



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## REGULAR COUNCIL MEETING

### MEETING MINUTES

Tuesday, June 18, 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.*

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### 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:** (4) Councilwoman Wanda Randolph, Councilman Rodney Daniels, Mayor Angie Gardner, Vice Mayor Theo Washington (**Absent:** Councilman Tarus Mack)

**STAFF:** (6) Veronica King, **Town Clerk**, Clifford Shepard, **Town Attorney**, Officer Stanley Murray, **EPD**, Valerie Mundy, **Public Works Director**, Katrina Gibson, **Finance Director**, Cobbin McGee, **Planner**, (**Absent:** Demetrius Pressley, Chief Administrator Officer)

### INVOCATION AND PLEDGE OF ALLEGIANCE:

Rev. Critton led the Invocation followed by the Pledge of Allegiance **Note:** Keep Mr. Pressley in your prayers

### APPROVAL OF THE AGENDA:

**Mayor Gardner Motions** to **APPROVE** the meeting agenda adding two discussion items, a question to legal and explanation of Resolution 2024-19 being added to the consent agenda; **Moved** by Councilwoman Randolph; **Second** by Councilman Daniels; **AYE: ALL, MOTION PASSES.**

**PRESENTATION/RECOGNITIONS** - Mayor Gardner announced that she will forgo the reading of the Juneteenth Proclamation until Wednesday, June 19, 2024, during the proclamation signing for Juneteenth Day at 6:30pm.

### CITIZEN PARTICIPATION - (6)

Darrell Gray – Chapter Vice President representing the Afro American Historical Genealogical Society Central Florida Chapter (Chapter President was present), member of the Dorothy Turner Johnson Orlando branch of the Association for the Study of African American Life and History (Founders of Black History Month), and acknowledged collaborative goal serving as stakeholders in the Eatonville community; Announced the Veterans Expo event in collaboration with Chief Murray honoring veterans and will providing resources and connecting information on claims, benefits and more (June 29, 10am-2pm), the title sponsors are the town of Eatonville, Veterans Administration, the National Association of Black Military Women, the National Association of Black Veterans, the African American Historical Genealogical Society, American Legion Post 331 (20 participating sponsors), free with refreshments to veterans and their families; request to submit a resolution for council approval (Emancipation Day), to be an annual commemoration starting next year (2025) in collaboration with the Juneteenth celebration, will enhance the efforts of Juneteenth and Founder's Day.

Cathy Mills – (318 Greensend Street) – having issues with the septic with the town, requesting for the town to put the septic tank and water to the front of the road, been paying sewage up until April 2024 while having a septic, not asking for money but want the problem to be fixed (need help), there is water, but the sewage is not working well,

Nicholas O'Hara – (41 Lincoln Ave.) lived in the town for 43 years, been paying for a service that has not been provided, no one has come to talk about the situation as stated in a previous meeting, request for someone to come and speak with him about the matter.

Joyce Irby- Yielded Time To Nia William-Brown

Julian Johnson - Yielded Time To Nia William-Brown

Nia Williams-Brown – Addressing the citizens and leadership about working together as a community; being historic people, generational culture is passed down in a way that is sustainable; value the taxpayers who provided safety from the storm as a person in need; being a mother who is acting on good faith (to prevent homelessness) is being retaliated against by those that are housed by predatory individuals under organizations and sanctioned people to include a former council member and board member to Help CDC; doing the best to serve historic people who do not know how to serve themselves; value the money that is invested not knowing where it's going, but having good faith that it's working on your behalf; demanding impactful engagement in the community; when trusted with assets, secure them; have used sweat equity to educate to prevent danger from those that are safeguarded by government policy and nonprofit nonsense, am here on the behalf of the people of Eatonville who made the sweat equity, incorporated, and now the same corporation is using blind spots of high education to hold us in an endangered place; intend to be impactful; ask of the council to use the resources to hold former leaders in place, to access real estate, intellectual property, and the bio data of the people here, gave thanks Councilwoman Randolph for offering whatever she could and St. Lawrence Church for willingly opening their doors to provide somewhere to meet outside of predatory places; Andrew Scott needs security, it is not a lot to ask for assistance with utilities and toiletries; this is a unique place, it is in the best interest to make sure you (Council) have time to comprehend the unique position that you have been elected.

## **COUNCIL DISCUSSIONS:**

Ethics Complaint Filed on former CRA Chair Gardner – Question to legal about whether this matter is a CRA or town discussion; it is a counsel item because counsel has the obligation to consider and make findings regarding reimbursement, it is a CRA board action that was the result of the complaint, but the non-council members don't have funding authority making it an town council issue; in considering a possible reimbursement, the two criteria required were whether you were acting in your official role as the chairman of the CRA board and did your action serve a public purpose, the recommendations of the advocate and the sufficient information in the report indicates that both criteria are true; it is appropriate to have the discussion, make the findings, and make a motion; Attorney Jackson laid out the case law and the attorney general opinion accurately; when any elected official is charged with either a crime, an ethics violation, or anything that provides legal jeopardy of any kind it is based on common law and have a right to reimbursement if it meets the two tests (criteria); In this case, an ethics complaint was filed in regards to acting as the CRA chair, following the resolution that was approved, in doing so it was stated that there was a misuse of position by paying by authorizing, a payout to occur without the payment coming back before the CRA board, the investigation concluded that there was no probable cause, the board did based on the approval of the resolution authorize payment. (Final Order). Based on the preliminary investigation of this complaint and the recommendations of the commissions advocate, the Commission on Ethics finds there is no probable cause to believe the respondent while serving as Chairman of the Board of Directors of the Town of Eatonville, Community Redevelopment Agency violated Section (FS112.3136), Board of Statutes, by authorizing the issuance of a payment as severance pay to the former Executive Director of the Town of Eatonville CRA. Accordingly, this complaint is dismissed with the issuance of this public report, ordered by the State of Florida Commission on Ethics meeting in the Executive Session on Friday, June 7; a lawyer was retained, travel and lodging expenses was incurred, the request is for the cost to be paid (reimbursed) by the complainant or by the preparer of the resolution. It is requested that this item be tabled until the next meeting (Randolph), it is a discussion only and do not have all the appropriate information; when a person has a contract, you have to abide by it, when you terminate a person, the contract says you pay them out of what you owe them; it is up to the board to reimburse if desired, do support the reimbursement

(Washington); there is a floor statute (FS215.4254A) that says that you are entitled to a certain amount, not the whole contract to prevent people from approving a contract (golden parachutes) that may hurt the town; the contract was not vetted; because it was determined that the chair was acting in a professional capacity and there was good reason to do it that was not outside the scope of authority or job responsibility to the public, the motivations was not corrupt, according to the report, not to do ill to the town or anybody else in a non-legal way. Still request an investigation, according to Resolution 2022-28, Section 1, Town Council of Tallahassee will designate that all checks issued by the CRA have two signatures, this would be a separate issue; request the transcripts before making a decision (Daniels); the first meeting in July is a reasonable time to make a decision.

Resolution 2024-19 being added to the consent agenda – Mr. McGee explained back in March the Florida Office of Floodplain Management, conducted an assessment and identified procedural concerns, to address the concerns a resolution had to be prepared and passed. The resolution contains facts and figures that are unique to Eatonville, in passing the resolution, with the performance measures will put the town back in compliance with the National Flood Insurance Program, will allow for homes that are in a special flood hazard area to maintain eligibility for flood insurance; an application will need to be completed to receive a floodplain certificate; cannot support a 10 page document to be completed for a new construction within a flood area (Washington); the paperwork is produced and required by the National Flood Insurance Program and the State Office of Floodplain Management; there are code floodplain administration procedures, when the state office assessed and identified procedural concerns, efforts were put in order to ensure things needed to maintain compliance; what was in place before (Washington); it is necessary to be in compliance.

### **APPROVAL CONSENT AGENDA: Mayor Gardner Motions to APPROVE Consent Agenda;**

**COMMENTS:** Approving the Town Council Meeting Minutes for June 4, 2024, and Resolution #2024-19, Approving Floodplain Management NFIP Performance Measures; **Moved** Councilman Daniels; **Second** Councilwoman Randolph; **AYE:** Councilwoman Wanda Randolph, Councilman Rodney Daniels, Mayor Angie Gardner; **NAYE:** Vice Mayor Theo Washington; **MOTION PASSES.** **Notes:** Mayor Gardner inquired about an explanation to why Resolution 2024-19 was placed on the consent agenda, Mr. McGee was called forth to give explanation and answer questions.

### **COUNCIL DECISIONS: No Council Decisions**

### **REPORTS:**

### **CHIEF ADMINISTRATIVE OFFICER: Demetrius Pressley – NO REPORT**

**ATTORNEY: Clifford Shepard** – Gave an update on Form 6 (Financial Disclosure) is on hold and is no longer required to be completed by elected officials. Elected officials will go back to submitting Form 1 (By July 1, 2024) for their Financial Disclosure requirements; it was ruled that Form 6 violated the constitution; it is also not enforceable to candidates. planning to run for office, at least until that injunction is lifted or there is a final decision, the answer would be no; town clerk confirmed that an email was sent to council communicating the change.

### **TOWN COUNCIL REPORT/DISCUSSION ITEMS-**

**Councilman Rodney Daniels** – Acknowledged the public comments of Darrell Gray, information should have been a presentation that would afford more time; request transcript from the ethic complaint; for Mr. Pressley and Mr. McGee, Mr. English does not have an update about the property he is trying to purchase, can he get it or not; requesting for Mr. McGee or Mr. Pressley to send an email to Mr. English informing him on his rights on purchasing the property; Mr. English is disappointed on the lack of communication; addressed the need to give attention to the speed bumps, need ones that do not tear up your vehicle.

**Councilwoman Randolph** – Discussed code enforcement issues within the lake Lovely quadrant, showed pictures pertaining to an Airbnb property, a property in deplorable condition with junk cars, trash, a dwelling that has a car wash, junk cars parked under trees; must be better and would like to know what is being done; items specific to the town’s logo and code enforcement is pending response and follow up, Mayor Gardner will get with Mr. Pressley; request updates on Founder’s Day, Mayor Gardner will bring to Council once updates are available; inquired about the street sweeper, there are leaves and trash on the streets; there are complaints about the air condition system at the Denton Johnson Center, with the rates that are charged, people deserve better; acknowledged the Juneteenth events to include the festival, very nice.

**Vice Mayor Theo Washington** – Acknowledged the Juneteenth events to include the gala, very nice, Happy Juneteenth.

**Town Clerk** – Have flyers for the Juneteenth activities available (June 14-19, something each day); copies of the presentation on the impact fees are also available; TexMyGov. have officially launched as of June 3<sup>rd</sup>, there is an information page on the town’s website, text Eatonville to 91896 to be added to the distribution, it offers two-way interaction with your government where you can report issues, find answers, get in touch with staff, get assistance through our text, text to 407-995-TEXT to connect with administration, can also call the information line at 407- 623-8916 to stay informed about happenings in the Town of Eatonville, or call the clerk’s office.

**MAYOR’S REPORT - Mayor Angie Gardner** – Thanks to Chief Murray for coordinating the upcoming Veterans Expo; husband was approach by a representative for veteran benefits and it was the best thing for him; the Veterans Expo will be great benefit to veterans and their families; acknowledged the Juneteenth events, looking forward to tomorrow’s event at 6:30pm (Signing of the Proclamation), it was an honor to receive the Community Legion Award; tomorrow (June 19) at 11am there will be a press conference for the town hall being a site for early voting; condolences to Mr. Pressley, his wife, and family; talk about the ten ways to communicate in the town

**ADJOURNMENT** Mayor Gardner Motions for Adjournment of Meeting; **Moved** by Councilman Daniels; **Second** by Councilwoman Randolph; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 8:50 P.M.**

**Respectfully Submitted by:**

**APPROVED**

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**Veronica L King, Town Clerk**

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**Angie Gardner, Mayor**