

TOWN COUNCIL
REGULAR MEETING
MINUTES
July 19, 2022

PRESENT: Mayor Angie Gardner, Vice Mayor Rodney Daniels, Councilwoman Wanda Randolph, Councilman Marlin Daniels, and Councilman Theo Washington. **STAFF:** Attorney Clifford Shepard, **Town Attorney**, Cathlene Williams, **Interim Chief Administrative Officer**, Veronica King, **Town Clerk**, Albert English, **Public Works Director**, Eric McIntyre, **Lieutenant Officer**, and Katrina Gibson, **Finance Director**.

CALL TO ORDER & VERIFICATION OF QUORUM

Mayor Gardner called to order the Town Council meeting for 7:31 pm and confirmed a quorum.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Critton led the Prayer of Invocation, followed by the Pledge of Allegiance.

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

Mayor Gardner called for citizen participation; with (4) Participating citizens.

RYAN NOVAK – I understand that \$1 million will go towards the night club; is it opening as a night club? Founder's Day – Consider working with other municipalities to assist in promoting this event; their constituents will pay, Parking on Amador – issue was brought council at the last meeting; as of today, nothing has been done. I don't believe "No Parking" signs are need. However, consider turning it to a one way; will allow parking and remove possible head on collision.

LOUISSTEEN CUMMINGS – Founder's Day is about Eatonville's history; it is wrong to bring all these artists and not focus on the town. Facebook is advertising the event to be held on West Kennedy and not the Hungerford property. In a past Founder's Day Councilman Washington mentioned about it being held at Mini Cooper; Mini Cooper was a partner, and the event was sponsored. Charging \$25 is a concern and hope this event does not end up like Chill In the Ville; artist would not enter field if they did not receive their money. Why is the Chambers not involved? Why Mainstreet? Concerned about \$1 million dollars going to one agency and no other organizations.

MICHELLE FORT – I agree with the tax levy. We have more renters than ownership. To raise the revenue, the property has to look good; applaud the effort here. Create partnership to assist renters who may be afraid to go against the landlord for fear that it will affect their living or increase their rent; we the Ordinance to go through. Consider having a workshop for renter and landlords where they both can know their responsibilities. Job Position in the Planning/Building department as well as the Town Clerk; being at the end of Fiscal year, are these emergency position that need to be filled? Salary for Town clerk range is \$40,000 – \$60,000 based upon experience and education; has a study and comparison been done? Is there a raise across the departments? We should be preparing for the next budget to ensure the money is there.

EDDIE COLE – When I sat on this board, I asked Council for help to care for my daughter; the response was no to several attempts to hire an interim CAO; stating that the Charter does not address an interim. I am not sure how the attorney did his study or was it his opinion on the Mayor hiring and Interim CAO. Section 3 of the Charter states that the CAO should be appointed by the Mayor based on education and experience and the accepted practices of local government; also stating that the council must confirm the appointment. Under Resolution 2015-02 speaks to a 6-month emergency hire of a charter officer, CAO id not a charter officer.

PRESENTATION AND RECOGNITIONS: Item A (Utility Software by Edmunds Financials) on the workshop agenda was carried over to the regular council meeting; due to technical issues, Katrina Gibson will schedule individual meetings with council members to meet with representative to further discuss.

CONSENT AGENDA – (Item #4 Resolution 2022-45 was moved to Council Decision)

Mayor Gardner moved for approval of consent agenda moving item #4 to Council Decisions; moved by Councilman Washington, seconded by Councilman M. Daniels; AYE: ALL, MOTION PASSES.

COUNCIL DECISION

- 1. Mayor Gardner motion for approval of Resolution 2022-45 for adopting the proposed tentative tax levy.**

Discussion: Councilwoman Randolph noted a meeting to be held in August by Orange County; suggested that this item is tabled until after the meeting. Attorney Shepard clarified that there is a county mileage; but each agency set its own rate. The town has to make enough money to pay its own bills; should not postpone the rate. It should be set high and adjusted as needed; it can come down but can't go up. Councilman Marlin Daniels – Is the rate going up or down? Katrina Gibson responded to keep 7.2928 rate; as developers come in, the rate can eventually go down. Tonight, is to vote for the proposed rate, in September another vote will be made at the budget hearing.

The motion was moved by Councilman Theo Washington; seconded by Councilwoman Wanda Randolph; AYE: ALL, MOTION PASSES.

- 2. Mayor Gardner motion for approval of Resolution 2022-44 for Building Permit Clerk.**

Cathy Williams presented an introduction statement and stated the recommendation of changing the Administrative Assistant to the Planning/Building Clerk; solely for the Planning department; being proposed for the new fiscal year as a full-time position.

Discussion: Councilwoman Wanda Randolph – How many permits have we had; Katrina Gibson will provide this information. We are receiving a lot of permits due to the new constructions. Katrina Gibson, I have been assisting in this area. It is a separate position and requires someone who know the Land Development Code, with the necessary background and experience in planning and building. Permits are tied in Code Enforcement, Building, and Planning; must know zoning, lot, site planning. Councilman Marlin Daniels – recommends this item is tabled for more information; salary, # of permits. Mayor Angie Gardner – the position will also allow for updates in documents we have including applications.

The motion was moved by Councilman Theo Washington, MOTION DIES FOR LACK OF A SECOND.

- 3. Mayor Gardner motion for approval of Resolution 2022-42 Amending/updating current procurement policy.**

Mayor Angie Gardner presented an introduction statement and stating that the Resolution is in response to the CRA Orange County Audit asking for an updated procurement policy and establish a charitable giving application. This is needed to close out the investigation; the CRA adopted the town's procurement policy, and the charitable giving is being added. Attorney Shepard stated that this policy should be done as an Ordinance.

Mayor Gardner motion to table Resolution 2022-42 Amending/updating current procurement policy and bring back as an Ordinance. The motion was moved by Councilman Theo Washington; seconded by Councilwoman Wanda Randolph; AYE: ALL, MOTION PASSES.

- 4. Mayor Gardner motion for approval of Resolution 2022-43 governing charitable donations.**

Discussion: Councilman Marlin Daniels – Has application been designed and is there a copy; requesting a copy. Councilwoman Wanda Randolph – requesting a copy of communication with Orange County

about the charitable donations. Mayor Gardner – There is no written stipulation when given to a charity. Councilman Marlin Daniels – Section 4H, will money given to charity come before the council? What about In-kind, is there a limit? Mayor Gardner confirmed that money given will come before council. The renting out of the Denton Johnson Center is an in-kind donation; two hours are free. The policy will assist with documentation. Councilman Marlin Daniels – all language, procedures, application, and policy should coincide together. Attorney Shepard will review the documents to ensure it is appropriately legal to not lead the town into trouble.

Mayor Gardner motion to table Resolution 2022-42 Amending/updating current procurement policy. The motion was moved by Councilman Theo Washington; seconded by Councilwoman Wanda Randolph; AYE: ALL, MOTION PASSES.

5. Mayor Gardner motions the approval of Agreement for Disaster Recovery Performance Auditing and Management Consulting Services between Blue Sky Emergency Management DBA Integrity Group.

Discussion: Councilwoman Wanda Randolph – What is this group and the cost? Mayor Gardner - Integrity Group looks for grants and assist with ways to leverage the funds. Cost: If the company administers the grant, it could be 15% depending on the grant; grants sometimes stipulate the percentage. A portion of the 15% will come back to the town for an in-house representative for the grant. Agreement has not been reviewed by the Attorney.

Mayor Gardner motion to table Agreement for Disaster Recovery Performance Auditing and Management Consulting Services between Blue Sky Emergency Management DBA Integrity Group for further review. The motion was moved by Councilman Marlin Daniels; seconded by Councilwoman Wanda Randolph; AYE: ALL, MOTION PASSES

6. Mayor Gardner motions the approval of the Hungerford Safe Routes to School Project.

Albert English presented an introduction statement – Last meeting the project was presented to council, and we are at a place to consider and approve the interlocal agreement between the Town of Eatonville and Winter Park. The project is free to the town and will provide sidewalk widening and safe cross walks within the town.

Mayor Gardner motion to approve Hungerford Safe Routes to School Project. The motion was moved by Councilman Marlin Daniels; seconded by Councilman Theo Washington; AYE: ALL, MOTION PASSES

7. Mayor Gardner motions the approval of the approval of Resolution 2022-37 establishing interlocal agreement between Town of Eatonville and the Community Redevelopment Agency.

Discussion: Attorney Shepard presented a replacement copy explaining that it would best to separate the Resolution from the Agreement. The agreement allows for the CRA to use town employees as long as the time is separated and documented in order to reimburse the town out of the CRA funds; time must be documented because it can be audited, and it determines how the town collects its money from the CRA. Attorney Shepard recommends that the agreement on the CRA side is redone to adopt the replacement format.

Mayor Gardner motion to approve of Resolution 2022-37 establishing interlocal agreement between Town of Eatonville and the Community Redevelopment Agency. The motion was moved by Councilman Theo Washington; seconded by Councilman Marlin Daniels; AYE: ALL, MOTION PASSES

8. **Mayor Gardner motions the approval of the approval of Resolution 2022-40 Changing status of employment of Veronica King from Interim Town Clerk to Town Clerk with starting pay at \$55,000.**

Discussion: Mayor Gardner – To Councilman Marlin Daniels, How was salary determined and how did you account for years of experience? We have \$68,000 in the budget for the Town Clerk saving the town \$13,000; researched other agencies and municipalities on the going rate for their clerk. Also, we needed to correct the position according to the Charter; the Charter does not address an Interim Town Clerk but to appoint a Town Clerk by a simple vote.

Mayor Gardner motion to approve of Resolution 2022-40 Changing status of employment of Veronica King from Interim Town Clerk to Town Clerk with starting pay at \$55,000. The motion was moved by Councilman Marlin Daniels; seconded by Councilman Theo Washington with question; Question: Should addressing the Title and Salary be done separately. Attorney Shepard confirmed that they can be done together in one Resolution; AYE: ALL, MOTION PASSES

INTERIM CHIEF ADMINISTRATIVE OFFICER:

Cathlene Williams: Water break (Kennedy/Wymore) will not be fixed tonight due to contractors; the boil water alert does not need to take place; and updated phone tree was sent out. Council and CRA Retreat: Has been tentatively scheduled for August 13 at the Denton Johnson Center. 8am – 1pm. Catalina Park Retention: Pending quotes to get the area cleared and cleaned. Fence Repairs: Have quotes in hand and ready to start work; work will begin in August. Mulch in the Parks: Council approved on June 7 and work will first start in Catalina Park. East Water Tank Tower: work is in progress; AT&T has installed the antennas and will install a new fence around the tank with black mesh. Potholes: Is a challenge during the rainy season; Public Works is working to maintain. Meters: As July 15th, seventy-five (75) residential meters have been installed replacing first the malfunctioned meters first. In progress having to install the commercial meters. The meters will coincide with the utility program that Katrina Gibson is introducing. There 700 residences and 100 businesses.

LEGAL COUNSEL REPORT:

Attorney Clifford Shepard: Enclave: After reviewing, I have found problems with the way the development was approved; zoning, comp plan, among other things. Information has been communicated to the developers and a privilege memo to the Mayor have been provided. Passage of time and execution of agreement will make it hard to contest. I have advised the Enclave attorney to have their client to go through the permitting process. Pass Through Ordinance: This ordinance is recommended and will allow for future developments to pay for themselves; with upfront deposits that will save money and potentially make money. Impact Fees Ordinance: This will be important to established even if you have to cut something else out as long as it is not public safety. It will require an impact fee study and then you can build it in your budget. This will prevent developers from taking advantage of the town. Now is the time to start the process. Attorney Document Review: Although fees are less than other attorneys, time utilized can make things expensive. Recommending that a check off box be added to the cover sheet/staff report requesting for Legal Review. Council/CRA Retreat: Looking forward to the retreat; see nothing but potential for the town once everyone is on the same page.

COUNCIL REPORTS:

Councilwoman Wanda Randolph: We need Chief Police; would like to review job description and add to the budget. Concerned about HR; in government, we must ensure we are compliant; Cathy Williams confirmed we have 33 employees. Town grant write will need to adequate and efficient when applying for grants. Meeting Protocol: Need to minimize presentations in consideration of time. Interim CAO: Charter does not address an interim. Attorney addressed the document that speak to the Powers of the Mayor (Page 4); Mayor can hire to get services done until the council appoints or confirms a replacement. Salary of Interim CAO: How was \$85,000 given to an Interim CAO; Mayor Gardner, with over thirty years having worked in many departments it was an easy choice. Hungerford Update: Attorney Shepard, Hungerford is set to go before Planning and Zoning followed

by recommendations to the Council. . Neighborhood Quads: Had its first meeting of approximately 30-32 residents. Grant: A group of Tuskegee Airman have a national grant on Stem Cells Education for Children; they want to partner with Eatonville, Hungerford Elementary and the Boys and Girls Club.

Councilman Theo Washington: Impact Fees: We did a study some years ago; I will check into this

Vice Mayor Rodney Daniels – Will send an email to the attorney about his comments concerning the Daniel brothers with further discussion over the phone. To Mr. English, there is another water leak on Wymore and off Kennedy at the school (The Life Academy); these types of issues need to be addressed immediately because it can be dangerous. Mainstreet: Lead by the former Executive Director, I asked for a representative to be here tonight to speak on Founder’s Day. This is the same organization with a different who the Chill In The Ville; which had issues with parking and finances; I understand why a MOU is being requested. Workshop should be on a different day in consideration of time. I would like to get an Ordinance on trash to address people who move out and leave their trash out. Zoom Broadcasting Meetings (Zoom): Do a test run to ensure everything is working correctly. Reflecting on something Ms. Dinkins said, when you come to council, we come to conduct business, dress accordingly. I won’t forget; Rela, Michele, Confidence Pringle, Mr. Jackson, and the Investigation of the Daniel brothers.

Councilman Marlin Daniels – Budget is coming; needs to be on time according to State Law. There is no one place to find current policies, ordinances, and resolutions; whether citizen or board member; this type of information should be easy to locate. Staff need professional and quality broadcasting of meetings. To the Mayor, I would like to see department reports; will save time and help us to know what is going on. Also, would like to know who has been hired and fired. Founder’s Day: Taxpayer dollars have been given to Mainstreet; \$75,000 from the town and \$90,000 from the CRA; we should be able to offer something to the residents. To attorney, what is the update on 105 Wymore Rd. (Aloma Title)? Attorney Shepard, a settlement proposal has been made and it substantially more than the \$6,000; at least double. Information: Information should be disseminated to Council to eliminate the back and forth. Also, we need to come up with a plan with businesses and non-profits to see what they have to offer to better the community.


Mayor Angie Gardner: Why Mainstreet? Mainstreet is a national organization which requires starting a non-profit. Why pay for a non-profit when one already exists. Why Koha? Koha is on the Chitlin Circuit and looking to renovate into a performing arts center, museum, and entertainment with a café. Why Founder’s Day with Mainstreet as a partner? If you pay into an organization, it makes sense to as that organization to spend money on the town. I would like to help renters to know their rights. I recognize Mayor Cole today and thank Attorney Shepard for getting us on the right track. Internal Auditor: With an internal auditor, we can update all policies, deal with risk management to include financials. (Cathy Williams in response to Councilman Daniels, the town is on Municode; only updates when Ordinances are passed and should be updated up to 2021. Resolutions are not listed on Municode. Cathy will check into the status of Ordinances that have not been codified. Codification is only done at a certain time of the year. Also, there is only one new staff (Receptionist). The other persons are through Career Source.

ADJOURNMENT: Motion by Mayor Gardner to adjourn, the motion was seconded by Councilman Washington; **MEETING ADJOURNED** at: 9:44 PM.

Respectfully Submitted by:


Veronica L King, Town Clerk

APPROVED


Angie Gardner, Mayor