they have another 300 cars. 600 cars in a ten or twelve hour day through a residential street. Is anybody going to say if it is a problem or if it is not a problem?

City Manager Barlow stated he thought the original survey was done to determine who has more traffic on their street, the Mayor or Mr. Glaser. He thought the survey determined Mr. Glaser had more traffic on his street. Mayor Thomas wanted to object because Mr. Glaser's was done on a Friday and his was done on Monday when they had rain for a whole week.

5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

Ordinance No. 2009-O-05 to be continued to the September 14, 2009 Meeting

Resolution No. 2009-R-15 to be continued to the September 14, 2009 Meeting

City Clerk Wenzel informed Council they needed to continue Ord. 2009-O-05 and Res. 2009-R-15 to September 14th. Unfortunately she did not get them advertised in time for them to be able to act on the ordinance. The ordinance was the only one that had to be advertised but the resolution goes along with that. She apologized for the mistake she made.

City Attorney Ansay stated what they would do was open those items as they normally would. When she reads them into the record then they can accept a motion to September 14th. They don't need to change the agenda but they will open them and continue them.

6. CITY COUNCIL REPORTS

Mayor Thomas had nothing at this time.

Councilwoman Rogers had nothing at this time.

Councilwoman Bennington had nothing at this time.

Councilman Cooper stated they attended a meeting this month that had to do with the Economic Development Board and expanding Economic Development. He spoke of Mr. McIntosh working very hard going after grants for the City. They want to bring a Committee forward and appoint a member from the Council to this committee, which is going to go after green, clean industry in our town.

City Manager Barlow commented on this being a Strategy Committee. That will come up under his report for Council's recommendation to appoint someone there. Once the Planning & Zoning Board and Economic Development Board identify the rest of the players on the Strategy Committee it will come back to Council in the form of a resolution.

Councilman Cooper sent out kudos to one of our citizens. A few months ago a citizen came forward and wanted to know why they were giving water away to the pest control companies. City Manager Barlow has now put them under a contract service and they now pay for the water.

7. CONSENT AGENDA

There were no items to be discussed on the Consent Agenda at this time.

8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS

- A. 2nd Reading, Ordinance No. 2009-O-05 - Amending and restating Chapter 12.5 (Parks and Recreation) of the Code of Ordinances
- B. Resolution No. 2009-R-15 - Designating specific City parks in which leashed canines are permitted

City Attorney Ansay advised the City Manager indicated there hadn't been any advertisement at all so they could continue them to the September 14th at this time.

Mayor Thomas stated Items 8A and 8B would be continued to the September 14th meeting.

9. BOARD APPOINTMENTS

There were no Board Appointments at this time.

10. OTHER BUSINESS

- A. Amendment No. 2 to the Curbside Residential Recycling Agreement between the City of Edgewater and Southard Enterprises

City Manager Barlow made a staff presentation. Staff recommendation was to renew the recycling contract for the two-year period that would take it to 2011. Prior to 2011 they would have to bid those services out again.

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

Councilman Cooper moved to approve the amendment to the agreement with Southard Enterprises, Inc. and authorize the mayor to execute the document, second by Councilwoman Bennington.

The MOTION CARRIED 4-0.

- B. Award of Contract for Independent Audit Services for Fiscal Years 2009 through 2011

City Manager Barlow made a staff presentation. The recommendation is to award the contract to James Moore and Company.

Councilman Cooper asked if it was an increase and how much of an increase it was. Finance Director John McKinney stated the increase would amount to roughly \$9,000 annually which is from last year to this year. Last year they reduced McDirmit Davis' contract from \$42,000 to \$35,000 because they did some more items in-house. There are new accounting standards, which have increased the amount of work that has to be done by the auditors. In an effort to increase the timeliness of everything being done, they asked them to assist in preparing the financial statements again because they are already having to input it into their system. Overall, he would say it is a \$3,000 increase over prior years.

Councilman Cooper asked if this was in the budget. Finance Director McKinney informed him he budgeted James Moore & Company for \$46,000 for next year.

Councilwoman Rogers stated just looking at the way the scoring was done as well as the total contract and when he is indicating there is a total over or increase in price of around \$3,000, the criteria, all they have is the scoring. She asked what the criteria selection was. Finance Director McKinney commented on the four criteria they followed. He offered to provide the breakdown by person if Council wanted it, which showed the individual criteria.

Councilwoman Rogers commented on the company ranked fourth also doing the audit for the Utilities Commission and the MPO. She was surprised they were ranked number four.

Finance Director McKinney commented on looking at the proposals and the actual presentation, he felt the other three companies had more to offer the City.

Councilman Cooper stated one of the problems the MPO had with this same type of budget scenario was any time they called and asked for additional information, the cash register continued to ring. He asked if they had a consulting clause for number of hours. Is this something that every time they call up it will ring again and they will beat them to death? Finance Director McKinney informed him why they put those fees in there is because if the City goes out and does any more bond issuance or they have to have any kind of letters, they have it up front what it would cost them.

Finance Director McKinney informed the Council they had the audit team present from James Moore & Company. He spoke of many of the employees living in Edgewater.

Bernadette Britt, James Moore & Company introduced the members of the auditing team. She spoke of other cities they have done the audit for.

Finance Director McKinney expressed his confidence with regard to James Moore & Company being a good fit for this City. They weren't his number one pick but he did feel that they would be perfectly fine with the City.

Councilwoman Rogers was excited to have a different auditor.

Councilwoman Rogers made a motion to approve the Award of Contract for Independent Audit services for Fiscal Years 2009 thru 2011 to James Moore & Company, second by Councilman Cooper.

The MOTION CARRIED 4-0.

11. OFFICER REPORTS

A. City Clerk

City Clerk Wenzel had nothing at this time.

B. City Attorney

City Attorney Ansay had nothing at this time.

C. City Manager

City Manager Barlow reported on the kick off meeting where they discussed their Comprehensive Economic Development Strategy with the Planning & Zoning Board and Economic Development Board. By the time they get this economic development strategy together along with that and the vision plan they have done is now the Council has something to hand off as far as continuity of operation and direction of the City to the next Council coming in, including the Manager and Staff.

City Manager Barlow commented on looking for Council to give him consensus for someone from the Council to be part of that committee. Councilman Cooper was at the first meeting and participated.

It was the consensus of Council to appoint Councilman Cooper.

City Manager Barlow then commented on CAPS agreeing to assist with Code Enforcement. Staff, between Public Works and Leisure Services, is doing a real good job with keeping up with the mowing. They are starting to see these liens being paid as these properties are turning over.

City Manager Barlow commented on doing an RFP for lawn maintenance to help with the mowing efforts if they need them.

City Manager Barlow reminded Council of the upcoming meetings. August 24th is the budget workshop in the Council Chambers at 5:00 p.m. August 31st is going to be an Enterprise Fund budget workshop. They will advertise it that if they don't finish the General Fund on August 24th they would try to finish that on August 31st as well. The next Regular City Council meetings would be held September 14th and September 28th.

Councilman Cooper wanted to confirm they weren't putting CAPS in any kind of a liability aspect. City Manager Barlow informed him no, that they wouldn't be making any contact. As the program goes on, they may be able to use them to assist in the delivery of violation notices.

Councilman Cooper commented future Enterprise Fund talks about the Enterprise Fund. Enterprise Funds tends to tie their hands in many aspects on where the money can be used. They funded a lot of things this year. Next year maybe more money needs to go into Brenda's area because of what they found out with the big grinders and there are seven more that are going to be faulty. He would like time to look for legal ways within government where they might be able to channel that money better within our own City and what they have to do is start doing that. If they have an opportunity where it is legal for them to do things of that nature it could really save them some money in reference to Enterprise accounts and where the money is better used.

City Manager Barlow commented on how this was done before he became City Manager. They would either do a budget transfer, which they put a stop to. He then commented on doing a cost allocation. He spoke of there being a cost for the City Manager, City Attorney and Finance staff to provide services to those Enterprise Funds. They now charge them for those services and have a legal methodology to do that. They pay a fair share of their services.

Councilman Cooper commented on transferring any extra money within the departments. City Manager Barlow commented on the problem being not having money in any of those funds.

City Manager Barlow then reported on meeting with the Rate Consultant on Wednesday, trying to project out forward with regard to population increases, operating costs and revenue. He spoke of not putting money aside in the past to take care of issues that come up.

- 1) Scheduling a Special Meeting on August 31, 2009 at 6:00 p.m. to award the contract for Insurance Agent of Record

City Manager Barlow informed Council of the Special Meeting to be held on August 31st after the budget hearing to award the contract for Insurance Agent of Record at 5:00 p.m. in the Council Chambers.

12. CITIZEN COMMENTS

The following citizens spoke:

Dominic Capria, 606 Topside Circle, stated years ago they transferred a million dollars out of an Enterprise Fund. He is against it because all that does is increase that Enterprise Fund to the citizens. He feels this is a bad way to do it. City Manager Barlow informed him that was why they don't do it anymore.

Bill Glaser, 1703 Needle Palm Drive, questioned the pest control reclaimed water usage coming up about two years ago. City Manager Barlow informed him he wasn't sure about two years ago but several months ago an individual brought it up as a concern that they may be taking reclaimed water and not being compensated for it. He spoke of implementing a program where they can enter into a contract where the exterminator companies would pay for that water. They currently have two or three exterminating companies and Mosquito Control.

Councilman Cooper stated it doesn't amount to a lot of money but it was the right thing to do. It was good that a few months ago a citizen brought it up and they were able to take care of it. Thanks to City Manager Barlow's diligence it got done. If it was brought up two years ago, they have different management now.

13. ADJOURNMENT

There being no further business to discuss, Councilwoman
Bennington moved to adjourn. The meeting adjourned at 7:11
p.m.

Minutes submitted by:

Lisa Bloomer

Attest:

APPROVED:

City of Edgewater, Florida

Bonnie Wenzel, City Clerk

Michael L. Thomas, Mayor