

**MINUTES**  
**REGULAR MONTHLY COUNCIL MEETING**  
**Town of Penney Farms, Florida**  
**Tuesday – December 17, 2019**

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Anyone wishing to address the Council regarding topics on the Agenda are asked to fill out a request form. Present it to the Town Clerk prior to the meeting. The Town Clerk will allow a three minute time limit to speak, unless other arrangements have been made. Request forms are available at the sign in podium or at the Town Clerks' desk.

**Abbreviations:**

**\*CM- Council Member \*TA- Town Attorney \*TC- Town Clerk \*TM- Town Manager \*VM- Vice-Mayor**

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**OPEN REGULAR COUNCIL MEETING: 7:00PM**

*Mayor DeVille invited two Mayor's Assistants, Mackenna Mack and Ka'Maria Graham, to open the meeting.*

*Mayor DeVille stated Mackenna Mack goes to Lake Asbury Elementary. He asked Ka'Maria where she goes to school? She stated she goes to Shadowlawn Elementary and is in the 6th grade.*

*Mayor DeVille asked Mackenna what she wanted to be when she grows up?*

*Mackenna commented "Oh I don't know, maybe be the Mayor of Penney Farms."*

*Mayor DeVille asked Ka'Maria what she wanted to be when she grows up?*

*Ka'Maria commented "I want to be a doctor and help homeless people."*

**FLAG SALUTE:** *Mayor DeVille*

**MOMENT OF SILENCE:** *Mayor DeVille*

**APPROVE THE AGENDA:**

***Motion to approve the Agenda by CM Ryder; second by VM Sabin. Motion approved without dissent.***

**ROLL CALL:** Mayor DeVille; Vice-Mayor Sabin; Council Member Ryder; Council Member Taylor; Council Member Andrews; Town Manager Cooper; Town Attorney Quinonez

***All present for the record.***

**ABSENT:** *NONE*

**RECOGNITION(S):** *NONE*

**PROCLAMATION(S):** *NONE*

**APPROVAL OF MINUTES:**

- Regular Town Council Meeting Minutes – November 19, 2019

***A motion to approve the regular Town Council Meeting Minutes dated November 19, 2019 by CM Taylor; second by CM Ryder. Motion approved without dissent.***

- 4th Quarter Town Council Workshop Meeting Minutes - November 15, 2019

***A motion to approve the 4th Quarter Town Council Workshop Meeting Minutes dated November 15, 2019 by CM Ryder; second by VM Sabin. Motion approved without dissent.***

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**RESOLUTION(S):** *NONE*

**ORDINANCE(S):** *NONE*

**TOWN MANAGER REPORT: Town Manager**

- A Review of the November 2019 Town Manager Report

*The Town Manager reviewed the following report for November 2019:*

*This month began with the Penney Retirement Community (PRC) Arts & Craft show when the Mayor and I cooked hot dogs for the event, it was a fun time, where we got to talk with residents.*

*The Town had its Workers Compensation Audit done early in the month and all the corresponding documentation is up to date.*

*New speed bumps were installed this month on Hoffman Street near the Town's Playground Park that Council Member Andrews requested for the safety of the children in the area.*

*A meeting was held with Shaun O'Connor the attorney for the Town in the Tracy Jones Workers Compensation claim to go over the entire employee file and confirm how the Town would like to proceed. Since that meeting, the employee has elected to settle with the Town for a small settlement and sign paperwork to release the Town of any further claims.*

*The Town Clerk and I went to the Clay County Board of Commissioners (CCBOC) Finance meeting held this month to confirm the approval of the Historic Museum grant, which was passed by the Finance committee, to be finally approved by the CCBOC in December. He reported the Town did get the final approval for the grant in the amount of \$30,000.00. He commented that Mrs. Cathie was working with Clay Electric to gain another \$15,000.00 for the Museum. He also stated Mr. Wayne Boone set the Town up with the right person at Lowes to see about getting some lumber and in kind services from Lowes to help. He further stated that three County Commissioners have told him that the money has been transferred at the County level.*

*I attended the meeting at Barrows Hall regarding the progress and future completion of the First Coast Highway project and found it very enlightening and informative.*

*The damaged Passive Park footbridge was repaired this month. The contractor did an exceptional job and the bridge is now safe to cross and is usable.*

*The immediate water leak problem was repaired on Saunders Road. There will be further discussion on replacing the entire line in the future.*

*The lift station on Palmetto Avenue was repaired due to rags getting caught in the pump and making it run hot.*

*This month, the water lines on Studio Road are being moved in order to pave the South end of Studio Road. This project should be done in December.*

*In addition to the Manager's luncheon, I have attended all of the required meetings scheduled for this month.*

***A motion to approve the Town Manager Report for November 2019 by VM Sabin; second by CM Ryder. Motion approved without dissent.***

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**TREASURERS REPORT:** Town Manager

Review the November 2019 Treasurer’s Report:

- General Fund – 11/01/19 - 11/30/19
- Utility Enterprise Fund – 11/01/19 - 11/30/19
- Wastewater/Sewer Fund – 11/01/19 - 11/30/19
- Balances of other accounts reviewed – 11/01/19 - 11/30/19

*Mayor DeVille- asked how the Community Development Block Grant (CDBG) project was coming along?*

*TM Cooper- stated the project was coming along. There was a hiccup trying to re-route the storm water pipe down Shumaker, which would have saved the Town about \$100,000.00. However, it did not work out; so the pipe will have to come down Clark Avenue as per the original plan. The Department of Environmental Protection (DEP) is requiring a new environmental audit. The Town is still saving money because a holding pond will not be necessary. It will likely be February before the construction bidding process starts for the project.*

***A motion to approve the Treasurer’s Report for November 2019 by CM Taylor; second by CM Ryder. Motion approved without dissent.***

**CONSENT AGENDA:**

All matters under the Consent Agenda are routine and will be enacted by one motion and vote. Backup documents and staff recommendations have previously been submitted to the Town Council and will not be discussed unless an item is removed from the Consent Agenda and considered separately under “New Business”.

**REPORTS OF COMMITTEES/DEPARTMENTS: (All Pulled Reports will be considered under New Business)**

- |            |                      |             |                   |              |             |
|------------|----------------------|-------------|-------------------|--------------|-------------|
| 1. Finance | 2. Public Works      | 3. CDR      | 4. Human Resource | 5. Utilities | 6. Building |
| 7. Grants  | 8. Planning & Zoning | 9. Security | 10. Legal         |              |             |

***A motion to accept the Consent Agenda withholding report #1- Finance, and report #3- CDR, by CM Ryder; second by VM Sabin. Motion approved without dissent.***

**UNFINISHED BUSINESS: NONE**

**NEW BUSINESS:**

**1. Pulled Reports**

#1- Finance

*VM Sabin- stated there was a Finance Committee meeting yesterday, December 16, 2019. He strongly recommended to the Council that when those minutes are available, likely early January, he encourages the Council to read those minutes. He commented that the Finance Committee was given a tremendous challenge. He requested this information because the Council needs to look at all of the compartments of decisions and such of where money will be spent from the various pots available for this current year. The Finance Committee reviewed information given out in July for the items "over and above the budget" which had been discussed in the Workshop but were never finalized and brought to the Council for a firm decision. He stated they have also reviewed the items that were suggested for the Ad Valorem tax in terms of where that money would be designated. Also, for the building*

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*permit collection money, there are reserves there that need to be allocated for specific projects. The task that was given to the Finance Committee is the first step. There was information given for all three of these revenues, which all go back to the Capital Improvements spreadsheet that the Finance Committee has been working on for some time. The Finance Committee was charged with looking over all of those lists and try to determine some priorities and to be ready at the January Finance meeting to address, from its perspective, how it thinks these revenue sources should be used for Capital Improvements for 2020. He requested the Town staff to make the same information available to the other Council members and for the other committees, especially Public Works. He stated Public Works needs to weigh in on this just as much as the Finance Committee, so that when we have a final recommendation, there would be unanimous support for what the Town wants to do. It has been suggested by staff and he agrees, that we should plan to share this information with the rest of the Council after the first of the year, then the Finance Committee at the January meeting, will do their first step and indicate what its recommendations are. Once the other Council members have this information, he recommends that it be designated at the February Workshop to look at these areas of revenue to make the best decision of what is going to be spent in 2020. If that is done at the February Workshop, then at the March Council meeting, the Town Council would be making many significant decisions on how the revenue sources would be allocated in 2020. The Finance Committee is one step in the process. He encouraged all of the Town Council members to read the minutes from the Finance Committee meeting to get a sense of what the current thinking is on this subject. He stated this will be one of the more significant things the Town Council will do in 2020, allocating funds for some capital projects to get done.*

*VM Sabin- stated the second thing he wanted to comment on was that he wanted to commend Councilman Andrews for bringing forward the issue of speed bumps. The fact that it was a critical issue, because nothing is more important than the safety of our kids, and so he is pleased that the decision was made. He stated he was informed of it as the Chair of the Finance Committee. With that being said, he encouraged everyone in the Council, when something comes up that isn't in some of the approved planning, that we have the consent of the Council, or at least the Finance Committee weighs in so that there is some kind of control where our allocations are going.*

*TC Cooper- stated the Water Utility Committee will have a meeting in January, and stated the Public Works committee has meetings called as needed and told CM Andrews if he wanted to call a meeting for January to review the information, Town Hall would get it noticed. All committees will receive a copy of the Capital Projects list to be prioritized how each committee sees fit.*

*VM Sabin- stated he thinks the Workshop in February should have lunch provided.*

*CM Andrews- stated one of the concerns he has with this, is how does the Council involve the Town residents to see what they want. He stated he believes it is very important to have the input of the residents.*

*TC Cooper- stated the residents should go to their Council members and be involved. She stated the Town could post a notice saying if the residents have any suggestions on what should be done in the Town they can contact the Town Hall or the Council members.*

*CM Andrews- stated he thinks that would be very important to do, for him as Chairman of Public Works. When he gets ready to make his recommendations he will be able to say which items are already on the Capital Improvements list, or if they will be looked at next year. That way the residents of the Town know the Council is taking their suggestions seriously, instead of thinking the Council is just making all of the decisions for them.*

*CM Ryder- agreed that sounded like a good idea.*

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#3- CDR

*Chairwoman Taylor- stated the Town had a very successful Christmas Parade and she appreciated all the people that were involved with it. She was so excited to see the community come together, even with the differences, we are still coming together. Many members worked very hard, but she stated she had to point out that we would not have had a parade that went in one direction without Cathie leading.*

*CM Taylor- commented that she would like to request the permanent addition of pickleball lines on the tennis court. It would not change the game of tennis. She would like to do this and teach all of the children pickleball, that would like to learn.*

*TM Cooper- stated a lot of research needs to be done. You can't go and put lines on the tennis court because the Town got a grant for this to be a tennis court. He stated he is unsure if this can be done and there is research that needs to be done before it is considered.*

*CM Andrews- stated when he was Chairman of CDR the pickleball idea came up and the Town had just gotten the grant. He stated it would void the warranty on the tennis court because of the way it was painted and sealed. The agreement was they would go out and mark it and use it, and since that meeting he has not seen the tennis court marked or used for pickleball.*

*CM Taylor- stated it was marked with the chalk mark.*

*CM Andrews- asked Mrs. Cathie if it would or would not void the warranty on the tennis court?*

*Resident, Cathie Parrot- stated when the Town talked to the State, they said there wasn't a problem with temporarily marking the court. When it was marked originally there was never anyone playing pickleball on it. She stated the Town would need to know how many people were really interested in pickleball before the Town incurred that expense.*

*CM Taylor- stated she believes it is something that can involve the children as well. She commented she doesn't see it as something for all of the old folks, even though there is a strong interest there. She sees it as something that can get the children of the community involved.*

*VM Sabin- stated he wants to be clear from the original grant if there are any stipulations on altering the tennis court. If there are no stipulations and it can be used for both he does not have an issue with it.*

*Resident, Susan Kimsey- stated she heard a comment that Judge McWhorter was planning a pickleball court in the golf course area.*

*CM Taylor- stated there was a problem with a historical land situation and it cannot be done.*

**2. Items not on the Agenda:**

*Mayor DeVille- stated in reference to Finance, we need to go back to last month's meeting, and the discussion on Saunders Road, and the legality.*

*TM Cooper- stated TA Quinonez found that it is 100% legal for the Town to make repairs to the water lines and may even charge more for the people that live outside of the Town limits for water. The city of Orange Park and Green Cove Springs all have customers outside the limits. He stated if you charge one customer more that lives outside of the Town of Penney Farms, you have to charge all of them. The bleeding on Saunders Road has been stopped. This is the 13th patch that has been done.*

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*CM Andrews- asked if the Town would have to have permission from the County?*

*TM Cooper- stated no. He stated he did contact the County and Clay County Utility Authority (CCUA). CCUA looked at their 5 year capital plan and they have no intentions of doing anything near the Town of Penney Farms. They stated the only way they would bring anything out here is if there was a development with a thousand houses. This will be brought to the Water Utility Committee to determine their recommendation if they want to charge all of the people outside of the Town limits more for water. There would have to be a public meeting and an Ordinance that would need to be added that to the law.*

*CM Andrews- asked if the cost would be \$29,000.00?*

*TM Coopers- stated the cost would be up to \$27,000.00, but he believes he found another way to do it, that may be less.*

*Mayor DeVile- commented that the second thing he would like to bring up that was not on the agenda, was that John Bowls gives his time relentlessly portraying J.C. Penney. He stated there were Towns that give people the "Key to the City" and he feels the Town should show its appreciation to him. He plays the part. He recommended the Town thank him publicly.*

**3. Public Participation:**

*Audience Member, Teresa Scott- thanked the Town for going through the nursing care home with the Christmas parade. She stated it meant a lot to them. She also thanked the Town for remembering the nursing home when the Christmas banners were put up. She stated she had a question regarding the finances, she asked if the Ad Valorem tax revenue projects already budgeted, could be changed?*

*TC Cooper- stated these were the items that were discussed and approved at the original Town Council Workshop, but the environment has changed in the last couple months. She reported the Town Council is authorized by the auditor to change the items as long as they use the same amount of money. This is what all of the committees will be receiving to review and possibly revise in January and discuss at the Town Council Workshop in February.*

**4. Other:**

*Mayor DeVile- asked if anyone enjoyed seeing the large sleigh in the Christmas parade? He stated that it was the Town's Administrative Assistant's dad that built the float for the Christmas parade.*

*Resident, Cathie Parrot- stated she sent out something on 'E-blurbs' thanking everyone that participated in the parade, and she made special mention of Mr. Reed for his sleigh.*

*Resident, Tom Ryder- suggested that something like a thank you note from the Town Council for the tremendous contribution of that sleigh should go out to Mr. Reed.*

*CM Ryder- "I don't know if it would be appropriate or not to give him a gift, like a gift card or something. So the motion stand that we send a letter of thank you."*

*Mayor DeVile- "No, the Town can't do that."*

*Mayor DeVile- "There is a motion on the table and seconded"*

***A motion to send a thank you letter to Mr. Keith Reed for contributing the sleigh float for the Town of Penney Farms' Christmas parade by CM Ryder; second by VM Sabin. Motion approved without dissent.***

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*Mayor DeVille- acknowledged CM Ryder's point of giving a gift.*

*CM Andrews- suggested the Town give Mr. Reed a plaque from the Town in appreciation for his contribution to the 2019 Christmas parade.*

*VM Sabin- "I will second the amendment for the plaque in addition to the thank you letter."*

*CM Ryder- "I also would like to add that the sleigh should be named the 'Reed Sleigh' with a plaque on the back of the sleigh. So we have three things"*

*TA Quinonez- "You need to motion and second for the amendments."*

*Mayor DeVille- "I have a motion and a second."*

***A motion to amend the first motion to include a plaque to be presented to Mr. Keith Reed and naming the float the "Reed Sleigh" for his contribution to the 2019 Christmas parade. Motion approved without dissent.***

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*Resident, Cathie Parrot- reminded the Town Council that "Old Fashion Farm Day" is coming up in April, and she needs suggestions of people that the Town can invite and projects that could be put together for that.*

*CM Taylor- stated everyone needs to get their overalls cleaned and ready to be worn.*

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*TC Cooper- stated there is an additional item that needs to be discussed. She pointed out to the Council Members that in their Council books, in the Planning & Zoning (P&Z) section, there are two copies of P&Z Commission meeting minutes. These meetings were called to discuss the Penney Retirement Community, Inc. (PRCI) to construct two new homes in Penney Farms. She reported that PRCI has followed the right processes and went to the P&Z meetings to make sure requirements in the Town's Land Use Regulations and the Town's Comprehensive Plan were followed. She stated the P&Z has a member here, that would like to make a recommendation to the Town Council regarding the new construction of those two new homes.*

*Planning & Zoning Commission member, Rosemary Gilson- asked the Council Members if they had seen the minutes from the two previous P&Z meetings?*

*Mayor DeVille- stated yes, he has.*

*Planning & Zoning Commission member, Rosemary Gilson- stated for those that are unaware of what the site looks like, the homes are about the same size as the ones going up behind the post office around the retention pond, and they will be going up on the East end of Caroline Blvd., in a previously undeveloped area. She stated the P&Z Commission has appreciated the time Wayne Boone has given in following the process. Mrs. Gilson stated that after discussion and verification, the P&Z Commission recommends to the Town Council that they approve the plans for the development of block 109 on Caroline Blvd. as presented by PRCI and allow the construction of the two new homes.*

*TC Cooper- stated the Planning & Zoning Commission was very thorough and followed all of the Town's procedures.*

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*A motion to approve new construction of new homes by the Penney Retirement Community on block 109 of Caroline Blvd. located within the Town of Penney Farms by CM Ryder; second by CM Taylor. Motion approved without dissent.*

**TOWN CLERK:**

*TC Cooper- stated the new calendars for the year 2020 will be in the Council books at January's meeting. All of the calendars of Council meetings and Committee meetings will also be posted on the Town's bulletin boards. She reminded the Town Council that January will be the meeting for choosing a new Mayor and Vice Mayor. She added that February is very important for all Town Council members to be present at the Council Workshop, that date is February 21, 2020 at 9:00 AM. Refreshments will be provided.*

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**CORRESPONDENCE: (Location of items – Listed)**

**OCTOBER 2019:**

1. Copy of Finance Committee meeting minutes dated November 18, 2019 – Finance Section
2. Copy of letter sent to Florida League of Cities (FLC) Attorney regarding T. Jones Personnel file dated November 6, 2019 – Human Resource Section
3. Copy of letter/email from FLC Attorney to FLC Claim Representative dated October 16, 2019 – Human Resource Section
4. Copy of letter/email from FLC Attorney to FLC Claim Representative dated November 22, 2019 – Human Resource Section
5. List of Past Due Water Accounts – Utility Section
6. Copy of the Planning & Zoning Commission meeting minutes dated December 3, 2019 – PLANNING & ZONING Section
7. Copy of the Planning & Zoning Commission meeting minutes dated December 9, 2019 – PLANNING & ZONING Section
8. Copy of the Tourist Development Council (TDC) Agenda dated November 20, 2019 – Correspondence Section
9. Copy of the email from Kimberly Morgan w/TDC dated November 20, 2019 – Correspondence Section
10. Copy of the executed lease for the year 2020 from the Supervisor of Elections office dated November 19, 2019 – Correspondence Section
11. Copy of the Federal Exemption Certificate from Gate Fuel Service dated November 18, 2019 – Correspondence Section
12. Copy of letter to FLC confirming insurance information dated November 19, 2019 – Correspondence Section
13. Copy of the payment request and receipt for the Town's State revolving loan date November 6, 2019 – Correspondence Section
14. Copy of letter from the Florida Department of Revenue –Truth in Millage Certification – Correspondence Section
15. Copy of the Precinct Information Sheet for the Clay County Supervisor of Elections - Correspondence Section
16. Copy of the Annual Public Depositor Report – Correspondence Section
17. Copy of the 2020 State of the County Notice for January 7, 2020 – Correspondence Section
18. Copy of the Annual Minority Appointment Reporting Form – Corresponding Section
19. Copy of Notice that Town Hall will be closed November 28<sup>th</sup> & 29<sup>th</sup> – Miscellaneous Section
20. Copy of the Notice for the Farm City Luncheon on November 25, 2019 – Miscellaneous Section
21. Copy of the Notice the Town Hall will be closed for Veteran's Day, November 11, 2019 – Miscellaneous Section

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*Mayor DeVille invited both Mayor's Assistants to close the meeting.*

*There being no further questions or comments the meeting was adjourned at 7:50 PM.*

**Next Council Meeting, January 21, 2020 at 7:00 PM.**

**SEAL**

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Mayor, Thomas E. DeVille, Presiding

ATTEST:

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Anita E. Cooper, Town Clerk

*ALL INDICATIONS OF ATTACHMENTS TO THE MINUTES ARE ON RECORD IN THE OFFICIAL MINUTES BOOK, OR ON FILE AT THE TOWN HALL. TOWN COUNCIL MEMBERS RECEIVED COPIES OF THE ATTACHMENTS PRIOR TO OR AT THE TIME OF THE TOWN COUNCIL MEETING. A RECORDING WAS MADE OF THESE PROCEEDINGS AND IS ON FILE AT THE TOWN HALL.*