

**MINUTES**  
**REGULAR MONTHLY COUNCIL MEETING**  
**Town of Penney Farms, Florida**  
**Tuesday – April 21, 2020**  
**VIRTUAL MEETING**

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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.

**Abbreviations:**

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

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*MAYOR SABIN WELCOMED EVERYONE TO THE TOWN OF PENNEY FARMS FIRST EVER VIDEO CONFERENCE TOWN COUNCIL MEETING. HE STATED THIS WILL BE THE WAY ALL OF THE TOWN'S ESSENTIAL PUBLIC MEETINGS WILL BE HELD, UNTIL FURTHER NOTICE. HE REPORTED IT SEEMS LIKE EVERYONE HAS BEEN ABLE TO CONNECT TO THE MEETING IN ONE FORM OR ANOTHER, AND THE TOWN CLERK WILL NOTIFY HIM WHEN ANYONE FROM THE PUBLIC WOULD LIKE TO SPEAK AT THE APPROPRIATE TIME.*

*MAYOR SABIN OPENED THE PUBLIC HEARING ON THE TREE CITY ORDINANCE:*

**OPEN PUBLIC HEARING: 7:00PM**

**A PUBLIC HEARING FOR THE FIRST READING OF PROPOSED ORDINANCE 2020-01; (READ BY TITLE ONLY)**

**AN ORDINANCE OF THE TOWN OF PENNEY FARMS, FLORIDA, MAKING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS; ESTABLISHING THE STRUCTURE OF A TOWN TREE BOARD AND TERMS OF OFFICE; PROVIDING DUTIES AND RESPONSIBILITIES; PROVIDING FOR A PREFERRED TREE LIST; SPECIFYING STREET TREE SPACING; PROVIDING FOR TREE MAINTENANCE TRIMMING AND REMOVAL FOR UTILITY LINES; PROVIDING FOR PUBLIC TREE CARE; PROVIDING STANDARDS FOR TREE TOPPING, PRUNING AND CORNER CLEARANCE; PROVIDING FOR REMOVAL OF DEAD OR DISEASED TREES AND STUMPS; PROVIDING FOR INTERFERENCE WITH THE TOWN TREE BOARD; PROVIDING REGULATIONS FOR ARBORISTS, LICENSE AND BOND; PROVIDING REVIEW BY TOWN COUNCIL; PROVIDING PENALTY FOR VIOLATION; PROVIDING AN EFFECTIVE DATE.**

**OPEN PUBLIC DISCUSSION**

*(DISCUSSION OR COMMENTS BY THOSE ATTENDING ONLINE OR BY TELEPHONE)*

- TC Cooper stated this Ordinance has taken some time to get accomplished. It required a few meetings with the Planning & Zoning Commission. She stated that Cathie Parrott has been waiting to get this done for years.*
- CM Taylor asked in regards to this Ordinance, what committee will enforce the penalties and violations? Or is it the Town Council that will do that?*
- TC Cooper clarified the chosen Tree Board will recommend penalties to the Town Council for approval. She reminded the Town Council members this Ordinance only applies to trees located on Town owned property. The Town will not enforce penalties and/or violations on private property owners.*
- CM Taylor asked if vacancies on the Tree Board are appointed by the Town Council?*
- TC Cooper stated the Tree Board is appointed by the Town Council, as stated in the Ordinance.*
- CM Taylor asked about the spacing of the trees and wanted to know how that gets determined.*
- TC Cooper explained the tree spacing designation is based on the Town's Comprehensive Plan and Land Use Regulations.*

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- CM Taylor asked if there is a cost to taking down trees like other nearby municipalities on private property.
- TC Cooper stated that there is no charge from the Town for taking a tree down. She confirmed that the Town Tree Board can refer private property owners to a certified tree contractor that can provide their costs for the tree removal. She reiterated that this Ordinance only applies to trees located on Town property.
- TM Cooper stated there are other Tree City Ordinances that are more invasive, require different fees for property owners, and charges fees, however, the Town of Penney Farms does not wish to tell private owners what to do on their own property.
- CM Taylor stated she understands what the Town is establishing and further stated she also wanted to protect one hundred year old oak trees from being cut down.
  
- Mayor Sabin announced the second public hearing will be held prior to the next Town Council meeting at 7:00pm.

There were no further questions or comments. Mayor Sabin closed the public hearing.

**CLOSE PUBLIC HEARING: 7:18PM**

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**OPEN REGULAR COUNCIL MEETING: 7:20PM**

**FLAG SALUTE: MAYOR SABIN**

**MOMENT OF SILENCE: MAYOR SABIN**

**APPROVE THE AGENDA:**

*Motion to accept the Agenda as presented by CM DeVille; second by CM Andrews. Motion approved without dissent.*

**ROLL CALL:** Mayor Sabin; VM Ryder; CM Andrews; CM Taylor; CM DeVille; Town Manager Cooper; Town Attorney Quinonez *All present for the record.*

**RECOGNITION(S):** *Mayor Sabin recognized that Mr. Geoffrey Sample and Deidre Irwin with the St. John's River Water Management District (SJRWMD) were also connected to and attending this meeting to witness the Proclamation for April 2020 being recognized as the Town's Water Conservation month.*

**PROCLAMATION(S):**

**THERE ARE TWO (2) PROCLAMATIONS THIS MONTH (Read in their entirety)**

- 1) **Arbor Day – April 24, 2020** *(Attached in the minutes book and Proclamation book)*

*-TC Cooper stated the Arbor Day Proclamation was another requirement for the Tree City Ordinance.*

- 2) **April - Water Conservation Month** *(Attached in the minutes book and Proclamation book)*

*-Both of the SJRWMD guests thanked the Town for the Proclamation and participating in their program. They stated they appreciated the Town doing all it can to educate and remind its residents to conserve water.*

*-TM Cooper thanked the guests for supporting the Town. He reported that SJRWMD is considering giving the Town a grant that will be approved in October 2020, to go with the current storm water grant.*

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**APPROVAL OF MINUTES:**

- Regular Town Council Meeting Minutes – February 18 , 2020  
*Motion to approve the regular Town Council Meeting Minutes dated February 18, 2020 as presented by VM Ryder; second by CM DeVille. Motion approved without dissent.*
  
- 1<sup>st</sup> Quarter Town Council Workshop Meeting Minutes - February 21, 2020  
*Motion to approve the 1<sup>st</sup> quarter Town Council Workshop Meeting Minutes dated February 21, 2020 as presented by CM Taylor; second by CM DeVille. Motion approved without dissent.*

**ORDINANCE(S): THE FIRST READING OF PROPOSED ORDINANCE 2020-01; (READ BY TITLE ONLY)**

**AN ORDINANCE OF THE TOWN OF PENNEY FARMS, FLORIDA, MAKING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS; ESTABLISHING THE STRUCTURE OF A TOWN TREE BOARD AND TERMS OF OFFICE; PROVIDING DUTIES AND RESPONSIBILITIES; PROVIDING FOR A PREFERRED TREE LIST; SPECIFYING STREET TREE SPACING; PROVIDING FOR TREE MAINTENANCE TRIMMING AND REMOVAL FOR UTILITY LINES; PROVIDING FOR PUBLIC TREE CARE; PROVIDING STANDARDS FOR TREE TOPPING, PRUNING AND CORNER CLEARANCE; PROVIDING FOR REMOVAL OF DEAD OR DISEASED TREES AND STUMPS; PROVIDING FOR INTERFERENCE WITH THE TOWN TREE BOARD; PROVIDING REGULATIONS FOR ARBORISTS, LICENSE AND BOND; PROVIDING REVIEW BY TOWN COUNCIL; PROVIDING PENALTY FOR VIOLATION; PROVIDING AN EFFECTIVE DATE.**

*Motion to accept the FIRST READING of proposed Ordinance 2020-01 as presented by CM Taylor; second by CM DeVille. Motion approved without dissent.*

**Roll Call Vote: Mayor Sabin-Aye; VM Ryder-Aye; CM DeVille-Aye; CM Andrews-Aye ; and CM Taylor-Aye**

**RESOLUTION(S): 2020-01; 2020-02; 2020-03; 2020-04; 2020-05; 2020-06; and 2020-08**

*-Mayor Sabin stated the following Resolutions were all discussed at the Town Council Workshop in February and the general consensus was to move forward with all of them. The only exception is the last Resolution 2020-08, which pertains to the procedures of having virtual meetings.*

*MAYOR SABIN REMINDED ALL ATTENDING THAT LAST OCTOBER THERE WAS A TECHNICALITY FOUND WITH THE FIRST TWO RESOLUTIONS AND A CREDIT WAS GIVEN TO ALL WATER UTILITY CUSTOMERS FOR THAT MONTH. HE STATED IN ORDER TO AVOID CONFUSION FOR THE UTILITY CUSTOMERS AND TO PREVENT THIS FROM HAPPENING AGAIN, THE FIRST TWO RESOLUTIONS ARE A FORMALITY TO RESTATE THE RESOLUTIONS TO INCLUDE THE WORDING "BILLED IN ARREARS". HE BEGAN WITH RESOLUTION 2020-01.*

**RESOLUTION 2020-01 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, RESTATING AND APPROVING THE TOWN OF PENNEY FARMS WASTEWATER UTILITY ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN (“AMFS PLAN”); AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO AFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

*Motion to accept and approve Resolution 2020-01 as presented by CM DeVille; second by CM Taylor. Motion approved without dissent.*

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**RESOLUTION 2020-02 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, RESTATING AND APPROVING THE TOWN OF PENNEY FARMS DRINKING WATER UTILITY ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN (“AMFS PLAN”); AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO AFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.**

*Motion to accept and approve Resolution 2020-02 as presented by CM DeVille; second by VM Ryder. Motion approved without dissent.*

**RESOLUTION 2020-03 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, IMPLEMENTING NEW AND UPDATED PROCEDURES FOR THE COLLECTION OF DISHONORED CHECKS WRITTEN TO THE TOWN OF PENNEY FARMS AS AUTHORIZED BY FLORIDA STATUTES, TITLE VI, CHAPTER 68, SECTION 065, AND PROVIDE FOR AN EFFECTIVE DATE.**

*Motion to accept and approve Resolution 2020-03 as presented by CM Andrews; second by CM DeVille. Motion approved without dissent.*

**RESOLUTION 2020-04 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, IMPLEMENTING NEW AND UPDATED POLICY AND PROCEDURE FOR THE COLLECTION OF SPECIAL PICK- UP FEES FOR RESIDENTS IN THE TOWN LIMITS OF THE TOWN OF PENNEY FARMS, AND PROVIDE FOR AN EFFECTIVE DATE.**

*Motion to accept and approve Resolution 2020-04 as presented by CM DeVille; second by CM Andrews. Motion approved without dissent.*

**RESOLUTION 2020-05 (READ BY TITLE ONLY) \*\*This Resolution was not used because the Fair was cancelled\*\***

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, PROVIDING FOR APPRECIATION AND SUPPORT OF THE CLAY COUNTY AGRICULTURAL FAIR FROM THURSDAY, APRIL 2, 2020 THROUGH SATURDAY, APRIL 11, 2020.**

**RESOLUTION 2020-06 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, PROVIDING FOR INCREASE IN WATER/WASTEWATER UTILITY RATES BASED ON THE 2020 CONSUMER PRICE INDEX; BASED ON THE WATER/WASTEWATER UTILITY ASSET MANAGEMENT PLANS ALREADY APPROVED BY THE TOWN COUNCIL; PROVIDING FOR PUBLIC NOTICE; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Motion to accept and approve Resolution 2020-06 as presented by VM Ryder; second by CM Andrews. Motion approved without dissent.*

*-TC Cooper stated a Water Utility Notice would be posted on the Town’s Website and on the Town’s bulletin board tomorrow, which gives all utility customers six weeks to prepare for the increase.*

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**RESOLUTION 2020-08 (READ BY TITLE ONLY)**

**A RESOLUTION OF THE TOWN OF PENNEY FARMS, FLORIDA, REGARDING VIRTUAL MEETING RULES OF THE TOWN OF PENNEY FARMS TOWN COUNCIL DURING THE STATEWIDE STATE OF EMERGENCY.**

*Motion to accept and approve Resolution 2020-08 as presented by CM DeVille; second by VM Ryder. Motion approved without dissent.*

**TOWN MANAGER REPORT: Town Manager**

- A Review of the February 2020 Town Manager Report

*Motion to approve the Town Manager Report for February 2020 as presented by CM DeVille; second by CM Andrews. Motion approved without dissent.*

- A Review of the March 2020 Town Manager

*Motion to approve the Town Manager Report for March 2020 as presented by CM Andrews; second by VM Ryder. Motion approved without dissent.*

**TREASURERS REPORT: Town Manager**

Review the **February** Treasurer's Report:

- General Fund – 02/01/20 – 02/29/20
- Utility Enterprises Fund – 02/01/20 – 02/29/20
- Wastewater/Sewer Fund – 02/01/20 – 02/29/20
- Bank Balances of the Town bank accounts – 02/01/20 – 02/29/20

*Motion to approve the Treasurer's Report for February 2020 as presented by CM Taylor; second by VM Ryder. Motion approved without dissent.*

Review the **March** Treasurer's Report:

- General Fund – 03/01/20 – 03/31/20
- Utility Enterprises Fund – 03/01/20 – 03/31/20
- Wastewater/Sewer Fund – 03/01/20 – 03/31/20
- Bank Balances of the Town bank accounts – 03/01/20 – 03/31/20

*Motion to approve the Treasurer's Report for March 2020 as presented by CM DeVille; second by VM 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

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7. Grants      8. Planning and Zoning      9. Security      10. Legal

*Motion to accept Consent Agenda as presented by CM Andrews; second by CM Taylor. Motion approved without dissent.*

**UNFINISHED BUSINESS: NONE**

**NEW BUSINESS:**

1. Pulled Reports
2. Items not on the Agenda

*-CM Andrews asked the Town Manager if Passive Park, the walking trail, next to Kohler Park is open for public use?*

*-TM Cooper stated yes it is.*

*-CM Andrews reported since school is out, there are children that use that path for their science class homework, and he was told that a Penney Retirement resident was in the park and told the children, the park was closed. He also reported that he was told that one person was allowed in the post office at a time. He stated he understands that the Penney Retirement owns the building, but is that the regulation imposed by the post office.*

*-CM Taylor stated there is a sign at the post office posted that two people are allowed in the post office at the same time and a mask must be worn at all times. She stated that people have to pass each other to reach the boxes.*

*-Mayor Sabin recognized Mr. Andrews's concerns and pointed out that the rules for the residents that live at the retirement community, do not apply to the other town residents, who do not live at the retirement community, who need to use the post office.*

*-TM Cooper clarified there is no stated law that only two people can go into the post office at one time. He recognized the post office is a government building and those procedures were put in place by the retirement community administration, for the retirement community residents to follow. He further stated the intent was done to prevent the spread of COVID-19 virus.*

*-CM Andrews stated he is cognizant and wants to look out for our neighbors, but the word needs to get out that there are requested procedures, like mandatory masks being worn to accommodate all customers.*

*-CM Ryder asked if all parks are open yet?*

*-TM Cooper stated some parks are open and noted as green spaces for walking and exercise, but the playground parks are still closed.*

3. Public Participation – None

4. Other - None

**TOWN CLERK:**

1. New Town Website – Motion

*TC Cooper reported to the Town Council, the Town Manager moved forward with getting the Town's new website up and running. She explained this was necessary due to the requirements needed for virtual public meetings and it is within his spending threshold. She explained this expense can be paid for with the Building Permit revenues, as a reasonable expense, approved by the auditor, because we also have to provide building permit forms on the website. She asked the Council members for a formal motion to approve the new website contract.*

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Mayor Sabin asked for the following motion:

***A Motion to accept and approve the new updated Town of Penney Farms Website Design and Maintenance Contract to accommodate all required ADA compliance issues. The new website set up cost is a one-time fee of \$2,500.00 with an annual cost of \$970.00, for a five-year contract, which will be in place until April 2025, and will be paid for out of the Building Permit Revenues by CM Andrews; second by CM Taylor. Motion approved without dissent.***

2. Motions needed to approve capital projects

*TC Cooper reminded the Council members, at the Town Council Workshop held in February 2020, there was a general consensus on approving the five (5) capital projects recommended by the Finance Committee and providing the revenue source for each project. She stated a formal motion is needed for the projects and to cite the revenue source.*

Mayor Sabin stated the following motions:

***A Motion to accept and approve the (1) Passive Park clean out for \$10,000.00; and (2) Install a new sliding gate at the Water Tower for \$2,000.00, totaling \$12,000.00 to be paid for out of the 2019 Ad-Valorem Tax revenues by VM Ryder; second by CM DeVille. Motion approved without dissent.***

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***A Motion to accept and approve the (3) Remodel of the Town Hall restrooms to become ADA compliant for \$30,000.00; (4) Renovate a portion of the Maintenance Shop into a climate-controlled storage room for \$25,000.00; and the (5) Painting & Landscaping of the Town Hall buildings after all renovations are completed for \$15,000.00; all to be paid for out of the Building Permit revenues by CM DeVille; second by VM Ryder. Motion approved without dissent.***

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*-TC Cooper reminded the Council Members the next Town Council Workshop will be held on May 15, 2020 at 9:00am.*

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

**February 2020:**

1. Copy of Finance Committee meeting minutes dated 02/18/20 – Finance Section
2. Copy of Past Due Water Accounts (February 2020) – Utilities Section
3. Copy of letter from the Florida League of Cities (FLC) dated 02/07/20 – Correspondence Section
4. Copy of the Public Works Meeting Minutes dated 02/10/20 – Public Works Section
5. Copy of letter from Property Appraiser regarding taxable value dated 02/12/20 – Correspondence Section
6. Copy of email Notice for the announcement of the USA Cycling event in June 2020 – Correspondence Section
7. Copy of the Northeast Florida League of Cities Dinner Meeting Notice dated 02/20/20 – Correspondence Section
8. Copy of letter to GovOffice discontinuing current website service dated 02/24/20 – Correspondence Section
9. Copy of Notice Town Hall office closed for President’s Day on 02/17/20 – Miscellaneous Section
10. Copy of Notice for Monthly Historic Society meeting dated 02/20/20 – Miscellaneous Section
11. Copy of Notice the Tennis Courts closed due to cleaning 02/20/20 – 02/22/20 - Miscellaneous Section
12. Copy of Meet & Greet Notice for David Theus running for Congress dated 02/25/20 – Miscellaneous Section
13. Copy of Notice of Mobile Office Hours for Marco Rubio dated 02/27/20 – Miscellaneous Section

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14. Copy of Clay County Fair Advanced Tickets for Sale Notice for 04/02- 04/11/20 – Miscellaneous Section

**March 2020:**

1. Copy of all documentation regarding the COVID-19 from the Clay County Emergency Operations Center and the State of Florida for the month of March – 31 items (Copies given to Town Council members – All copies for March 2020 are located in the minutes book only)
2. Copy of Invoice to Florida Department of Transportation (FDOT) for the Traffic Signal reimbursement – Correspondence Section
3. Copy of the Northeast Florida League of Cities Dinner Meeting Notice dated 03/19/20 – Correspondence Section
4. Copy of email sent to all the current Building Permit Contractors regarding Town Hall office hours and procedures– Correspondence Section
5. Copy of Notice cancelling all Town meetings for March 2020 dated 03/13/20 – Miscellaneous Section
6. Copy of Notice that Town Hall will be closed for Good Friday dated 03/17/20 – Miscellaneous Section
7. Copy of Notice advising all residents of Town Hall changes regarding COVID-19 dated 03/31/20 – Miscellaneous Section
8. Copy of Notice stating the Playground Park is closed dated 03/31/20 – Miscellaneous Section

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*There being no further questions or concerns, a motion for the meeting to adjourn by CM DeVille; second by CM Andrews. Motion approved without dissent.*

**SEAL**

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Mayor, Paul E. Sabin, 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.*