



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING AGENDA

Tuesday, September 15, 2026, at 7:30 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 AND VERIFICATION OF QUORUM

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

IV. PRESENTATIONS AND RECOGNITION

A. Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property.
(Legislative/Councilman Mack)

B. Presentation of HostDime With Updates on Construction (Administration)

V. CITIZEN PARTICIPATION (Three minutes strictly enforced)

VI. PUBLIC HEARING

C. Public Hearing - Amending The Existing Use Regulations In Chapter 65 To Permits Farmers Markets (Administration)

D. Approval of the First Reading of Ordinance 2026-8 Establishing Registration and Operation of Rental Homes (Councilman Mack)

VII. CONSENT AGENDA

1. Approval of Town Council Meeting Minutes (Clerk Office)

VIII. COUNCIL DECISIONS

IX. REPORTS

CHIEF ADMINISTRATIVE OFFICER'S REPORT

TOWN ATTORNEY'S REPORT

TOWN COUNCIL REPORT/DISCUSSION ITEMS

MAYOR'S REPORT

X. ADJOURNMENT

The Town of Eatonville is subject to the Public Records Law. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

****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 EATONVILLE, FLORIDA TOWN COUNCIL MEETING

SEPTEMBER 15, 2026, AT 7:30 PM

Cover Sheet

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

ITEM TITLE: Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property. **(Legislative/Councilman Mack)**

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS	YES	Department: LEGISLATIVE/COUNCILMAN MACK
PUBLIC HEARING 1ST / 2ND READING		Exhibits: N/A
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request that the Town Council hear updates from the Dr. Phillips Charities pertaining to the Hungerford School Property

SUMMARY:

On September 30, 2025, the Orange County School Board approved the transfer of the historic Hungerford property from Orange County Public Schools to Dr. Phillips Charities. Beyond the Hungerford property, Eatonville is one of the oldest incorporated Black towns in the United States. At the center of this town's history is the Hungerford property, formerly home to the Robert L. Hungerford Normal and Industrial School, founded in the late 1800s to provide education to Black students in the South. In recent years, concerns grew over potential private development and the loss of community control.

Dr. Phillips Charities has requested to provide updates during every town council meeting to the town Council on the plans towards redeveloping the Hungerford School property.

RECOMMENDATION: - Recommending that the Town Council hear updates from the Dr. Phillips Charities pertaining to the Hungerford School Property.

FISCAL & EFFICIENCY DATA: N/A



HISTORIC TOWN OF EATONVILLE
EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
SEPTEMBER 15, 2026, AT 7:30 PM
Cover Sheet

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ITEM TITLE: Presentation of HostDime With Updates on Construction
(Administration)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS	YES	Department: ADMINISTRATION
PUBLIC HEARING 1 ST / 2 ND READING		Exhibits: N/A
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Staff request that the town council hear presentation from HostDime providing updates on the status on construction and opening.

SUMMARY:
Mr. Marlin Daniels, the Chief Administrative Officer has asked a representative from HostDime to present before the town council providing updates on the status on construction and opening and to answer any questions they may have.

RECOMMENDATION: Staff request that the town council hear presentation from HostDime providing updates on the status on construction and opening..

FISCAL & EFFICIENCY DATA: N/A



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL BOARD MEETING

SEPTEMBER 15, 2026, AT 07:30 PM

Cover Sheet

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

ITEM TITLE: Public Hearing - Amending The Existing Use Regulations In Chapter 65 To Permits Farmers Markets (**Administration**)

BOARD ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION
PUBLIC HEARING 1ST / 2ND READING	YES	Exhibits: - Ordinance 2026-7 - Business Impact Estimate (FS Requirements)
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST:

Amend the existing use regulations in Chapter 65 to permits farmers markets in the C-3 zoning district, subject to applicable standards.

SUMMARY:

August 13, 2026, the Planning Board made a recommendation to amend the Town's Land Development Code to include permitting farmer's markets as a use in C-3 zoning district, subject to the applicable standards.

Staff reviewed the use regulations and found that farmers markets are currently permitted in the C-1 zoning district. Allowing farmers markets in additional commercial zoning districts would provide the public greater access to fresh produce and serve the public interest by expanding access to locally available food options.

RECOMMENDATION:

Approve the proposed amendment to Chapter 65, specifically Table 65-1(c), to permit farmers markets in the C-3 zoning district.

FISCAL & EFFICIENCY DATA: N/A

ORDINANCE 2026-7

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER’S ERRORS AND AN EFFECTIVE DATE.

WHEREAS, F.S. Chapter 163, Part II, authorizes the Town of Eatonville to plan for the Town’s future development and growth and to adopt and amend its Land Development Code, or elements of portions thereof, to guide the future growth and development of the Town; and

WHEREAS, the Planning and Zoning Board, designated as the Local Planning Agency, held a properly noticed Public Hearing on August 13, 2026, to receive public comment on the subject matter of this Ordinance and to make its recommendation to the Town Council; and

WHEREAS, the Town Council held properly noticed Public Hearings at First and Second Reading of this Ordinance to review the recommendations of the Planning and Zoning Board and to receive public comment on the subject matter of this Ordinance; and

WHEREAS, the Town Council finds and determines that this textual amendment is internally consistent with the Town’s Comprehensive Plan and is consistent with other controlling law to include, but not limited to Chapter 163 of the Florida Statutes; and

WHEREAS, the Town Council hereby finds that this Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the citizens of Eatonville, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE:

SECTION 1. Recitals. The recitals set forth above are hereby adopted as the true and correct legislative findings of the Town Council of the Town of Eatonville, Florida.

SECTION 2. Textual Amendments. Sections 65-1, *Principal Uses*, and 65-3, *Standards Specific to Principal Uses*, of Chapter 65, *Use Regulations*, of the Town of Eatonville Land Development Code are hereby amended as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 3. Codification. It is the intent of the Town Council of the Town of Eatonville that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.

SECTION 4. Conflicts. All Town ordinances or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION 5. Severability. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this Ordinance.

SECTION 6. Scrivener’s Errors. The Town Clerk and Town Attorney are authorized to correct typographical and scrivener errors that do not affect the intent of this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective upon its adoption.

Upon Motion Duly Made And Carried, the foregoing Ordinance was approved upon its first reading on September 15, 2026.

Upon Motion Duly Made And Carried, the foregoing Ordinance was approved upon its second reading on _____, 2026.

TOWN OF EATONVILLE

Attest:

Ruthi Critton, Mayor

Veronica King, Town Clerk

Approved as to form and legality:

By: _____, Esq.
TG LAW, PLLC as Town Attorney

EXHIBIT A

Sec. 65-1. – Principal Uses.

Table 65-1(c): Principal Uses P = permitted use SE = allowed use with approval of special exception Blank cell = use is prohibited NP = not permitted (DT HIST)											
Use Category	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use-Specific Standards
		R-1	R-2	R-3	C-1	C-2	C-3	I-1	HD/MX/OFF	DT HIST CULT	
	Theater								P	P	
Retail Sales Uses	Alcoholic beverage retail sales						P				
	Bank or other financial institution				P	P			P		
	Check cashing business				P		P				
	Computer hardware service						P				
	Consumer goods establishment				P		P			P	
	Convenience store without gas						P			P	
	Convenience store with gas						SE			NP	
	Drugstore or pharmacy				P	P					
	Farmer's market				P		P				Sec. 65-3(b)(3)
	Grocery store and food				P		P			P	

Sec. 65-3. – Standards Specific to Principal Uses.

3. Farmer's Market

- a. **Farmer's Market, *defined.*** As used in this Section, a temporary, open-air use consisting of multiple vendors offering fresh agricultural products, locally produced food items, locally handcrafted or artisanal goods for direct sale to the public from temporary booths, tents, or similar temporary structures.
- b. **Customer Parking.** Customer Parking shall be calculated using the General Business Ratio as provided in Subpart B of the Land Development Code, Chapter 60, Article XI - Off Street Parking, Sec. 60-304. Parking may be located off site. Lawful on-street parking is permitted as long as utilized in accordance with all

applicable Town parking regulations, including Sections 38-201 through Section 38-210, provided that such parking is not located along residential streets.

- i. **Parking Calculations.** For purposes of calculating parking, the floor area shall be the aggregate area occupied by vendor booths and permanent market structures, excluding pedestrian aisles, landscaped areas, seating areas, and open gathering spaces.
 - c. **Vendor Parking.** One space per vendor booth, which may be located on site or at an approved off-site location, if needed, as determined by the Chief Administrative Officer or designee.
 - d. **Alternative Parking Plan.** An alternative parking plan may be submitted and approved to meet the unique standards for a farmer's market that is not a daily market that provides:
 - i. Estimated number of vendors, hours of operation, explanation demonstrating that adequate parking will be available without adversely impacting adjacent properties or public safety;
 - ii. Parking inventory (on-site spaces, off-site, ADA);
 - iii. Shared parking area(s);
 - iv. Vendor Parking; and
 - v. Overflow Parking (if applicable.)
-



TOWN OF EATONVILLE - BUSINESS IMPACT ESTIMATE/EXEMPTION FORM

This Business Impact Estimate is provided in accordance with Florida Statute §166.041(4). This form should be included in agenda packet for the item under which the proposed Ordinance is to be considered, and must be posted on the Town's website by the time notice of the proposed Ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed Ordinance's Title/Reference:

ORDINANCE 2026-7

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

If one or more boxes are checked below, this means the TOWN OF EATONVILLE is of the view that a business impact estimate is not required for the proposed Ordinance pursuant to Florida Statute §166.041(4)(c), but the TOWN OF EATONVILLE is providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed Ordinance.

[CHECK BOX BELOW AS APPLICABLE]

- ☐ The proposed Ordinance is required for compliance with federal or state law or regulation;
- ☐ The proposed Ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the municipal government.
- ☐ The proposed Ordinance is an emergency Ordinance;
- ☐ The proposed Ordinance relates to procurement; or

- ☐ The proposed Ordinance is enacted to implement the following:
- a. A development order or development permit, as defined in s. 163.3164, F.S.; a development agreement as authorized by ss. 163.3220-163.3243, F.S.; or a comprehensive plan amendment or land development regulation amendment initiated by an application by a private party other than the municipality;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that although an exemption noted above may apply, the TOWN OF EATONVILLE hereby publishes the following information:

1. Summary of the proposed Ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):
The proposed ordinance expands use(s) for commercial zoning designations, specifically C-3 that provide additional uses for fresh food to be accessible to the town of Eatonville residences.

2. An estimate of the direct economic impact of the proposed Ordinance on private, for-profit businesses in the Town, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

No costs are projected to occur as this is an optional use and not required.

(b) Any new charge or fee imposed by the proposed Ordinance, or for which businesses will be financially responsible:

No charges or fee's will be imposed.

(c) An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

No additional costs to add a permitted use to a zoning district.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Ordinance:

No impact is expected

4. Additional information the governing body deems useful (if any):

No additional information.



NOTICE OF PUBLIC HEARING

The **TOWN OF EATONVILLE, FLORIDA** proposes to adopt the following Ordinance:

ORDINANCE NO. 2026-7

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR ADOPTION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Two Public Hearings will be held on the Proposed Ordinance as follows:

- 1. First Public Hearing and First Reading: September 15, 2026, at 7:30 p.m.**
- 2. Second Public Hearing and Second Reading: October 6, 2026, at 7:30 p.m.**

Both Public Hearings will be held at **Eatonville Town Hall, 307 E. Kennedy Boulevard, Eatonville, Florida 32751**. Interested persons may appear at either Public Hearing and be heard regarding the proposed ordinance.



APPEAL NOTICE: In accordance with Florida Statute §286.0105, any person who decides to appeal any decision made by the Town Council with respect to any matter considered at these public hearings will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA NOTICE: In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodations to participate in these proceedings should contact the **Town Clerk at (407) 623-8910** at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing **711**.



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL BOARD MEETING

SEPTEMBER 15, 2026, AT 07:30 PM

Cover Sheet

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

ITEM TITLE: Approval of the First Reading of Ordinance 2026-8 Establishing Registration and Operation of Rental Homes (**Councilman Mack**)

BOARD ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE
PUBLIC HEARING 1ST / 2ND READING	YES	Exhibits: Ordinance 2026-8 – Draft Form
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request for the town council to approve of the First Reading of Ordinance 2026-8 Establishing Registration and Operation of Rental Homes.

SUMMARY: In recent years, many formerly private homes have been turned into residential rental units. Those rental units have oftentimes been rented to individuals who because they have no ownership interest in the property have allowed the properties to deteriorate. In addition, problems have occurred because many tenants who have no ownership interest in the real estate have not been concerned about following the Codes of the Town, including Codes which govern maintenance and safety of the property

The Town Council of the Town of Eatonville finds that residential rental properties with the Town are not being properly maintained or managed, creating a potential nuisance for neighboring properties as well contributes to the slum & blights conditions; the council finds that residential rental properties with the Town are not being properly maintained or managed, creating a potential nuisance for neighboring properties as well contributes to the Slum & blights conditions.

The intent of this Ordinance is to collect current and accurate information regarding rental properties and to encourage the appropriate management of those properties in order to protect the general health, safety and welfare of the residents and visitors to the Town of Eatonville.

Previously discussed during workshop on April 15, 2026. A Business Impact Estimate (FS Requirements) will be required by the 2nd Reading.

RECOMMENDATION: Approve of the First Reading of Ordinance 2026-8 Establishing Registration and Operation of Rental Homes..

FISCAL & EFFICIENCY DATA: N/A

**AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA
~~CREATING A NEW ARTICLE AND NEW SECTIONS 1~~
~~THROUGH 9, INCLUSIVE, IN CHAPTER 4 AMENDING~~
~~CHAPTER 12, BUSINESSES, IN THE TOWN OF EATONVILLE~~
CODE OF ORDINANCES, CONCERNING THE REGISTRATION
AND OPERATION OF RENTAL HOMES; PROVIDING
APPLICABILITY; PROVIDING FOR REGISTRATION,
INSPECTIONS AND FEES; PROVIDING FOR REQUIRED
POSTINGS AND NOTICE; PROVIDING FOR
INTERPRETATION AND ENFORCEMENT; PROVIDING FOR
CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING
FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the Town of Eatonville, Florida makes the following findings;

1. In recent years, many formerly private homes have been turned into residential rental units. Those rental units have oftentimes been rented to individuals who, because they have no ownership interest in the property have allowed the properties to deteriorate. In addition, problems have occurred because many tenants have no ownership interest in the real estate have not been concerned about following the Codes of the Town, including Codes which govern maintenance and safety of the property.
2. In many cases, the owners of the properties live long distance from the Town of Eatonville, Orange County, Florida. As a result, property maintenance of many rental units in the Town has been substandard.
3. The aforementioned findings have caused problems for other home-owners near the rental units.

WHEREAS, the Town Council of the Town of Eatonville finds that residential rental properties with the Town are not being properly maintained or managed, creating a potential nuisance for neighboring properties as well contributes to the Slum & blights conditions; and

WHEREAS, the Council desires to ensure that residential properties available as rentals are properly maintained and operated necessary to address the slum & blighted areas; and

WHEREAS, the Council finds that inadequately maintained and operated properties directly affect the surrounding neighborhoods and the Town as a whole, and that the regular collection and maintenance of accurate information about rental properties will aid in ensuring compliance with this Ordinance and the Code in general; and

WHEREAS, the Council, therefore, desires to establish a registration program to educate rental property owners, their managers and tenants, on compliance with various statutory and Code requirements relating to the short-term rental of residential property; and

WHEREAS, the intent of this Ordinance is to collect current and accurate information regarding rental properties and to encourage the appropriate management of those properties in order to protect the general health, safety and welfare of the residents and visitors to the Town of Eatonville.

SECTION 1. Recitals.

The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance.

SECTION 2. ~~Chapter 12 of the~~ The Code of Ordinances, Town of Eatonville, Florida, is hereby amended by creating Article 34, entitled "Rental Homes, Residential Rental Units" ~~and adding a Section to be numbered 1, which section which shall~~ reads as follows:

ARTICLE 34 RENTAL HOMES

Sec. 12-70.1, Applicability; Definitions.

(a) The provisions of this Article shall apply to "**RENTAL HOMES**" which include any dwelling or group of dwelling units, as defined ~~in Section 4 of the Code below~~, including those units in a single-family unit, condominium, cooperative, or mobile home dwelling located in the Town that is, at any time, available for rent or lease for a period of no less than 180 days. This Article does not apply to motels or hotels as defined ~~in Section 4 of the Town of Eatonville Code of Ordinances below~~. As used in this sub-section, the term "available for rent or lease" means that the dwelling is actually being offered for rent or lease or is rented or leased for a specified period of time.

(b) All owners of properties subject to the provisions of this Article shall, prior to offering their property for rent or lease to the public, register each dwelling with the Town and apply for a rental housing business license.

(c) In addition to their tenants, the owner of all applicable properties subject to this Article shall at all times be ultimately responsible for compliance with the terms of this Article, and the failure of any tenants or agents of the owner to comply will be deemed noncompliance by the owner.

(d) Definitions. As used herein, unless the context affirmatively indicates to the contrary, the following terms are defined to mean:

CODES- any code or Ordinance adopted, enacted and/or in effect in and for the Town of Eatonville, Orange County, Florida concerning fitness for habitation or the construction, maintenance, operation, occupancy, use or appearance of any premises or residential rental unit. Included within, but not limited by this definition are the following which are in effect as the date of the enactment of this Ordinance; the Uniform Construction Code, the International Property Maintenance Code, International Plumbing Code, International Fire Prevention Code, International Electrical Code, the International Building Code and any duly enacted amendment or supplement to any of the above and any new enactment falling within this definition.

CODE ENFORCEMENT OFFICER- the duly appointed Code Enforcement Officer(s) having charge of the Office of Code Enforcement of the Town of Eatonville and any assistants or agents.

COMMON AREA- any open area within a structure shared by occupants or that the occupants have the right to share including, but not limited to, kitchens, bathrooms, living rooms, dining rooms, attics, basements and any room used for parties, social events or the congregation of people, except bedrooms.

DWELLING UNIT- One (1) or more rooms used for living and sleeping and occupied by one (1) family.

Section VI. Item #D.

EXTERIOR AREA- The outside façade of a building, including but not limited to any porch, yard, lawn, landscaping, sidewalks, setbacks, curbs, and all open area contiguous to a building owned by the same person or persons or part of the same real estate parcel.

FAMILY- An individual, or an individual with children, or a couple and their children, or a group of no more than three (3) UNRELATED PERSONS living together in a dwelling unit.

HOTEL- A room or rooms in any building or structure kept, used, maintained, advertised or held out to the public to be an Inn, hotel, apartment hotel, lodging house, boarding house, rooming house, tourist house, dormitory or a place where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals.

BOARDING HOUSE, ROOMING HOUSE, LODGING HOUSE- A building arranged or used for lodging with or without meals for compensation by individuals who are not members of the family.

FULL TIME RESIDENT- any person who physically inhabits a bona fide residence within the boundaries of Eatonville, Orange County, Florida at the time of application to register a Residential Rental Unit and who continues to physically inhabit this residence at all times during the active registration of that Residential Unit. Documentation to be considered in establishing proof of current residency in the Town is:

1. Proof of a valid Florida issued Driver's License or Florida issued identification card indicating an address located within the boundaries of the Town of Eatonville.
2. Proof of a valid Florida Voter Registration Card indicating an address located within the boundaries of the Town of Eatonville.
3. Proof of a valid Florida vehicle registration in the name of the applicant and indicating an address located within the boundaries of the Town of Eatonville.
4. Other documentation may be taken into consideration to verify proof of Florida residency.

LANDLORD- any person, agent, operator, firm, corporation, partnership, association, property management group, or fiduciary having legal, equitable or other interest in any real property; or recorded in the official records of the State, County, or Municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of such person's estate. When used in this Ordinance in a clause prohibiting any activity or imposing a penalty, the term, as applied to partnerships and associations, shall mean each partner, and as applied to corporations, the officers there, (Same as "OWNER").

AGREEMENT:

- I. **A. Landlord Requirements. Landlord agrees to perform the following:**
 - Tenant Screening. Landlord shall perform all of the following screening requirements for all tenants prior to move-in:**
 - A. Criminal Background Check. Landlord shall obtain a criminal history for each tenant and each occupant of the premises who is 18 years or older, including information from the Florida Sex Offender Registry, to verify whether the tenant or occupants over 18 years of age are registered sex offenders. Landlord shall keep all criminal histories on file for the full term of the lease.**

- ~~B. Income/Employment Verification. Landlord shall obtain income/employment verification from each prospective tenant.~~
- ~~C. Rental References. Landlord shall obtain and verify contact information for all previous landlords within the last three years.~~
- ~~D. Application. Landlord shall require each prospective tenant to complete a Rental Application, which shall include the tenant's social security number and date of birth. Landlord shall keep the Application on file for the full term of the lease.~~

~~Tenant Selection. Landlord shall consider the following criteria, at a minimum for tenant selection and will refuse to rent to any prospective tenant(s) or other occupants found to:~~

- ~~A. False Information. Provides false information to the Landlord on the Application or otherwise.~~
- ~~B. Convictions. Have been convicted of multiple (more than one) drug or alcohol related crimes in the past four years (Landlord may deny rental at their discretion for a single conviction); any crime related property damage, prostitution, violence of any kind, assault, or crimes that involve weaponry of any kind in the past four years.~~
- ~~C. Sex Offender Registry. Appear on the sex offender registry and it is within four years of the date of conviction. Landlords leasing to a sex offender(s) whose conviction is over 4 years old must comply with _____ related to "Protected Areas."~~
- ~~D. Controlled Substance. Have been convicted of distribution of a controlled substance within the past four years.~~
- ~~E. Probation and/or parole. Are on court or Board Pardons offered probation or parole for one of the disqualifying offenses listed above.~~

LOCAL AGENT- an adult individual designated by the owner of a residential rental unit who shall be the

agent of the owner for service of process and receiving of notices and demands for the owner under this Ordinance. Every owner who is not a Full-Time Resident of the Town, and/or who does not live within forty (40) miles of the location of the Residential Rental Unit, measured in a straight line from the rental unit to the bona fide residence of the applicant, shall designate a local agent who shall reside in an area that is within forty (40) miles of the location of the Residential Rental Unit, distance measured as above. If the owner is a corporation, a local agent shall be required if an officer of the corporation does not reside within the above reference area. The officer shall perform the same function as a local agent. If the owner is a partnership, a local agent shall be required if a partner does not reside within the above referenced area. Said partner shall perform the same function as a local agent. The local agent shall be the agent of the owner for service of process and receiving of notices and demands, as well as for performing the obligations of the owner under this Ordinance. The identity, address and telephone number(s) of a person who is designated as local agent hereunder shall be provided by the owner to the Town and the owner shall keep all such information current and updated as it changes.

OCCUPANT- an individual who resides in a rental unit, whether or not he or she is the owner thereof (same as "TENANT").

OWNER- any person, agent, operator, firm, corporation, partnership, association, property management group, or fiduciary having legal, equitable or other interest in any real property; or recorded in the official records of the State, County or Municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of such person's estate. When used in this Ordinance in a clause prohibiting any activity or imposing a penalty, the term, as applied to partnerships and associations, shall mean each partner, and as applied to corporations, the officers thereof. (Same as "LANDLORD").

OWNER-OCCUPIED RENTAL UNIT- a rental unit in which the owner resides on a regular permanent basis.

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PERSON- a natural person, partnership, corporation, unincorporated association, limited partnership, trust or any other entity.

PREMISES- any parcel of real property in the Town, including the land and all buildings and appurtenant structures or appurtenant elements on which one or more rental units are located.

QUALIFIED RESIDENTIAL RENTAL UNIT- A residential rental unit which as met the ~~inspection~~ requirements of this article and for which the annual fee has been paid.

RELATED PERSONS- the term "related" shall be restricted to the following relationships; spouse, parent, child, sister, brother, grand-child, grand-parent, or any of these same relationships in a "step" or "in-law" situation.

RENTAL OCCUPANCY LICENSE- the license issued to the owner of residential rental units under this Ordinance which is required for the lawful rental and occupancy of residential units.

RESIDENTIAL RENTAL UNIT- any structure within the Town of Eatonville that is occupied by someone other than the owner of the real estate as determined by the most current deed for the property. Each apartment within a building is a separate dwelling unit requiring ~~inspection and~~ a license.

ROOMING UNIT- includes each and every bedroom within a structure such as a boarding house, a fraternity, a sorority, a motel, a hotel, a hospital, a nursing home, a dormitory, a tourist house, seasonal labor housing, or other similar buildings.

Sec. ~~12-71.2~~, Registration, Inspections, and Fees.

- (a) **Rental Property Registration.** Every owner of a residential rental unit, on a registration application form issued by the Town, shall register with the Code Enforcement Officer in accordance with the following:

- (1) All owners of residential units must register the units with the Code Enforcement Officer within the thirty (30) days after the effective date of this Ordinance.
- (2) The registration and licensing of all rental residential properties and the designation of a local agent shall occur on or before February 1 of each year.
- (3) Any individual, entity or firm which converts any structure to a residential rental unit or units shall register the residential rental unit or units with the Code Enforcement Officer of the Town of Eatonville within thirty (30) days of the completion of the conversion of the unit or units or within five (5) days of the date within which a tenant or tenants occupies the unit or units, whichever time period is sooner.
- (4) In the event of a transfer of ownership, legal or equitable, of a property covered by this Ordinance it shall be the responsibility of both the transferring owner(s) and the new owner(s) to notify the Town of said transfer not more than five (5) days from the date of said transfer of ownership. If the property continues as a Rental Unit following the transfer, the new owner(s) shall register and license the property and comply with all the requirements of this Ordinance within ten (10) days of the date of transfer of ownership, either legal or equitable. In the event that notification and the required registration update is not given within the times set forth above, any Rental Occupancy License previously issued shall become null and void immediately upon the expiration of the allowed time period and the new owner(s) shall be subject to the requirement for inspections as set forth in this Ordinance.

(5) The owner of a residential rental unit must update the registration information record with the Code Enforcement Officer within ten (10) days of any change to the information in paragraph 6 below.

(6) Registration information shall be provided by all owners and shall include the following:

- a. The names, addresses, and telephone numbers of all the owner(s) of the rental unit.
- b. The name of the Local Agent. If the local agent is a business, both the name of the business and the name of the designated individual responsible for the rental unit shall be provided.
- c. The property address and number of units
- d. The type of rental unit.
- e. The number of Dwelling Units in each Rental Unit.
- f. Maximum occupancy per unit.
- g. Actual number of occupants
- h. Names and addresses of current adult tenants and the number of minor children who reside in the Dwelling Unit.

(7) Any owner of a residential rental unit shall notify the Township within ten (10) days of a new tenant occupying, renting or residing in the owner's residential rental unit.

(b) Rental Property Inspection. Within 15 working days after receipt of a complete application satisfying the requirements above and the application fee, the Town shall inspect the residential rental property and units to determine compliance with all applicable provisions of the Town's Code, including the property maintenance code, and shall issue the license or provide the applicant with written notice of any defects which must be remedied before a license shall issue.

(1) This section shall not be interpreted as authorizing the Town to conduct an inspection of any residential rental unit without first obtaining either consent to entry for purposes of inspection by a person having lawful possession and control of the premises or obtaining an inspection warrant pursuant to state law. This provision shall not be interpreted as authorizing the Town to conduct an inspection of any tenant-occupied rental unit without obtaining either the consent of the tenant or other person in possession, or an inspection warrant.

(2) Each residential rental property and unit regulated by this article shall be reinspected every 24 months, contingent upon Town resources and the number of units to be inspected. The Town shall maintain a reinspection schedule for currently licensed units. In addition, any currently licensed unit or property may be inspected upon reasonable notice. The property owners or their agents shall notify tenants of planned inspections of their residential rental units.

(3) A tenant may request an inspection of the residential rental property or unit in which he or she currently resides if violations of the International Property Maintenance Code are suspected.

(4) The Town Council may establish fees for inspections provided under this Article by resolution.

(8) ~~Notwithstanding any other provisions of this chapter, the names and addresses of a tenant shall not be disclosed by any Township personnel except in the event that the tenant is the subject of a court order requiring that this information be revealed as directed by the court order.~~

~~SECTION 4. The Code of Ordinances, Eatonville, Florida, is hereby amended by creating Article 4, entitled "Rental Homes" and adding a section to be numbered 1-9, which section reads as follows:~~

~~Sec. 12-72.3 General Provisions.~~

(1) ~~Designated Contact~~Local Agent. Each applicant for registration shall at the time of application designate a designated contact for the purpose of addressing the concerns of the tenants or responding to complaints by the Town or other persons regarding the conduct of the occupants of a dwelling subject to regulation pursuant to this Article. When an entity is designated, the registration shall include the name of a specific contact person(s); provided, that in all events, there shall be a designated person available for contact by the Town for each hour or each day, seven days per week. The designated contact shall respond to concerns regarding potential violations of this Article within one (1) hour of receiving a contact call from the Town. The designated contact shall promptly make at least three (3) attempts following the receipt of a complaint from the Town to contact the tenants and resolve the complaint. The designated contact is also responsible for documenting the complaint; the date and time of receipt of the complaint from the Town; the date and time of attempts to contact the tenant(s) and the result of the contact; the nature of the response by the tenant(s); and forwarding that documentation to the Chief Administrative Officer within one (1) hour of their response to the initial complaint.

(2) Occupancy Limits:

a. In no case shall the maximum total occupancy for any dwelling exceed the limits permitted by the Florida Fire Prevention Code or Florida Building Code.

b. In addition to the foregoing, the maximum tenancy occupancy load of any unit shall not exceed two (2) persons for each bedroom, as "bedroom" is defined under the Florida Building Code, in the rental, plus two (2) persons.

c. Before the hours of 7 AM, or after 10 PM, on any day, the occupancy load of the unit may not exceed the maximum allowed number of tenants.

(3) Record Keeping. The owner of each dwelling shall maintain a registry of all tenant(s), their address, telephone number, and e-mail address, and the make, model, year, and tag number of their motor vehicle(s) located at the dwelling. The owner shall maintain this information for each tenant for a minimum of two (2) years. The owner or designated contact shall make the information regarding the current tenant(s) available to the Town within one (1) hour of a request by the Chief Administrative Officer.

(4) Vehicles and Parking. Tenants or guests of any registered unit shall not:

a. Engage in any prohibited parking activities as provided in ~~Sections 2 or 2.1.4~~ of the Town of Eatonville Code of Ordinances.

b. Park any boat or boat trailer in a residential zoning district, unless fully enclosed in a structure so that it cannot be seen from any abutting property, public way, or waterway. As used in the foregoing sentence, the term "residential zoning district" shall include properties zoned Residential Single Family (RSF) or Residential Multiple Family 6 units per acre (RMF-6).

c. Utilize recreation vehicles for sleeping or overnight accommodations at any property regulated by this Article.

(5) Refuse. As provided by Section ~~30-26 2-1.1~~ of the Town of Eatonville Code of Ordinances, refuse, trash, and recycling may not be left out by the curb on a public right-of-way for pick-up until 6 PM on the evening before the scheduled trash or recycling pick-up day with all trash, refuse, or recycling containers removed thereafter by ~~67~~ PM on the evening of the day of refuse, trash, or recycling pickup, as applicable.

(6) ~~Noise. Tenants and their guests must comply with the requirements of, Article 4, Noise Control, of the Town of Eatonville Code of Ordinances, and not unnecessarily make, continue or cause to be made or continued, any noise disturbance as defined therein.~~

(7) ~~Fireworks. The use of fireworks is not permitted and violators will be prosecuted. See Section 4, of the Town of Eatonville Code of Ordinances.~~

(8) Advertisement. It shall be unlawful to offer or advertise any rental home for rent or lease in the Town without that unit first being registered as provided in the Article. Where advertised, the

registration number provided by the Town must appear on all forms of advertisement and on the landing or "home" page for the dwelling when advertised over the internet. Alternatively, the registration number of a designated contact or property manager can appear in lieu of the individual property registration numbers.

(9) Compliance with Other Regulatory Authorities. Properties subject to this Article must meet all applicable requirements of state law. To the extent provided by general law, violation of any state law relating to the subject matters contained in the Article shall also constitute a violation of this subsection; provided that no penalty under this Article shall be greater than that authorized by state law for violation of the state law provision.

(10) Hazardous Building Declaration. In the event that a building has been declared unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the building may be declared a hazardous building and treated consistent with the provisions of Florida statutes. The Chief Administrative Officer or designee will post the date the rental home shall be vacated and no person shall reside in, occupy or cause to be occupied that rental home until the TownCity Manager or Town Council permits it.

(11) Evacuation. All rental properties shall be evacuated as required upon the posting of a nonresident evacuation order issued by the Town, County, or State.

(12) Compliance Order. Whenever the Chief Administrative Officer or designee determines that any building or portion thereof, or premises surrounding any of these, fails to meet the provisions of this chapter, a compliance order setting forth the violations of this chapter and ordering the owner, occupant, operator, agent, or designated contact to correct such violations shall be issued.

(13) Tenant Screening. Landlord shall perform all of the following screening requirements for all tenants prior to move-in:

- E. Criminal Background Check. Landlord shall obtain a criminal history for each tenant and each occupant of the premises who is 18 years or older, including information from the Florida Sex Offender Registry, to verify whether the tenant or occupants over 18 years of age are registered sex offenders. Landlord shall keep all criminal histories on file for the full term of the lease.
- F. Income/Employment Verification. Landlord shall obtain income/employment verification from every prospective tenant.
- G. Rental References. Landlord shall obtain and verify contact information for all previous landlords within the last three years.
- H. Application. Landlord shall require each prospective tenant to complete a Rental Application, which shall include the tenant's social security number and date of birth. Landlord shall keep the Application on file for the full term of the lease.

(14) ~~Tenant Selection. Landlord shall refuse to rent to any prospective tenant(s) or other occupants found to provide false information to the Landlord on the Application or otherwise.~~

F.

~~SECTION 5. The Code of Ordinances, Eatonville, Florida, is hereby amended by creating Article 4, entitled "Rental Homes" and adding a section to be numbered 1, which section reads as follows:~~

~~Sec. 12-73.4, Required Postings and Notice.~~

(a) Each registered dwelling shall have a clearly visible and legible notice conspicuously posted within the dwelling, containing the following information:

(1) The designated contact for the unit and a telephone number where the designated contact may be reached on a 24-hour basis.

(2) The occupancy limits, total and overnight, for the dwelling.

(3) The maximum number of vehicles allowed to be parked on the property and the location of on-site parking spaces.

(4) The trash and recycling pick-up day(s).

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(5) A notice that no fireworks shall be set off and a statement that violators will be prosecuted.

(6) A summary of the Town's noise ordinance.

(b) The information set forth in sub-section (a) must be kept current at all times by the dwelling owner. All tenants must be provided a Code of Conduct summary of the remaining general provisions of this Article including the penalties for violation as set forth in Section 1 of the Town of Eatonville Code of Ordinances, and a copy of the current Town registration.

~~SECTION 6. The Code of Ordinances, Eatonville, Florida, is hereby amended by creating Article 4, entitled "Rental Homes" and adding a section to be numbered 2, which section reads as follows:~~

Sec. 5, 12-74. Interpretation; Enforcement.

(a) Interpretation. All questions of interpretation, or application, of the provisions of this Article shall first be presented to the Chief Administrative Officer. In interpreting or determining the application of the provisions of this Article, the Chief Administrative Officer shall be guided first by the plain meaning of the words and terms in the code and second by the intent expressed therein. Thereafter, the Town Council shall have the authority to hear and decide appeals from the decision or interpretation of the Chief Administrative Officer.

(b) Enforcement. Any violation of the provisions of this Article may be prosecuted and shall be punishable ~~by as provided in Section 4, or Chapter 1, of the Town of Eatonville Code of Ordinances,~~ including but not limited to: (i) code enforcement board prosecution for a fine of up to \$500 per violation, per day for continuing repeated violations; (ii) by civil citation up to \$500 per offense; (iii) by the seeking of injunctive relief through the courts, or; (iv) any combination thereof. Each day of renting a dwelling without having a registration certificate issued pursuant to this Article shall constitute a separate and distinct violation of this Article. Tenants and owners may be prosecuted concurrently.

(c) Basis for Sanctions. The ~~Chief Administrative Officer-Town~~ may, by code enforcement board prosecution, revoke, suspend, deny, or decline to renew any license issued under this Article for part or all of a rental home upon any of the following grounds:

1. Leasing Without A License: Leasing rental homes without a license or units subject to license suspension or revocation;

2. Violation of Codes: Violation of the Town Ordinance Code, Building Code, or Fire Code;

3. Hazardous or Uninhabitable Units: Leasing units that are deemed hazardous or uninhabitable or units within a building that is deemed hazardous or uninhabitable;

4. Commission of a Felony: Commission of a felony related to the licensed activity by the property owner or manager;

5. Consideration of Suspension or Revocation: At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the Town Council for consideration of license suspension or revocation;

6. Updated Application Information: Failure to provide updated application information during the license period;

7. False Statements: False statements on any application or other information or report required by this Article to be given by the applicant or licensee;

8. Fees: Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this Article or Town Council resolution;

9. Correction of Deficiencies: Failure to correct deficiencies in the time specified in a compliance order;
10. Inspection: Failure to allow ~~an~~ court-authorized inspection of a rental home;
11. Violation of Statute: Violation of an owner's duties under Florida statutes.
12. Written Tenant Application and Lease Agreement Required: The licensee must screen all potential tenants using a written tenant application. The licensee must use a written lease agreement for all tenants. The licensee must have all tenants execute a Florida crime free housing lease addendum, the form for which being on file with the Town. The written tenant application must include sufficient information so that the licensee can conduct appropriate criminal background checks on prospective tenants. The written tenant application and written lease agreement and the Florida crime free housing lease addendum for each tenant must be part of the licensee's files. Upon request the licensee must show proof, satisfactory to the Town and consistent with data privacy laws, that the licensee is maintaining the documents required by this Article. Failures to use, maintain, or provide these documents to the Town upon request is a violation of this Article.

13. Codes Violations: Nothing in this article shall preclude or prohibit the Code Enforcement Officer or other Town designee from identifying any code violations or inspecting any property according to the terms of any of the referenced codes at any time, whether or not the particular premises is scheduled for periodic inspection under the terms of this article.

14. Violations and Penalties:

- A. The failure of any owner to effect corrections as provided in this article shall be considered a violation of the Town's Residential Rental Property Ordinance and the procedures and penalties prescribed therein shall be applicable.
- B. ~~The failure of any owner to schedule an inspection or re-inspection as provided in this article shall result in the issuance of a notice to the owner that the property is not a qualified residential rental unit, in which event it shall be unlawful for any person to occupy or to let others for occupancy the subject premises until the unit becomes a qualified residential rental unit after inspection and compliance with violation notices.~~
- C. ~~Any person, firm or corporation who shall violate any provision of this ordinance shall, upon being found to have committed the violations in a civil enforcement action before a District Justice, pay a civil penalty not to exceed Six Hundred Dollars (\$600.00) per violation. Each day that the violation continues shall be deemed a separate offense and punishable as such. The Town of Eatonville may enforce this Ordinance in equity or through injunctive relief in addition to or in lieu of such civil action before the District Judge. If the penalty for the violation of this Ordinance is not timely paid and the person, firm or corporation upon whom the penalty was imposed is found to have been liable therefore in civil proceedings, the violators shall be liable for the penalty imposed including additional daily penalties for continuing violations, plus court costs and reasonable attorney fees incurred by the Town in the enforcement proceedings. Any fine which remains unpaid and outstanding after the time specified therein for payment shall be grounds for the imposition of a municipal lien upon the premises as provided by law. Such a lien may be reduced to judgment and enforced and collected as provided by Law, together with interest at the legal rate and court costs. The remedies provided by this subsection are not exclusive and the~~

Town and its Code Enforcement Officer may invoke such other remedies available under this Ordinance or the applicable codes, Ordinances or Statutes, including, but not limited to, appropriate, condemnation proceedings or declaration of premises as a public nuisance; or suspension, revocation or non-renewal of the license issued hereunder.

- D. In the instance of repeated violations of this Ordinance, whether for the same or similar offenses or for various offenses, the Town may, upon the owner being found to have committed the violations in a civil enforcement action before the Code Enforcement Board ~~District Justice~~, revoke the Occupancy License, in addition to any other remedies provided in this Ordinance. Said revocation shall be effective for a period of up to one year, at which time a new application for registration may be submitted and shall be reviewed in accordance with the provisions of this Ordinance. Three license revocations attributed to an owner shall result in a permanent revocation.

In case of continuing code violations of Rental or rental homes without a license, a separate violation occurs each day that the property owner or license holder is in violation of this Article.

(d) Penalties. Any owner, landlord or tenant of a unit found to be in violation of any provision of this Code shall pay a fine of not less than \$100.00 and not to exceed \$300.00 for each and every offense.

(e) Fines as imposed through this Ordinance shall be collected as allowable by law.

(f) In addition to the fines set forth herein, the Town of Eatonville shall be entitled to reasonable attorney's fees incurred in enforcing this Ordinance. The said fees shall be added to any penalties set forth above.

1. ~~Revocation: Any violation of this Article may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not preclude criminal prosecution under this Article or Florida statutes. All fines are cumulative and revocation periods will run consecutively.~~

2. ~~Suspension: Town Council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.~~

3. ~~Civil Fines: Town Council may impose civil fines in addition to revocation or suspension for violations of any provision of this chapter as follows:-~~

	Fine Per Unit
First Violation	\$100.00
Second Violation	\$300.00
Third or more within a 12 month period	\$500.00
Renting without a license after 30 days' notice shall be subject to <u>\$51,000.00</u> fine per unit and also be a misdemeanor offense.	

Miscellaneous Provisions

- A. Delivery of Notification shall be as follows:

1. All notices shall be sent to the owner or designated local agent, if applicable by certified mail. In the event that the notice is returned by the postal authorities marked "refused" deemed to have been delivered to and received by the addressee.
2. In the event that the notice is returned by the postal authorities marked "unclaimed" then the notice shall be sent to the owner and/or local agent at the addresses stated on the most current license application for the subject premises by regular first-class mail, postage pre-paid. If such notice is not returned by the postal authorities within five (5) days of its deposition in the U.S. Mail then it shall be deemed to have been delivered to and received by the addressee on the fifth day following its deposit in the U.S. Mail and all time periods set forth above shall thereupon be calculated from said fifth day.
3. In the event that the notice sent via first class mail is returned by the postal authorities then the Code Enforcement Officer shall post the notice on an entry door of the premises. The notice shall be deemed as delivered to and received by the owner forty-eight (48) hours following the posting.
4. There shall be a rebuttable presumption that any notice required to be given to the owner under this Ordinance shall have been received by such owner if the notice was given to the owner in the manner provided by this Ordinance.
5. A claimed lack of knowledge by the owner of any violation hereunder cited shall be no defense to license non-renewal, suspension or revocation proceedings as long as all notices prerequisite to institution of such proceedings have been given and deemed received in accordance with the applicable provisions of this Ordinance.

SECTION 73. CODIFICATION.

It is the intention of the Town Council, and it is hereby ordained that the amendments to the Town of Eatonville Code of Ordinances made by this Ordinance shall ~~constitute a new Article 1 to Chapter 4 of the Town of Eatonville Code of Ordinances~~ be codified, and that the sections of this Ordinance may be renumbered and re-lettered as necessary, and that the word "Ordinance" may be changed to "Section", "Article", or other appropriate word.

SECTION 48. CONFLICTS.

All Ordinances or parts of Ordinances and all Resolutions or parts of Resolutions in conflict with the provisions of this Ordinance are hereby superseded and resolved to the extent of any conflict in favor of the provisions of this Ordinance.

SECTION 59. SEVERABILITY.

(a) If any term, section, clause, sentence, or phrase of this Ordinance is for any reason held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the other or remaining terms, sections, clauses, sentences, or phrases, portions of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) That in interpreting this Ordinance, underlined words indicate additions to existing text, and ~~stricken through~~ words include deletions from existing text. Asterisks (* * *) indicate a deletion from the Ordinance of text, which exists in the Code of Ordinances. It is intended that the text in the Code of Ordinances denoted by the asterisks and not set forth in this Ordinance remain unchanged from the language existing prior to adoption of this Ordinance.

SECTION 406. EFFECTIVE DATE:

Section VI. Item #D.

This Ordinance shall become effective on _____, 20____, following its adoption by the Town Council.

First reading held this _____ day of _____ 2023.

	AYE	NAYE	ABSENT
Mayor Angie Gardner	_____	_____	_____
Vice Mayor Rodney Daniels	_____	_____	_____
Councilman Marlin Daniels	_____	_____	_____
Councilman Theo Washington	_____	_____	_____
Councilwoman Wanda Randolph	_____	_____	_____

Second and Final reading held this _____ day of _____ 2023.

	AYE	NAYE	ABSENT
Mayor Angie Gardner	_____	_____	_____
Vice Mayor Rodney Daniels	_____	_____	_____
Councilman Marlin Daniels	_____	_____	_____
Councilman Theo Washington	_____	_____	_____
Councilwoman Wanda Randolph	_____	_____	_____

PASSED AND ADOPTED this _____ day of _____ 2023.

TOWN OF EATONVILLE, FLORIDA

By: _____
Angie Gardner, Mayor

Attest:

By: _____
Veronica King, Town Clerk

Reviewed for legal sufficiency:

By: _____
Town Attorney, Cliff Shepard



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL MEETING

SEPTEMBER 1, 2026, AT 7:30 PM

Cover Sheet

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

ITEM TITLE: Approval of Town Council Meeting Minutes (Clerk Office)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE (CLERK OFFICE)
PUBLIC HEARING 1 ST / 2 ND READING		Exhibits: <i>**Forthcoming on or before scheduled meeting</i> COUNCIL MEETING MINUTES:
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request approval of meeting minutes for the Town Council Meetings

SUMMARY: The Town Council Meetings are held on the 1st and 3rd Tuesdays at 7:30 p.m. and are transcribed from the audio archive for approval for the public records.

RECOMMENDATION: Recommend approval of Town Council meeting minutes

FISCAL & EFFICIENCY DATA:N/A



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING

MEETING MINUTES

Tuesday, August 4, 2026, at 7:30 PM

Denton Johnson Center – 400 Ruffel Street, Eatonville, FL 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 Critton called the meeting to order at 7:41 p.m. and a quorum was established by Mrs. King.

PRESENT: (5) Councilman Tarus Mack, Councilwoman Wanda Randolph, Councilwoman LaDwyana Jordan, Vice Mayor Angela Thomas, Mayor Ruthi Critton

STAFF: (10) Marlin Daniels, **Chief Administrator Officer**; Veronica King, **Town Clerk**; Greg Jackson, **Interim Town Attorney**; Marissa Bellenger, **Deputy Town Clerk**; Chief Stanley Murray, **EPD**; Faith Woods, **Executive Assistant to the Mayor**; Katrina Gibson, **Finance Director**; Valerie Mundy, **Public Works Director**; Darius Washington, **Parks and Recreation Director**; Michael Johnson, **CRA Executive Director**

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation through a moment of silence led by Mayor Critton followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mayor Critton MOTIONS to **APPROVE** the Agenda with **AMENDMENTS** to include the RFP discussion for Magistrate and Bruce and Winnie Mount from Council Workshop; and moving Consent Agenda items to Council Decisions. Mayor Critton clarified to that Consent Agenda items be moved to Council Decisions; confirming that Item C (Town of Eatonville Staff Reports) is an administrative item (not from Councilwoman Randolph); adding Discussions Section to the agenda to include Item #3 (Proposal RFP submitted By TG Law for Hire As The General Legal Services) and #4 (Request For Proposal (RFP) submitted Attorney Greg Jackson for Hire As Special Magistrate Services for Code Enforcement) as discussion items before making Council Decisions; the Bruce and Winnie Mount Scholarship will be addressed during the Town Clerk's report. **Moved** by Vice Mayor Thomas; **Second** by Councilwoman Randolph. **AYE: ALL, MOTION PASSES.**

PRESENTATIONS:

Presentation of HostDime with Updates on Construction – Mr. Daniels stated that the HostDime presentation will be moved to August 18th. Councilman Mack asked why he will not be in attendance and asked when Mr. Daniels received the news. Mr. Daniels - He did not give a reason. He stated that he will need to look up when Mr. Manny notified him of his absence. After searching, he stated that he was notified on July 27th. Councilman Mack asked why Council members were not notified. Councilwoman Jordan asked if the Council can do anything legally? Attorney Jackson - You cannot compel him to come to a meeting. Attorney Jackson referenced a CO and \$250 fines accumulating. Councilman Mack - This is becoming a major problem (project has taken 6 years). We need to put more stipulations on him. We have not seen Manny in over a year. Councilwoman Randolph proposed adding an addendum to the contract with HostDime. Councilman Mack

asked to be included on Manny's response to coming to the next Council meeting. Mr. Daniels - This is relating to business property rights. Attorney Jackson - Businesses have rights to use property the same way as individuals. However, money was given to the business for the completion of work.

Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property – Dr. Maroon (Chair of Dr. Phillips Advisory Committee) gave a regular update to Council. Our meet and greet is tomorrow evening at Macedonia at 5p.m. It will begin with dinner and prayer then go into conversations. It will give the residents an opportunity to get to know the Dr. Phillips team and for them to ask questions. We look forward to having constructive conversations. Dr. Phillips Charities have submitted their TDT application. It is a public document and it is available on the TDT Advisory Task Force website. Tomorrow, the slide deck presentation will become available publicly. The proposal is for the Cultural Heritage Park and Eatonville museum. Dr. Phillips Charities included feedback from throughout the years to develop the Eatonville Museum concept. Councilman Mack - Thank you for being consistent and giving updates. I did have an opportunity to meet with Mr. Robinson. When do you anticipate on closing on the property? Dr. Maroon - This August. Councilwoman Jordan - Spoke on being denied when the Council asked for one of them to be on the advisory committee. I am one of the ones who have not met with you all. I still have my thoughts on the situation. There was a meeting today with SPLC. Do you know what happened? Dr. Maroon - We are not a party in that lawsuit. Councilwoman Jordan - Residents, be mindful that our request was denied. The Council is not being heard. Dr. Maroon - The advisory committee was seated in March/April. The Council's request came after and Dr. Phillips decided to keep their committee. Seats on the committee will rotate in 2-3 years. This conversation is part of the collaboration. Councilwoman Randolph - If you really want to work with the Town, I think that request should have been fulfilled. Dr. Maroon - There are 3 residents that are on the committee. I absolutely hear what you are saying but I want to make it clear that members of the community are part of the advisory committee.

Town of Eatonville Staff Reports from Departments Heads or their Appointed Designee – Darius Washington (Parks and Recreation Director) gave an update on the department: the end of Summer programs, pool hours, flag football schedule, fishing group schedule. Councilwoman Jordan asked a question about the pool hours on Saturdays. What time do we close during the week? 5p.m.? Mr. Washington - Yes. Hours are 1-5p.m. Councilwoman Jordan asked if he thought there should be an opportunity for after school kids to come swim. Mr. Washington - They mostly want to go home, but I can look into it. Valerie Mundy (Public Works Director) gave an update on the department: thank you Mr. McWhite for your comments. One of the things we are standing on is not putting chemicals in the lake and we are working with the Florida Rural Water Association. We are working on backflow, hydrant, and inspections. I and two other public works employees went to a conference last week and gained a lot of training. Our water and sewer program is moving along. Before bidding our projects, we are going to do a comprehensive risk analysis (water treatment plan, sewer projects, and water replacement projects). We are waiting for final authorization for two projects, but we have received some permits. The Catalina project has finally received a permit. The storm water project for Catalina Park with Orange County CDBG funding, the RFP for an engineer is out. Mayor Critton - Can you speak on the flooding on Wymore Road near HostDime? Ms. Mundy - A group of us, including Orange County, met about three times with Manny and HostDime's engineer. The culvert was not built appropriately which is causing flooding (by HostDime). It is outside of the Town's control. We are having conversations with Duke, FDOT, AT&T. It is essentially HostDime's responsibility to ensure the road is built correctly. Mayor Critton asked a question about Lake King. Does the carpe and vegetation control extend to the back of the lake? Ms. Mundy - I will have to do some research and get back to you. Councilwoman Jordan - Thank you Ms. Mundy for the update, especially regarding HostDime. That is the most information I have heard in a while regarding the center. Chief Stanley Murray (EPD) gave an update on the Police department: we just completed our hurricane preparedness event with Orange County. We are ready and preparing ourselves for Founders' Day. EPD will be doing an anti-drug event (tournament) at the Boys & Girls Club in September 19th. October 13th is the National Night Out event. Katrina Gibson (Finance Director) gave an update on her department: I want to

apologize with the lateness with the audit, but within the next two weeks it should be finished. We are looking into new software to assist residents. The new consultant for finance will be working on that. Councilwoman Jordan asked about a code enforcement report. Mr. Daniels stated that staff is at a training this week. Councilwoman Jordan commented on a code enforcement ordinance and doing better with businesses in the community. I want to set up a meeting with Chief and Code Enforcement. Veronica King (Town Clerk) gave an update: there are 6 applicants for the Bruce and Winnie Mount Scholarship (discussed next steps), working on upgrading the chambers microphone system assisting with Orange County Early Voting and Election Day, submitted 2026-2027 budget package, working on our next project which are standard operating procedures, gave a brief update on public record requests.

CITIZEN PARTICIPATION – (1)

Ryan Novak – Mr. Novak came to speak on Resolution 2026-41 and asked Council to review section 3 and 4. I am in favor of Eatonville Heritage Tourism District, but there are some issues with Resolution 2026-45. Mr. Novak referenced the 1997 CRA plan. Eatonville is not Atlanta or Montgomery, but what those places share is an institutional anchor with walkable infrastructure. The plan does not identify an anchor. Mr. Novak shared suggestions to the resolution.

COUNCIL DISCUSSIONS:

Discussion of Request for Proposals (RFP) submitted for General Legal Services for the Town of Eatonville (From Council Workshop) – Mr. Daniels discussed the RFP process for General Legal Services and the number of applicants. Councilwoman Randolph asked about other systems available to share RFPs. Mr. Daniels stated they are looking into other options other than Demand Star. Ms. Gibson shared other outlets the RFP was shared on. Mr. Daniels - It went to 60 law firms, but only one responded. Councilwoman Randolph - I was concerned that other Council members did not have an opportunity to talk with the law firm. Mr. Daniels - Everyone was given the opportunity to meet with the team after the cone of silence was finished.

Discussion of Request for Proposal (RFP) submitted by Attorney Greg Jackson for Hire as Special Magistrate Services for Code Enforcement – Attorney Jackson shared his introduction to the Town of Eatonville and his professional experience.

COUNCIL DECISIONS:

Approval of Resolution 2026-44 of the Healthy Initiatives "Saving Lives" The Beautiful Gate 3D Mammography Mobile Event – Mrs. King read the preamble. **Mayor Critton MOTIONED to APPROVE; moved** by Councilman Mack, **second** by Councilwoman Randolph. **Comments:** Mayor Critton - Is this asking for annual fiscal support? Councilwoman Randolph clarified her ask. The funds for the event are from the Robert Wood Foundation which is about \$18,000. Mayor Critton - Councilwoman Randolph is a cancer survivor and this is a great partnership and support for our residents. **AYE: ALL, MOTION PASSES.**

Approval of Resolution 2026-41 For Clarity Affirming the Town's Commitment to Government Transparency (etc.) – Mrs. King read the preamble. **Mayor Critton MOTIONS for APPROVAL, moved** by Councilwoman Randolph, **second** by Councilwoman Jordan. **Comments:** Councilwoman Jordan - This resolution is just to support the organization. Councilman Mack - I would like to table this item. Councilwoman Randolph - This is the fourth time this resolution has been brought to the table. The last meeting we went through the language and took some items out. I am back again and there is still an issue. I attended the SPLC-OCPS hearing this morning and would like Attorney Jackson to expand to add some clarification to the resolution. Vice Chair Thomas - I agree that this should be tabled. Attorney Jackson can provide us the document from the hearing and tell us next meeting about the results. Mayor Critton - The ability to adequately assess a situation is imperative to making responsible decisions. The resolution still does not address the issue that I brought up. Last meeting, my comments were about compliance with Florida Sunshine and how

unnecessary it is to sign a resolution about a lawsuit we are not included in. I support tabling this item if it means additional information will help us make a more educated decision. Councilman Mack - We definitely need to make good, educated decisions up here. **Councilwoman Randolph rescinded her move; Councilwoman Jordan rescinded her second. Mayor Critton MOTIONS to TABLE; moved** by Councilman Mack, **second** by Vice Chair Thomas. **AYE:** Councilman Tarus Mack, Councilwoman LaDwyana Jordan, Vice Mayor Angela Thomas, Mayor Ruthi Critton **NAY:** Councilwoman Wanda Randolph. **MOTION PASSES 4/1 (Item Tabled). Comments:** Attorney Jackson discussed the decision made in the SPLC-OCPS hearing and explained the process moving forward.

Approval of Request for Proposal (RFP) by TG Law for Hire As The General Legal Services – Mr. Daniels emphasized how imperative legal services is for the Town. Councilwoman Jordan - I would like to table the item or send the RFP back out again. **Councilwoman Jordan MOTIONS to resend the RFP for General Counsel; moved** by Councilman Mack. **Motion dies for lack of second. Comments:** Councilman Mack - I concur with Councilwoman Jordan. Spoke on the RFP process. Mayor Critton - If Item #3 is not approved, and Item #4 is approved, there is a conflict. Attorney Jackson explained the options the Council could take. **Mayor Critton MOTIONS to APPROVE; moved** by Vice Chair Thomas, **second** by Councilman Mack. **AYE: ALL, MOTION PASSES 5/0.**

Approval of Request for Proposal (RFP) submitted by Attorney Greg Jackson for Hire as Special Magistrate Services for Code Enforcement – **Mayor Critton MOTIONS to APPROVE; moved** by Councilman Mack, **second** by Councilwoman Randolph. **AYE: ALL, MOTION PASSES. 4/0. Notes:** Councilwoman Jordan had to step out and was not a part of the vote.

Approval of Resolution 2026-45 Establishing the Eatonville Heritage Tourism District – Mrs. King read the preamble. **Mayor Critton MOTIONS to APPROVE; moved** by Councilman Mack, **second** by Mayor Critton. **Comments:** Vice Chair Thomas asked Executive Director Johnson a question about the plan. Mayor Critton - This is in support of the CRA's application to the TDT. Executive Director Johnson clarified section 8 of the resolution. Councilwoman Randolph asked why St. Lawrence was not included in the resolution. Mr. Daniels - We are going to make sure it is. Mayor Critton made comments. The Council discussed the resolution and plan. **Mayor Critton restates the motion; AYE: ALL, MOTION PASSES 5/0.**

REPORTS:

Chief Administrative Officer - Marlin Daniels – Thank you, Mayor, and Council. This upcoming Friday will be the last day for Lieutenant Lampkin. He is moving to reserve deputy. Yesterday morning, I received an email, and after 25 years of service to the Town, Mrs. Katrina Gibson will be retiring. Our auditors recommended a financial service in her absence. We have officially hired an accounts payable position. We are looking at insurance options and are in talks with a new carrier. The PAL Center has gone through the permitting process.

Interim Town Attorney – Greg Jackson – I am excited to work with TG Law. I do not know them, but I had a chance to talk with them. I will work with them to get them up to speed. I want to thank this Council the opportunity to serve as interim Town Attorney. I look forward to putting together plans and implement code enforcement procedures.

Town Clerk – Veronica King - Get out and vote. I just want to remind Council about the budget workshop schedule. Our first workshop is next Tuesday at 5:30p.m. at Denton Johnson. I will be getting with Councilwoman Jordan to go over the scholarship program.

TOWN COUNCIL REPORT/DISCUSSION ITEMS -

Councilman Tarus Mack – Thank you all for coming out. Condolences to anyone who has suffered a loss in the community. I suffered a loss of a longtime friend recently. He encouraged everyone to go out and vote. Thank you to the department heads--you all do a sensational job. Regarding HostDime, we have a business to

run. I have to continue to hold them accountable. We need you to come to these meetings because we have questions that need to be answered. Congratulations to the six applicants for the Bruce and Winnie Mount Scholarship. He asked Chief Murray for an update on a Town issue. He stated that he is looking forward to Founders' Day. I think we need to appoint an individual to the Community Action Board of Orange County. Congratulations to TG Law firm. Congratulations to Attorney Jackson on becoming our Special Magistrate. On Mrs. Gibson, I could not think of a better person to serve. You are going to be truly missed.

Councilwoman LaDwyana Jordan – Thank you to Mrs. Gibson for your service. Congratulations to TG Law firm and Attorney Jackson. I am very happy to see the Town and CRA to have this collaborative effort in terms of the Eatonville Heritage Tourism District. Good luck at your presentation tomorrow for the TDT (TOECRA). Thank you for the update on the scholarship, Mrs. King. To all the department heads, I really appreciate all your hard work. To Mr. Washington, I have a love and appreciation for the Parks and Recreation Department. If there is anything I can do, please let me know.

Councilwoman Wanda Randolph – Thank you everyone for coming out tonight. Thank you to Mrs. Gibson for her time and service. Congratulations to TG Law firm. Do you need any information from the Council for the budget? Mr. Daniels - Any of your legislative objectives we would like to see. Councilwoman Randolph - I want to mention that St. Lawrence is celebrating 145 years. We will be displaying some artifacts during Founders' Day weekend. We will also be having a special service at the church on Sunday. Councilwoman Randolph explained the history behind a church bell donated to the church by Lewis Lawrence (the photo was displayed). I do have a concern about our logo. Are others permitted to use our logo? Attorney Jackson responded. Mayor Critton - I think we need to research our code and find out information about the trademark of our logo. Councilwoman Randolph - Regarding the heritage district, we are moving forward without knowing much about historic preservation.

Vice Mayor Angela Thomas – Thank you everyone for coming.

MAYOR'S REPORT - Mayor Ruthi Critton – Condolences to anyone who has suffered losses (Timmons and Greathouse family). Our thoughts and prayers go out to them. Everyone's favorite--Mrs. Gibson and Lieutenant Lampkin--their losses will be felt and impactful. Welcome to the Town of Eatonville, TG Law. I am so glad that you are here to handle some of our administrative weights. Encouraged residents to come out and vote during early voting at Town Hall. Thank you to the Supervisor of Elections for making it easier for our residents to vote. Founders' Day is next weekend and we are celebrating 139 years. We are looking forward to the 140th anniversary. We are going to go big next year. Tomorrow is the Dr. Phillips Meet and Greet at Macedonia Church. The first day of school is coming up. We wish Councilwoman Jordan and our students a great year. On the National Trust, we are just waiting on the survey to be finalized.

HANDOUTS: The Clerk Updates; Handout from Executive Director M. Johnson on Eatonville Heritage Tourism District; Revised Workshop Agenda; Budget Workshop Schedule

ADJOURNMENT Mayor Critton **Motions** for Adjournment of Meeting; **moved** by Councilman Mack; **second** by Vice Mayor Thomas; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 10:27pm.**

Respectfully Submitted by: Marissa Bellenger

APPROVED

Veronica L King, Town Clerk

Ruthi Critton, Mayor



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING

MEETING MINUTES

Tuesday, August 18, 2026, at 7:30 PM

Denton Johnson Center – 400 Ruffel Street, Eatonville, FL 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 Critton called the meeting to order at 7:35 p.m. and a quorum was established by Mrs. King.

PRESENT: (4), Councilman Tarus Mack, Councilwoman LaDwyana Jordan, Vice Mayor Angela Thomas, Mayor Ruthi Critton. **ABSENT:** Councilwoman Wanda Randolph

STAFF: (6) Marlin Daniels, **Chief Administrator Officer**; Veronica King, **Town Clerk**; Gemma Torcivia, **Town Attorney**; Marissa Bellenger, **Deputy Town Clerk**; Chief Stanley Murray, **EPD**; Faith Woods, **Executive Assistant to the Mayor**; Valerie Mundy, **Public Works Director**

OTHER ATTENDEES: Bruce Mount; Terry Prather (Dr. Phillips Charities); Ken Robinson (Dr. Phillips Charities); Manny Vivar (HostDime)

INVOCATION AND PLEDGE OF ALLEGIANCE:

Invocation through a moment of silence led by Mayor Critton followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Mayor Critton MOTIONS to APPROVE the Agenda; moved by Vice Mayor Thomas, second by Councilman Mack. AYE: ALL, MOTION PASSES.

PRESENTATIONS:

- A. Presentation of the Scholarship Recipients for the 2026 Bruce & Winnie Mount Scholarship Program – Town Clerk Veronica King, Bruce Mount, and Councilwoman LaDwyana Jordan presented the scholarship winners with their awards.
- B. Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property – Terry Prather and Ken Robinson presented an update to the Town Council. In July, they met with Council members, submitted their TDT Interest Indicator, and presented their TDT application, which was rated the highest. It was approved to move forward to the Orange County Board of County Commissioners. They presented renderings of the project and a summary of a community event held with residents concerning the Hungerford School property projects.
- C. Presentation of HostDime with Updates on Construction – Manny Vivar introduced himself and provided an update on the HostDime project. Mr. Vivar – We are pursuing the CO (Certificate of Occupancy) by the end of September. At this point, there are no constraints in the project. It has been a very painful and long journey.

To see it near completion is extremely fulfilling. As of the most recent construction schedule, we are working closely with the Town of Eatonville building inspector and Orange County. Councilman Mack – Thank you for being here. My main concern is the infrastructure. Can you tell me what is going on with the flooding? Mr. Vivar – One of the reasons we created that road was to avoid traffic. As part of that effort, when that road was built there was an invert put in to allow the water to swell. Over time, the water has built up, and it is not positively flowing. Over the past few weeks, our civil engineer has been looking at solutions to solve that. Duke Energy also constructed, which caused some issues. We are working with them as well. Councilman Mack – How much water usage do you anticipate? Mr. Vivar – The type of data centers we build are called next generation. We use a closed looped system. It is designed in a way that there is minimal to no evaporation. Water usage will be minimal. Councilman Mack – How hazardous is this data center to our community? Should we have any concerns? From the prospective of health. Mr. Vivar – This is a misconception. There are zero health risks being near a data center. We have operated a data center of West Kennedy since 2006. It has caused zero negative impacts to the Town. Mr. Vivar explained the bandwidth of HostDime and giving internet to residents. Discussed the possibility of free Wi-Fi for the entire Town. It was not in any developer's agreement that it would be required. Councilman Mack stated that HostDime agreed to free Wi-Fi to the residents. Mr. Vivar reiterated that it was not part of the developer's agreement. We will be doing public Wi-Fi as far as it can reach on Kennedy Road (Blvd). Councilman Mack emphasized that Mr. Vivar made a verbal commitment. Mr. Vivar – I was not gifted the land. "I said I would give you something for something" is not what happened. Councilman Mack asked if HostDime had a retention pond? Mr. Vivar – Yes. Councilwoman Jordan – My concern is the noise. Will there be any safeguards for noise pollution? Mr. Vivar – The generators would not run unless there is a power outage. Councilwoman Jordan – Are you still under the stop work order? Mr. Vivar – We were reinstated last year. Mayor Critton asked if Mr. Vivar is still committed to running tests and disseminating the information to residents and business owners? Mr. Vivar stated he is still committed to doing so. Councilwoman Jordan – What is the solution to the flooding? Mr. Vivar stated that Duke Energy first needs to fix their infrastructure. He is working with Orange County and Duke to solve the issue. Councilwoman Jordan – If it does not get completed prior to September, what will happen? Mr. Daniels – I had a meeting with Mundy and a CPH consultant who does our inspections. According to the consultant, the engineer of record should take care of it (GAI consultants). According to the CPH consultant, the engineer on record is also responsible for filling out applications for water management. Valerie Mundy – If this is not solved before the certificate of occupancy, you are leaving us with a problem. You and your engineer need to come to the table and resolve these issues. Mr. Daniels – For a certificate of occupancy, you will have be cleared by third party inspectors. Councilman Mack – reiterated that this problem is HostDime's and needs to be dealt with. Councilwoman Jordan – I wonder what type of impact this may have on Hungerford Property project. Ken Robinson – We will trust that Manny will get this done in a timely manner. Mayor Critton – We will allow the experts to be the experts. Councilman Mack – I would like to request that you come to every meeting and give us updates.

CITIZEN PARTICIPATION – (5)

Marcus Grant & Erike-Ashelave – Mr. Grant – I am with the Orange County Technical School campus across to Hungerford. The GED and welding program is now open. We wanted to get the word out that there are educational opportunities. Erike-Ashelave – Eatonville residents can also register at the south campus. We have welding, GED classes, and ESOL classes.

Angie Gardner – These meetings are too long. We need a time limit for responses. The rambling and degradation of staff is worse now than has ever been. By law, the water rate should be increased each year. Finally, when we get to budget, there is a target of positions. If you are going to pass the budget, pass it. The administration shares what they need to run this town. Every year the budget becomes a contention of peace. That cannot continue if you want to Town to run efficiently. Spoke on the salaries of the Council

and Mayor. Over the past six years, Mr. Vivar has never said HostDime would provide free Wi-Fi to every home. About a decade ago, that conversation was in the air.

Michelle Fort – We come out here because we want to be engaged. A meeting should not take six hours. They do not let that go on in other municipalities. To sit up here and have an entire therapy session is not legislation. The Charter states that Council approves the budget, not decide salaries and positions. Councilman Mack, you voted to give HostDime the money stipulated in their contract instead of forced sale.

Angela Johnson – Spoke on the budget discussions. Challenged Council to think about the adjustments they are recommending. What is the projected cost for infrastructure for the free Wi-Fi? What are the potential partnerships for free Wi-Fi? Dr. Phillips, when you have the community meetings, can they be virtual? Asked Town staff to figure out other ways to disseminate information since most residents are not on social media.

CONSENT AGENDA:

Mayor Critton **MOTIONS** for the **APPROVAL** of the Consent Agenda; **moved** by Vice Mayor Thomas, **second** by Councilwoman Jordan. **AYE: ALL, MOTION PASSES 4/0.**

COUNCIL DISCUSSIONS:

Discussion of HostDime/Review of the Previous Amendments in Consideration to an Amendments #3 – Mrs. King – I did get a communication from Councilwoman Randolph stating that she is unavailable tonight.
Mayor Critton – We will save the resolution for the next meeting.

REPORTS:

Chief Administrative Officer - Marlin Daniels – Budget preparation is not taken lightly. It is very crucial that everyone understands that I know the heartaches and pains. We are spending night after night working and answering questions. Everyone should be sincere about what we are doing. We need to work together and move the Town forward. The budget process is tedious. We have been having the same budget issues for the last 20 years. They can go away if we learn to work together and collaborate. Mr. Daniels spoke about the budget workshop timeline and audit. Staff are working on SOPs, personnel manuals, and procedures.

Town Attorney – Gemma Torcivia – We are honored to serve your Town and long forward to working with you.

Town Clerk – Veronica King – Mrs. King announced to the Council upcoming updates to the Chambers including new carpets, wall paint, and wrapping the room with an art design.

Deputy Town Clerk – Marissa Bellenger – In March, field officers from the National Park Service visited the Town and announced a project to revamp the current Historic Markers within the community. Sometime after we learned that the NPS would contribute \$40,000 toward selecting vendors for the project. Since the beginning of this Summer, I have been working with the National Park Service and Mayor Critton brainstorming initiatives to support new Historic Markers in the Town. I am happy to announce that we will be creating a Historic Markers Task Force which will be open to residents who meet specific criteria. I have provided you all with the scope of the project and the application that residents will fill out and submit for consideration. You all will have an opportunity to recommend applicants to the Task Force. If you have any questions, please

feel free to ask or reach out to me. I would like to get the applications out online in the next week or so, which will be available under the Town Clerk's page on the Town website.

TOWN COUNCIL REPORT/DISCUSSION ITEMS -

Councilman Tarus Mack – Condolences to those who have suffered a loss in the community. Congratulations to the Bruce and Winnie Mount Scholarship winners. Happy Founders' Day. Today was election day and I voted today. I hope everyone has the chance to vote. Thank you for all the presentations tonight. Thank you, Manny (HostDime) for coming out and giving us an update. I am selecting Councilwoman Jordan to sit on a county board and would like to see it on the next agenda. Thank you to the staff at Orange County Technical College for coming and announcing their programs. Councilman Mack asked about the completion of the audit. He then addressed statements made during public comments regarding meeting decorum.

Councilwoman LaDwyana Jordan – Thank you for coming out. Thank you, Mrs. King, for giving me the opportunity to sit on the Bruce and Winnie Mount Scholarship committee. Hopefully, we can revisit the pool and its hours, it is very important to me. Congrats to the Town and CRA for collaborating with the TDT presentation, as well as Dr. Phillips. I want to see progress in our community because we deserve it. I would like to see funding allocated for an event planning coordinator. Thank you, Mr. Vivar, for coming out. I appreciate the administration and the effort you put into the budget.

Vice Mayor Angela Thomas – The Vice Chair reiterated former Mayor Gardner's comments on the length of Council meetings.

MAYOR'S REPORT - Mayor Ruthi Critton – Kudos to the Bruce and Winnie Mount Scholarship recipients. Good luck to the students and teachers on the upcoming school year. St. Lawrence and the Town just celebrated their founding anniversaries. Councilwoman Randolph did a great job on their event and display. Spoke about the Historic Mark Task Force. Congrats to Councilwoman Jordan on her appointment. I am excited to see the collaboration between the Town of Eatonville and TOECRA. I am very excited to see what happens with the Board of County Commissioners when they vote on the Town/TOECRA and Dr. Phillip's proposals. Spoke on the budget process with Council and administration. We will take advantage of all avenues of communication to make sure that we inform residents. Mayor Critton ended her report by discussing the budget (current and future process). Encouraged Council to share their objectives.

HANDOUTS: Town of Eatonville Historic Task Force Application; Historic Maker Task Force Scope of Work Draft

ADJOURNMENT Mayor Gardner Motions for Adjournment of Meeting; **moved** by Councilman Mack; **second** by Vice Mayor Thomas; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 9:38pm.**

Respectfully Submitted by: Marissa Bellenger

APPROVED

Veronica L King, Town Clerk

Ruthi Critton, Mayor