



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MEETING MINUTES

Tuesday, December 19, 2023, at 7:30 PM

Town Hall (Council Chamber) - 307 E Kennedy Blvd. 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 through roll call by Mrs. Veronica King

PRESENT: (4) Councilman M. Daniels, Councilman Marlin Daniels, Councilman Theo Washington, Vice Mayor Rodney Daniels, Mayor Angie Gardner. (**Absent:** Councilwoman Wanda Randolph-due to death in family)

STAFF: (5) Demetrius Pressley (By Zoom), **Chief Administrator Officer**, Veronica King, **Town Clerk**, Clifford Shepard, **Town Attorney**, Joshua Perez, **EPD Officer**, Valerie Mundy, **Public Works**

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

APPROVAL OF THE AGENDA:

Mayor Gardner Motions to move item #2 (Zora Festival Agreement – note: there is an amendment to the Zora agreement in the increments of payments to Law Enforcement) from Consent Agenda to Council Decision; **Moved** by Vice Mayor R. Daniels; **Second** by Councilman M. Daniels; **AYE:** Councilman Marlin Daniels, Councilman Theo Washington, Vice Mayor Rodney Daniels **NAYE:** Mayor Angie Gardner; **MOTION PASSES.**

Mayor Gardner Motions to approve meeting agenda with amended changes; **Moved** by Councilman M. Daniels; **Second** by Vice Mayor R. Daniels; **AYE: ALL, MOTION PASSES.**

CITIZEN PARTICIPATION - (1)

Ryan Novak - Observed members of law enforcement observing eight illegal parking infractions, twelve rolling stop sign infractions, and 21 speeding infractions (averaging 33 miles per hour); leaders should set the pace for laws wanting to be enforced (referencing agenda item, wanting to bring speeding cameras into the community); the police force would like speeding cameras to catch its citizens speeding, though the members of law enforcement 21 times sped 12 times rolled stop signs and eight times parked illegally.

APPROVAL CONSENT AGENDA: (For Items #1 Only) Mayor Gardner Motions to approve Consent Agenda Approving Approval of Town Council Meeting Minutes (-Monday August 28. 2023, 7:00 p.m. (Special Council Mtg., Thursday, September 7, 2023, 5:30 p.m. (Charter Review), Tuesday, October 3, 2023, 7:30 p.m. (Council Mtg.), Tuesday, October 17, 2023, 7:30 p.m. (Council Mtg.), Tuesday, November 7, 2023, 7:30 p.m. (Council Mtg.), Tuesday, November 21, 2023, 7:30 p.m. (Council Mtg.), Tuesday, December 5, 2023, 7:30 p.m. (Council Mtg.); **Moved** by Councilman Washington; **Second** by Councilman M. Daniels; **AYE: ALL, MOTION PASSES**

COUNCIL DECISIONS:

Mayor Gardner Motions the Approval of Zora Festival 2023 Agreement Between Town of Eatonville and Association to Preserve the Eatonville Community, Inc. **Moved by** Councilman Washington; **Second by** Councilman M. Daniels with discussion; **(Discussions)** Agreement has been review by Mr. Pressley and Attorney Knight; event stage has been moved closer to town hall; MOT application has been submitted, the barricades have been quoted out and pending payment; the \$22,000 is the total amount for public safety (previously fifty percent was paid by January 22nd and the remaining by February 9th), Ms. Nathiri sent over a request for these same arrangements; inquired as to if PEC was late paying officers in 2023. (NY Nathiri) Payment was late in 2022 but not in 2023; first payment was on time and second payment was delayed in 2023; Mr. Clayton issued a check to P. E. C. in which the check was turned over to the Town of Eatonville. Ms. Gibson (Finance) had to return the check to P. E. C. so that payment could be made and negotiated; Councilman M. Daniels ask not to wait until January 22nd to notify all residents and businesses of road closures and noise; (Nathiri) have been working closely with the town administration and the police department, signage goes up in four places at the first of the year to include West Kennedy; with previous administrations, signage are placed after the Martin Luther King Day Parade. (Councilman Washington) would like to look into putting up signage before the parade that will inform about both the parade and the Zora Festival; (Councilman M. Daniels) would also like to see door hangers that provide information on road closures and information on tickets for residents. Mr. Pressley will work with Ms. Nathiri to make sure proper messaging goes out. **Mayor Gardner calls for the question** to approve of Zora Festival 2023 Agreement Between Town of Eatonville and Association to Preserve the Eatonville Community, Inc.; **AYE: ALL, MOTION PASSES.**

Mayor Gardner Motions Approval of Resolution 2023-26 Appointing Chair of the Town of Eatonville Community Redevelopment Agency (TOECRA), **Preamble Read;** **(Discussions)** Chair Gardner would like to continue and excited about the project ideas and opportunities presented, now having a director will help to further along the ideas as the board sees fit. (Councilman Washington) recommend tabling item since there is not a full CRA board; (Shepard) the bylaws state to pick a chair by the last meeting in December. **Mayor Gardner Motions** Approval of Resolution 2023-26 appointing Chair Angie Gardner to continue as chair of the Town of Eatonville Community Redevelopment Agency (TOECRA); **Moved by** Councilman Washington; **second by** Mayor Gardner; **AYE:** Councilman Washington, Mayor Gardner **NAYE:** Councilman M. Daniels, Vice Mayor R. Daniels, **MOTION FAILS** (Cannot pass without three votes).

Vice Mayor R. Daniels nominates Councilman M. Daniels as chair of the Town of Eatonville Community Redevelopment Agency (TOECRA); **Mayor Gardner Motions** Approval of Resolution 2023-26 appointing Councilman Marlin Daniels as chair of the Town of Eatonville Community Redevelopment Agency (TOECRA); **Moved by** Vice Mayor R. Daniels; **Second by** Councilman M. Daniels; **AYE:** Councilman M. Daniels, Vice Mayor R. Daniels **NAYE:** Councilman Washington, Mayor Gardner, **MOTION FAILS** (Cannot pass without three votes). **Question:** Will this item come back again, it is going to have to come back, Council is not the enforcers of the bylaws, if it comes back in January, it ends up in January.

Mayor Gardner Motions Approval of Resolution 2023-27 Appointing Vice Chair of the Town of Eatonville Community Redevelopment Agency (TOECRA), **Preamble Read;** Vice Mayor R. Daniels nominated Councilwoman Randolph to be considered as vice chair of the Town of Eatonville Community Redevelopment Agency (TOECRA); **Moved by** Vice Mayor R. Daniels; **Second by** Councilman M. Daniels; **AYE:** Councilman M. Daniels, Vice Mayor R. Daniels **NAYE:** Councilman Washington, Mayor Gardner, **MOTION FAILS** (Cannot pass without three votes).

Mayor Gardner Motions Approval of the HostDime Project Agreement with Amendment #1 and Allocating Funds for Reimbursement of Utilities and Right-Of-Way Infrastructure Improvement; Moved by Councilman Washington; **Second** by Vice Mayor R. Daniels; **Questions/Discussions:** Understanding that this is like a continuation to the original agreement, can the old agreement not be closed out; (Legal) the questions/issues raised are about a payment of \$200,000, where will the payment come from (whether the CRA or the town council), the reason it is coming from the town's budget, because that is what is party to the agreement, and is HostDime still entitled to the \$200,000 according to the language of the development agreement that has a start date and an end date with no extension by council; HostDime is in default; this is a reimbursement agreement in which HostDime have to show expenditures up to \$200,000, proof was provided and the threshold has been met; council have the discretion to determine with any contract, whether the party benefited by obligation (which does not appear), council have the right to choose which way to go in accordance to the prepared amendment option requested by council, the harsh penalties that are of dubious enforceability to include taking over the project; to move forward dates will need to be determined and instructions as to whether to issue payment; there is ongoing discussions about providing town wide internet; Gigapower is looking at different options including wireless. (Pressley) The understanding from council was to present the amendment, Mr. Manny (HostDime) presented the start of operation date of June 24,2024, the payment discussed would go out by December 31st if all reimbursement receipts and invoices are provided to the staff. (Vice Mayor R. Daniels) stated that the internet was not a part of the overall agreement being approved. (Councilman Washington) The internet was a part of the sale pitch to ensure HostDime would be giving something to the town. (Councilman M. Daniels) the signal is there but the homeowner must have a router, there has been discussion on acquiring a grant that can provide routers to the homes. (Mundy) Gigapower is a for profit corporation who has a joint venture between AT& T and BlackRock. Their objective is not to be the vehicle for the free Wi-Fi. It is understood that HostDime is attempting to identify locations around town to broadcast Wi-Fi for free. It will be a lower grade signal. Gigapower is attempting to do a superior high speed 5G internet. The two are not the same. Manny (HostDime) is attempting to broadcast from either the top of his building and from different locations. (Mayor Gardner) The agreement was done in 2016 and do not know if the need is the same, the project was to be finished by the end of December. The amendment is extending it now to June. If the Wi-Fi and the linkage fee is a problem, what is it that the citizens are getting; the agreement should reflect what the citizens are getting in writing; (Pressley) provided clarity on the two copies of agreement for review, one with the information adding the internet into the amendment and the other resulting from discussion with the attorney. The copy you have is being recommended to proceed forward, because of all of the underlining things for the internet portion to be fulfilled, it did not need to be added into the amended agreement; (Shepard) whether by amendment or by a separate contract, the agreement has to show consideration, the town giving \$200,000 and HostDime providing free Wi-Fi signal at some level, both sides would be giving something. The factors were met for the \$200,000 reimbursement, but not done timely. This is a discretionary decision for the council to decide what they want and what they would like to do. (Gardner) Where is the good faith effort, there are skills in that building that can help some of the citizens, should not cost anything to do an internship for six months a year. (Councilman M. Daniels) when was linkage fee passed and what has been collected; you cannot allow a building to be built and later request for fees to be paid; agree with internship but it is not in the agreement. (Shepard) This agreement closes out the contract that deals with a start and finish date, and the \$200,000. The linkage fee ordinance does not apply to this project because it is not affordable housing. **Mayor Gardner calls for the question** **AYE:** Councilman M. Daniels, Vice Mayor R. Daniels **NAYE:** Councilman Washington, Mayor Gardner, **MOTION FAILS** (Cannot pass without three votes).

REPORTS:

ATTORNEY: Clifford Shepard – had discussed with attorney (Ms. Anderson) for the Southern Property Law Center representing P.E.C. in the lawsuit against the school board, need to determine what needs to be communicated to Orange County Public School (OCPS) for the donation of the land in return for dismissing

the lawsuit. As told by Ms. Anderson, they want the school to follow the statutory process for the transfer and for the school board to work with the town through the auspices of the lawsuit to ensure once and for all, that the deed restriction issue be resolved from a title perspective. Currently working on a memo that details the reasons the school board has the authority to donate the property to another government entity; they can seek an attorney general's opinion; currently pending a response from the OCPS's attorney. Hoping to interview the three professors that were quoted in the newspaper article. Will present the town's legal opinion along with the other vetted sources to the school boards to see if the general council representing the school board will change their position or seek the attorney general's office. (Mayor Gardner) wants the one hundred acres plus the seventeen acres where the library sits, wants all of it.

CHIEF ADMINISTRATIVE OFFICER: Demetrius Pressley – UPDATES – Projects: Christmas on the Boulevard is coming from recreations with the Hungerford Elementary chorus. Thanks to Mrs. King for efforts with the Chambers upgrades, everything is working good. Appreciate the hard work efforts from staff in continuing to provide services for the town of Eatonville. A report will be sent with updates to the Code Enforcement Officer. Also, will follow up with HostDime to see what items can be offered to hopefully to come to a final decision. (Attorney) In P.E.C. dropping its lawsuit with O.C.P.S. P.E.C., they want to have discussions with the town's leadership about what type of ownership would we take; they strongly favor a community trust by which they would have some representation on the community trust board. (M. Daniels) trash pickup did not happen; Pressley spoke with the public works assistant who is checking into this matter. (Mundy) providing updates on projects including the valve program, executing the West Water Tower, (elevated water tower interior and exterior maintenance-major project), the end-product will be a completed painted elevated storage tank, sandblasted on the interior, will be drained first and addressing fire flow and hydrant testing, (will start after the Zora Festival). The valve assessment and training program is being executed (postponed to the first week in January), finalizing agreement, valves are being identified both in person by the GIS system, Hydromax has the equipment to determine each valve and how many turns they take, training staff to properly use the valves, each crew member will no valve location, whether they are open or closed, some will require replacement; continuing work on the Catherine ditch, have done some clearing out. The closeout for the consent order is imminent (2-3 weeks), have proposed generator relocation project as an in-kind activity. Having generators at each lift station that are operable will mitigate any problem with water quality, waste back up getting into the soil; the public safety building is fully covered with changing out the police generator in the event of an outage. The safe sidewalk project, is within the sixty percent phase, planning to go out to bid in May, will get with staff to coordinate a public engagement meeting, going to have a beacon (at College and Kennedy intersection); working on the Catalina improvements (Francis Jerry Park), problematic sidewalks, electrical concerns, to include funding for improvements to the lake, the water quality, with a engineering study, want to ensure habitat restoration, increase useable shoreline, and increase angler access to the lake, attempting to find funding with Lake King as a targeted area in combination with F.D.L.E. Grant. Other: getting control on the fiber optics contractors, received a \$17,000 check, to cover loss of water, there is a bill with Duke Energy, want to ensure they pay upfront without going through a claim (to cover overtime for the police and public works department) for about \$75,000. Certain impacts were the responsibility of the town at \$5,000 for the October 31st event. The Catalina dock is closed and working with the contractor to get prices. Pertaining to the light issue raised by Vice Mayor Daniels, will work on this with the electrician to do some discovery, there are several panels to research.

TOWN COUNCIL REPORT/DISCUSSION ITEMS-

Councilman Theo Washington – Need to be proactive with what we want there on the school board property with pictures and renderings, green space, amphitheater; need address Catalina Park and Lake Bell, there are no places for the residents (no amenities, recreation, fishing).

Vice Mayor Rodney Daniels – Request the total cost for legal on the HostDime project, thanks to Mrs. King for the Chamber upgrades.

Councilman Marlin Daniels – Reflect on people in crisis, take time to love on people and forgive. Reach out if there is anyone on council or volunteers who would like to assist with the Veteran Expo; request an update on the street lighting; for the MLK Parade asking for the same standard that was asked of the Zora Festival, need to communicate about road closures and times and not wait into the last minute; would like to revisit the possibility of a town app to better communicate notifications and emergencies, need to update the robo call list (people have not been getting the communications).

TOWN CLERK: Veronica King - The next meeting, will be January the 2nd, the day after the New Year holiday, agenda items are due this Friday, the packet will go out on the 26th, the day after Christmas, bringing that to the council’s attention to cancel or reschedule, **Mayor Gardner Motions** to cancel the January 2nd, **Moved** by Vice Mayor R. Daniels; **Second** by Councilman Washington; **AYE: ALL, MOTION PASSES.**

(Additional Updates): The chamber upgrades will require some painting and the next phase is getting speakers in the ceilings, hoping to get it done before finishing the AC project, there is a new podium, to be assembled hopefully by the next meeting, the goal is to replace the chairs and the wooden gavel; have started the project for the workstation for the volunteers and part time workers; looking to start the next project pertaining to the record’s room. (Gardner) bring to the next workshop information on the town wide communication app that was previously presented.

MAYOR’S REPORT

Mayor Angie Gardner – Thanks to Mr. McGee for annual staff Christmas party,

Thanks to Mr. McGee for the annual staff Christmas party held at his wife’s restaurant (Shantell’s), December 21, 2023, is Christmas on the Boulevard will feature the Hungerford students and their Christmas program around 5:30 p.m. to include local entertainment; Inquired about the fallen sign on the corner of Wymore and Kennedy Boulevard; Ms. Mundy will address the sign. The next Community Meeting is January 4, 2024, to inform the community about grants and updates mentioned by Ms. Mundy. Excited to learn about the upgrades to Catalina Park and about other projects around town. Keep Councilwoman Randolph and her family in prayer.

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilman M. Daniels; Second by Councilman Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 8:55 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor