



HISTORIC TOWN OF EATONVILLE, FLORIDA

CHARTER REVIEW AGENDA

Thursday, July 13, 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

1. Minutes of Charter Review – July 11, 2023

VI. COUNCIL DECISION

2. Parking Lot Issues (Town Attorney)
3. Approval of Resolution 2023-11 – Creating a Charter Review Advisory Committee
4. Appointment of Charter Review Advisory Committee members.
5. Establish training and meeting schedule for Charter Review Advisory Committee.

VII. COMMENTS

6. Staff Comments.

VIII. 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 13, 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: Approval of Town Charter Review Meeting Minutes – July 12, 2023

COUNCIL ACTION:

COUNCIL DISCUSSION		Department: LEGISLATIVE
CONSENT AGENDA	YES	Exhibits: <ul style="list-style-type: none">Meeting Minutes for 7-11-23
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: The request is for the Town Council to approve the Charter Review Meeting Minutes for July 11, 2023.

SUMMARY: The Town Charter Review Meeting was held on Tuesday, July 11, 2023, 5:30 p.m. and minutes were transcribed from the audio archive for approval for the public records.

RECOMMENDATION: Recommendation is for Town Council to approve the Charter Review Meeting Minutes for July 11, 2023.

FISCAL & EFFICIENCY DATA: N/A



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL

MEETING MINUTES

Tuesday, July 11, 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 (Arrived after roll call-5:37pm), Mayor Vice Mayor Rodney Daniels, Angie Gardner. (Absent: Councilman Theo Washington)

STAFF: (5) Demetrius Pressley, **Interim Chief Administrator Officer** Veronica King, **Town Clerk**, Clifford Shepard, **Attorney**, Rachel McCoy, **Finance**, 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) – No Citizen Participation

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.

APPROVAL CONSENT AGENDA: Mayor Gardner Motions to approve the consent agenda approving Town Charter Review Meeting Minutes for June 13, June 22, June 27 (2023); Moved by Vice Mayor R. Daniels; Second by Mayor Gardner; **AYE: ALL, MOTION PASSES.**

EXPLANATION OF CHARTER REVIEW:

ALLOWED FOR OPEN COMMENTS: (Mayor Gardner allowed for comments prior to the Explanation of Charter Review) Councilwoman Randolph expressed concerns and requested clarity on the appropriateness of the current Charter Review process: there should be more citizen involvement based on past practices. What to ensure that the process is correct. (Referenced Resolution 2016-2). (Vice Mayor Daniels) Recommend seeking counsel from another Attorney or from the Attorney General. Attorney Shepard has presented an option to explore that former attorneys did not offer; feel that he is correct in offering another avenue to go about the Charter Review. (Mr. Bargaineer, former member on a previous Charter Review Committee) gave his opinion that the Council can do what they desire; legal is an advisor. The citizen should be a part of the process. There has always been an advisory committee who presents to Council for approval. Feel the best process is to select citizens to serve on the advisory committee; don't like Council presenting to themselves (A. Gardner) Having the Council as the Charter Review Committee is the most prudent way; there

is nothing to stop the Council for presenting their findings to an advisory committee for further review and recommendations. All actions have been completed in order to submit to Bill Cowles for the ballot by December 12, 2023. (Shepard) The advisory committee will have to go through training about the Sunshine Law and Public Records. (A. Grant) The Eatonville community is used to the citizens being invited to participate; this current way does not work for this community. The citizens want to be involved and disagree that the Council is the best representative to review the charter. It should be an unbiased neutral committee to take a look at it over the long haul, not for political reasons. Ask that Council reconsider and ask the residents to participant by solicit their opinion on problem areas. (Other Comments) Recommendations can be brought to the next meeting. Recommend identifying a primary and alternative and providing the advisory with the red lined recommendation. Attorney Shepard presented the concept of the “parking lot issues” and addressed the three issues identified by Council resulting from review of the Charter; Strong Mayor vs Council Manager form of government, Districting, and Qualifying details for a candidate.

#1 ITEM - FORM OF GOVERNMENT - Strong Mayor vs Council Manager Form of Government – Attorney Shepard presented the difference between each form of government: **(Public Participation):** Angela Thomas, requested clarity on why the parking lot issues is still being discussed before selecting the Charter Review Advisory Committee: advisory will review what the Council has recommended along with the Charter and come back with any further recommendation, the Anthony Grant, can’t see an elected official having to resolve a matter by going to a city manager; the Mayor is the head. Eatonville is a very politically charged community: don’t feel the Council-manager is a good fit for Eatonville. Tiffany Simmons, has a Council-Manager government ever been done in Eatonville (No); needed clarity on the authority of the Council in a Council-Manager form of government; feel the council will lose control in helping residents. Angela Johnson, asked for each council member to share their position on their desires towards the two forms of governments in the parking lot. The current form of government would be in the best interest. **(Council Comments):** Randolph will hold views until the process is complete. M. Daniels, can see benefits of both forms of government; in between both forms. The Council-Manager takes the politics out. R. Daniels, will follow up with Ms. Johnson to further discuss. A. Gardner, currently the town is unstable for a Council-Manager form of government. Strong Mayor keeps the stability and keeps down confusion. **#2 ITEM - DISTRICTING:** Based on population distribution based on the last consensus. The goal is to divide Eatonville into districts. Having districts will change the voting from “at large” to voting only in the district one lives in. **(Public Participation):** Louissteen Cummings, having districts will not be good for Eatonville; citizens will not know what districts mean. Anthony Grants, will be a political killer; citizens not being able to vote for certain individuals would be an issues. Angela Johnson, inquired about how the districts are developed based on the population: forward thinking, are there guidelines to how/when districts can to be redrawn due to a change in population: can have an earlier review unless there is a restriction in the charter. how would that affect **(Council Participation):** A. Gardner, this came up resulting from a concern for the additional housing. **#3 ITEM - QUALIFYING CANDIDATE:** The Charter is silent on the qualifying; does not provide criteria for proof of residency. The pro of having qualifying details provides transparency to the public. **(Public Participation):** Tiffany Simmons, Can qualification to be used to help address the increase in population; qualification to be a candidate will not affect the ability to vote. **(Council Participation):** No Comments

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; Moved by Councilman M. Daniels; Second by Councilwoman Randolph; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 7:07 P.M.**

Respectfully Submitted by: **APPROVED**

Veronica L King, Town Clerk Angie Gardner, Mayor



HISTORIC TOWN OF EATONVILLE, FLORIDA

CHARTER REVIEW

JULY 13, 2023, AT 5:30 PM

Cover Sheet

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ITEM TITLE: 5th Charter Review Meeting – Decisions on “Parking Lot” Issues

COUNCIL ACTION:

COUNCIL DISCUSSION		Department: LEGISLATIVE
CONSENT AGENDA		Exhibits: <ul style="list-style-type: none"> N/A
COUNCIL DECISION	YES	
ADMINISTRATIVE		

REQUEST: The request is for the Town Council to decide on certain proposed amendments to the Town Charter as part of a comprehensive Charter Review under the guidance of the Town Attorney.

SUMMARY: Three issues were reserved for discussion during the “Parking Lot” meeting held on July 11, 2023. Those issues were: 1) Form of Government; 2) Districting; and 3) Qualifying for Elected Office. Decisions on whether to pursue amendments on any of these issues are to be made at the following meeting to be held on July 13, 2023.

RECOMMENDATION: Recommendation is for Town Council to introduce separate motions on each of the above issues and provide direction to legal counsel as to whether to include them in the upcoming ordinance submitting proposed charter amendments to the voters for consideration.

FISCAL & EFFICIENCY DATA: N/A



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CHARTER REVIEW

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ITEM TITLE: Approval of Resolution 2023-11 Appointing A Charter Review Advisory Committee (**Legislative**)

COUNCIL ACTION:

COUNCIL DISCUSSION		Department: LEGISLATIVE
CONSENT AGENDA		Exhibits: <ul style="list-style-type: none"> Resolution 2023-11
COUNCIL DECISION	YES	
ADMINISTRATIVE		

REQUEST: The request is for the Town Council to appoint a Charter Review Advisory Committee.

SUMMARY: A Resolution of The Town Council of The Town Of Eatonville, Florida, Appointing A Charter Review Advisory Committee. The Town Charter was last reviewed in 2016 and the Town Council has expressed its desire to modify and or update certain sections of the Town's Charter.

The Charter Review Committee consists of the members of the Town Council of the Town of Eatonville; and the Town Council, sitting as the Charter Review Committee, desires to create a Charter Review Advisory Committee made up of Town citizens who are not elected officials to review and make recommendations for amendments to the Town Charter. The Charter Review Advisory Committee shall consist of five (5) residents of the Town of Eatonville appointed by the members of the Town Council; and each Town Council member shall make one (1) appointment to the Charter Review Advisory Committee.

RECOMMENDATION: Recommendation is for Town Council to appoint a Charter Review Advisory Committee.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION 2023-11**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, APPOINTING A CHARTER REVIEW ADVISORY COMMITTEE, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Town Charter of the Town of Eatonville was last reviewed in 2016; and

WHEREAS, Town Council has expressed its desire to modify and or update certain sections of the Town's Charter; and

WHEREAS, the Charter Review Committee consists of the members of the Town Council of the Town of Eatonville; and

WHEREAS, the Town Council, sitting as the Charter Review Committee, desires to create a Charter Review Advisory Committee made up of Town citizens who are not elected officials to review and make recommendations for amendments to the Town Charter; and

WHEREAS, the Charter Review Advisory Committee shall consist of five (5) residents of the Town of Eatonville appointed by the members of the Town Council; and

WHEREAS, each Town Council member shall make one (1) appointment to the Charter Review Advisory Committee.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

SECTION ONE: The Town Council hereby creates the Charter Review Advisory Committee, consisting of five (5) residents of the Town who are not elected officials.

SECTION TWO: Each Council member shall appoint one (1) member to the Charter Review Advisory Committee.

SECTION THREE: It shall remain the responsibility of the Town Council to approve any recommended charter amendments proposed by the Charter Review Advisory Committee for inclusion on any ballot referenda.

SECTION FOUR: The Charter Review Advisory Committee shall make a report of all recommended changes to the Town Charter to the Town Council, which shall consider adoption of an ordinance submitting any proposed charter amendments to the voters for consideration at the next general election.

SECTION FIVE: The Town Council shall propose and adopt a schedule of meetings for the Charter Review Advisory Committee that will allow the Town to comply with the schedule for timely submission of the ballot referenda to the Orange County Supervisor of Elections before the next general election.

SECTION SIX: All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION SEVEN: If any section or portion of this Resolution is found to be invalid, unlawful, or unconstitutional, it shall not invalidate or impair the validity, force or effect of any other section or part of this Resolution.

SECTION EIGHT: This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED this 13th day of July 2023.

Angie Gardner, Mayor

ATTEST:

Veronica King, Town Clerk