



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING

MEETING MINUTES

Tuesday, October 15, 2024, at 7:30 PM

Town Hall – 307 E. Kennedy Boulevard. 32751

SPECIAL NOTICE: These meeting minutes are presented in an abbreviated format intended as a public record discussion of stated meeting according to the Florida's Government-in-the-Sunshine law. Meetings are opened to the public, noticed within reasonable advance notice, and transcribed into minutes for public record. ***Audio Recording are available through the Town's website on the Council Agenda Page.*

CALL TO ORDER AND VERIFICATION OF QUORUM:

Mayor Gardner called the meeting to order at 7:30 p.m. and a quorum was established by Mrs. King

PRESENT: (5), Mayor Angie Gardner, Vice Mayor Theo Washington, Councilman Rodney Daniels, Councilwoman Wanda Randolph, Councilman Tarus Mack

STAFF: (7) Demetrius Pressley, **Chief Administrator Officer**, Veronica King, **Town Clerk**, Clifford Shepard, **Town Attorney**, Officer Hernandez, **EPD**, Cobbin McGee, **Planning**, Katrina Gibson, **Finance Director**, Baruti Abdallah-Nosakhere, **Code Enforcement**

INVOCATION AND PLEDGE OF ALLEGIANCE:

Rev. Critton led the Invocation followed by the Pledge of Allegiance

APPROVAL OF THE AGENDA: Mayor Gardner Motions to **APPROVE** the meeting agenda with amendment moving the (Item #1) the budget adjustment for advertised job position down to council decision; **Moved by** Councilman Daniels; **Second by** Councilwoman Randolph; **AYE: ALL, MOTION PASSES.**

CITIZEN PARTICIPATION – (0)

PUBLIC HEARING

Approval of Second Reading of Ordinance 2024-7 – Approval of Ordinance on Camping on Public Property and Right of Way in the Town of Eatonville (Preamble Read by Town Clerk)

Public Comments: None.

Mayor Gardner Motions to **APPROVE** Second Reading of Ordinance 2024-7 – Approval of Ordinance on Camping on Public Property and Right of Way in the Town of Eatonville; **Moved by** Councilman Mack; **Second by** Councilwoman Randolph; **AYE: ALL, MOTION PASSES.** **Council Comments:** None.

Approval of First Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers (Preamble Read by Town Clerk)

Public Comments: Angela Johnson - Asked, if this allows staff to make a unilateral determination and waive the requirements of what is currently in the code (Yes), how do we ensure that there is no preferential treatment? (Referencing back to Public Comments) encourage council to look at that budget amendment, it looks like a request of an hourly rate from about \$16.00 up to \$34.00.

Mayor Gardner Motions to **APPROVE** First Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers; **Moved by** Mayor Gardner; **Second by** Vice Mayor Washington with questions; **Comments:** (Pressley) This ordinance originated from code enforcement noticing that there were certain enclosures that needed some changes. The current ordinance did not provide flexibility to make adjustment based off one's spacing and

likeability of what happens and if it required it. Legal have made changes to allow for flexibility not to stop the enclosure, but to make sure the right method was used for the enclosure. This gives staff the option to make decisions out in the field on how to get that enclosure (not a decision on whether it should have one or not). (Cobbin) The required metrics will be based on the determination of the service provider, whoever the town is contracted at that time, based on their capabilities, the size of their trucks, the overhead and back up clearance needed, we may change service providers from time to time. Currently there is no flexibility. The proposed ordinance will give the needed flexibility to make decisions based on the site. (Legal) the waiver section says that the planning director or their designee shall possess the authority to waive the enclosure requirements provided in subsection A and to approve an alternate enclosure design. It is an alternate design due to the unique physical layout of the property, compliance with enclosure requirements would result in significant increase in non-conformity with existing site conditions. The waiver shall only be granted after a thorough review of specific circumstances and if the termination of the proposed waiver does not adversely impact on the overall aesthetics, health, safety, and welfare of the community. The standards include a submittal in writing, accompanied by a nonrefundable waiver fee. In evaluating the request, the planning director, or designee must consider the following factors, the extent to which the property's layout makes it difficult or impractical to comply with the enclosure requirements, the potential impact of the waiver on existing zoning regulations, land use plans, and other site conditions, the potential effects of the waiver on the aesthetics, health, safety, and welfare of the community, and the availability and feasibility of alternative methods for managing waste that would comply with the enclosure requirements. (Washington) have observed cracking sidewalks, invasion of people's property, trucks come in and dips down on the property, there infrastructure damage to the property. If someone does not meet the criteria, remove the dumpster, and get them roll away, if someone does not have the enclosure, do not give them a dumpster. (Randolph) dumpsters along Kennedy are an eye soar, if someone does not have the property or space, they can get the equivalent to a residential roll away charged at a commercial rate. (Daniels) how does administration allow dumpsters on the front street, administration should not allow a dumpster on the front street, what is going to be done about that, those businesses who already have them. (Mack) not in favor of dumpsters being placed on the front street (Kennedy Boulevard), it is not a good look for the community. (Washington) the heavy trucks are causing infrastructure damage on the grounds; some have cracked water pipes. (Pressley) this ordinance is needed to assist with code enforcement, having the ability to enforce those who do not want to comply. (Randolph) must have standards, do not allow business owners to create their own standards. (Gardner) Not every container is on the main streets, the ordinance will address all violations, those on and not on the main street? This ordinance is the best option based on legal, staff the team's review, and from haulers and other communities, the amendments will make sure staff can enforce and address situation, (Cobbin) do not have the authority by the present code to give the roll aways to businesses, code says commercial sites shall have 12 by 12 concrete paved with 6 foot concrete walls, there are no options, (Baruti) since October 2023, the code board decided to table the code cases specific to enclosures because the town hall did not have an enclosure on its dumpster, the town have the design already laid out for the enclosure to be built per the code, the town needs to come into compliance, (Gardner) request for the language to state that the administrator or designee will designate. (Baruti) asked the council to be mindful that if the ordinance does not pass and once the town gets its dumpster enclosure in place at the town hall, the code board is going to proceed forward with the code as it is and everyone will be required to follow the code if we do not make way for other options. The current code does not allow us to look at any other options. **Mayor Gardner Calls for the question;** **AYE:** Mayor Angie Gardner, Councilman Rodney Daniels, Councilwoman Wanda Randolph, Councilman Tarus Mack **NAYE:** Vice Mayor Theo Washington, **MOTION PASSES.**

CONSENT AGENDA

Mayor Gardner Motions to **APPROVE** the Consent Agenda (Item #2 Only), approval of the Updated Policy and Procedures CDBG-MIT; **Moved by** Councilman Daniels; **Second by** Councilman Mack; **AYE: ALL, MOTION PASSES.** **Notes:** Item #1 (Budget Adjustment for Advertised Job Position) was moved to Council decisions during the agenda approval.

COUNCIL DECISIONS:

Approval of Budget Adjustment for Advertised Job Position: **Mayor Gardner Motions to APPROVE**
Approval of Budget Adjustment for Advertised Job Position with amending salary to \$27,965.60; **Moved by** Councilman Mack; **Second by** Councilman Washington; **Comments:** The interviewing process has started and did not want to offer anyone the job position when our budget is not consistent with the salary range that has been advertised, potentially that would look like false advertisement. The request is to ensure that the budget is consistent with the advertised salary range for the position, the position hours are 1040 not 26 hours, adjustments are needed to reflect the 1040 hours at (\$14.87 up to \$26.89 per hour). As stated on the cover sheet, upon selection of a qualified candidate to be considered, offers will be varied based upon education, experience, and their skills beneficial to the records coordinating position, the requested budget adjustment is to ensure that the budget and the salary is consistent, this is a part-time position with no vacation at 1040 hours (about 20 hours a week). As a matter of policy, nobody should advertise a position with a range of salary where the money is not allocated to the top end of the salary range, it is asked that we correct the wrong before there is an offer made. **Mayor Gardner calls for the question; AYE: ALL, MOTION PASSES.**

REPORTS:

CHIEF ADMINISTRATIVE OFFICER: Demetrius Pressley – (Hurricane Milton) had 283 residents out of power, all has been restored, all lift stations were in operation, generators were working, the old lift station (Vereen Lift Station) will need modifications, and Ms. Mundy is handling that, all town facilities were secured, do have roof leaks being addressed, the damage total assessed is about \$265,000 and has been submitted to the count, it has been declared by the president that there is a 100 percent reimbursement (90 days starting from October 5th), have to follow the procedures for reimbursement, there were free drone shots made of the town after the storm (Company, Axon), the stormwater system did what was expected, with the amount of there were no major flooding due to the preventive efforts made by the Public Works Department (special thanks); met with Orange County about the West Kennedy Boulevard project pressing the issue of connectivity, went over the bus stops, there will be rectangular rapid flashing beacons at certain points, there will be continuous study at Campus View for a light, working with Inscribe's developers agreement to address a traffic study at that location, looking to procure the first phase in February, will take between four to six months which is starting in the county up until Kingston is what they'll be working on for the first phase of West Kennedy, looking to get some sidewalks and working on the landscaping layouts for these projects in the second phase; met the Florida Real Water Association to discuss challenges with that rate study, may need to redo the rate structure for the utility department to ensure proper scales, looking to bring to the first meeting in November once the best case scenario for the water and sewer rate study for is identified, may have to call a special meeting because we have timelines to get the SRF; early voting starts on 21st (October), election day is the 5th (November), the Stakeholders and first meeting in November will be at the Denton Johnson Center; recommend having the Club Eaton discussions at the Stakeholders meeting; the Edmonds integration system is almost complete, will aloe for better file maintenance from permitting and utilities; copies of three contract for solid waste are available for council review, looking at new dates for the committee to meet (due to cancellation because of the storm),

ATTORNEY: Clifford Shepard – No new lawsuits; made settlement proposal for the existing lawsuit with UP Development and pending a response; drafted the purchase lease agreement for the school board, emailed the Mayor and Mr. Pressley, a shade meeting was held today to the pending litigation with PEC to discuss options, insurance provision was added to the agreement, suggest council read the agreement to best advocate for the town, need the property because of what it means for the future of the town, the agreement gives a five year lease at a dollar a year, after year two it can be purchase at any time for a dollar, for a maximum investment of three dollars if needed, the town can own what is left of the Hungerford property, will have to settle loss with the school board in how the property will be managed and what the plans will be for bringing tax revenue to the town;

TOWN CLERK – Veronica King – No Report

TOWN COUNCIL REPORTS -

Councilman Tarus Mack – Inquired about the HostDime Agreement (Pressley - pending a call from Mr. Manning to discuss amendments to certain provisions); acknowledged that Waste Connection is doing a better job with the trash (have not received phone calls); acknowledged public works and staff for a good job during the hurricane; prayers for those who are experiencing death; congratulations to Edgewater High School for becoming district champs; expressed importance in voting.

Councilwoman Wanda Randolph – Acknowledged staff for a good job with the hurricane; residents are having problems with water in Cataline Park (will get addresses to Mr. Pressley for follow up from public works); inquired about an update on the town's logo (Pressley – on agenda for November, working with legal to address); inquired about a proposal for the Zora Neale Hurston Festival (Pressley – nothing has been submitted, there are outstanding bills, due to unfulfilled agreement, the expectations for a potential agreement are that all bills for services will have to be paid upfront); requested an update on night market (Pressley – assessing what special events will look like to include associated fees, staff is putting something together for all special events for consistency, the pilot program (for night market) was to provide an opportunity, because there was no structure in place and to see where it goes, looking at what is going to be in the best interest for all special events).

Councilman Rodney Daniels – Request an email providing a list of vendors on persons or companies that can be trusted, status on the lift station on Eaton (alarm went off during storm and residents experienced flooding); acknowledged Ms. Mundy for the grants and plans that are in place, request an update on the infrastructure cut off valves and piping replacement and camping on campus in Eatonville, also want an update on the a resident who is interested in a lot next to his home (Pressley – it is being worked on and will send over a response); inquired to legal the name of person (lawyer) we are settling with; are pilot programs required to have insurance (Pressley – must have liability insurance and a bond)

Vice Mayor Theo Washington – expressed concerns of having the money but procrastinating on getting this done; acknowledged the passing of Rudolph Jones; inquired about permitting waivers (Pressley – with declarations, the flexibility is there to do waivers, there is the public assistance side that can assist residents that need assistance, disaster.com is the website); spoke about Waste Connection, was doing good services for the town, when change happens, the town have to adapt to the new changes (the issue is with the amount of trash that are able to pick up), encouraged everyone to go vote; something needs to be done about the dumpster on the side of the road (collecting fees); need special events, it is a part of rentals and there should already be policies in place (rental agreements of the community), do not make laws that make it hard for people to come to Eatonville to do things.

MAYOR'S REPORT - Mayor Angie Gardner – Recognized Ms. Gragg for the things she does, she put a nice light on the town through social media; City of Orlando had their State of Downtown, it was refreshing to see some of the same ideas being presented to the town by Ms. Mundy such as the resiliency hub (sustainability for the town), redoing the Denton Johnson area; prayers to Dr. Johnson and her family and to other families; customer service has to improve and expect the service level to be same in every instance, expediting permits now due to storm damage would be important; commendable job to everyone for efforts before, during, and after the storm; to Vice Mayor, apologized for rushing a vote earlier because input is important and taken serious. (Vice Mayor Washington – if the water bills is due on a day that the town is not opened, asked that people are not penalized, due date should be on the Monday after due date.); Councilwoman Randolph – there will be a rally on the 26th (October) between the hours of 10am and 2pm for the upcoming election, it is a non-partisan event to be held at the Unity Credit Union parking lot (in Eatonville), the Chambers along with Macedonia Missionary Baptist Church will be providing voter information and awareness.

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; **Moved** by Councilman Mack;
Second by Vice Mayor Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 9:17pm.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor