

**MINUTES**  
**Town of Penney Farms, Florida**  
**Tuesday, March 21, 2023**  
**Town Council Meeting**

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Anyone wishing to address the Council regarding topics on the Agenda is requested to complete a request form. Present it to the Town Clerk prior to the meeting. The Town Clerk will allot a three minute limit unless other arrangements have been made. Request forms are available at the sign in podium or 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**

**FLAG SALUTE: *MAYOR DEVILLE***

**MOMENT OF SILENCE: *MAYOR DEVILLE***

**APPROVE THE AGENDA:**

***Motion to accept the Agenda as presented by VM Sabin; second by CM Brooks. Motion approved without dissent.***

**ROLL CALL: Mayor DeVille; VM Sabin; CM Brooks; CM Andrews; and Town Manager Cooper**

***Absent: CM Ryder***

**RECOGNITION(S): NONE**

**APPROVAL OF MINUTES:**

- Town Council Meeting Minutes dated February 21, 2023

***Motion to approve the Town Council Meeting Minutes for February 21, 2023 by VM Sabin; second by CM Brooks. Motion approved without dissent.***

- 1<sup>st</sup> Quarterly Town Council Workshop Minutes dated February 17, 2023

***Motion to approve the 1<sup>st</sup> Quarterly Town Council Workshop dated February 17, 2023 by CM Andrews; second by VM Sabin Motion approved without dissent.***

**ORDINANCE(S): NONE**

**RESOLUTION(S): NONE**

**TOWN MANAGER REPORT: Town Manager**

- Review of the February 2023 Town Manager Report

***This month the front office staff updated the Town's Website with all the new Town Council information; Planning & Zoning Information; Town Council Meeting and Committee Meeting calendars and also posted all of the new information on the Town's bulletin boards.***

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*The Town Hall office has the community information television up and running now. The tv located inside the front door of the Town Hall will be showing the Town of Penney Farms' information and upcoming events to include the Town's Historical Society; the J. C Penney Scenic Highway; and the Penney Retirement Community's public events. In addition, this tv will showcase all of the other local municipalities' information*

*such as, Orange Park, Green Cove Springs, and Keystone Heights. Thank you to our Administrative Assistant, Megan Trexler for the beautiful submissions she designed for the Town.*

*The Town's tennis courts have been completely pressure washed and cleaned this month. In addition, the Town's public works staff is blowing the leaves off the courts and the pickle ball courts at least three times a week, but it is still a challenge to keep all the leaves off them this time of the year.*

*All the of palm trees on Poling Blvd have been trimmed this month*

*We are still waiting on the repair price on the pump removed and sent out, we should know a price for the repair soon.*

*The Town was awarded the \$600,000 Community Development Block Grant (CDBG) and the ads for the grant administrator was put in the newspapers as required.*

*I have attended all of the Town's required meetings for this month.*

***Motion to approve the Town Manager Report for January 2023 by VM Sabin; second by CM Andrews. Motion approved without dissent.***

**TREASURERS REPORT: Town Manager**

Review the **February 2023** Treasurer's Report:

- General Fund – 02/01/23 – 02/28/23
- Utility Enterprises Fund – 02/01/23 – 02/28/23
- Wastewater/Sewer Fund – 02/01/23 – 02/28/23
- Bank Balances of the Town bank accounts – 02/01/23 – 02/28/23

***Motion to approve the Treasurer's Report for January 2023 by CM Andrews; second by VM Sabin. 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".

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**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 and Zoning      9. Legal

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

**UNFINISHED BUSINESS: NONE**

**NEW BUSINESS:**

1. Pulled Reports – *NONE*
2. Items not on the Agenda

*-TC Cooper reminded the Council that Pump #2 at the master lift station has been sent out for repairs. She reported the repair has been quoted today at \$9,018.81 and because the Town Manager has a threshold of only \$5,000.00, this cost would need to be approved by the Town Council with a motion.*

*-TM Cooper explained the repair situation for this pump. He stated a brand new pump will run about \$38,000.00. He further stated he comes to the Town Council for most approvals.*

*A motion to approve and authorize the expense of \$9,018.81 out of the WW/Sewer contingency reserves for the repair of Pump #2 located at the master lift station by CM Andrews; second by VM Sabin. Motion approves without dissent.*

*-Mayor DeVille recommended to the Town Manager to try and stock parts for pumps, since that has been the hold-up waiting for a pump to be repaired.*

*-TM Cooper stated he has looked into to doing that very thing and it will cost approximately \$2,500.00 for each rebuild kit needed and he will get them ordered.*

*-Mayor DeVille asked if the pumps are metered, so you know how much time each pump is running?*

*-TM Cooper stated that each pump is on a rotation schedule and all the Town's lift stations pump run times are documented daily.*

*-Mayor DeVille stated Pump #1 was rebuilt back in 2017 and asked if the Town should look at rebuilding Pump #3 before it fails?*

*-TM Cooper stated that he would leave it alone for now and because there are two other pumps at that location, he felt the remaining pumps would be able to service the lift station. He further stated that a rebuilt kit on the shelf will be more comforting.*

*-CM Andrews asked what the labor cost is for rebuilding a pump?*

*-TM Cooper stated it was about \$2,500.00 - \$3,000.00.*

3. Public Participation - *NONE*

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4. Other:

*-Mayor DeVille stated he had more questions for the Town Manager regarding other items that have taken place in the past year and would like an update.*

*Mayor DeVille asked about the following items:*

*1) Property line fence at the Playground Park - Mayor DeVille asked if this issue had been resolved.*

*-TM Cooper reminded the Council that the Town received a letter from this resident's attorney stating the Town's playground fence was located on her property. The Town's attorney responded and informed the resident there is no encroachment issue and the resident would have to prove otherwise, and there have been no further communications.*

*2) Hunter's Ridge Estates Subdivision Update – Mayor DeVille asked for an update.*

*-TM Cooper stated there have been no new changes or updates since the last Town Council meeting. He stated the developer still needs to provide an adequate bond for the project; answer a few questions from the surveyor; certify information on the Plat page; and pay all remaining invoice(s). He reminded the Council the developer asked for a six month extension.*

*-TM Cooper stated the Town is welcoming this project and the process is almost done, the staff is just waiting on the developer.*

*3) Platted Street Closures – Mayor DeVille asked for an update.*

*-TM Cooper stated there has been no new updates on this issue. He stated he was contacted over a month ago by George Egan stating he wanted to proceed with this process, but no formal requests have been made yet. He further stated the Town will follow the correct procedure and hopefully this will benefit the Town.*

*-CM Andrews stated he remembers some time back there was a lot of surveying going on, on the Reinhold properties, were those the points of the streets that were being considered to be closed?*

*-TM Cooper stated no, those were surveys done on their actual lots of land, most likely when they were getting ready to sell the properties.*

*VM Sabin asked the Town Manager when the traffic light signal improvements will happen?*

*-TM Cooper stated the traffic light intersection of County Road 218 and State Road 16 will be improved with turning lanes and signals by the end of this year, according to the Florida Department of Transportation (FDOT)*

*-CM Andrews stated he had the opportunity to meet the gentleman from FDOT, for our area and he was told it is definitely coming.*

*4) FDOT cleaning out Storm Drain Easements – Mayor DeVille asked the Town Manager has addressed FDOT about the storm water ditch easements that need to be cleaned out, so the water in Town flows to Black Creek without any issues?*

*-TM Cooper stated he has not addressed this issue with them yet, but all of this information has been documented in the Diamond Maps program. He stated he will get with them.*

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5) Florida Power & Light (FPL) power surges – Mayor DeVille asked the Town Manager if FPL has resolved their power issues?

-TM Cooper stated FPL stated they had a power issue at Camp Blanding that was affecting our Town and they think they have repaired that problem. He stated the Town has a new FPL representative who is attentive to the Town's needs and concerns.

6) Code Enforcement – Mayor DeVille asked the Town Clerk if anything has been done about this issue?

-TC Cooper reminded the Council that at the last quarterly Town Council Workshop, there was discussion on code enforcement issues. She stated originally the Town Manager was considering to tack on to Clay County's Code Enforcement, but after reviewing their document(s), that proved to be too intrusive and the Town does not want Clay County overstepping in any way. She further stated the Town will come up with its own Code Enforcement Ordinance.

-TC Cooper reported that since the Council Workshop, Administrative Assistant, Megan Trexler has gone through all of the Ordinances and Resolutions and pulled all things related to Code Enforcement. She stated that eventually the Town Council and staff will have to review all of the Ordinances and Resolutions for relevance and amending, but for now, we are working on code enforcement issues to start with and that information will be put together for the next quarterly Town Council Workshop in May. She suggested that the Town Council have their suggestions for this issue ready to submit at that time.

7) Town Facebook Page – Mayor DeVille asked the Town Clerk if the Town's Facebook page is still live?

-TC Cooper stated the Town's Facebook page was put up before her tenure her at the town and there has been no information on passwords or usernames for it and as far as she knows the page is still on.

-TC Cooper stated no one can get on the page and/or monitor it, which is important. She further stated, as far as she knows, the town does not have any other social media platforms open. She stated the Town's website is the best way to know what is happening in the Town and encouraged everyone to use it for town information.

-CM Andrews stated there was a discussion on the problem with the town's zip code at one time and if there has been any improvement or is it a dead issue?

-TM Cooper stated it is pretty much a dead issue, but knows there is a contingent of retirement residents working on this.

-Audience member, Teresa Scott stated she can not license a building, because it doesn't have a street address and the same with Medicare issues, she only has a post office box. She stated she has gotten nowhere with the County and the State.

-TM Cooper gave an example of a town resident wanting to move her mailbox to her home's side of State Road 16 for safety reasons and the mail deliverer said no.

-Audience member, Teresa Scott stated she is worried if the retirement community pushes the issue, Penney Farms may lose its post office.

-TC Cooper stated she will research this with the State and see if anything can be done.

-Audience member, Teresa Scott suggested the town get with Rob Bradley and Travis Cummings' office whose business is to help towns and cities with their issues. She stated it was difficult to find a post office employee, when Ms. Emma retired to work this post office.

-Audience member, Teresa Scott announced the Penney Retirement Community's (PRC) Friends & Family event is this Friday on Hoffman Street. She also stated the Town should be proud to have a nursing home which on April 12, 2023, the Pavilion for Healthcare will be presented with the Governor's Gold Seal of Excellence Award. She further announced the Pavilion was one of four recipients in the State of Florida and the only one



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*to receive the award for the 22<sup>nd</sup> years in a row. She has invited the Town to this celebration and stated invitation are coming.*

*-Audience member, Teresa Scott announced the new dining hall is expected to be open June 1<sup>st</sup> or 2<sup>nd</sup> and made sure everyone in the town was welcome to use it.*

*-Audience member. Teresa Scott commented in reference to the earlier discussion of the Town Manager's needed approval for the pump repair and suggested the Town be able to hold an emergency Council Meeting, because in today's world, if you can't respond to a capital need within a couple of days, it could shut you down. She stated she understood and is in the same situation but recently raised the level, to give approval to spend funds, for an emergency situation.*

*-Audience member, Teresa Scott reported the corner of Wilbank Avenue and State Road 16 is not a FDOT approved highway barrier and should be looked at. She reported the cement poles are broken and reinforced by rebar and if an accident would occur there, the town would be liable.*

*-TM Cooper stated he was not aware of it and he will look at it right away.*

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**TOWN CLERK:**

*-TC Cooper reminded the Town Council that Town has received the Community Development Block Grant (CDBG) for the water line replacements. She explained the next step is to approve a Grant Administrator for this project and reviewed the following items:*

➤ **Approve Grant Administrator for CDBG Grant**

- *The required Advertising Notices for was put in the Florida Times-Union and the Clay Today newspapers*
- *The deadline for the Request for Proposals was 2:00pm on Monday, March 13, 2023*
- *There was only one submission which met all the requirements of the RFP, so no rating was necessary.*

*-CM Andrews stated now that we have a grant administrator, the next step will be to find contractors. He commented on how dissatisfied the Town Manager was with the last contractor, so how do we prevent this from happening again?*

*-TM Cooper explained that the CDBG Grant requires the contractor be the lowest bidder. However, he stated he will appeal to the State to not allow this contractor to do the work.*

*-CM Andrews asked how long it would take to appeal the contractor?*

*-TM Cooper stated he does not know, but he will find out.*

*-CM Andrews asked if the contractor could be barred from this project?*

*-TM Cooper stated no and the State allows the contractor a few bad reviews before they get taken off of an approved list.*

***Motion to approve Andy Easton & Associates as the Grant Administrator for the FFY 2021-2022, Florida Small Cities Community Development Block Grant (CDBG) in the neighborhood revitalization category by CM Andrews; second by VM Sabin. Motion approved without dissent.***

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

**February 2023:**

1. Copy of notes from the Planning & Zoning Commission (P&Z) Workshop Agenda, Outline and Notes from meeting dated February 15, 2023 - P&Z Section
2. Copy of Finance Agenda/Meeting Minutes dates February 21, 2023 – Finance Section
3. Copy of the Florida League of Cities (FLC) FL Cities Connect w/2023 Federal Action Agenda Email dated February 7, 2023 – Correspondence Section
4. Copy of the Florida Department of Economic Opportunity (DEO) Award letter for the \$600,000.00 Community Development Block Grant (CDBG) dated February 10, 2023 – Correspondence Section
5. Copy of the Northeast Florida League of Cities (NEFLC) Dinner Meeting Notice for February 16, 2023 – Correspondence Section

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*There being no further questions or concerns, a motion for the meeting to adjourn at 7:35pm by VM Sabin; second by CM Andrews. Motion approved without dissent.*



*Thomas E. DeVill*

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Mayor, Thomas E. DeVill, Presiding

ATTEST:

*Anita E. Cooper*

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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.

