

TOWN COUNCIL
REGULAR MEETING
MINUTES
MAY 3, 2022

PRESENT: Mayor Gardner, Vice Rodney Daniels, Councilwoman Wanda Randolph, Councilman Marlin Daniels, and Councilman Theo Washington. **STAFF:** Attorney **Dean Mosley**, Cathlene Williams, **Town Clerk**, Albert English, **Public Works Director**, Eric McIntyre, **Police Officer**, and Katrina Gibson, Finance Director.

I. CALL TO ORDER & VERIFICATION OF QUORUM

Mayor Gardner called the Town Council meeting to order at 7:50 PM, Pastor Critton led the Prayer, followed by the Pledge of Allegiance.

II. APPROVAL OF THE AGENDA

Motion by Councilwoman Randolph to approve the agenda with the changes made, the motion was seconded by Councilman Washington; **AYE: ALL, MOTION PASSES.**

III. INVOCATION & PLEDGE OF ALLEGIANCE

IV. CITIZEN PARTICIPATION (THREE (3) MINUTES STRICTLY ENFORCED).

- **Linda Dodge- 1065 Maitland Center Commons Blvd-** I am here representing Clayton Investments; the property owners of the Development of the Enclaves; 96 units workforce housing apartment development. They are working their way through the approval of the site plans & building plans, with the Town's consulting engineers. The process gone through is a Developer's Agreement; approved by the Town in March 2022, we are in a situation, I am asking for help from the Town Council and continue to move this process forward; there is no valid reason for this project to be held up. There was discussion at one point that a planner should be hired before the project went forward; its beyond the planning stage with a Developer's Agreement, signed off and agreed to by the Town. This should be a simple process if we move forward with approving the plans. There was also discussion there were no documents in the Town's files. Today, I emailed the documents that I had relative to the approval; I am simply asking for help from the Town to get this project moving forward.
- **Ryan Novak:** is the Town's website that civic plus is worked on complete? Mayor Gardner replied they are in the process now. Does anyone know what the budget is here; 5.1 million. Florida Chapter 119.286, also known as the sunshine laws; they give the public and everyone else access to information; however, other areas that have similar laws; there is no timeframe as which such documents must be produced. I say this because in the spirit of transparency, we have an opportunity to just do better as it relates to dissemination of information; documents should be online and easy searchable and accessible; they should not be behind closed doors or in a filing system. Decisions should not happen in a vacuum; getting citizens input should be your paramount, I get that we live in a republic not a democracy, and elected officials make decisions on our behalf; with input from us. I am against firing the Town Clerk, that seems a decision made in a vacuum, that isn't well thought, I am pro the penny tax for the transportation. If you guys are going to impose a

strict time on the audience, please hold yourselves to the timed agenda as set forth in your own documents.

- **Angela Johnson-** the election was March 5th I know we are all frustrated; there are things that have been repeated, several times for at least the last 5 years. I think there needs to be processes put in place. We talk about this all the time, the CRA would not exist without the Town; therefore, the Town Clerk is the custodial of all records; but since she has another of other responsibilities; with the revenue increase maybe there is a possibility of hiring an HR so that burden doesn't land on that individual or move forward with hiring a CAO. The challenge because the way the town has operated its very difficult to find people that want to be employed by the Town. If I am an employee of this Town and a Council person can fire me; that is a concern with hiring people; I would want to know of the disciplinary, and that I was doing my job before I got fired. To the elected officials, the Town needs to look better, ordinance in place, no parking allowed on the front lawn. Certain roads, you can't drive, because cars are parked on both sides of the roads, emergency vehicles can't get through, work with the police department on this.
- **Anthony Grant-** Councilman Marlin Daniels, I feel your pain we have had this discussion the last 4-5 days. Does anyone know what the terms custodian of records is? One would think that the Clerk is over all records; custodian of records is official records, that includes minutes, resolutions, ordinances, election documents; those are the responsibilities, beyond that. The Clerk was the custodian of records for the CRA, but it sounds like perhaps you all would agree to solve this problem, it's nothing new; hopefully you would look at an imaging system. Also, take into consideration that certain documents have a life span and therefore, can be discarded, so they may not be there, if they are outside a certain age period. At the end of the day its finding solutions to the problem so everyone benefits from it, as well as the taxpayers, and coming to a resolution all together is what its' all about.

V. CONSENT AGENDA

1. **Approval of the April 19, 2022, Regular Council Meeting Minutes. (Clerk's Office).**
2. **Approval of Engagement Letter with Carr,Riggs & Ingram, LLC, for auditing services for fiscal year 2021. MOVED TO COUNCIL DECISIONS.**
3. **Approval of Resolution #2022-30, adopting the Language Access Plan for Limited English Proficiency Persons for the Small Cities Community Development Block Grant.**

Motion by Councilman Washington, the motion was seconded by Councilman Marlin Daniels, to approve the Consent Agenda, with item #2, moved to Council decisions; **AYE: ALL, MOTION PASSES.**

VI. COUNCIL DECISIONS

2. **Approval of Engagement Letter with Carr, Riggs & Ingram, LLC, for auditing services for fiscal year 2021.** Motion by Councilman Washington, the motion was seconded by Vice Mayor Daniels; Councilman Marlin asked if the CRA Audit will coincide with the Town's audit? Mayor Gardner replied that she requested this firm does

both the Audits. The CRA Audit was from January through December as stated by Councilman Marlin Daniels; the Town operates from October to September, Councilwoman Randolph says she is in agreeance with this; **AYE: ALL, MOTION PASSES.**

4. **Consideration of the approval of Resolution #2022-20, transfer funds from Contingency line 001-0511-511-5800 to Executive Administrative Account #001-0512-512-1200 for the position of Chief Administrative Officer salary.** Motion by Councilman Washington, the motion was seconded by Councilman Marlin Daniels; there is no need to move \$125,000, there are only 5 months left; if we can move the \$80,000 that was initially budgeted in that line item, then going forward for the next fiscal year, then moving it to \$125,000. The minimum amount of \$80,000 to be moved to account# 001-0512-512-1200, from Contingency. **AYE: ALL, MOTION PASSES.**
5. **Consideration of the approval of Resolution #2022-26, revised job description for the position of Chief Administrative Officer.** Motion by Councilman Washington, the motion was seconded by Vice Mayor Daniels; Vice Mayor Daniels asked Mayor Gardner will she negotiate, or is she going in with the \$125,000? Mayor Gardner replied she will look at the experience, but she will go into negotiate; but it first starts with the staff, not just herself. Councilman Marlin only concern is if they start at the \$125,000 that person may become stagnant. Mayor Gardner stated the individuals she looked at were past the \$125,000; negotiation is always up front. **AYE: ALL, MOTION PASSES.**
6. **Approval of payment of \$7,400 to Frank Gay Commercial Services for double water main tap meter installed & sewer lateral locate/cleanout install at 161 West Street.** Motion by Councilman Washington, the motion was seconded by Vice Mayor Daniels, **AYE: ALL, MOTION PASSES.**
7. **Approval of temporary Town Agreement between the Town of Eatonville and TRL Towing Services. The Towing Company that we were under contract with; BJ's Towing is going out of business, therefore will not service the Town anymore for towing services.** Motion by Vice Mayor Daniels, the motion was seconded by Councilman Washington; **AYE: ALL MOTION PASSES.**
8. **Consideration of the approval to terminate a constitutional officer.** Motion by Councilwoman Randolph to table, motion seconded by Councilman Washington. Vice Mayor Daniels stated to Attorney Mosley, he is looking for a solution on how to fix this because it is broken, depending on you as legal to fix this for the next Council meeting. **TABLED.** Councilman Marlin says he will go along with this, but I will state this for the record, the reason I have issues with this is, if I am requesting stuff from the Town Clerk, someone outside Administration can call and know what I am planning on doing, I have an issue with that; if I am requesting something to make a legislative decision, I expect it,

this was not about power struggle or anything, all this politics that being played, all I ask is that people do their job within reason

LEGAL COUNSEL REPORT: NO REPORT

COUNCIL REPORTS:

Councilman Marlin Daniels: thank everyone for attending the meeting tonight, we have a lot of pressing things going on in society, we have to be very aware; sitting up here you can't become emotional; my decision, I put on the agenda to terminate the Town Clerk, I don't back down on that, if I am asking for items to be able to do a job, I need to be able to do that. Everyone just stay engaged. The bickering and politics must stop, transparency is number one; if we are transparent, we won't have a lot of the issues that is going on up here; there is not a lot of transparency, when I hear from the street committee before, I get a memo from the Town on what's going on and different things, that is an issue for me. I had to hear from someone that Deputy Chief was out; hear from the Developer that these projects have stopped is a slap in the face. Haven't heard anything about Founders Day, Juneteenth.

Vice Mayor Rodney Daniels: thank everyone for attending the meeting tonight; its situations like this that get me frustrated, we are supposed to be professionals; our facebook, I have received multiple calls from people that they can't hear us. Mayor in order for us to move forward, let's not change what is not broken; Ms. Williams has helped the CRA in the past; and done a great job since I been up here it stopped as though my issues are pressing like they were before, it works, she helps out with the CRA, the Town she knows her duties; lets not change what she was doing; lets not change until we can figure out getting the CRA their own Clerk; money has always been the issue, that's why we were using Ms. Williams and she hasn't had a problem with it; she has her system down and everything; I think we can make this work. Mayor again, I am puzzled as to why we are stopping the projects; Enclave; for my limited knowledge, we depend on the Attorney; don't want to get in a legal situation by being sued and bankrupt the Town. The young lady that we have, with the expertise, I think we should use her for future projects. I think its too late to get her to look at the Enclave and Lake Weston since they have already been signed. Where are we on the Tommy Dixon property? and Ms. Williams property? I did speak with our Planner at the time, Mr. Benderson, and he did state that she could build a house without having that strip of land in there. Mr. English, we have potholes on Eaton and Clark Street; the Eaton Pointe Sign looks great. Can we look into having a workshop on Wednesday of Thursday to discuss with Council, instead of an hour during Council meetings; lets change the narrative and be an example for the other Black municipalities in the United States.

Councilman Washington- regarding the Enclave, that project, Council didn't know anything about, it was under the table; documents signed, never came to the Council or the planning and zoning board; my issues, they never came to those board, something went wrong, papers were signed that didn't board didn't approve of the process didn't go through this board, site plan, didn't go through planning and zoning; whoever signed those documents, and didn't bring them to the board, I have a problem with that, we need to look into that; approving projects that didn't go

through the process. There are potholes on Lincoln Blvd; Mr. English need to ride the community and look at those things.

Councilwoman Wanda Randolph- we need an updated employee manual; it is outdated, some items are obsolete; need to look at hiring either full or part-time HR person; still no one is answering the phone during the day; I have received a lot of complaints from residents and other people, just wanted to bring this to your attention Mayor, need to get the front desk staffed. I think we need to continue to treat each other with dignity and respect. We do need a Planner; I did look at the young lady's resume' I don't know much about the level of experience we have out here; maybe we can look at other people for that position. For the board positions, we need to make sure we have background checks on the applicants, this is not to discourage anyone. Also, I will be requesting the policy for terminating employees, its not very clear in the manual that we have, need to put steps in place. This week I had a conflict, I had called to request my items to be placed on the agenda, when we request information to make adequate decisions based upon what we have in front of us. Mayor you may want to inform the citizens of the letter you received from Orange County, to have some closure on what we need to do. Thank everyone for allowing me this opportunity to serve you.

Mayor Gardner: the letter is regarding the CRA; the County was looking at the financials; the RSM reports were one of the main ones they used. The County wants a letter from the mayor that we will update our procurement policy. I have responded, at the May 17th meeting the Board will receive the updated policy for review; that signed Resolution with the new policy will be sent back to them, to show that we have complied. The letter received from me will be enough for them to release the funds. Processes and Procedures, we didn't get here in 50 days, we got here over years; its going to take some time, but as little time as possible. We have a project that has cost forty million dollars, our fees; \$400,000/ Maitland fees, \$735,000; our last updated fees; 2006. Citizen input is important, I am going to couple that with the Enclave, citizens had no input, we passed an agreement that only gave the Town \$125,000. The Development Agreement is important, if we had impact fees in place but we don't, but we are working on it. At the last meeting I thought I was very clear that we were not at a continuation of the project. The Town has never did a Juneteenth festivity, this was done outside; I was contacted that someone may want to do an event here on the Saturday before. Regarding Ms. Williams, lets do an Interlocal Agreement, we will be in line with the Bylaws, on May 17th we will have that. For the background checks Councilwoman Randolph, what are you looking for? Do we want someone with hard felonies serving on these boards? I think this is something we need to look at. If someone can vote for me, I want them to serve their community.

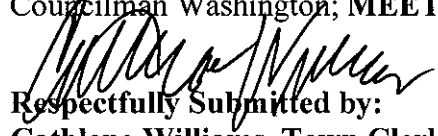
Ms. Williams read the election results from the March 3, 1990, election; certified by the Town Clerk; Ruby Thomas, and the Canvassing Board; the results are as follows:

MAYOR:

Abraham Gordon-	150 votes
Bobby King-	40 votes
Ada Sims:	206 votes
James Williams:	146 votes

Ada Sims was the first female elected Mayor

ADJOURNMENT: Motion by Mayor Gardner to adjourn, the motion was seconded by Councilman Washington; **MEETING ADJOURNED** at: 9:01 PM.



Respectfully Submitted by:
Cathlene Williams, Town Clerk