



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MEETING MINUTES

Tuesday, January 16, 2024, 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 by Mrs. Nicole Washington (Assisting the Clerk's Office)

PRESENT: (5) Councilwoman Wanda Randolph, Councilman M. Daniels, Councilman Marlin Daniels, Councilman Theo Washington, Vice Mayor Rodney Daniels, Mayor Angie Gardner.

STAFF: (5) Demetrius Pressley, **Chief Administrator Officer**, Nicole Washington, **Standing in for the Town Clerk**, Clifford Shepard, **Town Attorney**, Stanley Murray, **EPD Chief**, Valerie Mundy, **Public Works**, Cobbin McGee, **Planner**,

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 (Approval of Settlement Offer to the Town of Eatonville From Florida Municipal Insurance Trust – FMIT- For Damages Related to Hurricane Irma And Ian. from Consent Agenda to Council Decision, **Moved** by Vice Mayor R. Daniels; **Second** by Councilwoman Randolph; **AYE: ALL, MOTION PASSES.**

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

CITIZEN PARTICIPATION - (1)

Angela Johnson – HostDime: In agreement with the amendment number one with allocating the payment of \$200,000 to HostDime, are there any concessions in writing? Ekos at Lake Shadows: when will Ekos begin and residents move in, when will information go out to residents, is there a qualifying document for those interested, there is assistance needed for the residents, there is misinformation that the apartments are Section 8, need to educate the residents. AT & T Wireless: has been appealing to residents in Catlina Park to attract twelve residents for a pilot program, it would have been beneficial if information had been provided to the residents. Communication: have some concerns and would like to see data (text message notifications) to help in moving forward, how many residents are still using landlines for the robo calls?

APPROVAL CONSENT AGENDA: (For Items #1 Only) Mayor Gardner Motions to approve Consent Agenda Approving of Town Council Meeting Minutes for August 1, 2023, 7:30 p.m. **Moved** by Councilman M. Daniels; **Second** by Councilman Washington; **AYE: ALL, MOTION PASSES**

COUNCIL DECISIONS: (Moved item #2 from Consent Agenda to Council Decision)

Mayor Gardner Motions for Approval of Settlement Offer to the Town of Eatonville From Florida Municipal Insurance Trust (FMIT) For Damages Related to Hurricane Irma And Ian. Introduction (Legal): Have a settlement proposal for two existing hurricane damage claims that are outstanding from various buildings in the town. The Mayor, Mr. Pressley and another party met with the attorneys retained by the town to pursue the claims. There were discussions via email to determine a proposed settlement in approximately the \$200,000 range. Further discussion led to a \$300,000 level which was agreed upon. Approval of the Council would be the next step. This is a straightforward deal, if agreed to the amount, then legal will review releases, from the insurance company and the town (mutual releases). If all is in order and the town receives the money, then the Cohen Law Group will file a dismissal with prejudice. There will not be a settlement agreement; the mutual release, the money, and dismissal of prejudice will be the documents that make up the settlement. When the parties get together, settle a claim, and all agree on the terms, exchange the funds, and exchange the releases, then the case is over. (Pressley) Funds will go into reserve until the new inflation on materials, services, labor and determination on what can be done with the funds that have been allotted from the settlement. Research is ongoing and what was submitted was the town hall, the roof and, different areas, that is what was found by the previous administration. (Randolph) Need to ensure the town is getting its fair share when considering all damages and costs. (Pressley) The claims (\$700,000) were originally denied due to overdue maintenance not done on the facilities; there was no way to verify whether the damage came from the storms or if damage was pre-existing. (Sheppard) If settlement is not accepted, it will have to be litigated. Do not want to damage the case. It is alleged that there may be difficulty proving what is hurricane damage and damage due to improper or uncomplete maintenance. There are legal fees, fees of the independent firm (Cohen Law Firm), and then the remainder goes to the town. There was no record of regular maintenance prior to current staff. Standard operating procedures are being created moving forward to keep up with records. The settlement covers both the 2017 and 2022 storm. (M. Daniels) Request for the Cohen Law Group Agreement. Both Mr. Pressley and Mr. Shepard believe this is the best option (\$238,000) considering contingencies surrounding further litigations, facing a jury, contending with cross examination, and with an uncap increase in fees. To bank the money, find another place, identify grants needed to assist is a good decision and justifiable. Received \$119,000 back in October from FEMA which is separate from this offer. **Mayor restates the motion; Moved by Councilwoman Randolph; Second by Councilman Washington; AYE: ALL, MOTION PASSES.**

Mayor Gardner Motions for Approval of the HostDime Project Agreement with Amendment #1 and Allocating Funds for Reimbursement of Utilities and Right-Of-Way Infrastructure Improvement; Introduction: Is the same agreement presented previously. Met with the developers and they brought back no additional concessions, they asked to bring agreement back before Council for a decision. (Gardner) wants to reiterate discussion with the owner that he would be willing to go into an agreement that allows for certain provisions for the community and its residents. (Pressley) The owner feels he has worked with the town and would like to proceed forward as is. There are no provisions in writing for the citizens. **Mayor restates the motion; Moved by Councilwoman Randolph; Second by Vice Mayor R. Daniels; AYE: Councilwoman Randolph, Councilman M. Daniels, Vice Mayor R. Daniels; NAYE: Councilman Washington, Mayor Gardner, MOTION PASSES.**

REPORTS:

CHIEF ADMINISTRATIVE OFFICER: Demetrius Pressley – UPDATES – African American Museum - African American Task Force has a potential opportunity for the Orange County, Eatonville, bringing the state African American Museum to Eatonville, reached out to Senator Thompson for information, information was presented to Council. An RFP, with criteria is being created, there are letters of support from the county mayor, and pending letters of support from others for the Orange County Council and different commissioners, as well

as the school board supporting the museum coming to Eatonville and working to ensure the land is back in Eatonville. As more information becomes available, we will make it known to the council and the community. Pool Update - the pool has started renovations being done by All Seasons Pool, who is donating the services to the Town, will have a new deck, a new coating of the pool, as well as a new fence layout. Mr. Washington connected with the health department to make sure improvements meet the standard for approval, everything being done will meet the standards. Reached out to a recycling company that will remove all concrete at no charge to the town. A landscaping company reached out to donate landscaping. Budget Updates - the 2023 audit has begun and the team is working with the auditors to get that ready. On pace to have information by the beginning or middle of March. In compliance with the timeframes to submit. Finance is working hard. There was initial and additional information that had to be submitted to the auditors. Staff will get all the information regarding the budget updates. IT Update - is underway and the assessment has been done, they have worked with staff and will present a report to be shared with the council. Will not be renewing services with the current IT services contractor and will be seeking a new service provider for the town. Community Meetings - there were community meetings that took place from the mayor's office discussing the water main breaks, water quality, the valve program (have done about eighty percent of the work for exercising and locating the valves within town). Information is being collected to be placed on a digital map showing locations of the current valves. There will be a plan for the inoperable valves that need replacing (anywhere between eight to ten valves found inoperable). This has been a training opportunity for staff to learn, get familiarized with researching those types of items. The company is using a machine to open these valves and we are trying to learn how to keep up until we can acquire machinery. We have to keep a program for exercising the valves yearly to make sure they stay loose. Compensation and Classification Study. Have acquired the services of NeoGov to assist. The HR department is working on that. Once complete, it will be brought to the workshop to discuss. Stakeholder's Meeting – Scheduled for January 22, 2024 at 5:30pm. EKOS and Giga Power – Developer sent an email asking to have a meeting for the town to go over the application process and for those interested in the waiting list (not going to the public until after the meeting). Flyers will go in the water bill. The meeting will be January 24th at 6:30pm at the Denton Johnson Center, doing all to promote to and for the residents so that they can attend the meeting and learn how to apply, the application process, and the criteria to be considered. (Pressley/Mundy) Unaware of AT&T beginning a pilot program of residents to use the services that is going to come through Giga Power, will work on getting information. They were granted a permit to provide fiber to every single home. We were impressed with the technology used called a ground penetrating radar, where they can see unearthen and identify underground utilities. They completed the west side of Kennedy, the north and south Catalina, and Lake Lovely area. The only incidents noted are, one mailbox was knocked down and a service line was hit. In both instances, the service line was repaired immediately, and they gave the homeowner a \$100 gift certificate. They also gave the resident a new mailbox. They are interested in being a partner with the town. (Pressley) Clarity, AT&T has not contracted with Giga Powers for the open access lines that are available. They are separate from Giga Power, but have connections based off the agreements they have on the permitting side of getting power. The Westwater Tower - starting improvements at the end of this month, will have to shut down the tower for an amount of time, already working with the fire department. Met with the fire chief and discussed the services provided by our fire department service with the county's fire department. We have access to and receiving more services, with the Westwater Tower, we are meeting to ensure the pressure is up to par. The tower which stores about 200,000 gallons of water will be drained. The purpose of an elevated tower is to help with the pressure for firefighting and to give pressure. Do have pumps that will satisfy the pressure requirements. Meetings a conducted to make sure needs are met with water quality, water pressure, and the design aspects. They are going to sandblast the interior, disinfect it, and paint the exterior with a new logo; activities are scheduled to start after the Zora Festival, by the end of February to avoid conflicts with our crew. It will take about two and a half months. The Master Plan - discussed the options with the master plan for the town, met with Baker Barrios with an option to bring before council. Information will be brought to the workshop to discuss. The Master Plan - The master plan will be for the entire town covering the main major corridors of Kennedy and Wymore revealing how to create a plan that

that will bring life to those areas for the town. (Mundy) also finalizing the 10-year plan for water supply, scheduled for the end of this year or October 2024 due to the Kennedy Boulevard widening project, from All American to west of Keller. Need accelerate work to get the water lines and sewer lines replacement plan in place with upgrades to a water system to happen before the road widening, will bring to workshop to discuss. Applied for about \$50 million in SRF funding, State Revolving Fund funding through Hurricane Ian and not much is hundred percent is reimbursable or forgiven. (Pressley) Submitted projects to the Orange County CDBGDR, several commissioners are in support of working with the town on improvements, they are finalizing the package back to FEMA, pending the approval, the amount, and the portion to be allotted for town. Prayers are with the Daniel's family.

ATTORNEY: Clifford Shepard – Hungerford Property, had a conversation with the attorney for PEC. In the answer to the complaint that PEC had filed, the school board received a written opinion from the lawyers on public interest. Public interest refers to whether or not conveying the land is in the public interest. The lawyer denied putting anything in writing about this whole issue of conveyance. After receiving information from the lawyer for PEC and from the Southern Poverty Law Center, a public records request was sent to the school board, pending a response. The request is for written opinion to see what was put in writing. In addition, records from the public school about anything they had discussed regarding the disposition of the property, any plans regarding the use of the former educational facilities, response came back with an estimate of \$330 to give those documents, did not authorize the expenditure. Given the number of pages, the cost is reasonable. From PEC standpoint, have asked that they put, put something in writing, to take and speak with the school board lawyer about what is being asked in order to dismiss the lawsuit, giving of the land, addressing title and other things that PEC wants cleared up, one of the holdups is that PEC, want some assurance that they will have a seat at the table if the town gets the land back. To make substantial progress the town needs a plan to take ownership and management of the property to include whoever is going to be on the team. Recommend a meeting to determine what is desired and what can be done, maybe having a trust board of five, with two PEC representatives and three town representatives. Met with your planning board and the code enforcement board, the Code Enforcement officer has his certification and training. The training was for the board, walked them through the process, the next meeting, will be a mock of a real case, sent three potential cases to select one for the mock, showing pictures, what a violation looks like, what the notices, It will be a learning experience on how to present, what to say and do, ask questions, and go through the trial process. It will be about three months from the first full docket of cases; the code officer will know how to present, and the code board will know how to receive, what questions to ask and enter orders that are enforceable. Following the code board presentation and training, met with the planning board, need to make the codes and the zoning code consistent with the comprehensive plan. When Tara (the contracted certified planner) says land use, she is talking about the comprehensive plan, when she says the code, she is talking about the zoning.

TOWN COUNCIL REPORT/DISCUSSION ITEMS-

Councilwoman Wanda Randolph - (Concerns) During the Christmas celebration, there were individuals involved in the town's activity as volunteers while also emphasizing their political position at the town's event, it is disrespectful to allow individuals to come to a town government event while running for political office, at the same time, having officials of the town who is directly or indirectly responsible for any event on the property. It is inappropriate and disrespectful because there are two opponents running for office. I met with Mr. Pressley and he has a different opinion as to the responsibility and the liability for that event. There is nothing wrong with wearing a shirt but allowing someone to be involved and engaged in a town sponsored event and running for a political office, it should not have happened. Concerning the widening of Kennedy Boulevard, the Orange County engineers are scheduled to be on the February 6th meeting agenda. Requesting information to see whether or not we have a resolution for all of the grants or has the council approved them. Has the company and work on the pool been approved by council, has nothing to do with the work being done for free, has the company All Seasons been approved by council? (Pressley) It was the understanding that the

council approved to move forward, the contract, was not approved by council. The Homeless Ordinance, inquired about legal being engaged in providing information on the Homelessness Ordinance, Mr. Pressley will get with you, there is a problem in town and could be a code enforcement or a law enforcement issue. (Legal) You cannot have an ordinance that outlaws homelessness, but you can have ordinances that address certain aspects of homelessness, such as public urination, laying down, living, setting up a tent. By federal decree, you have to either provide shelter in the community or contribute to a shelter in the region where the homeless can be taken. There is a lot that goes into trying to regulate the problem of homelessness. Legal will put together the package of ordinances to decide what will work. Individuals are given permission to camp out on other people's property, ordinances be involved. On Code Enforcement, acknowledged the code enforcement officer on receiving training, we have to have qualified individuals and proud that we supported officer on being developed, congratulations on his continued efforts. Louissteen is ill, hospitalized, let us keep her in our prayers.

Councilman M. Daniels – Inquired about any needs the Chief of Police may have, any updates from the police department? (Murray) still in processes of forward as a unit, been successful at the officers understanding their place of value and carry that over to the community, they are encouraged about what they are doing and the training they are receiving, brought in three officers (two reserved, one full time). The goal is to prepare them to deal with people, learning the statutes and laws will come along the way, you do not put people to work with people that do not like people. The issues with vacation will change once there is more manpower, ask for continued prayers, patience, and support; working to get more manpower so more people will be on the streets and others can take off and can have personal lives. Officers cannot be put under continued stress, especially those who are dealing with people in crisis. It is hard to deal with somebody in crisis if you are in crisis (mental health). Ask for support on the budget. (Pressley) requested that the chief bring his reports to the next meeting. With the salary fee study, we are ahead of schedule utilizing NeoGov, and should be able to do a workshop on those numbers at the next meeting to review with council for feedback on how to proceed forward. The valve program is at eighty percent completion and within budget with 130 valves included and a five days' worth of work, there is one more day to complete the work with no expected change orders, they have found a few new valves and some inoperable valves. Now that valves have been located, they have been exercised to start test trials to be done internally, will provide a time frame with a report to figure out the course of action. About the water breaks, have been paid back for all the expenditures incurred except from Duke, a claim has been placed from the break at Kennedy and Wymore (pending a response), (M. Daniels) still waiting on information pertaining to the proposed reimbursement; the report provided show all the expenses, paid to date, there is a pending bill for Lappin, a provider for the sewer tanks, a portion was not charged but charged to the town, should not be responsible for the whole bill. The power lines going up will have to come down resulting from the road widening. Was there proper communication with Duke to communicate the new power line; Duke communicated with Orange County and received a permit; the county department should have coordinated with Duke. The town is not in charge of the road widening. Duke is doing work on the main roadway, on the back streets on West, by the Denton Johnson Center. Seeing lots of digging around the pool area, who is ensuring and checking permits; (Mundy) currently, conducting morning drive, the crew is keeping a look out, there has been one stop work order. With Duke incident, they, they did not have to get a permit from the town. The work is approved with Gigapower through our public works office. (M. Daniels) Request a list of the violations or the different reports. The service to the pool has been donated, making improvements to the actual building, to include inside facility painting, replacing fixtures or anything that needs to be replaced on the building, council has a copy of the agreement with zero dollars being charged, it was reviewed by attorney and was done through the proper protocols. Still not receiving the budget, the monthly reports, and the budget actuals; requesting information from October to present, the quarter report should be given without asking for it. Inquired about the impact fee study; working to expedite it and get it before council, planning to have a presentation at the next meeting providing a status on where we are with a full outline. Record requests are still pending some sixty days; Mr. Pressley will follow up.

Councilman Theo Washington - Need to keep head up on the TDT funds, opening for others to get funds(January 23rd), should be at the table for the TDT funds and for the Hungerford Property, need to show what we need on the property referencing an amphitheater or football fields, recreations, green space, the CDBG grants is funding now; waiting to see if they have been awarded or what is being requested to award, spoke with Christian Ward she said confirmed the funding and that we need to be at the table. Prayer for Ms. Cummings and her family.

Vice Mayor Rodney Daniels – Met some of the officers and was excited about what they have to offer. Would like staff to be more conscious of paper, to email it and one copy for people to see, requesting the legal fees for the HostDime matter; pending information from finance. But we are working on that. Recommend providing food and drinks at the biker’s event, one of the biker groups is the oldest Black biker club and nice that they want to partner with the oldest Black municipality in the United States. Code Enforcement, being concerned about the trash bins, there are people throwing trash anywhere, living behind homes, putting moving items on the sidewalks. We have a lot to do with code enforcement, but being patient and look forward to what he has to offer. MLK Parade, more candy, keep moving (cannot stop the parade), maybe council can share a float and the distribution of candy. Request prayer for his mom (Louissteen Cummings) who is sick.

(Pressley) The chief of police did go to a de-escalation. training for the community in Orlando this past Thursday with our state attorney's office along with faith-based community leaders. Room was full with several key figures and other police chiefs from around, our chief was selected to be a part of the panel and he represented our town very well with his responses, knowledge of the law, and working to build community policing, the next one will be in Eatonville, working on dates.

(Randolph) Thanks to the staff for a fantastic job for the parade, it was a good parade, extend appreciation to the Mayor and grateful to be a part of the activities.

MAYOR’S REPORT

Mayor Angie Gardner – Thanks to all the employees and staff for their hard work, especially Ms. Jonita. The team that went to Tallahassee did a great job representing the town. The company doing the maintenance on the valves, are they doing the actual repairs; we do have companies that can do the repairs, once the work is determined, we will determine which ones are the best option for the town to proceed forward. Eatonville residents interested in the apartments, please be at the community meeting on January 24th, it will be a great informational session. With the pool being restored, there needs to be a maintenance plan. Another municipality reached out offering to train lifeguards, may not be required, but we will have monitors for the pool, Mr. Washington is working on that. If anyone does anything through the recreation department, such as giving out tablets, giving out ice cream or any treats, please make sure that I am aware of everything. Prayers for Ms. Cummings.

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilman M. Daniels; Second by Councilman Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 8:49 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor