

TOWN COUNCIL
SPECIAL COUNCIL MEETING
MINUTES
January 19, 2023

PRESENT: Mayor Angie Gardner, Vice Mayor Rodney Daniels, Councilman Marlin Daniels, Councilwoman Wanda Randolph. **STAFF:** Patrick Brackins, **Town Attorney**, Randy Singh, **Chief Administrative Officer**, Veronica King, **Town Clerk**, and Joseph Jenkins, **Deputy Chief**,

CALL TO ORDER & VERIFICATION OF QUORUM

Mayor Gardner called meeting to order at 5:30pm with a verification of quorum through roll call by Mrs. King

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Gardner led a Moment of Silence followed by the Pledge of Allegiance.

COUNCIL DECISIONS:

Approval of the Zora Festival 2023 Agreement between the Town of Eatonville and the Association to Preserve the Eatonville Community (PEC) (Attorney Brackins) Attorney Shepard has reviewed the agreement and a redlined draft along with a clean draft has been provided. In addition, there were recommended edits from Councilwoman Randolph for Council to consider. **Motion for approval of the Zora Festival 2023 Agreement between the Town of Eatonville and the Association to Preserve the Eatonville Community (PEC);** moved by Councilman Theo Washington; second by Councilwoman Randolph; **with discussion:** (Vice Mayor R. Daniels) Do we include the second item Resolution 2023-1 in with the motion to approve agreement; in response, the resolution would be a second motion. Handed out a second draft which includes the recommended edits from Councilwoman Randolph; edits read by Attorney Brackins. (Mayor Gardner) To Ny Nithiri, request feedback on the recommended changes for use of the Council Chambers instead of the CRA building; yes, in agreement. The Council Chambers would be conducive for use as a green room. (Councilman M. Daniels) Which map is being used for the festival; the correct map says 11-19; previously given during the Council meeting on Tuesday (Stage in the middle of street). The road closure was submitted to Orange County; no site map was required to be submitted, only the MOT (Movement of Traffic). Is there a copy of the detour plan that is outlined in the MOT? Attorney Brackins indicated that he has the copy of the detour plan. Ms. Nithiri is unable to speak to the professional work of the traffic engineers from Orange County. Do not see in the agreement where vendors are to pay a fee; referred to Ordinance 2010-18, Special events section. (Councilwoman Randolph) I recall participating as vendor paying PEC and the Health Inspector. PEC paid the cost for each vendor tent; Councilman Washington confirmed that vendors pay the sponsor and health department, not a third person. (Ms. Nithiri) Universal is to ensure that vendors are complying. (Councilman M. Daniels) Ms. Nithiri should collect the fees and pay the Town. Ms. Nithiri stated that she is paying Universal directly for Code Enforcement. Universal will invoice the Town and PEC will pay the \$175.00 cost to CPH. (Attorney Brackins) Ordinance 2010-18 is incorporated into the code, sections 45-60; section 12-48 speak to provisions. (Councilwoman Randolph) The town should receive its fair share; need to follow the ordinance. (Vice Mayor R. Daniels) found contract that states that a percentage of the vendor fee comes to the town; feel as though we are being pushed into this agreement. Questions: Why was the agreement not given to legal initially, What would happen if someone was to falls; need to ensure that the town is not held responsible? There was a breach of contract letter given in 2016 over the same issues; pay to officers, road closures. Next time, let's get started in October/November negotiating the agreement. (Ms. Nithiri) There is a 2-million-dollar liability policy (Certificate of Insurance), the language in the agreement states that the town requires a hold harmless. (Mr. Singh) in order for agreement to be done by December 1st, Vice R. Mayor Daniels is correct in wanting to start earlier. (Ms. Nithiri) In April, a workshop was presented to council to discuss the festival. Vendor fees cover all the expenses dealing with the outdoor festival.

(Vice Mayor R. Daniels) Want to be on the planning committee, consider going to a one-day festival, should know your entertainment and where you want to have festival by November. The post event meeting usually takes place on the 1st Saturday in March (open meeting). (Mayor Gardner) If this agreement is successful, we can keep the agreement and update when needed. (Attorney Brackins) In reading Ordinance 2010-18, it does not indicate that each vendor is to pay a fee; do not know the historical knowledge. Not seeing anything outside of the permit for special event where the vendor is required to pay for an additional permit. (Councilwoman Randolph) should be honest and transparent; Ms. Nithiri knows that there were assessed fees for each vendor tent; extra revenue to the town. Planning should start in June and PEC and the Town need to get together. There has been a decline in attendance and in vendor participation: there is no need for a three-day event. **Open Motion for approval Zora Festival 2023 Agreement between the Town of Eatonville and the Association to Preserve the Eatonville Community (PEC), AYE: Mayor Gardner, Councilman Washington, Councilwoman Randolph, Vice Mayor R. Daniels; NAYE: Councilman M. Daniels MOTION PASSES.**

Approval of Resolution 2023-1 approving use of Town owned property during the 2023 Zora Festival (Preamble read) – Attorney Brackins stated that the changes made in the approved agreement will have to be included in the resolution; changes were read by Attorney Brackins. The motion should include a waiver of the 30-day notice of provision requirements in respect to the perimeters. **Motion to Approve of Resolution 2023-1 approving use of Town owned property during the 2023 Zora Festival as amended waiving the thirty-day notice stated in the code section 12-52; moved by Councilman Theo Washington; second by Councilwoman Randolph; AYE: Mayor Gardner, Councilman Washington, Councilwoman Randolph, Vice Mayor R. Daniels; NAYE: Councilman M. Daniels MOTION PASSES.**

No Staff Comments.

Public Comments:

(MS. NY NITHIRI) Thanks to Council for its deliberations, support, and overlooking past problems. What is being done in Eatonville with Zora has been done in other municipalities; the Town of Eatonville is recognized as a cultural landscape.

(JOYCE IRBY) Connected to the Town of Eatonville since 1800; have 400-500 cousins in Eatonville. The things that are happening, tearing down the High School and disenfranchising the people. I do not want Eatonville to have its culture and history stripped away. Sad at the tone being used today.

(Councilwoman Randolph) Observation: For stated reason of being up against the clock; I was cut off from speaking, yet it was allowed for two individuals from the public to speak; Mayor Gardner offered an apology.

ADJOURNMENT: Motion to adjourn, moved by Councilman Washington; seconded by Councilman M. Daniels; **AYE: ALL, MOTION PASSES. MEETING ADJOURNED** at: 6:33PM.

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor