



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 (By Zoom), **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 changes; **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 by HostDime 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 a misunderstanding 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. 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:

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 releases, the money, and the dismissal of prejudice will be the documents that make up the settlement. When the parties get together and 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 the 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 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. **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. The owner feels he has worked with the town and would like to proceed forward. There is 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, 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 comes available, we'll 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. Did reach out to a recycling company that will remove all concrete at no charge to the town. Also, 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 end of March. In compliance with the timeframes to submit. Finance is working very 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 (at 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). 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 Feasibility 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 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's 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 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 were one mailbox was knocked down, a service line that 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. 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 Wastewater 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 Wastewater 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 to accelerate work to get the water lines and sewer lines replacement plan in place with upgrades 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. 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,

ATTORNEY: Clifford Shepard – Hungerford – The school board received a written opinion from the lawyers on public interest, public interest refers to whether conveying the land is in the public interest. School Board lawyer denied putting anything in writing about issue of conveyance, a public records request was submitting requesting records about discussions regarding the disposition of the property and plans regarding the use formerly as an educational facility. etc. The estimated cost for documents is \$330. Recommend having a meeting to establish a plan asking what is being requested from the School Board, giving the land and clearing up the title along with other matters. PEC wants assurance from the town that they will have a seat at the table should the land is returned. Putting together a trust board of five consisting of two PEC representatives and three Town representatives is a possible option. Planning and Zoning Board/Code Enforcement Board – Met and have been reconstituted. Code Enforcement Officer received his certification came to the training that was coordinated for the board. The training walked the board through the Code Enforcement process. The next meeting will present cases that Code Officer will pick from. The board will get to hear, ask questions, and go through the process. For future potential cases, because of the notices involved, it could take three months for the first full docket of cases. By then, the code officer will know how to present, and the board will know what questions to ask and how to enter orders that are enforceable. Following the code enforcement presentation and training, a similar presentation was done to the planning and zoning board, need to make the codes (Zoning) consistent with the town's Comprehensive Plan (Land Use).

TOWN COUNCIL REPORT/DISCUSSION ITEMS-

Councilwoman Wanda Randolph - Concerns: During the Christmas celebration, there were individuals involved in the town's activity that were volunteering at the same time emphasizing their political preference, it is disrespectful to allow individuals running for political office to participate in a government event, while at the same time having officials of the town who are directly or indirectly responsible for any event on property, being involved and engaged in a town sponsored event while running for a political office, should not have happened. Widening of Kennedy Boulevard: Orange County engineers will provide an update at the February 6th meeting. Grants: Requesting information on resolutions or approval for the grants. Pool: Did council approve for the company and contract for All Seasons (No). Homeless Ordinance: Inquired about legal's engagement in providing information on the Homelessness Ordinance. Mr. Pressley will get with you, there is a problem, and it could be a code enforcement issue or maybe a law enforcement matter. There are individuals camping out on Calhoun. (Legal) cannot have an ordinance as an outlaw to homelessness, can have many ordinances that address certain aspects of homelessness (urination, laying down, living, setting up tent), Loitering cannot be regulated constitutionally. According to the federal decree, you must provide shelter in the community or contribute to a shelter in the region. Legal will put together ordinances for council to consider and decide. Yes, because, um, what's been happening is that, um, I guess maybe we, I don't know if we have any regulations on this. Code Enforcement: Proud that the town supported the development of the Code Enforcement officer. Congratulations to the officer and his continued efforts will be appreciated. Comments: Keep Louissteen Cummings in your prayers.

Councilman M. Daniels – Police Department: Inquired about needs and updates from the police department. (Chief Murray) Successfully moving forward as a unit in a place of value and be able to carry that to the community. Officers are encouraged about what they are doing and seeing, the training being provided.

Brought in three officers, two reserved, and one full time who is in field training. The major goal is to be prepared on how to deal with people. They will learn the statutes and laws along the way. To get more manpower will get more officers on the streets so other officers can take off and more officers can have personal lives. Big on mental health, especially those who are dealing with people in crisis. It is hard to deal with somebody in crisis if you are in crisis. Asking for the council's continued prayers, patience, and support, especially on budget matters. Chief Murray will bring reports to the next meeting to present to the council. Thanks to Mr. Preston for providing the salary fee study, requesting information on timeline. (Pressley) by going with NeoGov staff is ahead of schedule, should be able to do a workshop on those numbers by next meeting. Valves: Being at 80%, inquired about the budget constraint that was given (Pressley) 130 valves have been submitted and have one more day to get the rest of the valves, do not believe there will be any change orders, if there are changes, council will be informed. Found a few new valves and inoperable valves. We know where the valves are. The valve isolation was not included in locating and exercising the mouse. Internally, staff will start test trials on the isolation points within the town. Mundy will get back with a report. Water Breaks:

Okay. In reference to that, um, that caveats into my next thing, the water breaks that we had, have we been paid back for all the expenditures that we've incurred from those water breaks? Not from Duke. We have not received. We placed a claim with Duke Energy from that break at Kennedy and Widener. Uh, but we're, we're waiting to get back on their response.

So that's been since the Tuesday before Thanksgiving, right? Mm hmm. Okay. Um, as soon as we get it out, but I'm just waiting on their response and in comparison to the other ones. I'm still waiting on the information on the proposed reimbursement towards the actual that we actually got because I know you said some of the other water breakers can propose amounts, but they didn't give us a full amount.

So his insurance doing that or what are we doing? Uh, the I'll have to go back because I know we did in that report you have that was all the expenses. And to date what was paid, the only thing outside of it was, I think it was a bill for Lappins, uh, which is one of our providers for the sewer tanks, uh, for those sites.

So that's the only one we have not received, and that was our, um, uh, way of working to get everything done. Because there was some of our portion that we did not charge that in, that was charged to the town. I said that they should pay a percentage of it. I mean, I can go back to that because I'm pretty sure it's broken down by time and we know how long they were out there.

Councilman Theo Washington - Hungerford Property: Need to be proactive in what we want concerning the Hungerford property, get pictures, renderings, green space, amphitheater. Catalina Park: need to address sidewalk, the piers; do not have any place for the residents to do recreation, fishing, and no amenities.

Vice Mayor Rodney Daniels – Requesting the total price on legal for the HostDime project, thanks to Mrs. King for the work in the Chambers.

MAYOR'S REPORT

Mayor Angie Gardner – 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 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 Washington; Second by Councilman M. Daniels; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 8:55 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor