

TOWN COUNCIL
REGULAR MEETING
COUNCIL MINUTES

FEBRUARY 15, 2022

PRESENT: Mayor Cole, Vice Mayor Theo Washington, Councilwoman Angie Gardner, Councilman Marlin Daniels, (**ZOOM**) and Councilman Rodney Daniels. **STAFF:** Attorney **Dean Mosley**, Cathlene Williams, **Town Clerk**, Katrina Gibson, **Finance Director**, Albert English, **Public Works Director**, Joseph Jenkins, **Deputy Chief**, James Benderson, **Planner**, and Rhonda Anderson, **Administrative Assistant**.

Mayor Cole called the Town Council meeting to order at 8:08 PM, Pastor Critton led the Prayer, followed by Pledge of Allegiance.

- I. CALL TO ORDER & VERIFICATION OF QUORUM**
- II. INVOCATION & PLEDGE OF ALLEGIANCE**
- III. AWARDS & PRESENTATIONS**
- IV. CITIZEN PARTICIPATION (THREE (3) MINUTES STRICTLY ENFORCED)**

N/A

V. PUBLIC HEARING-

- 1. Resolution #2022-5, Requesting for Abandonment of Right-of-Way petition by Home Builder, BW Land 132 LLC.** Mr. Benderson: we have a petition from the adjacent property owners to build a home; there is a process to get the right-of-way abandoned, staff is not comfortable with the approval. **PUBLIC PERIOD OPEN BY THE MAYOR. Thomacena Williams; along with my mother and brother; BW Land is our family company**, as part of our efforts to improve the community where we grew up, and support the Church, Open Door Baptist Church that is adjacent to this land. We are not talking about a huge lot, it's a driveway for a two (2) lane street, we can not build a house on this strip of land; more importantly the sketch that your staff attached to the agenda item; they did not attach the petition that was submitted; what you have in your packet is the entire right-of-way, that is right-of-way is not in the Town of Eatonville. For whatever reason, the jurisdictional line of Maitland and Eatonville goes through the middle of that, so only a portion of what we have there is in the jurisdiction of Eatonville; this is for a street and that's it. If you decide to grant our petition, the part for Eatonville will go to Open Door Baptist Church, not us, our property is solely in Maitland. Whatever you do, if you make your piece of land, our parcel will still be considered a corner lot by the City of Maitland, because it was never considered a street there. So, there is nothing that Eatonville can do to help us avoid that circumstance unless the Town decides to abandon the right-of-way. We also submitted architectural plans for a home that we hope to build, it will not be physically located in Eatonville. We will respectfully request that the Town Council grant our request to abandon the right-of-way and let the Attorney or whomever decide where the property goes. Another thing, the Resolution that you have before you don't really say anything, whether you are approving or denying it. We would request that you amend the Resolution to say whether you are approving or denying the petition so that the record is clear. Mayor Cole asked Mr. Benderson where did the 200 come from if that's the case, if

they get that portion and its over 50 x 100 would that affect the goals and objectives of the family? Ms. Williams indicated that she went before the City of Maitland Development Review Committee on January 19th, here is their documents stating they have no problem assuming we get confirmation from Eatonville and Orange County, so Maitland is well aware this is in their jurisdiction, we also have a survey of the entire Right-of-Way which is only the City of Maitland's portion, and a survey of only the City of Eatonville's. Mr. Benderson stated that he didn't put everything in the packet, only what was relevant to this project. Mayor Cole replied this Council needs to get more information to do what we need to do. Ms. Williams asked for clarity from the Mayor for the information that is being requested; i.e., something from the City of Maitland about what their position is on this matter. Mayor Cole stated that Attorney Mosley will follow-up with the City of Maitland regarding this matter, and Attorney Mosley will provide an answer tomorrow. No further comments from the Public, Public Period is closed. Mayor Cole asked Council to allow Attorney more research on this. **ITEM TABLED.**

VI. CONSENT AGENDA

- 2. Approval of the February 1, 2022, Regular Council Meeting Minutes. (Clerk's Office).**
- 3. Approval of payment to Process Control Services, LLC to update all Lift Station Modems.**
- 4. Approval of payment to Lapin Services for emergency call and maintenance total \$4,110.00 for Park Place Lift Station.**

Motion by Councilman Rodney Daniels to approve the Consent Agenda, the motion was seconded by Vice Mayor Washington; **AYE: ALL, MOTION PASSES.**

VII. COUNCIL DECISIONS

- 5. Approval of Payment of \$366,464.00 to Water Werks, Inc., for new digital meters.** Motion by Councilman Daniels, the motion was seconded by Councilman Marlin Daniels; Councilwoman Gardner asked, have we with the \$5.9 million; does this fit in at all with these funds? Mayor Cole stated this is a good question, I asked the same question, because when they wrote the Grant, they made sure they excluded this from the Grant. Mr. English stated this is totally separate. **AYE: ALL, MOTION PASSES.**
- 6. Approval of SUEZ Maintenance Program Contracts for the West Water Tower and ground storage tank in the amount of \$83,606.00.** Motion by Councilman Rodney Daniels, the motion was seconded by Vice Mayor Washington; **AYE: ALL, MOTION PASSES.**
- 7. Consideration of the approval of Resolution #2022-10 Budget Amendment for fiscal year 2021-2022.** Motion by Councilman Rodney Daniels, the motion was seconded by Vice Mayor Washington; **AYE: ALL, MOTION PASSES.**
- 8. Consideration of the approval of Resolution #2022-11, appointment of Claresse Hopkins to the CRA Board of Directors.** Motion by Councilwoman Gardner, the motion

was seconded by Councilman Rodney Daniels. Councilwoman Gardner stated if Mrs. Hopkins is voted on or not, I am still saying that because, if it was done wrong and were doing wrong, why are we not at least clarifying the definition of engaged. Attorney Mosley stated there is a statute 205.022; paragraph (1) that specifically excludes churches from businesses, so if that is her only connection is the Church, that is not going to work to qualify in Florida. Councilman Marlin Daniels asked Attorney the statute number again. Mayor Cole stated he would prefer to table this item to make sure we do it right. Councilman Marlin Daniels read the Statute, he indicated that he wants to make sure that we do it right, so since we are in the question stage right now; is there not a process for things like this before it gets to this? Mayor Cole replied, we didn't know that because she was on the board before. Item **TABLED.**

COUNCIL REPORTS:

COUNCILWOMAN GARDNER: thanked everyone for attending the meeting tonight, drive safely. The 17 acres is going up for solicitation to bid on that property, in the Agreement its states that any sale of the 17 acres on Kennedy between the little strip, all that would be credited from the ten million that they want us to pay for the School Board property. I don't understand why there is a solicitation to bid on 17 acres, when based on their statement that they would honor the terms of this agreement. If you sell it for \$3 million, then it should come off the ten million and it should come to the Town. So instead of selling it, let the Town determine what they want to do with that land. I am asking that we put our voice together for this, there is no reason for them to sell it when the Town can develop it and do what we want to do. Vice Mayor Washington stated we need to fight for this and keep it in the Town. Mayor Cole replied he would love to sit down with them to hear the logic, if I do have that conversation in the next couple days, I would ask you Attorney Mosley to be in attendance.

VICE MAYOR THEO WASHINGTON: thanked everyone for attending the meeting tonight; mad at our School System regarding Black History. I read on the news that Jones Town- was history in Central Florida, we knew nothing about this when I was growing up. We need to keep what we have, people have taken so much from us we need to keep us. Back in the day, Bithlo used to be us, they pushed us out of Ocoee, Rosewood, they push us out everywhere, they pushed us out of Goldsboro in Sanford, we need to stay tight and careful of what we are doing. I talked to some citizens today, they pushed us out of Winter Park. It's sad our school system is not teaching Black History, we need to do something and maintain us.

COUNCILMAN RODNEY DANIELS: thank everyone for attending the meeting tonight; thank you Water Werks, great job; Public Works, this is going to be awesome for our citizens; good for our employees. I have always said we need to have a Workshop on Thursday, if we can to dissect what's coming on the Agenda and have it by Friday, then when we get to the Council meeting we

can all be ready. Ms. Thomacena Williams makes a valid point, I'm sure Mr. Benderson will educate us on how we should handle that. Also, I received a message from a citizen, she said don't copy the behaviors of this world let God transform you by changing the way you think. I think we have done that because we have been here for 135 years. That is not by happen stand when God has his hands on our community and City you don't need to conform.

COUNCILMAN MARLIN DANIELS: good evening, everyone, thank you for the opportunity for the appointment on the CAB Board. Had a wonderful meeting at the CAB the other day, important things you may not know; there is tons of resources for the residents of the Town of Eatonville. One thing is called the Senior climate efficiency program; seniors in our community can get their A/C or hot water heater replaced free. Other resources, I will be providing documentation for that, so our seniors. There are tons of resources out there that we have not tapped into, I will champion that for our seniors to get help; LHEAP for water and light bills. We all have to keep pushing, a lot of testing times now, keep your head about the ground; stay positive, anyone can go out and throw dirt; we need to move the Town forward and I am ready to go to the next level, thank you all.

MAYOR COLE: when Vice Mayor was talking, I just found out the other day then I spoke to and verified, her Great -Great Uncle, Isaac Clark incorporated Goldsboro, Florida, that was his brother. Ms. Critton has the joy to be one of the original families of Eatonville, just to hear the history was amazing, never knew this until the other day. I would love to get more history on that. I've said that for a while, we don't always agree up here, and I think Councilman R. Daniels said it best; a while ago, we are pretty much a family, we never looked at the outside agitators creating havoc, at the end of the day as public officials we will be held and some people just walk away; we never knew the full potential of what we can accomplish, some didn't want to see this successful board. Thank you to KROGERS for giving us a ton of food today; we were able to reach out to the community and serve; Vice Mayor attended; it was fun and fresh; a lot of resources out there people want to help. I made a clarification, there was a phone tree that went out from the CRA-specific names that championed the Grant were mentioned; those individuals running for office in their respective seats; it wasn't fair; we did our best to come back and thank the CRA Staff and our Staff that championed this for us and everyone will benefit from it, not one or two people. Thank Mr. English for making sure when they were doing that Grant lets make sure to move that there, its easier to switch on this side than the other side. At the end of the day, the Town will be better, Town will progress, high tax base; thank everyone for attending the meeting tonight.

ADJOURNMENT: Motion by Mayor Cole to adjourn, the motion was seconded by Vice Mayor Washington: meeting adjourned at 9:06 PM.



Respectfully Submitted by:
Cathlene Williams, Town Clerk