



HISTORIC TOWN OF EATONVILLE, FLORIDA

CHARTER REVIEW AGENDA

Tuesday, July 11, 2023 at 5:30 PM

Town Hall - 307 E Kennedy Blvd

Please note that the HTML versions of the agenda and agenda packet may not reflect changes or amendments made to the agenda.

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION AND PLEDGE OF ALLEGIANCE
- IV. CITIZEN PARTICIPATION (Three minutes strictly enforced)
- V. APPROVAL OF CONSENT AGENDA
 - Minutes for Charter Review – June 13, 2023
 - Minutes for Charter Review – June 22, 2023
 - Minutes for Charter Review – June 27, 2023
- VI. EXPLANATION OF CHARTER REVIEW
- VII. COUNCIL DISCUSSION
 1. Charter Review – Parking Lot Issues (Town Attorney)
- VIII. COMMENTS
 2. Staff Comments
- IX. ADJOURNMENT

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****PUBLIC NOTICE****

This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town's Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26



HISTORIC TOWN OF EATONVILLE, FLORIDA

CHARTER REVIEW

JULY 11, 2023 AT 5:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: 4th Charter Review Meeting

COUNCIL ACTION:

| | | |
|---------------------------|-----|--|
| COUNCIL DISCUSSION | YES | Department: LEGISLATIVE |
| CONSENT AGENDA | | Exhibits: <ul style="list-style-type: none">• Meeting Minutes for 6-13-23• Meeting Minutes for 6-22-23• Meeting Minutes for 6-27-23• Support Document: Copy of PowerPoint |
| NEW BUSINESS | | |
| ADMINISTRATIVE | | |

REQUEST: The request is for the Town Council to review for document changes the Town Charter as part of a rigorous Charter Review under the guidance of the Town Attorney.

SUMMARY: We the people of the historic Town of Eatonville, Florida, the Oldest Incorporated Black Municipality in the United States, under the constitution and laws of the State of Florida, in order to provide the benefits of local government responsive to the will and values of our citizens, do hereby adopt this Charter to define the powers and structure of our government. By this action we enable our government to provide services and meet the needs of the people efficiently; allow fair and equitable participation of all residents in the affairs of the Town; provide for transparency, accountability, and ethics in governance; foster fiscal responsibility; promote prosperity and advance the quality of life; and, preserve our unique history for generations to come.

The Town shall have all powers possible for a Municipality to have under the constitution and Laws of the state of Florida as fully and completely as though they were specifically enumerated in this Charter. The Town of Eatonville is a Municipal Corporation with a Mayor-Council form of Government.

The Town Charter was last adopted in 2016 and the Town Council seeks a Charter Review. According to the Charter, Sec. 6.02. there shall be a periodic review of this Charter by a Charter review advisory committee appointed by the Town Council in 2024 and every eight (8) years thereafter. The Town of Eatonville is within the timeframe of a Charter Review.

1st Charter Review Meeting took place on Tuesday, June 13, 2023 at 6pm. (Minutes Attached)

2nd Charter Review Meeting took place on Thursday, June 22, 2023 at 5:30pm. (Minutes Attached)

3rd Charter Review Meeting took place on Tuesday, June 27, 2023 at 5:30 p.m. (Minutes Attached)

RECOMMENDATION: Recommendation is for Town Council to review for document changes the Town Charter.

FISCAL & EFFICIENCY DATA: N/A



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MINUTES

Tuesday, June 13, 2023 at 6:00 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 6:00 p.m. and quorum was established through roll call by Mrs. Veronica King

PRESENT: (4) Councilwoman Wanda Randolph, Councilman Marlin Daniels, Mayor Vice Mayor Rodney Daniels, Angie Gardner. (Absent: Councilman Theo Washington)

STAFF: (4) Demetrius Pressley, **Interim Chief Administrator Officer**, Veronica King, **Town Clerk**, Clifford Shepard, **Attorney**, Nicole Bonds, **CRA Executive Director**

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CITIZEN PARTICIPATION - (The Three-minute rule was strictly enforced)

Anthony Grant – Inquired about specific language in the Charter pertaining to conducting the current Charter Review; Attorney Shepard offered response providing clarity to the Charter and the appropriateness of conducting a review at this time. .

EXPLANATION OF CHARTER REVIEW:

Attorney Clifford Shepard provided guidance on how the Charter Review will be conducted.

COUNCIL DISCUSSION:

Charter Review of Articles 1 and 2 in the order as established in the Charter was facilitated by Attorney Clifford Shepard. Legal provided the Florida Municipal Officials’ Manual which offers definitions and differences between a Council-Strong Mayor and a Council-Manager form of government. Councilwoman Randolph provided a listing of the Florida cities by county indicating the form of government. Below is a list of matters discussed in the review of Articles 1 and 2.

- Section 1.01 – 1.04 – No Recommendations or Need for Changes
- Section 1.05 - Form of Government - Add to Parking Lot Issues
- Section 1.05 - Succession Plan in the absence of Mayor
- Section 2.01 - Draft Amendment
- Section 2.02 – No Recommendations or Need for Changes
- Section 2.03 - Create terms to fill positions under a strong Council-Strong Mayor
 - Consider language for Interim
 - Consider language for Advertisement

Section 2.04 - Change to "Council' instead of Mayor

Section 2.05 - Remove from Charter ("Set effective date in the Charter")

Section 2.06 – Content may change, if there is a change in the current Council-Strong Mayor form of government.

Section 2.07 - Amend with language from 2.08

Section 2.08 - Move to Section 2.07

Sections 2.10 and 2.11 – No Recommendations or Need for Changes

COMMENTS:

Mr. Pressley initiated discussion to clarify the desired time to meet for the upcoming Charter Reviews: Council agreed by consensus to meet at 5:30 p.m. The Charter Reviews moving forward will take place at 5:30 p.m.

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilwoman Randolph; Second by Councilman M. Daniels; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 7:42 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MINUTES

Thursday, June 22, 2023 at 5:30 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 5:30 p.m. and quorum was established through roll call by Mrs. Veronica King

PRESENT: (4) Councilwoman Wanda Randolph, Councilman Theo Washington, Mayor Vice Mayor Rodney Daniels, Angie Gardner. (Absent: Councilman Marlin Daniels)

STAFF: (4) Veronica King, **Town Clerk**, Clifford Shepard, **Attorney**, Nicole Bonds, **CRA Executive Director**, Officer Jones, **EPD Police (Absent: Demetrius Pressley, Interim Chief Administrator Officer)**

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CITIZEN PARTICIPATION - (The Three-minute rule was strictly enforced)

Angela Johnson – Requested clarity on section 6.02 of the Charter inquiring about the Council appointing itself as the Charter Review Committee, when will there be more citizen participation, will a committee be appointed in 2024, the Residents need to be informed, educated on the importance and implications of what will be proposed.: Attorney Shepard provided clarity that the council can review the charter at any time when needed with 8 years being the minimum; the immediate matters that are not addressed in the charter needing resolve is the appointment of the Vice-Mayor when there is a standstill on the appointment through a non-majority vote and the issues on interim and unfilled vacancies when a decision cannot be confirmed; will not get on the ballot until March 2024 during the Presidential Primary Election. There is no violation to do the review now. The “Parking Lot” Issues will provide and encourage input from the public. There is also public input at every meeting. Nothing has been decided; after the review is completed an ordinance with two hearings will be required which also includes public participation. The proposed amendments will ultimately go to the voters for a decision. Ms. Johnson requested information from Attorney Shepard; email, the Florida cities by county indicating the form of government.

Eddie Cole – Provided history to the last Charter Review where a Charter Review Committee was selected by the Town Council; only two items recommended for changes came back to Council. Appointing a Charter Review Committee does work. Shared experience as a former Mayor of selecting a Vice-Mayor and hiring interim staff; was told by legal at that time that a selection of a Vice-Mayor was required; also told by legal at the time that hiring an interim could not be done; the Charter does not address hiring an interim. Consider getting an Attorney General’s opinion; Attorney Shepard clarified that Attorney Mosley provided the initial opinion that the Mayor had the authority to hire an interim. Mr. Cole requested the written opinion of Attorney Mosley. Councilwoman Randolph stated that there needs to be a consistently to adhering to the Charter as to

how it is written; must do as the Charter says. Attorney Shepard provided clarity that the Council is not operating outside of the Charter. The Town Council unanimously agreed to review the Charter at this time. In 2024, if desired the Charter can be considered for another review should the amendments not be voted favorably by the voters. On the matter of hiring an interim, because of the inability of the city to operate, under the strong-mayor government the Mayor has the inherent power to appoint someone as an interim for 120 days. Further clarity was made emphasizing that the Council as a government cannot campaign or put flyers out for any of the issues; they can only encourage citizen to come out to the meeting to provide input, ask questions, and received honest true answer (not opinions).

EXPLANATION OF CHARTER REVIEW:

Attorney Clifford Shepard provided guidance on how the Charter Review will be conducted.

COUNCIL DISCUSSION:

Charter Review of Articles 3 and 4 in the order as established in the Charter was facilitated by Attorney Clifford Shepard. Below is a list of matters discussed in the review of Articles 3 and 4.

- Section 3.01(a)(c) - No Recommendations or Need for Changes.
- Section 3.01(b) - Parking Lot Issue (Will change if form of government changes)
- Section 3.02 - Combine with 2.01
- Section 3.03 – No Recommendations or Need for Changes. (Council desire to keep as is)
- Section 3.04 – No Recommendations or Need for Changes (unless form of government changes)
- Sections 4.01 – 4.08 – No Recommendations or Need for Changes (highlighted areas will need to change if the form of government changes.

- (Article 2) - Revisited Sections 2.03 and 2.04** – Reviewed the recommended language drafted by legal from previous discussion in the last Charter Review meeting.
 - Section 2.03 - No additional changes
 - Section 2.04 - Change 240 days to 180 days

COMMENTS:

- Attorney Shepard recognized that he may come across passionately at times but never intended to be disrespectful and offered an apology.
- Vice-Mayor R. Daniels expressed desire to offer a public apology to Ms. Johnson
- Councilwoman Randolph requested information on the salaries of the CAO (City Manager)

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilman Washington; Second by Vice-Mayor R. Daniels; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 6:42 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor



HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MINUTES

Tuesday, June 27, 2023 at 5:30 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 5:30 p.m. and quorum was established through roll call by Mrs. Veronica King

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

STAFF: (5) Demetrius Pressley, **Interim Chief Administrator Officer** Veronica King, **Town Clerk**, Clifford Shepard, **Attorney**, Joseph Jenkins, **Deputy Chief**, Katrina Gibson, **Finance Director**

INVOCATION AND PLEDGE OF ALLEGIANCE:

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

CITIZEN PARTICIPATION - (The Three-minute rule was strictly enforced)

NY Nithiri – Request for public comments to be allowed also at the end of the Charter Review; would like to see more of a context as it pertains to the form of government; recommend bringing in an expert who can speak to the advantages of both the Council-Strong Mayor and the Council-Manager forms of government.

EXPLANATION OF CHARTER REVIEW:

Attorney Clifford Shepard provided guidance on how the Charter Review will be conducted. Next session on July 11, 2023 will provide an opportunity for public input participation of the “Parking Lot” Issues. Both kinds of government (Council-Strong Mayor and Council-Manager) have pros and cons, the Florida Municipal Officials’ Manual put together by the Florida League of Cities previously provided at the June 13th Charter Review will provide unbiased information on the forms of government. At the next meeting (Parking Lot Matters), legal may look to present a visual aide that captures information to display on the upper monitor.

COUNCIL DISCUSSION:

Charter Review of Articles 5 and 7 in the order as established in the Charter was facilitated by Attorney Clifford Shepard. Below is a list of matters discussed in the review of Articles 5 and 7.

- Section 5.01 - No Recommendations or Need for Changes
- Section 5.02 - Parking Lot Issue (Search to see if qualifying period is established in Ordinance)
 - Parking Lot Issue (Special Districting)
- Section 5.03 - No Recommendations or Need for Changes
- Section 5.04 - No Recommendations or Need for Changes
- Section 5:05 - Remove (There is statutory powers established in State Law)

Section 5.06 - No Recommendations or Need for Changes
Sections 6.01-6.02 - No Recommendations or Need for Changes
Sections 7.01-7.02 - No Recommendations or Need for Changes

CITIZEN PARTICIPATION (REOPENED) – (The Three-minute rule was strictly enforced)

NY Nithiri – What is the allowance or the state guidelines for residency; the guidelines are determined by the Town Council and the residents. The Fair Housing Act protects renters against discrimination. Renters are considered residents who can run for office; must be a resident for twelve (12) months in order to run for an elected seat on Council. The water and utility bills are currently used to determine residency. Possibly consider if a homestead has been claimed; legal can put together a list to consider for proof of residency.

COMMENTS: (Legal) The 2nd draft of Sections 2.03 and 2.04 has been provided; it reflects the requested changes from Council.

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilman Washington; Second by Councilman M. Daniels; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 6:41 P.M.**

Respectfully Submitted by:

APPROVED

Veronica L King, Town Clerk

Angie Gardner, Mayor

WELCOME TO THE PARKING LOT!

Cliff Shepard
Town Attorney - Eatonville





Agenda

- Strong Mayor vs. Council/Manager
- Districting
- Candidate Qualifying



A Change Imposed is a Change Opposed.

Spencer Johnson



ONE REASON PEOPLE
RESIST CHANGE IS
BECAUSE THEY FOCUS
ON WHAT THEY HAVE TO
GIVE UP, INSTEAD OF
WHAT THEY HAVE TO
GAIN.

THEDAILYQUOTES.COM



TOPIC ONE

Strong Mayor vs. Council/Manager

Forms of Government



Council - Strong Mayor

- Distinct division of powers between council and the mayor.
- Mayor is chief executive with substantial influence in the policymaking and substantial control over administration.
- Mayor holds important budgetary and appointment powers. Administrative authority is not shared but can be delegated to the Chief Administrative Officer (CAO).
- Mayor has general power to appoint board members.
- Eatonville has established the position of CAO under the mayor to handle day-to-day operations of the government, thus leaving mayor free to concentrate on policy formulation, ceremonial tasks and other functions.
- Administrative management by CAO to the mayor may be combined with strong political and policy leadership by the mayor.

Forms of Government (cont'd)

Council-Manager

- City manager is chief administrative officer of the city. The manager supervises/coordinates the departments, appoints and removes directors, prepares budget for council's consideration, and makes reports and recommendations to council.
- All department heads report to manager and manager is responsible for municipal administration.
- Mayor is ceremonial head of municipality, presides over council meetings and may serve as the spokesperson for the city.
- Mayor is chosen by direct election, rotation among the council or election from the council.
- Mayor has little, if any, role in day-to-day administration.
- Widely viewed as taking politics out of municipal administration.
- Manager is hired and fired by the council, but council members must abstain from interfering in administration, including personnel matters, lest they be removed from office.



TOPIC TWO

Districting

Districting

Based on Population Distribution and Makeup

- Goal is to divide population equally (+/-) into districts so all locales and populations in community are represented.
- Based on population, not just voting population, but voter registration still important.
- Idea is to create more direct representation between citizens and their elected officials.
- Census is key tool to draw district map.
- Usually, but not always, done with a consultant.
- Can include both district and “at large” representation.
- Reanalyzed with each census for population/demographic shifts.

Districting

PROS

- Promotes accountability and representation.
- Promotes proportional representation.
- Easier to know “your” representative.
- Can promote advocacy for a specific geographic area.

CONS

- Potential for gerrymandering.
- Can be more complex and expensive to administer.
- Harder to hold other representatives accountable.
- Can lead to factionalized rather than holistic community planning.



TOPIC THREE

Candidate Qualifying

Candidate Qualifying

Charter is Silent

- Need a standardized qualifying period.
- Typically, 5-7 days.
- Should provide for adjustment during Presidential Primary years.
- Consider methods of qualifying (*i.e.*, petition, fee, affidavit).

EXAMPLE - Maitland

+

Section V. Item #1.

Any person who is a resident of the city for a minimum of 6 months and has the qualifications of an elector therein may become a candidate for nomination to the office of mayor or to council seat by filing with the city clerk a petition subscribed to by not less than fifty (50) persons who are qualified electors of the city and by taking and subscribing to an oath or affirmation in substantially the following form and filing the same together with the petition with the city clerk at any time after noon of the first day of qualifying, which shall be noon of the 50th day prior to the general city election but not later than noon of the 46th day prior to the day of the general city election. However, in any year which is a multiple of four and during which the general city election is held concurrent with the Florida Presidential Preference Primary, the first day of qualifying shall be noon of the 80th day prior to the general city election and the final day of qualifying shall be no later than noon of the 76th day prior to the election date. The city clerk shall post in city hall notification of the date of the general city election no later than ninety (90) days prior to the date of such general city election.

**THANKS
FOR
COMING!**

