

TOWN COUNCIL
REGULAR MEETING
MINUTES
September 6, 2022

PRESENT: Mayor Angie Gardner, Vice Mayor Rodney Daniels, Councilman Marlin Daniels, Councilwoman Wanda Randolph, 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**, Joseph Jenkins, **Deputy Chief**, and Katrina Gibson, **Finance Director**.

CALL TO ORDER & VERIFICATION OF QUORUM

Mayor Gardner called meeting to order at 7:30pm with a verification of quorum through Mrs. King

INVOCATION & PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mayor Gardner motions for approval of agenda; moved by Councilman Theo Washington; second by Councilwoman Randolph; **AYE: ALL, MOTION PASSES.**

CITIZEN PARTICIPATION - THREE (3) MINUTES STRICTLY ENFORCED.

Mayor Gardner called for Citizen Participation; with (3) participating citizens

LOUISSTEEN CUMMINGS – (421 Campusview Drive) Is there a way to get a letter to citizens informing them not to put trash on the road on Fridays? Catalina Park is sad to look at throughout the weekend; there is sofas, chairs, and trash along the side of the road. Can something be done? 2121 Amador has grass high up to the door.

JULIAN FERNANDER – (Prime Investigator for security) – Did the Founder’s Day event with Mr. Johnson; was not/has not been paid for providing a service. A police report has been filed that will lead to a felony for writing a bad check that bounced. I am not sure why Council has not made the payment or required employee or former employee Mr. Johnson to make things right. I spoke with the Mayor’s assistant requesting to make things right before taking further steps. I do plan to list all names of person’s involved including those I have spoken with. I have had to pay my employees out of my own pocket. Also, Wells Fargo is billing for the bounced check. It is not fair; give me date when the money will be paid for the services provided.

PASHA BAKER (Director/CEO of the Goldsboro Westside Community Historical Association Inc.) – In support of the Eatonville Chambers of Commerce being the official welcome center for tourist and business information. I have worked positively over the years with Lavonder Wilder and the Chamber of Commerce. Our last event of hundreds of attendees was done through a bike ride for the Florida Emancipation Day (May 20, 1865); the bike ride went from Goldsboro through Altamonte Springs to Eatonville; and the people had nothing but positive things to say. It was a pleasure working with Lavonder. They are doing the job of being that official tourist welcome center informing people about the history of Eatonville; Joseph Clark founded Eatonville and his brother William Clark Founded Goldsboro in which both were incorporated having forms of government shortly after slavery when we were not allowed to read and write. The history needs to be told accurately and we are here in full support of the Eatonville Chambers of Commerce.

CONSENT AGENDA

Mayor Gardner motions for approval of the consent agenda approving minutes from August 16, 2022; moved by Councilman Washington; second by Councilwoman Randolph; **AYE: ALL, MOTION PASSES.**

COUNCIL DECISIONS:

Approval of the Explorer Part-time position – Chief Jenkins made an introduction to get position approved; the budget for the position is being considered as part of the budget; asking for \$20,000. It is now called the Cadet's program through the State of Florida; is no longer through the Boys and Girls Club. Councilman Washington is this through a grant; Chief Jenkins along with Mayor Gardner, confirmed that it will be funded through the budget. Vice Mayor R. Daniels asked for clarity through legal counsel that a motion should be made before any discussion take place; Attorney Shepard confirmed if it is not a Public Hearing for public comments, then a motion should be made.

Mayor Gardner motions for approval of the Explorer Part-time position; moved by Councilman Washington ; second by Councilman M. Daniels with discussion.

Discussion: Councilman M. Daniels, was there a follow up with other agencies for collaboration? Chief Jenkins indicated that the Boys and Girls Club will partner utilizing the children from our community; no more than ten children. Councilman M. Daniels, inquired about the salary. Chief Jenkins confirmed \$20,000, five days a week at 3-4 hours a week after school: \$15/16 per hour. It will be a sworn officer that also works at the school, as requested by Council. Vice Mayor R. Daniels, I understand being proactive with our children but not in support at this time; the \$20,000 should be used to get more officers. How many officers are we short? two officers confirmed by Chief Jenkins. The Mayor requested this program. Councilwoman Randolph requested clarity on the salary; Chief Jenkins made correction by clarifying the salary at \$15/hour will be for the record's clerk position and \$20/hour for the officer. Councilwoman Randolph, I would like to see something that will be all inclusive of our children, not just those children at the Boys and Girls Club. I think we should take a closer look at the program and consider for another time. Chief Jenkins, when the council is ready, we will be ready to move forward with the program. The cadet program will boost recruitment towards the academy from within the community. Councilman Washington, confirmed through Chief Jenkins that the program is offered to all youth not just those at the Boys and Girls Club; it is needed, and I support the program. The program will be offered during the timeframe of 6-9pm when children are doing nothing. We have the budget for the officers. Councilman M. Daniels, consider mentorship through the afterschool program for collaboration. Chief Jenkins, the program is unique to itself in that it introduces children to the field of law enforcement; developing junior cadets through training, learning to be better productive citizens; one day going into law enforcement as a career. We have officers who spend their time mentoring children on their own time. Mayor Gardner, prevention is better; this program will reach those children who may have been your speeder; another way to bring safety to our community. Chief Jenkins, about three years ago we had fifteen children participating at 100 percent. Councilwoman Randolph, solicit to see how many children would actually be interested. Councilman Washington, some children often do not go home to a father; through the program they can come to a male officer and learn to become law abiding citizens. Councilman M. Daniels, why not take time to plan and workshop instead of pushing the program through so fast.

MOTION was moved by Councilman Washington; **AYE** by Councilman Washington, Mayor Gardner; **NAYE** by Vice Mayor R. Daniels, Councilwoman Randolph; **MOTION FAILS.**

Mayor Gardner motions for approval of Resolution 2022-43 Establishing a policy governing charitable donations made by the Mayor and Town Council; Ms. Williams asked that this item be tabled. **Mayor Gardner motions to table Resolution 2022-43 Establishing a policy governing charitable donations made by the Mayor and Town Council;** The motion was moved by Councilman M. Daniels; second by Councilman Washington; **AYE: ALL, MOTION PASSES.**

Mayor Gardner motions for approval of Process Control Services for Emergency Repairs to the Water Plant; Mr. English, spoke how the water plant experienced a couple of lightning strikes which called damage. **MOTION was moved** by Councilman Washington; second by Councilman M. Daniels with discussion.

Discussion: Councilman M. Daniels, do we have surge protectors and when was the last time the surge protectors and water tower have been checked? Mr. English, yes, we have surge protectors, and we do a daily check. We were struck twice within three weeks. Other municipalities have experienced that same, Winter Park. Councilman M. Daniels, have the insurance company been called? Mayor Gardner, we will contact the insurance. Vice Mayor Daniels, are there prevention or ways to withstand an incident as such? Mr. English, there are ground rods, but they were not effective enough to prevent the results of what we have experienced.

AYE: ALL, MOTION PASSES.

Mayor Gardner motions for approval to surplus two of the town's vehicles to Enterprise Fleet Management; Mr. English, two of the town's vehicles have been sitting for years; would like to get the best price. **MOTION** moved by Councilman Washington; **DIES FOR LACK OF SECOND.**

Mayor Gardner with the consensus of council brought forth discussion items from the previous workshop meeting at 5:30pm.

Town Boards – Mrs. King presented information for consideration and further discussion pertaining to the current vacancies and upcoming terms that will be ending soon. Residents are encouraged to consider serving on a board and council members are asked to identify potential candidates. The Historical Preservation Board received an application for possible appointment. Planning and Zoning information was provided as an additional handout; recommend sending letters to those individuals who terms will be ending soon. Councilwoman Randolph asked about consecutive terms; depending on the board, the code may not specify. The Historical Preservation Board does not allow for two consecutive three-year terms. Mayor Gardner requested for information on the School Board appointment to the board for the Planning and Zoning. Mrs. King will provide the requested information. Councilman M. Daniels is requesting that recommendations are made sixty days prior to a re-appoint and/or vacancy. Mrs. King added that the Nuisance Abatement board have yet to be activated; calls for six members in which two are appointments by the Mayor. A soliciting statement has also been provided for the pending newsletter. Also, for the Historical Preservation board, we are seeking for an architect, historian, realtor, urban planner, and an engineer/building construction.

Civic Plus-Municode Management Solutions – Mrs. King introduced the Agenda Meeting Management Solution to council as a resource for Eatonville; many municipalities are using this among other solutions offered. We are currently a client. This software application will advance the quality and efficiency of the clerk's office. I have been assessing the clerk's office and one of the challenges is having access to online files/documents and turning public record request in a faster response time. This solution is an operational tool that will allow us to become current, be on the cutting edge through better technology with better response time. It allows for cross-departmental engagement where departments and council members can submit agenda items through an online portal with support documents. It will take about 12 weeks to get up and running; Civic Plus staff will assist with uploads; possible archive not limited to 10 years. There are two invoices and recommendation are being made for the higher of the two. If we make the investment on the frontend, we will see the benefits of our investments.

INTERIM CHIEF ADMINISTRATIVE OFFICER:

Cathlene Williams: Welcome signs: Four signs have been installed. The Catalina Retention Cleanup: Cato Environmental services was unable to service the job due to the overgrowth. Mr. English is in the process of soliciting other companies; received one quote of about \$30,000. Fences have been repaired at the Denton Johnson Center, Park Place Tennis Courts, and behind the pool. Mulch at Catalina has been installed, also at Denton Johnson. The First Responder's Pay Out: Checks will be mailed this week. Lift Station on east/west was hit by lightning and damage was assessed on Saturday. It is functioning but working off the backup pump. One pump will have to be rebuilt or replace in the near future. The Unity of Eatonville Credit Union: ribbon cutting event is October 20th at 10am; council is invited, and information will be forthcoming. On October 22nd there will be a Gala Community event from 11am-3pm. Waste Connection: Had a meeting on August 17th to discuss the contract; the last rate adjustment was done in 2014. The current rate is \$21.00 to residents; the town is receiving \$4.63 in revenue per household. We are looking to amend the contract; a public meeting will be held. Commercial Meter: Mr. English received the master meter for the Lake Weston property on September 2. Dumpsters: In 3-4 weeks a letter will be sent to businesses reinforcing compliance with Ordinance 2006-5 that require dumpsters to be enclosed: we will start by ensuring that the Town's dumpster is enclosed.

LEGAL COUNSEL REPORT:

Attorney Clifford Shepard: The Wymore Property (Settlement) – Unofficially the settlement offer is \$17,000; if not accepted by council, the next step would be to litigate. Between today and the next meeting, we would like to speak with each Council member on details surrounding the settlement. Pass Through Ordinance: The Mayor

has authorized legal to bring before the council the Pass-Through Ordinance for a first reading. This ordinance allows for cost to be passed along to developers who come to the town to develop. It is a cost for doing business requiring a deposit to underwrite costs for resources from the town such as planning services, attorney services etc. Apopka, Maitland, and Winter Park are local municipalities who have adopted a Pass-Through Ordinance. This is a safeguard in the event a developer decides to walk away leaving the town with a big bill.

COUNCIL REPORTS:

Councilwoman Wanda Randolph – Community Gardens: recommending establishing a community garden on the strip of land located at Fords Ave and Perry; currently not being used. The Eaton Pointe Neighborhood Quad would like to use this land for this purpose. People can come together to do something wholesome in the community. Apopka has a community garden; most community gardens are located on city property. Can be for educational purpose for youth; learning how to grow crop, vegetables, and flowers; also, a means to assist others who do not have anything to eat. Welcome Center – Eatonville Chambers of Commerce has been in existence since 2017 and is positive for the community; member of both Visit Orlando and Visit Florida. They receive ongoing visits of people seeking information. It is a one stop shop and a great resource for information. The Chambers is recognized as one of the top (3) places to visit in Eatonville.

Councilman Marlin Daniels – I will be asking to repeal Ordinance 2021-4 because it is not consistent with the Charter. Founder's Day: I was not pleased with the way it was proposed; I always requested for a MOU to be required. It is not good that checks are bouncing. I received emails from vendors that are not happy; wanting to seek legal action. Monies were received for sponsorship on behalf of the town and the town did not receive it. We have to hold people accountable. Emergency Hire: We need to go ahead and hire; we need a CAO, Chief of Police, CRA Director. There are applications with qualified persons. Let's get the positions filled: council is not the hold up. It is on the Mayor to fill these positions outside of the Town Clerk, Town Attorney, and through confirmation the CAO. The Pool: The pool needs to be fixed. There is an individual willing to raise money for the pool; recommending we begin the discussion with him. Council Packages: I will be submitting a resolution to receive council packages earlier: we need the information at least a week in advance. Budget: I extend an invitation to attend the budget meeting. I will be looking at salaries and vacations; recommending payout to those with unused vacation time that has accrued beyond the standard. Flooding: Referring to the pictures on the screen, Mr. English when was the last time the drains have been checked? Mr. English, the drains were checked early last week; unable to get to the outfalls and I believe the outfalls are blocked. The outfalls are most critical for us. Lift Station: Referring to the video on the screen, the alarm on the lift station were going off the entire weekend. Mr. English, the lift stations are working; however, the alarm was going off falsely because of the lightning strike. Councilman M. Daniel, we have to get these areas corrected; this was an issue that the residents should have been notified through the robo call system.

Councilman Theo Washington – Welcome back Councilwoman Randolph. In response to the gentleman who spoke about the check; if the check bounced, they are not going to charge you a fee. Cashier checks were issued not checks. (Councilman M. Daniels, showed a copy of a check written from Mainstreet). Councilman Washington, I was told that cashier's checks were given not checks. Mainstreet has to deal with it, not the town.

Vice Mayor Rodney Daniels – To the attorney, I have asked from the Mayor an update on the back pay for Mr. Benderson; I have not seen anything in my email. Can I bring a motion to the floor? Attorney Shepard, I know nothing about the dispute whether money is owed or not owed; however, from a legal position, I cannot stop you from making a motion.

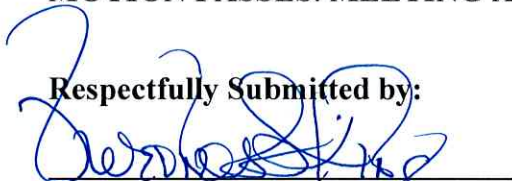
**Vice Mayor Daniels motions to pay Mr. Benderson his back pay not to exceed \$18,000 including.
MOTION DIES FOR LACK OF SECOND.**

To Ms. King, has Mr. English requested the minutes from the last council meeting so that he may respond to the questions I asked him? Ms. King, yes, he came to me the next morning/day and was told that the meeting had not been transcribed as of yet. I offered and emailed him the audio link the same day, which he could go back and review information needing his follow up. Councilman R. Daniels, Mr. English please respond to my questions; they are provided in my report. Council Workshop: I have requested for the workshop to take place on another day. I also asked for a resolution or ordinance on the trash, addressing the issue of people putting out their trash beyond the designate trash days. I loved the presentation on the Smart City, New Jersey, but I would like to see a presentation on our Water and Sewer addressing our old pipes and other issues. Founder's Day Cleanup: To Mr. English, who gave the authority for the town to use its staff and equipment to clean up for Founder's Day? In response, Mr. English stated that he gave the authority under the Mayor's direction.

Mayor Angie Gardner – Founder's Day: To do nothing is failure; to do something and make it better next time is success as far as I am concerned. There are things we need to clean up; a way to fix it is with policy. We have a full year to plan. Trash: the mailer can go out, but I believe it is not enough. The Code Enforcement Ordinance previously presented to council; is pending council feedback. The ordinance will allow for a magistrate in which fines can be assessed and attached the property when out of compliance. Mr. Fernander: he did come by and speak with the Executive Assistant; he presented the check, so I knew the check had bounced. I contacted the Director of Mainstreet, and he explained as to what happened. With all the things that has happened, we did ok. It is not enough to stop trying to get it right. We fix, we strengthen, and we move forward. It was an official check that was written; a hold was placed on the official check which led to this happenstance. Chief of Police and CRA position: someone for the CRA Director's position may come forward soon; as soon as the next meeting on the 3rd Tuesday. Explorer Officer: We prevent; we put the money where it will give the best return.

ADJOURNMENT: Motion by Mayor Gardner to adjourn, moved by Councilman Washington; **AYE: ALL, MOTION PASSES. MEETING ADJOURNED** at: 9:16PM.

Respectfully Submitted by:


Veronica L King, Town Clerk

APPROVED


Angie Gardner, Mayor