



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## REGULAR COUNCIL MEETING AGENDA

Tuesday, November 05, 2024, at 7:30 PM

Denton John Center - 400 Ruffel St, Eatonville, FL 32751

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. CITIZEN PARTICIPATION (Three minutes strictly enforced)

### V. PUBLIC HEARING

**A.** Approval of **Second** Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers (**Planning**)

**B.** Approval of **First** Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 And Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution (**Administration**)

### VI. CONSENT AGENDA

**1.** Approval of Resolution 2024-32 Reappointing (1) Individual to the Code Enforcement Board (**Clerk Office**)

**2.** Approval of Resolution 2024-33 Reappointing (1) Individual to the Planning and Zoning Board (**Clerk Office**)

**3.** Approval of the Town Council Meeting Minutes (**Clerk Office**)

**4.** Approval of Resolution 2024-34 Updating Fair Housing Plan, Policy, and Procedures - (**Finance**)

### VII. COUNCIL DECISIONS

### VIII. REPORTS

CHIEF ADMINISTRATIVE OFFICER’S REPORT

TOWN ATTORNEY’S REPORT

TOWN COUNCIL REPORT/DISCUSSION ITEMS

MAYOR’S REPORT

### IX. 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, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 5, 2024, 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 **Second** Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers (**Planning**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> ADMINISTRATION/PLANNING
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>	YES	<b>Exhibits:</b>  - Ordinance 2024-9
<b>CONSENT AGENDA</b>		
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** For Town Council to Approve the Second Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers.

**SUMMARY:** Town has determined that current enclosure requirements for commercial solid waste containers need to be updated to enhance aesthetic standards and protect public health and safety.

The first reading was held on Tuesday, October 15, 2024, at the 7:30 p.m. Town Council Meeting.

**RECOMMENDATION:** It is recommended that the Town Council Approve the Second Reading of Ordinance 2024-9 – Amending Chapter 30, “Solid Waste”, of The Town Code by Revising the Enclosure Requirements for Commercial Solid Waste Containers. Town acknowledges that certain unique property conditions may exist where strict compliance with the enclosure requirements is not feasible without creating or exacerbating nonconforming site conditions, and thus, wishes to establish a waiver process to allow property owners to request relief from the enclosure requirements under specific circumstances. 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.

**FISCAL & EFFICIENCY DATA:** N/A

**ORDINANCE NO. 2024-9**

**AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING CHAPTER 30, “SOLID WASTE”, OF THE TOWN CODE BY REVISING THE ENCLOSURE REQUIREMENTS FOR COMMERCIAL SOLID WASTE CONTAINERS; PROVIDING THE TOWN PLANNING DIRECTOR WITH THE AUTHORITY TO WAIVE COMMERCIAL CONTAINER ENCLOSURE REQUIREMENTS IN LIMITED CIRCUMSTANCES; ESTABLISHING PROCEDURES FOR THE ADMINISTRATIVE WAIVER OF COMMERCIAL CONTAINER ENCLOSURE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Fla. Const. art. VIII, § 2(b), and Fla. Stat. § 166.021, the Town has been granted the authority to exercise any power for municipal purposes, except as otherwise provided by law, including the authority to adopt regulations for the health, safety, and welfare of its residents; and

**WHEREAS**, the Town has determined that current enclosure requirements for commercial solid waste containers need to be updated to enhance aesthetic standards and protect public health and safety; and

**WHEREAS**, the Town acknowledges that certain unique property conditions may exist where strict compliance with the enclosure requirements is not feasible without creating or exacerbating nonconforming site conditions, and thus, wishes to establish a waiver process to allow property owners to request relief from the enclosure requirements under specific circumstances; and

**WHEREAS**, the Town also desires to clarify and streamline the language of the existing regulations to improve readability and enforceability; and

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

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

[Words in ~~strike through~~ type are deletions; words in underline type are additions; asterisks (\*\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.]

**SECTION 1. RECITALS.** The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

**SECTION 2. AMENDMENT.** Chapter 30 – Solid Waste, of the Town of Eatonville Code of Ordinances is hereby amended as follows:

**ARTICLE III. – COMMERCIAL COLLECTION AND DISPOSAL**

\* \* \* \*

**Sec. 30-59. - Commercial containers – Enclosure requirements ~~Location~~.**

(a) Specifications. Enclosures for commercial containers ~~will~~ shall be located on a concrete ~~or asphalt pad in an area~~ measuring 12 feet by 12 feet. ~~The enclosure itself shall be constructed of enclosed by a concrete masonry walls on three sides and shall be limited to between six and eight feet in height and shall have a secure, lockable gate facing The opening of the enclosure should face the most accessible area for waste removal on the commercial property. Acceptable materials for the gate include chain link, vinyl slatting, wood, wrought iron, or ornamental iron, provided that the design effectively shields the commercial container from public view. For commercial containers not visible from the right-of-way, the requirement for an enclosure shall not apply.~~

(b) Waiver of enclosure requirements.

(1) Authority. ~~The Planning Director~~ Chief Administrative Officer, or their designee, shall possess the authority to waive the enclosure requirements provided in subsection (a) and approve an alternate enclosure design where, due to the unique physical layout of the property, compliance with the enclosure requirements would result in a significant increase in nonconformity with existing site conditions. Such waivers shall be granted only after a thorough review of the specific circumstances and a determination that the proposed waiver will not adversely impact the overall aesthetics, health, safety, or welfare of the community. The granting of waivers may require additional improvements.

(2) Requirements. All waiver requests must be submitted in writing, accompanied by a non-refundable waiver fee. In evaluating waiver requests, ~~the Planning Director~~ Chief Administrative Officer, or their designee, shall consider the following factors: i) the extent to which the property’s layout makes it difficult or impractical to comply with enclosure requirements; ii) the potential impact of the waiver on existing zoning regulations, land use plans, and other site conditions; iii) the potential effects of the waiver on the aesthetics, health, safety, and welfare of the community; iv) the availability and feasibility of alternative methods for managing waste that would comply with enclosure requirements.

(3) Appeal. Any applicant whose waiver request is denied may appeal the decision to the Town Council within five business days of the denial. The Town Council’s decision shall be final.

~~Sec. 30-60. Same Gate required.~~

~~A gate shall be constructed, in the enclosed section, of the commercial container enclosure area. The gating can be constructed of chainlink/vinyl slating, wood, wrought iron or ornamental iron, and must shield the commercial container from visual view.~~

\* \* \* \*

**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 provision of this Ordinance.

**SECTION 4. CONFLICTS.** All Town ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, repealed.

**SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unenforceable, unlawful, or unconstitutional by a court of competent jurisdiction, then all remaining provisions of this Ordinance shall remain in full force and effect.

**SECTION 6. 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 October 15, 2024.

**Upon motion duly made and carried,** the foregoing Ordinance was approved upon its second reading on November 5, 2024.

**TOWN OF EATONVILLE**

Attest:

\_\_\_\_\_  
Angie Gardner, Mayor

\_\_\_\_\_  
Veronica King, Town Clerk

Approved as to form:

\_\_\_\_\_  
Clifford B. Shepard, Town Attorney



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 5, 2024, 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 **First** Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 And Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution (ADMINISTRATION)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> (ADMINISTRATION)
<b>PUBLIC HEARING</b> <b>1<sup>ST</sup> / 2<sup>ND</sup> READING</b>	YES	<b>Exhibits:</b>  • Ordinance 2024-10
<b>CONSENT AGENDA</b>		
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Request is made for Town Council to Approve the First Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 and Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution.

**SUMMARY:** the Town previously adopted Ordinance No. 97-07 and Ordinance No. 2016-4 establishing water and wastewater service rates, fees, and connection charges to support the Town’s utility services and infrastructure. On September 3, 2024, the Town Council adopted Resolution No. 2024-4 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association. Pursuant to and in accordance with the updated Asset Management Plan, the Town has determined that it is necessary to revise the water and wastewater service rates to ensure the continued provision of high-quality services to the Town’s residents and businesses. Town desires to repeal previous ordinances setting water and wastewater rates and fees and to establish a new procedure for adopting and updating such rates and fees by resolution of the Town Council. The repeal of Ordinance No. 97-07 and Ordinance No. 2016-4 and the adoption of updated rates by resolution will promote the public health, safety, and welfare of the Town of Eatonville.

**RECOMMENDATION:** Recommendation is for Town Council to Approve the First Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 and Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution

**FISCAL & EFFICIENCY DATA:** N/A



**ORDINANCE NO. 2024-10**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, REPEALING ORDINANCE NO. 97-07 AND ORDINANCE NO. 2016-4; PROVIDING FOR THE FUTURE ADOPTION OF WATER AND WASTEWATER SERVICE RATES AND FEES BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town previously adopted Ordinance No. 97-07 and Ordinance No. 2016-4 establishing water and wastewater service rates, fees, and connection charges to support the Town’s utility services and infrastructure; and

**WHEREAS**, on September 3, 2024, the Town Council adopted Resolution No. 2024-4 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association; and

**WHEREAS**, pursuant to and in accordance with the updated Asset Management Plan, the Town has determined that it is necessary to revise the water and wastewater service rates to ensure the continued provision of high-quality services to the Town’s residents and businesses; and

**WHEREAS**, the Town desires to repeal previous ordinances setting water and wastewater rates and fees and to establish a new procedure for adopting and updating such rates and fees by resolution of the Town Council; and

**WHEREAS**, the repeal of Ordinance No. 97-07 and Ordinance No. 2016-4 and the adoption of updated rates by resolution will promote the public health, safety, and welfare of the Town of Eatonville.

**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 legislative findings of the Town Council of the Town of Eatonville, Florida.

**SECTION 2. Repeal.** Ordinance No. 97-07 and Ordinance No. 2016-4 are hereby repealed in their entirety.

**SECTION 3. Adoption of Rates by Resolution.** Future water and wastewater service rates, fees, and connection charges shall be established and may be adjusted by resolution of the Town Council in accordance with applicable laws and procedures.

**SECTION 4. Non-codification.** The provisions of this Ordinance shall not be included or incorporated within the Code of Ordinances of the Town of Eatonville.

**SECTION 5. Conflicts.** All Town ordinances or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

**SECTION 6. 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 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 November 5, 2024.

**Upon motion duly made and carried,** the foregoing Ordinance was approved upon its second reading on \_\_\_\_\_, 2024.

**TOWN OF EATONVILLE**

Attest:

\_\_\_\_\_  
Angie Gardner, Mayor

\_\_\_\_\_  
Veronica King, Town Clerk

Approved as to form:

\_\_\_\_\_  
Clifford B. Shepard, Town Attorney



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 5, 2024, 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 Resolution 2024-32 Reappointing (1) Individual to the Code Enforcement Board (**Clerk Office**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> LEGISLATIVE (CLERK OFFICE)
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b>  • Resolution 2024-32
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Request is for the Town Council to approve Resolution 2024-32 reappointing Jacqueline Haynes to the Code Enforcement Board for a three-year term, November 5, 2024 – November 5, 2027.

**SUMMARY:** RESOLUTION #2024-32 is being presented to the Town Council for the reappointment of a citizen to the Code Enforcement Board as a regular board member for a three-year term.

WHEREAS the appointment of the code enforcement board shall be made solely on the basis of professional experience in the areas of law, zoning and building knowledge. The code enforcement board shall consist of residents of the Town of Eatonville and/or business owner in the Town of Eatonville; and

A code enforcement board for the Town of Eatonville, Florida, who shall be appointed by the Town Council and shall be appointed to serve a term of three years, the terms of the board members will be staggered. Nothing shall prevent the town council from reappointing members for a second term.

Ms. Jacqueline Haynes, a town citizen, has expressed interest in continuing her service on the Code Enforcement Board.

**RECOMMENDATION:** Recommending Town Council approval of Resolution 2024-32 reappointing Jacqueline Haynes to the Code Enforcement Board for a three-year term, November 5, 2024 – November 5, 2027.

**FISCAL & EFFICIENCY DATA:** N/A

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO REAPPOINT ONE (1) REGULAR BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS** the Town Council wishes to reappoint (1) one Regular Board Members to the Code Enforcement Board as board members; and

**WHEREAS** the appointment of the code enforcement board shall be made solely on the basis of professional experience in the areas of law, zoning and building knowledge. The code enforcement board shall consist of residents of the Town of Eatonville and/or business owner in the Town of Eatonville; and

**WHEREAS** there is hereby created a code enforcement board for the Town of Eatonville, Florida, who shall be appointed by the Town Council. The code enforcement board shall be appointed to serve a term of three years, the terms of the board members will be staggered. Nothing shall prevent the town council from reappointing members for a second term.

**NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA THE FOLLOWING:**

**SECTION ONE: APPOINTMENT:** the person to be reappointed to the Code Enforcement Board as a Regular Board Member is Jacqueline Haynes for a term of (3) years from November 5, 2024, until November 5, 2027.

**SECTION TWO: CONFLICTS:** All Resolution or parts of Resolutions in conflict with any other Resolution or any of the provisions of this Resolution are hereby repealed.

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

**SECTION FOUR: EFFECTIVE DATE:** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of November 2024.

ATTEST:

\_\_\_\_\_  
Angie Gardner, Mayor

\_\_\_\_\_  
Veronica King, Town Clerk



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 5, 2024, 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 Resolution 2024-33 Reappointing (1) Individual to the Planning and Zoning Board (**Clerk Office**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> LEGISLATIVE (CLERK OFFICE)
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b>  • Resolution 2024-33
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Request is for the Town Council to approve Resolution 2024-33 reappointing George Williams to the Planning and Zoning Board for a three-year term, November 5, 2024 – November 5, 2027.

**SUMMARY:** RESOLUTION #2024-33 is being presented to the Town Council for the reappointment of a citizen to the Planning and Zoning Board as a regular board member for a three term as set forth by Article (2) Section 15-2.1 Appointment of the Land Development Code: and

Mr. George Williams, a town citizen, has expressed interest in continuing his service on the Planning and Zoning Board,

**RECOMMENDATION:** Recommending Town Council approval of Resolution 2024-33 reappointing George Williams to the Planning and Zoning Board for a three-year term, November 5, 2024 – November 5, 2027.

**FISCAL & EFFICIENCY DATA:** N/A

**RESOLUTION #2024-33**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA TO REAPPOINT ONE (1) INDIVIDUAL TO THE PLANNING AND ZONING BOARD AS A REGULAR BOARD MEMBER FOR A THREE (3) YEAR TERM, PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

**WHEREAS** one (1) Board member of the Planning and Zoning Board term expired October 4, 2024, the individual is seeking for re-appointed to the Planning and Zoning Board; and

**WHEREAS** the Administration wishes to reappoint one (1) citizen to the Planning and Zoning board as regular board member. The appointment will be for a three (3) year term as set forth by Article (2) Section 15-2.1 Appointment of the Land Development Code: and

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

**SECTION ONE:** the citizen that have expressed interest in continuing service as a regular board member on the Planning and Zoning Board and seeking for reappointed is **GEORGE WILLIAMS**.

**SECTION TWO: CONFLICTS:** All Resolutions or parts of Resolutions in conflict with any other Resolution or any of the provisions of the Resolution is hereby repealed.

**SECTION THREE: SEVERABILITY:** If any section or portion of a section of this Resolution is found to be invalid, unlawful, or unconstitutional, it shall be held to invalidate or impair the validity, force or effect of any other section or part of this Resolution two

**SECTION FOUR: EFFECTIVE DATE:** This Resolution will take effect immediately upon its passage and adoption.

**PASSED AND ADOPTED this 5 day of November 2024.**

\_\_\_\_\_  
**Angie Gardner, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Veronica L. King, Town Clerk**



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 5, 2024, 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 the Town Council Meeting Minutes (Clerk Office)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> LEGISLATIVE (CLERK OFFICE)
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b> - Council Meeting Minutes for the following: <ul style="list-style-type: none"> <li>• September 3, 2024, 5:15 p.m. – 1<sup>st</sup> Budget Hearing</li> <li>• September 16, 2024, 6:30 p.m. – 2<sup>nd</sup> Budget Hearing</li> <li>• September 17, 2024, 7:30 p.m. –Council Meeting</li> </ul>
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Approval of meeting minutes for the Town Council Meeting(s) held on dates below:

- September 3, 2024, 5:15 p.m. – 1st Budget Hearing
- September 16, 2024, 6:30 p.m. – 2nd Budget Hearing
- September 17, 2024, 7:30 p.m. –Council Meeting

**SUMMARY:** The Town Council Meetings listed below were held at the town hall. Minutes were transcribed from the audio archive for approval for the public records.

- September 3, 2024, 5:15 p.m. – 1<sup>st</sup> Budget Hearing
- September 16, 2024, 6:30 p.m. – 2<sup>nd</sup> Budget Hearing
- September 17, 2024, 7:30 p.m. –Council Meeting

**RECOMMENDATION:** Approval of the Town Council meeting minutes for the above:

**FISCAL & EFFICIENCY DATA:** N/A



# HISTORIC TOWN OF EATONVILLE, FLORIDA TOWN COUNCIL 1ST BUDGET HEARING (1<sup>ST</sup> READING) MEETING MINUTES

Tuesday, September 3, 2024, at 5:15 PM

Town Hall (Council Chamber) - 307 E Kennedy Blvd. 32751

**SPECIAL NOTICE:** These meeting minutes are presented in an abbreviated format intended as a public record discussion of stated meeting according to the Florida’s Government-in-the-Sunshine law. Meetings are opened to the public, noticed within reasonable advance notice, and transcribed into minutes for public record. *\*\*Audio Recording are available through the Town’s website on the Council Agenda Page.*

## CALL TO ORDER AND VERIFICATION OF QUORUM:

Mayor Gardner called meeting to order at 5:15 p.m. with a verification of quorum through roll call by Mrs. Veronica King

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

**STAFF:** (8) Demetrus Pressley, **Chief Administrative Officer**, Veronica King, **Town Clerk**, Stanley Murray, **Chief of Police**, Katrina Gibson, **Finance Director**, Valerie Mundy, **Public Works Director**, Clifford Shepard, **Town Attorney**, Cobbin McGee, **Planner Others:** Rachel McCoy, **Finance**, Brittani Gragg, **Executive Assistant**

## INVOCATION AND PLEDGE OF ALLEGIANCE:

Moment of silence followed by the Pledge of Allegiance.

**SPECIAL NOTE:** Mayor Gardner stated a change in the order of the agenda; Consent Agenda would go before the Public Hearing, to pass the mileage rate first.

## CONSENT AGENDA:

**Mayor Gardner Motions** to approve consent agenda approving Resolution #2024-26, Adopting the Proposed Tentative Tax Levy on All Real Property Within the Boundaries of the Town of Eatonville.; Moved by Councilwoman Randolph; Second by Councilman Daniels; **AYE: ALL, MOTION PASSES. Comment:** The mileage is 7.2938, less than the rollback rate of 7.4079 by negative 1.54%. (Preamble and Section 1 of Resolution 2024-26 was read by Town Clerk).

**A RESOLUTION OF THE TOWN OF EATONVILLE OF ORANGE COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR ORANGE COUNTY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, PROVIDING FOR AN EFFECTIVE DATE.**

## PUBLIC HEARING:

Approval of First Reading of Ordinance 2024-4 Approving Fiscal Year 2024 – 2025 Town Budget (Preamble Read by Town Clerk). **(PUBLIC COMMENTS):** Ryan Novak – Total budgeted for this year (not the new budget) was \$6.7 million, actualized at \$5.4 million, the new budget is proposed at \$5.2 million (\$1.5 million less than what was proposed last year), and \$200,000 less than what was actualized last year, likely due to building



permits and the pause on building, looks like a lot of things were just carried over without a comprehensive review. There is a general reserve fund \$496,000 budgeted with no actuals, curious that there is a new budget of a half a million dollars for a general reserve fund that appears to have spent nothing, this is other miscellaneous revenue of \$500,000 budgeted with \$3,000 actualized (pulled back from a half a million down to \$15,000, the police would like a budget of \$950,000, approximately 18 percent of the total budget or 12 percent actualized this year, New York City spends 8% and Jacksonville (FL) spends 3%, a town the size of Eatonville should be approximately 20 to 25 percent of the total budget, what is currently proposed is 32 percent of the total budget, with a population on the high end of about 2,500, the average per capita spending in Florida is \$468.00 on the higher end of the country, which is about \$1.1 million total, considering salaries and the additional spending our police is about \$1.9 (resulting in the 32%), request that the average be considered at about \$460.00 per capita budget spending on less than 2 square miles. **Joyce Irby** - There are some things that are grossly unfair, some people doing work considered administrative or lower level work and not executive work should not have only a 2 percent raise where there are thousands of dollars being put in other places, the town clerk who is very organized and deals with the Freedom of Information Act requests should not have only a 2 percent raise; it appears to be a competition between people in the community who want to improve things and the administrative side, it is a community, not a business, certain accommodations should be made for people trying to do good things, I am committing to more time, to be an irritant, in a positive way, to make the voices of people who are trying to add value be heard, would like to work together, see collaboration, it seems to be a consciousness of doing things the same as always and taking care of the people we like or who are close to without looking at the competency or the quality of work. **Charles Bargaineer** – Concerned about the amount of expenditure going into this budget, where is the money coming from and how will it be justified; agree with the salaries, is there evaluation system; last year there was a 7 percent increase, employees deserve an increase, most municipalities have a salary range, if you start out at \$20,000, a person does not go from \$20,000 this year to \$50,000 the next year, there should be in increments to include evaluations based on performance, most municipalities give raises based on performance and not just across the board. **Angela Johnson** – Request for the second budget hearing to be moved to 6:30 p.m., residents are a part of the working class, request not to limit the speaking time to three minutes; if the budget is not right, there will be going to have problems; will state and email concerns and will expect a response prior to the second budget hearing, still awaiting information previously requested; **Concerns:** The C.A.O.s. salary is being recommended at a 20 percent increase, what is the justification, key performance indicators, and how do you substantiate and justify a 20 percent increase for the CAO position; recommending a classification change from part time to full time. where the person (HR/Risk) currently is earning \$23.55 per hour (part time), it is being recommended as a full-time position at \$65,000 at \$31.00 per hour at a 30 percent increase, what is the justification; there is an 8 percent increase for another administrative position (Executive Administrative) in the administrative office; there is a recommendation for a community policing coordinator, did not see salary details, asked and have not received information (disappointed), concerned about the integrity of posting the director of recreation position at \$55,000 and then after the position had been posted, interviewed and filled, the salary was walked onto the budget at a meeting to this council stating an hire at \$55,000 with a valued salary range of \$62,565 to \$97,000 (the \$62,000 is less than the salary range which is a 12 percent increase); offering a 2 percent across the board increase for the other employees; the way the budget is looking with a decrease in revenue, it is recommended that there is not a salary increase for any employees. **COUNCIL REVIEW/COMMENTS:** There were several workshops; to keep it moving, the budget review will be facilitated by budget items and different sections.

- The revenue for utility tax is in the water enterprise fund.

- The reinspection fees are when someone pulls a billing permit, a roof permit, a mechanic they fail, there is a fee they must pay (starting at \$50.00).
- The fire safety inspection fees go to Orange County, whoever pulls a building permit must pay Orange County, it is no longer in the budget.
- The general fund reserve (page 6) is bringing over \$500,000 still has not closed out the year, will be bring back a budget amendment, there will be changes in the revenues we received and did not receive.
- The 5 percent education fee must be paid to the state, must charge the education fee.
- The general reserve balance should be at least three months of funds to pay the general fund bills, which includes payroll, insurance, expenditures, and bond payment (recommend an increase to one to two million dollars-Councilwoman Randolph). Salary and benefits along come to about \$2.6 million dollars for the current approved budget.
- The Martin Luther King funds come from Orange County (\$7,600), Duke Energy (\$5,000), Waste Connection (\$5,000), and Travel Leisure (\$2,500).
- \$15,000 Miscellaneous is unexpected revenue. (Finance to provide details).
- The general fund reserve can be set up by the Council, or the remaining money can be put into the reserve. (Finance to provide details).
- No Code Violations for there year is a concern (recommend getting a magistrate-Councilwoman Randolph).
- Legal professional services decreased to \$95,000 from the previous budget of \$107,500.
- CPH, Planning Consultant, Universal comes out of Contractual Services (Planning /Code Compliance).
- Police-Contractual Services -the increase is the results of being a liaison through Seminole County with a 15% increase yearly (must be connected to FDLE, cannot operate without them).
- Police Alarm System Monitoring -increase reflects a need to upgrade from a key access to a proxy access system to include town hall.
- Post Office – running a \$25,000 deficit.
- Recreation-car donated from the police department.
- Special Events- RWJF (page 13)-used some funds for the Health and Breast Cancer event approximately \$1,200-\$1,300) – Finance to adjust the expenditures based on the revenue.
- Community Event (Veterans) – adjust an increase amount to \$1000
- TIFF comes from the county in December, January, other finds come in as people pay their taxes.
- Finance to provide information on the projected tax income to be received from developments (there were some increases and there will be additional increases). The valuation of property values went up \$62 million, resulting in a 23 percent increase in the Ad Valorem revenue.
- Water/Sewer- Connection Fees – Enclave did not have to pay funds due to the language in the developer’s agreement (fees was budgeted but nullified due to agreement, fee was unjustifiable without having impact fees).
- Repair/Maintenance Water Lines (page 16) – hired contractors for many water breaks (on Lincoln, West, and Kennedy, town took the costs for lines hit by a company, the town received some reimbursements).

**BUDGET HEARING RECESS** – Mayor Gardner motions to **RECESS** the budget hearing until after the council workshop; moved Councilwoman Randolph; second by Councilman Daniels: **AYE: ALL, MOTION PASSES.-**  
**Budget hearing recessed at 6:36PM.**

**BUDGET HEARING RECONVENES – 1<sup>st</sup> Budget hearing reconvenes after the council 7:18PM.**

**COUNCIL REVIEW/COMMENTS:**

- Meter Replacement Program (page17) - still have some commercial meters that must be installed, most of the residential meters are completed, have the meters in stock and staff can do the installation.
- There will be a stormwater study completed to accommodate the growth and the current status of our system, (Washinton) concerned with charging residents stormwater fees and not providing what they are paying for (stormwater services, personnel, and vehicle), this is a department that should have its own personnel aside from public works.

**BUDGET HEARING RECESS – Mayor Gardner motions to RECESS the budget hearing until after the council meeting; moved Councilwoman Randolph; second by Councilman Daniels: AYE: ALL, MOTION PASSES.- Budget hearing recessed at 7:28PM.**

**BUDGET HEARING RECONVENES – 1<sup>st</sup> Budget hearing reconvenes after the council meeting at 7:48PM.**

**COUNCIL REVIEW/COMMENTS:** (Positions and Salaries) – page 19

- There should not be an increase in salary as proposed (column G) and then an additional 2% or 3% increase for the CAO, HR/Risk FT/Executive Administrative positions (column H and I).
- The proposed 2% or 3% increase (columns H and I) is for all positions.
- CAO to remain the same AT \$90,000 (Councilwoman Randolph)
- HR will cover certifications, training, risk management, insurances, lawsuits.
- The Mayor will confirm the hours of the current HR PT position.
- The current salary for the Utility Billing Specialist is \$38,480
- Grant Coordinator – is managing three grants the Vereen grant, Club grant (\$2 million), and the policing grant, she has been addressing the outstanding issues with the grants, and the required deliverables. There are two new grants - \$2.5 million for technology and \$3 million for the Kennedy Streetscape, federal government has lots of criteria to meet and HUD has standards that are required; the grant coordinator is not doing the CRA side of the grant. Lauire (CRA new staff) is taken on the CRA side of the grants; Some grants are not paying for in house administration, government do not want to fund the town for the purpose of not mixing operation dollars with grant funds.
- (Finance) Councilman Daniels is requesting from Finance more explanation of the Administrative Permit Clerk.
- (Police) The policing grant pays for a new person (employees), not paid through the town.
- (Police) Chief will make all necessary budget adjustments/clarifications for the next budget hearing to include the amount of budgeted positions for Lieutenants, the organizational chart is not consistent with the budget.
- Reserve officers do not get paid, they must do a minimum of 24 hours before they can get paid.
- (Police) There are three divisions (investigations, patrol, and community relations), each have a lieutenant over them.

- (Police) – There is one lieutenant that is current out and on payroll with no salary increases. How long will the lieutenant stay on payroll?
- (Public Works) - 0.33 represent positions that are funded through three departments (General Funds-541, Water/Sewer-536, and Stormwater-538), total for administrative assistant is \$38,481.00
- (Post Office)-concerned about the deficit, finance will come up with options to make the \$17,000 given by the postal service work, consider becoming a self-service postal entity, make the employee a contract employee without benefits, provide more services to attract more businesses; all the monies go to the post office not the town.
- (Community Youth Services) Ground maintenance PT (park ranger) – ensure all parks are cleaned; concerned about how the Recreation Director position was advertised at \$55,000 and later increased at a meeting to \$62,000 without a budget adjustment, research will be done and brought back with information, if there is a correction that needs to be made, a correction will be made; in relation to the salary raise, if an individual is in a probationary period, they do not receive a 2% percent increase.
- The service worker II position has been filled and will be doing a combination of public works and stormwater.
- If someone gets a salary increase, then they do not get a percentage increase.
- Request for clarity on providing either a 2% cola or a 2% on the salary, the 2% cola is to be a one-time payout based on current salary, the 2% increase (not a cola) would include fringe benefits.

#### COUNCIL ACTIONS/BUDGET AMENDMENTS:

1. Community Event (Veterans) – Motion to adjust Veterans Event to an increase amount of \$900 for a total of \$1000; Moved by Councilwoman Randolph, Second by Councilman Daniels: **AYE: ALL, MOTION PASSES.**
2. CAO salary to remain the same at \$90,000-Motion for CAO salary to remain at \$90,000; Moved by Councilwoman Randolph, **DIES FOR LACK OF SECOND.**
3. CAO salary at \$90,961.00 + 2%-Motion for CAO salary at \$90,961.00 + 2%; Moved by Vice Mayor Washington; Second by Councilman Daniels: **AYE: Vice Mayor Washington, Councilman Daniels NAYE: Mayor Gardner, Councilwoman Randolph, MOTION FAILS.**
4. CAO salary at \$110,000-Motion for CAO salary at \$110,000; **NO ACTION. Comment:** Will remain the same until 2<sup>nd</sup> budget reading.
5. HR FT salary at \$48,900 - Motion for HR FT salary at \$48,900; Moved by Councilwoman Randolph, Second by Councilman Daniels: **AYE: ALL, MOTION PASSES.**
6. 2% increase to column G (FY24/25 proposed budget) for those with no salary increase-Motion for a 2% increase to column G (FY24/25 proposed budget) for those with no salary increase; Moved by Vice Mayor Washington; Second by Mayor Gardner: **AYE: Vice Mayor Washington, Mayor Gardner; NAYE: Councilman Daniels, Councilwoman Randolph, MOTION FAILS.**
7. 2% increase to column F (FY23/24 approved budget) for those with no salary increase-Motion for a 2% increase to column F (FY23/24 approved); Moved by Councilman Daniels; Second by Vice Mayor Washington: **AYE: Councilman Daniels, Vice Mayor Washington; NAYE: Mayor Gardner, Councilwoman Randolph, MOTION FAILS.**

- 8. Salary as indicated in column F (FY23/24 approved budget) with no percentage increase; Moved by Councilman Daniels; Second by Councilwoman Randolph; **AYE:** Vice Mayor Washington, Councilwoman Randolph **NAYE:** Mayor Gardner, Councilman Daniels, **MOTION FAILS.**

**Mayor Gardner Motions** to approve Ordinance 2024-4 Approving the First Reading of Fiscal Year 2024-2025 of the Town Budget with the amendments as voted upon and approved; Moved by Vice Mayor Washington; Second by Councilwoman Randolph; **AYE: ALL, MOTION PASSES. Comments:** The 1<sup>st</sup> reading of the FY24/25 Budget has been approved. The second will take place on September 16, 2024, at 6:30 p.m.

**Stated Amendments (2):** Veterans Community Event adjusted to an increase amount of \$900 for a total of \$1000 and the HR FT position salary adjusted to \$48,900.

**ADJOURNMENT** Mayor Gardner Motions for Adjournment of the 1<sup>st</sup> Budget Hearing; Moved by Councilman Daniels; Second by Vice Mayor Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 9:13 P.M.**

Respectfully Submitted by:

APPROVED

\_\_\_\_\_  
Veronica L King, Town Clerk

\_\_\_\_\_  
Angie Gardner, Mayor



# HISTORIC TOWN OF EATONVILLE, FLORIDA TOWN COUNCIL 2<sup>ND</sup> BUDGET HEARING (2<sup>ND</sup> READING) MEETING MINUTES

Monday, September 16, 2024, at 6:30 PM

Town Hall (Council Chamber) - 307 E Kennedy Blvd. 32751

**SPECIAL NOTICE:** These meeting minutes are presented in an abbreviated format intended as a public record discussion of stated meeting according to the Florida’s Government-in-the-Sunshine law. Meetings are opened to the public, noticed within reasonable advance notice, and transcribed into minutes for public record. *\*\*Audio Recording are available through the Town’s website on the Council Agenda Page.*

### CALL TO ORDER AND VERIFICATION OF QUORUM:

Mayor Gardner called meeting to order at 6:30 p.m. with a verification of quorum through roll call by Mrs. Veronica King

**PRESENT:** (5) Councilwoman Wanda Randolph, Vice Mayor Theo Washington, Councilman Rodney Daniels, Mayor Angie Gardner, Councilman Tarus Mack

**STAFF:** (6) Veronica King, **Town Clerk**, Katrina Gibson, **Finance Director**, Valerie Mundy, **Public Works Director**, Clifford Shepard, **Town Attorney**, Cobbin McGee, **Planner Others:** Rachel McCoy, **Finance**, (Absent: Demetrus Pressley, **Chief Administrative Officer**, Stanley Murray, **Chief of Police**)

### INVOCATION AND PLEDGE OF ALLEGIANCE:

Moment of silence followed by the Pledge of Allegiance.

**BUDGET MESSAGE:** The Mayor presented the Mayor’s Budget Message through PowerPoint and provided handouts to the council. It highlighted the progress made since the 2023 Budget Message specific to enhancements to specific departments, creating a better government by improving core services, financial performance, and increased amenities. Many of the mayor’s initiatives are education, community safety, parks and recreation for seniors, youth, families, and for youth age up to middle adults. The message provided information on the town’s financial position from prior years’ challenges and current year’s expectations. The message concluded with updates and expectations on infrastructure and upcoming projects specific to affordable housing and civic and developments.

### CONSENT AGENDA:

**Mayor Gardner Motions** to approve consent agenda approving Resolution #2024-29, Adopting the Final Tentative Tax Levy on All Real Property Within the Boundaries of the Town of Eatonville; Moved by Councilwoman Randolph; Second by Vice Mayor Washington; **AYE: ALL, MOTION PASSES. Comment:** (Preamble was read by Town Clerk).

**A RESOLUTION OF THE TOWN OF EATONVILLE OF ORANGE COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR ORANGE COUNTY FOR FISCAL YEAR BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2025, PROVIDING FOR AN EFFECTIVE DATE.**

**PUBLIC HEARING:**

Approval of Second Reading of Ordinance 2024-4 Approving Fiscal Year 2024 – 2025 Town Budget (Preamble Read by Town Clerk). (**PUBLIC COMMENTS**): **Joyce Irby** – Great seeing selective council members at the night market; What are the requirements and prerequisites to some positions? Having read letters questioning the qualifications of one of the town employees, there were concerns that the employee file of Darius Washington did not provide the reference letters, raising concerns that the human resource staff (fiancée) would have something to do with the personnel files as to why the letters are not inside the file (should be looked into and investigated). Expressed concerns of police officers making less than the HR staff and dealing with things no one else wants to deal with; will bring more evidence to the next council meeting that people should know about, staff should not go around making public disparaging remarks about other people who work for the town including council members. There should be more thoughtful ways implored when giving bonuses and lumps of money. **Angela Johnson** – Provided three pages of questions to the clerk and the council, would like questions addressed during the budget review, information has also been provided from the website (employee summary, salary information, and the percentage of the budget that has been spent through July 31<sup>st</sup>. Some expenditures are greater than 83% which is the budget percentage for 10 months into the fiscal year, have concerns about departments recording salaries (individuals are receiving overtime that is being recorded into the salary line, which is difficult in tracking overtime); challenge council to add in the budget for activities for community events, especially when the quads want to partner with the park, recreation, community, and with the youth department; would like to know how the calculations of projected revenue from impact fees over a twenty year period was determine to be \$533,000 (\$20,000/year-seems low); inquire about monies spent on the street repairs (was this related to the water main breaks); oppose the \$20,000 increase for the CAO (21% increase) with no justification, there were no justification provided for all positions being added (no job descriptions); it is the desire to ensure that the council is being good stewards over the finances of the town where the town is high in expenses but low in revenue.

**COUNCIL REVIEW/COMMENTS:** There were several workshops and the first hearing with changes and comments that have been highlighted in the revised proposed budget. The second hearing is not to do another line by line review, but to look at the items voted for amendments. If there are other items to discuss, they can be discussed.

**RECAP OF CHANGES FROM THE 1<sup>ST</sup> BUDGET HEARING: (By Finance)**

- Finance has provided a replacement sheet (page 8 out of 11), the retirement and insurance were added to the spreadsheet
- The recreation director (page 9 out of 11) will not receive a 2% or 3% increase due to the salary increase during this fiscal year. (This was a correction).
- Community Event (page 3 of 15) The veteran's event was changed to a thousand (\$1000)
- Promotion Activities \$5,000 to be increased between \$10,000-\$15,000
- Instead of combining the veterans with promotional activities, consider leaving the \$1000 for the veteran's banners to go along with the veteran's event (Vice Mayor Washington). Councilman Daniels wants to focus on the cemetery and someone else can do the banners.
- To include in the budget funds for sidewalks on the west side of Kennedy (Do not see it in the budget). (Councilman Mack)
- To include in the budget (create line item) a liaison for the grants, someone who deals solely with grants, recommend Valerie Mundy (Councilman Mack).

- Support people getting paid what they deserve, but also do not want to give percentages would not make sense for this time. The sidewalks are a priority over salary increases. (Councilman Mack).
- Looking into options for sidewalks on the west side. The three million is for the streetscape on East Kennedy, going to see if there is an opportunity for sidewalks from Deacon Jones to Keller and segments that included in the roadway widening project. There is a sidewalk plan being worked on and there are opportunities for safety. Estimated cost for sidewalks can be about \$50/foot (\$200-300,000).
- Utility Service Tax (Water) – the amount was moved to the water/sewer (page 5)
- RWJF was adjusted to \$18,000 for the fiscal year (page 6)
- To increase Promotional activities to \$10,000 from contingency line (page 7)
- HR PT was changed to FT with the adjustment in salary
- Special Project (Mayor and Council) will be moved to Promotional (\$400 added within the \$10,000)
- Contractual Service – Special Events is for someone who would coordinate events (page 8)
- Insurance (page 8) – is the general liability, property, and automobile – property insurance went up causing the increase
- Finance Regular Wages (page 8) – includes one increased position and the new grant position (currently not filled) (listed on page 3 of 11)
- Contractual Service -Planning/community development - (page 9) Universal, Planner Consultant , CPH
- Wages – Planning/Community Development - (page 9) - decrease by \$3,000
- Police – Regular Wages increased lieutenant changed to salary based with no overtime.
- Police – Health & Life Insurance – increased because vacant positions were filled
- Police – Contractual Services reflect of the call center (Seminole County database)
- Police – Operating Supplies increased due to increased manpower (page 11)
- Every department will save on health insurance (new insurance plan)
- Public Works – Health & Life Insurance (page 11)-increase for the same reasons as police due to manpower
- Public Material & Supplies (page 12) – for potholes, paving, etc.
- Recreation – (pages 12) Regular wages is full-time staff and Wages (part-time) includes the new grounds maintenance position
- Recreation – Pool maintenance is under contractual services and includes the pool, YMCA, Denton Johnson Center, and the parks (budget line 572-3400). The first year for the pool is at no cost to the town.
- Legal – \$95,000 is an estimate, the cost is based upon hours rendered for service.
- MLK Revenue – (page 13) – includes Orange County, Duke Energy, waste Connection, and Travel Leisure
- Recreation – Operational Supplies (page 13) – \$12,968.14 supplies needed to get the pool reopened to include the pool pump.
- Capital Improvements – (page 14) – Inquired about which grants have award letters been received
- Solid Waste - (page 17) – contract closing is September 30<sup>th</sup>, will come before council in October, have four companies with bids
- Stormwater (page 17) – looking for a vehicle in this fiscal year

## REVIEW OF SALARIES

- Records Coordinator (page 19) was approved in the previous fiscal year.
- CAO Salary (page 20) – want to decide on an amount that is fair (Recommend \$100,00-Councilman Mack).



- **(AMENDMENT)** – 2% percent cola across board except for those who are n (Councilwoman Randolph).
- Support the grant finance position but need justification for the position and a job description (Councilwoman Randolph).
- There has been no demonstration in this budget of any reduction in expenses.
- To finance, in consideration to a balance budget, is the proposed changes (raises) feasible for the town? (Councilman Mack).
- **(AMENDMENT)** Agreement with the salary increase minus the amount the to give to the CAO (Councilman Mack).
- **(AMENDMENT)** Agreement with 2% across the board on column F-current approved salary (Vice Mayor Washington).
- Need new organizational chart because of the new positions.
- Police-the Patrol Office noted as “new position” is filled (prior to budget).
- Police-will look to fill the deputy chief position, in the current fiscal year, the general salary funds (521-1200) for the deputy chief was used towards the pay-back of up to 80 hours of unused vacation time (should have had a justification for using funds for other purposes). Vice Mayor Washington wants to know how much was used of the general salary for this purpose.
- Recreation – Ground Maintenance position, inquired about a justification and job description, will have job description before it is advertised.

#### **COUNCIL ACTIONS/BUDGETAMENDMENTS:**

1. To increase promotional activities to \$10,000 from contingency line – Motion to increase promotional activities to \$10,000 from contingency line; Moved by Councilman Mack, Second by Vice Mayor Washington: **AYE:** Vice Mayor Washington, Councilman Daniels, Mayor Gardner, Councilman Mack **NAYE:** Councilwoman Randolph, **MOTION PASSES.**
2. To move Special Project for both the Mayor and the Council to Promotional Activities adding the \$400 within the \$10,000 – Motion to move Special Project for both the Mayor and the Council to Promotional Activities adding the \$400 within the \$10,000); Moved by Vice Mayor Washington, Second by Councilman Mack: **AYE: ALL, MOTION PASSES.**
3. CAO salary increase to \$100,000-Motion for CAO salary increase to \$100,000; Moved by Councilman Mack; Second by Mayor Gardner: **AYE:** Mayor Gardner, Councilman Mack **NAYE:** Vice Mayor Washington, Councilman Daniels, Councilwoman Randolph, **MOTION FAILS.**
4. 2% COLA across the board as the lump sum-Motion for a 2% COLA across the board as the lump sum; Moved by Councilman Daniels; Second by Councilman Mack: **AYE:** Councilman Daniels, Councilwoman Randolph, Vice Mayor Washington, Councilman Mack; **NAYE:** Mayor Gardner **MOTION PASSES.**  
**Comments: (Legal)** COLA, the purpose is maintaining purchasing power in the face of inflation. The increase is typically tied to a specific inflation index. Consumer price index, distribution, or other, often applied equally to all employees regardless of performance. It is not about performance, but about the dollars today that do not keep up with the dollars in the last year. The adjustment essentially means making the same amount in terms of spending power, and that is where you start for next year, it does not go down, it is a raise, but not based on performance but on cost of living. Unless the cost of living were to fall next year, then you could consider the cost-of-living adjustment downward. The salary does not go down the next year to what it was before the 2%. The vote was to offer it as a lump sum as opposed to an increase

in each paycheck. For clarity, if I had \$10,000 and received one percent, I now have \$10,000 a year; the 2% COLA will be applied based upon the current salary; clarity, the special event coordinator is already in the budget as a contracted position;

**Mayor Gardner Motions** to approve Ordinance 2024-4 Approving the Second Reading of Fiscal Year 2024-2025 of the Town Budget with the amendments as voted upon approved; Moved by Vice Mayor Washington; Second by Councilman Mack with a question: **Question/Comments:** To all staff members, my position is to make sure that everybody receive what they deserve. I am going to be pushing all initiatives to ensure that we get the money to be able to pay you for what you deserve; **AYE: ALL, MOTION PASSES.** The FY2024-2025 Budget has been passed.

**Stated Amendments (4):** To increase promotional activities to \$10,000 from contingency line; to move special project for both the Mayor and the Council to Promotional Activities adding the \$400 within the \$10,000; for a 2% COLA across the board as the lump sum-Motion for a 2% COLA across the board as the lump sum.

**ADJOURNMENT** Mayor Gardner Motions for Adjournment of the 1<sup>st</sup> Budget Hearing; Moved by Councilman Mack; Second by Vice Mayor Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 9:14 P.M.**

**Respectfully Submitted by:**

**APPROVED**

\_\_\_\_\_  
**Veronica L King, Town Clerk**

\_\_\_\_\_  
**Angie Gardner, Mayor**



# HISTORIC TOWN OF EATONVILLE, FLORIDA REGULAR COUNCIL MEETING MEETING MINUTES

Tuesday, September 17, 2024, at 7:30 PM

Town Hall – 307 E. Kennedy Boulevard. 32751

**SPECIAL NOTICE:** These meeting minutes are presented in an abbreviated format intended as a public record discussion of stated meeting according to the Florida’s Government-in-the-Sunshine law. Meetings are opened to the public, noticed within reasonable advance notice, and transcribed into minutes for public record. *\*\*Audio Recording are available through the Town’s website on the Council Agenda Page.*

## CALL TO ORDER AND VERIFICATION OF QUORUM:

Mayor Gardner called the meeting to order at 7:31 p.m. and a quorum was established by Mrs. King

**PRESENT:** (5), Mayor Angie Gardner, Vice Mayor Theo Washington, Councilman Rodney Daniels, Councilwoman Wanda Randolph, Councilman Tarus Mack

**STAFF:** (5), Veronica King, **Town Clerk**, Clifford Shepard, **Town Attorney**, Katrina Gibson, **Finance Director**, Chief Stanley Murray, **EPD**, Valerie Mundy, **Public Works Director** (**Absent:** Demetrius Pressley, **Chief Administrator Officer**)

## INVOCATION AND PLEDGE OF ALLEGIANCE:

Rev. Critton led the Invocation followed by the Pledge of Allegiance

## APPROVAL OF THE AGENDA:

**Mayor Gardner Motions** to **APPROVE** the meeting agenda moving item #3 (Resolution 2024-27, Health Services provided by Grace Medical Home and the Central Florida Black Nurses Association of Orlando) to Council Decision; **Moved** by Councilwoman Randolph; **Second** by Vice Mayor Washington; **AYE: ALL, MOTION PASSES.**

## PRESENTATIONS AND RECOGNITIONS

The Town Clerk of the Town of Eatonville (Veronica King) was recognized by the Mayor and Town Council for her achievement in receiving the Certified Municipal Clerk (CMC) Designation from the International Institute of Municipal Clerks (IIMC), a testament to expertise in local governance, dedication, hard work, and commitment to excellence. Mayor Gardner read the congratulatory letter from the IIMC Region III Director, Lori McWilliams, MPA, MMC (Village Clerk of Village of Tequesta.

## CITIZEN PARTICIPATION – (7)

**Cathy Mills** – Expressed concerns about 41 Lincoln Ave (Sewer System), all information requested has been provided to fix the sewer system problem since March 29. There has been no follow-up and want to hear from the council. Signature and approval from sister-in-law have been provided to fix the problem. Acknowledgement of help from Ms. Mundy, Public Works Director was made with a request for her to assist senior citizens, people with a disability. Mayor Gardner clarified that the business of the CRA will have to be addressed at the CRA meeting on Thursday and that Councilwoman Randolph will give attention to the matter. Ms. Mundy will continue to help on the town side. Mayor Gardner will follow up tomorrow.

**Nicholas O’Hara** – (Passed on his public speaking minutes to Cathy Mills)

**Tiffany Simmons** – (Provided a draft of the Negro) Desire is to assist to bring unity and accountability. Grew up in Eatonville, attended a summer performing arts program headed up by PEC. Through travels and all

my triumphs, I always come back to this poem when I need motivation, inspiration, and accountability. There are a lot of negativities, so I want to give a dose of motivation and inspiration that I learned from Eatonville; have one more year in Eatonville to be of service, use the expertise being offered. There Negro Mother by Langston Hughes was oratorically presented along with a call to action previously given on May 24.

**Victor McCall** – (Passed on his public speaking minutes to Tiffany Simmons)

**Joyce Irby** – Expressed concerns in the requirements to hiring; read a formal complaint and call to action letter with concerns and observation of a current staff member (Darius Washington) inquiring as to why the letter (previously given to Mr. Pressley) was not placed in his employment file. The letter was not included in the file after requesting and reviewing the file. Inquired as to if the letter was removed by his wife in Human Resources; people need to be qualified for jobs, pay attention to who is being hired.

**Ryan Novak** – Thanked the 1887 First for putting on the night market and asked that the town would contribute more to the farmer’s market, it is something the town needs and will bring in lots of people from all over; offered thanks and acknowledgments for taking care of the speed bumps; in response to a comment concerning the Code Enforcement Board, whatever changes are made, remember the people on the board are appointed by council, if you do not like how it is being ran or the people that are on that board, the board have the power to make the necessary change, whether that be a Magistrate as was suggested or putting the right members of the board who will take the necessary action per the town code; in this political climate be encouraged to fact check your sources.

**Angela Johnson** – Acknowledged staff and the Mayor for due diligence to the budget process, looking forward to its implementation specific to plans on how to reduce expenses to ensure a sustainable, viable and, financial status; presented comments/questions on the audit, the due to due to funds probably accumulated over the years, where it is known that the enterprise funds, stormwater, garbage and sewer funds are operating at a deficit, the general fund has probably been providing revenue, those funds can be operational. **Questions:** What is the town's plan to clear the due to due amounts from the town’s financials, on page 42 of the council packet (page 9 of the audit report ), the graph shows a percentage of 0% which makes no sense; did the contract for the waste/garbage expire on June 30<sup>th</sup> (no, has been extended), the RFP submittal deadline is the 30<sup>th</sup>, challenge the elected officials to time the issuance of the RFPs in the future so that they can be issued when you have the new rate structures, implement before the expiration of a contract; also the contract with Host Dime expired on June 30<sup>th</sup> and no new contract has been brought forward to hold them accountable for giving anything back to the residents of the historic Town of Eatonville.

**PUBLIC HEARING:**

Approval of the First Reading of Ordinance 2024-6 creating Chapter 38, Article VIII, operating golf carts on designated town streets. (Preamble Read): **Public Comments:** Angela Johnson - living in the Catalina Park neighborhood, there are a number of golf carts, have observed minors/children are driving golf carts with more people than the number of seats allow, what type of signage will be provided, request an explanation on how will enforcement be done, is it similar to a traffic violation (it is a statue), will and when will there be an information session, thanks to staff and chief for bringing this forward, looking forward to it being positively embraced from the community. Ryan Novak - not one for over governance, encourage before passing this ordinance not to overreach into something that is already a state statute (F.S. 316.212), operation of golf carts on certain roadways are already governed to include age restrictions, the statue is robust in that in the way that it is written, need to be 18 or older to operate, if minors are driving golf carts, the state statute already dictates it as being unlawful and is a ticket violation if ever observed by law enforcement, not against additional restrictions, but bear in mind that there is already a Florida state statute for operation of golf carts. **Council Comments:** If this passes, signage will be put up and the citizens who own golf carts will be educated, whoever purchase golf carts will need to get registered with the town, there needs to be a decal or some sort of identification that the golf cart is registered in the town, a safety class will be provided at the station to include a short informational video providing training and to talk about the statute, understanding the offenses, there

will be a first, second, and third offense, working out all the details through legal, streets under 35 miles per hour could be used for golf carts but legal is vetting and final details will be brought back before council, council can decide certain streets, notwithstanding that they could legally be put into the statute, not knowing if golf carts would be desired on Kennedy Blvd. **Mayor Gardner Motions to APPROVE the First Reading of Ordinance 2024-6 creating Chapter 38, Article VIII, operating golf carts on designated town streets; Moved by Vice Mayor Washington; Second by Councilman Mack; AYE: ALL, MOTION PASSES.**

**APPROVAL CONSENT AGENDA: Mayor Gardner Motions to APPROVE (Items #1 & #2) of the Consent Agenda** approving the council meeting minutes (Council Meeting Minutes for September 3, 2024 only) and Resolution 2024-28 re-appointment of Rosa Pickett to the Historic Preservation Board for a two year term (9/20/24 – 9/20/26); **Moved by Councilman Daniels; Second by Councilman Mack; AYE: ALL, MOTION PASSES. Comments:** The 1<sup>st</sup> and 2<sup>nd</sup> Budget meeting minutes were not available for approval.

**COUNCIL DECISIONS:**

Approval of Resolution 2024- 2024-27 Heath Services Provided by Grace Medical Home and the Central Florida Black Nurses Association of Orlando (CFBNA) in partnership with the town with amendment approving resolution based on the agreement of contract and any liability: **Comments:** There have been several instances where persons have been injured here in the town, if the mobile unit is going to be placed on town property, whether an individual will have to step up or down, if they fall, there will be an issue of insurance, would like to make certain that the proper documentation to show for liability is included in the approval, the approval would be based on the agreement of contract any liability, vendor will provide insurance and certificate of liability. (Preamble Read) **Mayor Gardner Motions to APPROVE Resolution 2024- 2024-27 Heath Services Provided by Grace Medical Home and the Central Florida Black Nurses Association of Orlando (CFBNA) in partnership with the town with amendment approving resolution based on the agreement of contract and any liability; Moved by Councilman Daniels; Second by Councilman Mack; AYE: ALL, MOTION PASSES.**

Approval of the Town of Eatonville FY 2023 Annual Financial Audit: **Mayor Gardner Motions to APPROVE Approval of the Town of Eatonville FY 2023 Annual Financial Audit; Moved by Councilwoman Randolph; Second by Councilman Daniels; AYE: ALL, MOTION PASSES. Comments:** The audit has been approved.

**REPORTS:**

**CHIEF ADMINISTRATIVE OFFICER: Demetrius Pressley** – (Not Present) – Report was read by Valerie Mundy and a copy provided to the clerk for record keeping.

**ATTORNEY: Clifford Shepard** – Provided updates on the Hungerford property – Read an email from Karen Castel Dental (School Board Representative); her primary motivation as one member of the school board is to settle the lawsuit and do right by the town, the desire is to get the Hungerford property and never in a better position to get it because of the advocate the town has in Ms. Castel Dental who seemingly has managed to get the superintendent, Ms. Vasquez and also the new general counsel Mr. Pomeraney on board, when they (school board) vote, if we get that far, would love to see a packed house of calm but resolved people.

**TOWN COUNCIL REPORT/DISCUSSION ITEMS -**

**Vice Mayor Theo Washington** – loss cousin (Hippie) over the week, service will be held at Open Door; acknowledged the efforts done to resolve speed bumps; the air conditioning need to be fixed as soon as possible.

**Councilman Rodney Daniels** – Acknowledged Mr. Novak on information on fact check; not in favor of the budget process, must account for every dollar and ensure it fulfills the goals of what is needed for the town, according auditor, the budget is not required to reflect many years of reserve, but state policy requires one year; appreciate the report from Mr. Pressley indicating accomplishments, but recommend doing a survey to get feedback from residents on how we are doing as a town; request to get the trash situation corrected (picked up

time and trucks dumping trash); nice to know that the town may still have a chance to get the museum, near would be overjoyed if the school board give the property (Hungerford); condolences to the Washington family.

**Councilman Tarus Mack** – condolences to Hippie, the family, and Vice Mayor Washington; there is no contract with HostDime which expired on June 30<sup>th</sup> before meeting the criteria, have the same issue with the trash pickup (there are improvements); spoke with the auditor who provided a lot of information, glad the audit was approved and headed in the direction of having a better financial situation, with the impact fees, those developing in the town will pay the cost; the tax money will allow opportunity to pay employees what they deserve (not satisfied with their pay), asked the financial director on the feasibility, did not get an answer, staff members do a sensational job, continue what you are, you are appreciated; voted to approve to work on Lincoln 41 through CRA, need to address this issue on Thursday to make sure that everything is being done to help; Julian Johnson (1887 First) does a terrific job, encourage others to help with his event; are there any lawsuits against the town (Legal responses, none that is not already known about); want to see sidewalk even if temporary, there are children walking up and down Kennedy Boulevard, especially on the west side where there are no sidewalk, need to move forward with some type of grant, do not want any fatalities happening, be careful walking down Kennedy, appreciate Ms. Mundy for everything that you do on a daily basis.

**Councilwoman Wanda Randolph** – Budget has passed, we are the legislative body, under the authority of the state, constitution, and the town charter, to make local laws and follow them accordingly including the mayor and council, thank the council members for their efforts and input; did not set a date when the COLA would be effective, hopefully whenever the paperwork is ready, some employees may want their COLA in their check, maybe separated, they may or may not want taxes taken out, think about the options for the employees; need to find ways to cut costs adhering to government functions by running the town in an efficient manner, cutting unnecessary and wasteful government spending; a resident was able to get speed bumps, but still waiting for the cleanup on my street (hydraulic fluid), it has been five months (Ms. Mundy-received estimates from contractors also working with the town of Maitland Public Works to schedule it for resurfacing or recoding, it is in process-Maitland will take care of the bill); code enforcement have been working on a lot of the town’s issues, one resident mentioned about parking issues, in the neighborhood, parking is a problem in our neighborhoods and needs to be looked into to, there are three, four, five cars in a driveway or a parking yard, service vehicles in certain areas and people are trying to park.; reminding everyone that the chamber is having their State of the Chamber on Saturday, anyone interested in attending, contact the Chamber of Commerce.

**MAYOR’S REPORT - Mayor Angie Gardner** – Condolences to Hippie, to Tito and Frankie and James Earl Jones; have not received many waste management calls for trash pickup, there are improvements; the master plan kickoff is on September 28 from 10am to 1pm at Macedonian Missionary Baptist Church, come and give your input to make a difference in framing the town's future; there is a survey that can be accessed on the website, it is downloadable and can be completed, the impact fee notice is on the website, has been noticed in the Orlando Sentinel last Wednesday, looking to provide it in the water bill; to Ms. Mundy, add potholes on your to do list with everything else, you are doing a great job; in regards to cutting costs, it is the balance for me, we cannot give half a million dollars away to developers, giving away \$200,000, and waiving fees at an estimated cost of \$300,000 to \$400,000, those make a difference in our town, there are services that need to be fulfilled in the town that requires money, need to bring the level of service up, it is not the town wasting money, not spending money in the right places, we will get revenue on real estate, but it all makes a difference. Ms. Mills will get a call tomorrow.

**ADJOURNMENT** Mayor Gardner Motions for Adjournment of Meeting; **Moved** by Councilman Mack; **Second** by Vice Mayor Washington; **AYE: ALL, MOTION PASSES. Meeting Adjourned at 8:43pm.**

**Respectfully Submitted by:**

**APPROVED**

\_\_\_\_\_  
**Veronica L King, Town Clerk**

\_\_\_\_\_  
**Angie Gardner, Mayor**



**HISTORIC TOWN OF EATONVILLE, FLORIDA**  
**TOWN COUNCIL MEETING**  
**NOVEMBER 5, 2024, 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 Resolution 2024-34 Updating Fair Housing Plan, Policy, and Procedures - (**Finance**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> FINANCE / GRANT
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b> <ul style="list-style-type: none"> <li>• DRAFT Resolution 24-34- Excessive Force Policy</li> <li>• Excessive Force Checklist</li> <li>• DRAFT Resolution 24- Addendum to the Town’s Fair Housing policy</li> </ul>
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Approval of Resolution 2024-34 Updated Policy and Procedures- Excessive Force Policy according to the Florida Commerce guidelines.

**SUMMARY:** Excessive Force Policy and Fair Housing Policy must satisfy all the unique requirements of HUD’s CDBG – MIT 5.9 million Grant Program. In particular, the standards governing the sub-recipient’s outline in the Excessive Force policy checklist and the Fair Housing policy checklist.

**RECOMMENDATION:** Staff recommend that the Town Council approves Resolution 2024-34 Updated Policy and Procedures- Excessive Force Policy according to the Florida Commerce guidelines

**FISCAL & EFFICIENCY DATA:** N/A

**RESOLUTION # 2024-34**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA CERTIFYING THE TOWN’S COMMITMENT TO AFFIRMATIVELY FURTHER FAIR HOUSING AND ADOPTING A FAIR HOUSING PLAN TO ENSURE APPROPRIATE AND ACCEPTABLE ACTIONS ARE TAKEN IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Eatonville has been awarded funding and may be awarded additional future funding under the Community Development Block Grant program, and

WHEREAS, the Town of Eatonville has adopted a Fair Housing Ordinance prohibiting discrimination in housing based on Race, Color, National Origin, Religion, Sex, Familial Status or Disability.

WHEREAS, the Town Council of the Town of Eatonville desires to certify that it will "affirmatively further fair housing" in its community, to ensure compliance under the Town’s Community Development Block Grants (CDBG), and

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to adopt a plan for implementing actions to "affirmatively further fair housing" in its community under the Community Development Block Grant to ensure compliance and adherence to requirements and standards set for by the United State Department of Housing and Urban Development (HUD), the Florida Department of Commerce (FloridaCommerce), Federal Regulations, State Statutes, and State Administrative Rules.

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to update and improve its existing Fair Housing Ordinance to ensure no person is being denied benefit, excluded, or subjected to discrimination under any program funded in whole or in part by Federal funds and to ensure program participation is not to be based on Race, National Origin, Religion, Color, Sex, Age, Disability (mental and physical), or Family Status.

**NOW THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO HEREBY CERTIFY THAT IT WILL “AFFIRMATIVELY FURTHER FAIR HOUSING” IN ITS COMMUNITY AND ADOPT A FAIR HOUSING PLAN FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS.**

The Town of Eatonville does hereby certify that it will "affirmatively further fair housing" in its community. The Town will demonstrate its commitment to affirmatively further fair housing by implementing the actions listed below.



- I. The Town adopted a fair housing ordinance on December 17, 1991, that covers all Federally protected classes (race, color, familial status, handicap, national origin, religion and sex);
- II. The Town shall utilize data from the State of Florida's Analysis of Impediments (AI) to assist with determining the needs of the community and for identifying and making conclusions regarding local impediments to Fair Housing;
- III. The Town has designated the Finance Director as the Fair Housing Coordinator who will be available during regular business hours to receive fair housing calls;
- IV. The Town shall ensure that the fair housing contact person receives fair housing training so that he/she is equipped to properly handle fair housing phone inquiries or refer the inquiries to the appropriate people/agencies.
- V. To ensure that the residents know who to call to ask fair housing questions or register a complaint, the Town will either publish the Fair Housing Coordinator's contact information quarterly in a newspaper of general circulation in Town's jurisdiction or alternatively, will post the coordinator's contact information throughout the quarter on the home page of its website;
- VI. The Town has established a system to record the following for each fair housing call:
  - a. The nature of the call,
  - b. The actions taken in response to the call,
  - c. The results of the actions taken, and
  - d. If the caller was referred to another agency, the results obtained by the referral agency.
- VII. The Town shall make the following contacts available for all persons alleging a violation of Fair Housing laws to file a complaint.
  - i. FloridaCommerce's email address [FairHousing@commerce.fl.gov](mailto:FairHousing@commerce.fl.gov)
  - ii. Florida Commission on Human Relations: Phone: 850-488-7082 or Email at [fchrinfo@fchr.myflorida.com](mailto:fchrinfo@fchr.myflorida.com).
  - iii. U. S. Department of Housing and Urban Development (HUD) at 800-440-8091.
- VIII. The Fair Housing Coordinator shall maintain a record of all fair housing related communication, including inquiries, complaints, whistle blowing and community feedback to empower the Town to better:
  - a. Define where discriminatory practices are occurring,
  - b. Help the Town measure the effectiveness of its outreach efforts, and
  - c. Provide the community with a means to gain information that can be used to design and implement strategies that will eliminate fair housing impediments.
 The Town shall maintain Fair Housing records and make the same available to the public.
- IX. The Town will display a fair housing poster in the CDBG Office, with the understanding that this does not count as a fair housing activity. The Town shall provide FloridaCommerce with photographs of the Fair Housing poster displayed in the CDBG Program Office no later than 10 days following the end of each quarter.

- X. The Town will conduct at least one fair housing activity each quarter. And will not conduct identical activities in consecutive quarters. Examples of fair housing activities the Town may utilize are: Making fair housing presentations at schools, civic clubs and neighborhood association meetings; conducting a fair housing poster contest or an essay contest; staffing a booth and distributing fair housing materials at libraries, health fairs, community events, yard sales and church festivals; placing fair housing display ads in local newspapers, running fair housing radio and/or television public service announcement spots, mailing out fair housing brochures, and conducting fair housing workshops for Town/county employees, realtors, bank and mortgage company employees, insurance agents and apartment complex owners. The Town understands that printing a fair housing notice on a utility bill or placing fair housing posters in public buildings are not acceptable fair housing activities. The Town shall document its fair housing activities by keeping photographs, newspaper articles, sign-in sheets and copies of handouts in their CDBG project file and include information about the activities in the comment section of each quarterly report. The Town shall provide such documentation of conducting quarterly Fair Housing activities to the FloridaCommerce grant manager within 10 days following the end of the quarter.
- XI. The Town will, on an ongoing basis, review and assess its local land use, zoning, ordinances, resolutions and policies and make reasonable revisions to the same to remove barriers to fair housing.

Effective Date.

This resolution shall take effect immediately upon its adoption.

**DULY PASSED AND ADOPTED** by the Town Council of the Town of Eatonville, Florida at a regular meeting on this 5th day of November, 2024.

\_\_\_\_\_  
Angie Gardner, Mayor  
Town of Eatonville, Florida

**ATTESTED:**

\_\_\_\_\_  
Veronica King, Town Clerk  
Town of Eatonville, Florida

## Office of Long-Term Resiliency (OLTR) - Community Development Block Grant Program

### MITIGATION

### Excessive Force Policy Checklist

Subrecipient: City of Cottondale		Grant Agreement No.: MT128	
1 <sup>st</sup> Reviewer:		2 <sup>nd</sup> Reviewer:	
Date Review Complete:		Date Review Complete: 10/2/2024	
Policies and Procedures Approved?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Approval:	
<p><b>24 CFR 91.325 (b)(6) Excessive Force.</b> A certification that the State will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:</p> <p>(i) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and</p> <p>(ii) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.</p> <p><b>The excessive force policy must include the following provisions:</b></p>			
Desk Review			
Descriptions	Reference	Answer	Location
Does the policy define what constitutes 'excessive force;?'	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 1, 3 <sup>rd</sup> Wheras
Does the policy prohibit the use of excessive force by law enforcement agencies against individuals engaged in nonviolent civil rights demonstrations?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 1
Does the policy prohibit physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 3
Does the policy require law enforcement agencies to use the least amount of force necessary to achieve a lawful objective;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy require law enforcement agencies to intervene when another law enforcement officer uses excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy provide for the investigation of allegations of excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy provide for the discipline of law enforcement officers who use excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 2
Is the policy made available to the public, posted on the subrecipients website, and be enforced by the local government?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 4
Does the policy designate a senior official with responsibility for implementation? This official must ensure that all component policies and training are aligned.	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 5

**TOWN OF EATONVILLE,  
FLORIDA  
EXCESSIVE FORCE POLICY**

**A RESOLUTION OF THE TOWN COUNCIL  
OF THE TOWN OF EATONVILLE, FLORIDA,  
ADOPTING A POLICY PROTECTING  
INDIVIDUALS ENGAGED IN NONVIOLENT  
CIVIL RIGHTS DEMONSTRATIONS.**

WHEREAS, the Congress of the United States has passed Section 104(1) to the Title I of the Housing and Community Development Act stating that no CDBG funds may be obligated or expended by any unit of general local government that fails to adopt and enforce a policy of prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; or fails to adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction;

WHEREAS, the Town Council of the Town of Eatonville desires to adopt a policy regarding excessive force under the Town’s Community Development Block Grants (CDBG);

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to adopt a policy for excessive force under the Community Development Block Grant to ensure compliance and adherence to requirements and standards set for by the United State Department of Housing and Urban Development (HUD), the Florida Department of Commerce (FloridaCommerce), Federal Regulations, State Statutes, and Office of Management and Budget;

WHEREAS, Excessive force is determined on the ‘objective reasonableness’ of the force based on the situation. Nonviolent civil rights demonstrations use peaceful tactics to achieve social change and may include distribution of information, picketing, marches, and vigils;

WHEREAS, All prior policies and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect. If any section, clause, sentence, provision, or any part of this policy is held to be invalid or unconstitutional, the remaining sections, clauses, sentences, or parts not included therein, will remain in full force;

WHEREAS, the Town of Eatonville has received a Community Development Block Grant and is required to comply with the Title I of the Housing and Community Development Act; and

WHEREAS, the failure to enforce such policies may cause the Town of Eatonville to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA TO MAKE POLICY THE FOLLOWING:

- SECTION 1            It is the POLICY of the TOWN that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and nonviolent civil rights demonstrations within the Town boundaries.
  
- SECTION 2            It is the POLICY of the TOWN to require law enforcement agencies to use the least amount of force necessary to achieve a lawful objective, to intervene when another law enforcement officer uses excessive force, that allegations of excessive force will be investigated, and that law enforcement officers who use excessive force will be disciplined.
  
- SECTION 3            It is the POLICY of the TOWN to enforce applicable state and local laws against the physical barring of an entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.
  
- SECTION 4            The Town Council hereby directs staff to make this POLICY available to the public, to post this POLICY on the Town’s website, and to enforce this POLICY.
  
- SECTION 5            The Town Council hereby designates the Eatonville Chief of Police as senior official responsible for implementation of this POLICY;
  
- SECTION 6            The Town Council hereby directs coordination with the Town of Eatonville Chief of Police to ensure the police department implements and adheres to all components of these policies, amends applicable police department procedures and training to align with the implementation of this Resolution adopting this Excessive Force Policy.

PASSED BY THE TOWN COUNCIL, TOWN OF EATONVILLE, FLORIDA

\_\_\_\_\_  
Angie Gardner, Mayor  
Town Council for the  
Town of Eatonville, Florida

\_\_\_\_\_  
Date

**ATTESTED BY:**

\_\_\_\_\_  
Veronica King, Town Clerk  
Town of Eatonville, Florida

\_\_\_\_\_  
Date