

TOWN COUNCIL
REGULAR MEETING
COUNCIL MINUTES

JANUARY 18, 2022

PRESENT: Mayor Cole, Vice Mayor Theo Washington, Councilwoman Angie Gardner, Councilman Marlin Daniels, and Councilman Rodney Daniels. **STAFF:** Attorney **Dean Mosley**, Cathlene **Williams**, Town Clerk, Katrina Gibson, **Finance Director**, Albert English, **Public Works Director**, and Joseph Jenkins, **Deputy Chief**. **Also in attendance:** N.Y. Nathiri, P.E.C.

Mayor Cole called the Town Council meeting to order at 8:18 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)**

TARUS MACK- Just want to let the citizens know that I was removed from my Seat for something that I didn't illegally do, nothing was illegally done, I was just removed by the expression of the judge decision to make outside the law. I could ensure you if I did anything to jeopardize myself or the community, if it was something illegally done, I would not be here right now. So, I just want to let the citizens know that I did nothing wrong at all to be removed from my seat; I always want to make sure that Eatonville is always good, the judge decided to take two (2) votes away from me that made me the winner, I can't speak on his actions for the reasons he had the facts weren't there. This is the first time in history that this has ever happened, I have no ill feelings with my opponent, as a fact I wish you the best, you are doing a terrific job; I just want the betterment for Eatonville.

GEORGE WILLIAMS- my concern is the water bill, we have had a lot of problems with the water, anytime a person uses 24,000 gallons of water, it should be all around the house, Mr. English came out and tested himself, could not find a leak, 24,000 gallons is a lot of water. My other concern about the water, it is hard, I even got a water softener. The other concern, what is the base rate on the water? It used to be 1-3,000 gallons; what is it now? Ms. Gibson replied: 0-1,000. Mr. Williams replied; he or his brother should ever reach that point, he is never home, and we live alone. The bill is \$6.81 after 1,000 gallons, the bill calculates, as stated by Ms. Gibson.

JASMYNE REESE- want to congratulate the Town for having a wonderful parade, I really enjoyed volunteering on Saturday, really comforting to me, helping; and all the people that turned out; special shout out to Ms. Veronica for pulling it all together; also, to Sherronda in Park and Recreation, that was a great event. During the Workshop, I hear that the CRA Funds have been depleted, this is heartening; I see the Chamber of Commerce building is finally done, it looks beautiful, a proper sign should be installed in front of the building. I look forward to seeing how those funds are spent that is going to bring people and revenue back to the Town.

V. PUBLIC HEARING

1. **Approval of the second reading of Ordinance #2022-1, repealing Ordinances: 2020-8 and 2020-10. (Administration). PREAMBLE READ BY TOWN CLERK.** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA REPEALING ORDINANCES 2020-8 AND 2020-10 CHANGING THE COMMUNITY REDEVELOPMENT AGENCY BACK TO WHERE THE GOVERNING BODY, TOWN COUNCIL OF THE TOWN OF EATONVILLE WILL SIT AS THE COUNCIL OF THE COMMUNITY REDEVELOPMENT AGENCY, PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. Mayor Cole opened Public Period: **TARUS MACK:** when I was on Council, I was one of the ones to implement this Board that we had; the CRA, and I felt it was a good board, and felt the need to take the politics out of it; and for the Town Council to concentrate on the citizens of Eatonville. If we can't sit here and use the funds properly to move forward with making the right decisions on building a foundation, we are doing ourselves an injustice as well as the citizens of Eatonville. I have always been a champion of not being a director moving forward with other people having the full support of doing what's right in the community also, I think that the people that are sitting here are going to continue doing the necessary things for the Town. I would strongly consider you guys just keep that board because it will make sense at the end of the day, just my opinion. Mayor Cole stated the Public Hearing is now **CLOSED**. Mayor Cole put a motion on the floor. The Ordinance has been advertised, as you know from August 17th letter received from the Honorable Mayor Jerry Demings; end of letter: it was inconsistent with Orange County Resolution; again, it started independent, with that in mind, I move for the approval of the final reading of Ordinance #2022-1; repealing Ordinance 2020-8 and 2020-10; motion by Councilman Rodney Daniels, the motion was seconded by Councilman Marlin Daniels. Councilwoman Gardner; just want to reiterate why I wanted it moved; were talking about how the money was spent, one of the things that we can say is that whether you agree with the decisions of that board or not you can say that you have the documentation to show where the money was spent; when the CRA was under the Town's finance department \$322,000 still can not be accounted for. That was one of my main reasons to vote to move, when you move something over, you are going to have some expenses, but again its' documented. When its not documented at all, then you have true issues, which is why I wanted the comptroller position. It all makes sense what I've asked, but for some reason none of that has been done. The second reason; I'm not here to fight a battle for the CRA, I went to the class, so I know what a CRA is about because it was worth knowing; the CRA is for the Town to build economic development; the CRA is important to the Town. Each year the CRA should receive about \$350,000 in TIF funds, it has not received those funds in the last two (2) years; so, we are at about \$700,000 that is not accounted for; from July 1, to now, about a year and a half, there has been an attack against the CRA not to have the County pay those funds. So, the reason for me was to separate the money. The CRA should not reach 1.5 million; if you get \$300,000 for five (5) years; nothing was happening.

AYE: Mayor Cole, Councilman Rodney Daniels, and Councilman Marlin Daniels;
NAYE: Vice Mayor Washington and Councilwoman Gardner; MOTION PASSES.

VI. CONSENT AGENDA

- 2. Approval of the December 13, 2021, Special Session Council Meeting Minutes. (Clerk's Office).**
- 3. Approval of the December 16, 2021, Special Session Council Minutes. (Clerk's Office).**
- 4. Approval of Proclamation recognizing January 23-29 as School Choice Week. (Administration).**
- 5. Approval of the January 4, 2022, Regular Council Meeting Minutes. (Clerk's Office).**
- 6. Approval of response to Department of Economic Opportunity notification letter. (Planning).**

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

VII. COUNCIL DECISIONS

- 7. Consideration of the approval of Support for Resolution #2022-3 for Park Improvement Project facilitated by Lake Lovely Neighborhood Association. (Planning).** Motion by Councilman Rodney Daniels, the motion was seconded by Vice Mayor Theo Washington; **AYE: ALL, MOTION PASSES.**
- 8. Consideration of the approval of CPH Contract Service Agreement w/additional services the Town of Eatonville. (Public Works).** Motion by Councilman Rodney Daniels, the motion was seconded by Councilman Marlin Daniels; we are approving this, but we didn't say where the money is coming from as asked by Councilwoman Gardner? When the money was moved for the Planner, Council did not move money for the services. Apologies, this is not the item as stated by Councilwoman Gardner. **AYE: ALL, MOTION PASSES.**
- 9. Consideration of the approval of Resolution #2022-4, back pay for James Benderson. (Administration).** **TABLED.** I heard the things the Attorney said to this Council, but one of things that is not going away, it is to me rightfully deserved, the process needs to move to the process as stated by Mayor Cole, delay is not a denial, I would prefer doing it where the process is done, once the letter was out, I thought they had a meeting, I could be wrong. I would ask that we table this until we do the one process, and it comes back to this Council.
- 10. Consideration of the approval of proposals for Water and Wastewater Impact Fee Study. (Public Works).** Motion by Vice Mayor Washington, the motion was seconded by Councilman Rodney Daniels, **AYE: ALL, MOTION PASSES.**
- 11. Consideration of the approval of invoices for Lapin Services emergency repairs totaling \$7,220.00. (Public Works).** Motion by Vice Mayor Washington, the motion was seconded Councilman Rodney Daniels; Mayor Cole concurs with Councilwoman Gardner, stated we need to know where this money is coming from? Ms. Gibson stated the funds

are coming from water and sewer, right now in the budget they have three (3) months savings in other lines, if you want to know where the funds are coming from, I will bring a Resolution back to Council the first meeting in February. Mr. English hasn't hired a supervisor, and he still has three (3) utility worker positions available, that is 9 payrolls that money hasn't been spent. Ms. Gibson will bring back to Council a Resolution for a budget amendment. **AYE: ALL, MOTION PASSES.**

12. Consideration of the approval of invoices for Lapin Services emergency repairs totaling \$2,315.00. Motion by Councilman Marlin Daniels, the motion was seconded by Councilwoman Gardner; **AYE: ALL, MOTION PASSES.**

13. Approval of Resolution #2022-5, and Section 800.01 Annual Vacation Accrual Section of the Personnel Policy Manual. TABLED.

COUNCIL REPORTS:

COUNCILWOMAN GARDNER- it's not easy sitting up here, but that's okay its something that is important; but what makes it difficult for me; I was elected to this seat, I wasn't elected to sit here and be quiet, and I'm sure Martin Luther King, Jr., I'm sure they would have asked a lot of people with my skin color to be quiet; they have asked women to be quiet, but something I will not be is quiet. So, when I hear little things, and I ignore them for a while, but for women to do it to women; saying she needs to keep her mouth quiet, no I shouldn't because no one is going to represent my people like I will. I just hope that what I say is worth hearing for those that care, I try to stay pertinent to what's on the agenda. I was going to say this earlier; it wasn't about not supporting Lake Lovely. When we have representatives that's giving more than what the grant calls for, why more why now, and why hasn't it been that way all along? It's always at their time where is the money going and why now? If the citizens are stepping up, lets step up higher, I know this grant is \$10,000, 7 or 8 thousand more, if you had that, you had more and where is it going; Very consistent with the agenda, I will say again, it's never about a person; thank everyone for attending the meeting tonight.

VICE MAYOR WASHINGTON- NO REPORT

COUNCILMAN RODNEY DANIELS- I like the workshop we have couple weeks ago, great idea. Ms. Williams, I received your email the other day regarding the ZOOM, like Councilwoman Gardner stated in a meeting, I think the meeting was in November, I know I said the man's name not on there. Chief, I received a call from a guy regarding the OPIOD litigation, between Attorney Mosley, we had a presentation from Rod Love, get some information about the OPIOD, I received a call saying we are the only City not participating in the litigation, are you familiar with this Chief? Deputy Jenkins and Attorney Mosley both indicated that this document has been signed. Some people don't know, that PEC partners with the Town, a lot of people don't realize this, Zora Festival not the Town, with Zora, COVID is real, since we are going to be in an enclosed area,

social distance and wear mask, be careful. With the parade, I had a good time; received a lot of reviews from people, the only thing missing was the Bands. Didn't run out of candy, Lift Station Catastrophic- keep praying for our Town.

COUNCILMAN MARLIN DANIELS- Ordinance change, bringing the CRA back to the Town, Ms. Gardner has said plenty times to reach out ask for information, I have done that, and I haven't received things that I have asked for. When I look at the Attorney, I want to make sure I am appropriate in what I am about to say, but I really think that when you are doing a transition and all that, it's going to take time, I think we need to put things for a vote, that is dealing with different things. How do I format the motion to freeze the CRA for right now, and we can still do the day-to-day operations, I know there is payroll and all that? I want to freeze budgetary and contractual until we can get a grasp on what's going on in the CRA. I think we need adequate time to do that, I am asking for (45) days. My motion is to halt and freeze the CRA from doing anymore contractual business, just do basic day-to-day operations for the next (45) days, to give me adequate time to review everything that is going on. Motion by Mayor Cole, the motion was seconded by Councilman Rodney Daniels; Vice Mayor Washington asked; are we the CRA Board now, are we acting in the CRA Capacity? Mayor Cole replied, he did not know. Vice Mayor Washington: are we acting as the CRA Board now, because you are making a motion to do something dealing with the Board? Attorney Mosley stated that what you can do as Town Council because there is a transition, this is what Councilman Daniels was talking about, to make sure that there are not any more contracts or create anymore liabilities on behalf of the CRA, until the full transition is made where Town Council is acting as the Board. What you don't want to happen is during the interim period that there are a bunch of obligations until the Town Council take the throne as the CRA Board. And Vice Mayor Washington is right, what role are we in Town Council or the CRA? Councilwoman Gardner asked will a letter be sent to the CRA Board for the actions taken by Council tonight? Attorney Mosely indicated that he would send a letter tomorrow regarding the actions taken tonight by the Council. Councilman Daniels stated we need to look at a budget adjustment, we keep going through these same things when money is not moved over, so I am asking today, the time of the next Council meeting; the budget actuals for the last three (3) years, and what is in each account as of this date. I am asking for documents to be digitalized with search words, that needs to be done. Right now, Zora at the end of today, as soon as it is over, I need MOU's dealing with Zora, as the Town we should not be waiting until the last minute when it comes to the Zora Festival, next week to me is too late to decide. I know there is an election coming up, who is on our Canvassing Board? What is the process, and where does the recommendations come from? Ms. Williams replied, the mayor and/or Council make those recommendations. The cover sheets for the different things that go on the agenda, we should know what budget line the funds are coming from. MLK parade was wonderful people really enjoyed it, Mayor we know founders' day is coming up; I think you need to come up with a commission for Founder's Day, lets raise some money, so it can be the biggest and best Founder's Day ever. This is the end of Councilman Marlin Daniels report. Mayor Cole replied, we have a motion on the floor, I didn't know if we voted on that or not. Motion is to no contracts for the next (45) days as stated by Attorney Mosley. **AYE:** Mayor Cole, Councilman Marlin Daniels, Councilwoman Gardner, and Councilman Rodney Daniels; **NAYE:** Vice Mayor Washington; **ROLL CALL**

VOTE: Councilwoman Gardner; AYE; Vice Mayor Washington; NAYE: Mayor Cole: AYE: Councilman Rodney Daniels; AYE: and Councilman Marlin Daniels; AYE: **MOTION PASSES.**

MAYOR COLE: Congratulations to the Eatonville Chamber of Commerce, I saw your sign on social media; building looks beautiful, some of the things that visioned. I would like to find out the cost. Seniors having issues with their homes, one on Bethune Drive; she will get assistance from Orange County. Mr. Jones on Vereen Drive, Ms. Brown on Calhoun need some assistance. MLK, I really enjoyed it, we did the best despite everything going on. City of Orlando still had something, they only changed for budgetary reasons, it would have cost too much. Thank everyone to attending the Council meeting tonight.

ADJOURNMENT: Motion by Mayor Cole to adjourn, the motion was seconded by Vice Mayor Washington: meeting adjourned at 9:26 PM.



Respectfully Submitted by:
Cathlene Williams, Town Clerk