

**TOWN OF PENNEY FARMS**  
**TOWN COUNCIL WORKSHOP MINUTES**  
**2nd Quarter Town Council Workshop for 2023**  
**Friday, May 12, 2023 9:00AM AT TOWN HALL**

**CALL TO ORDER: Mayor DeVille**

*Present: All present for the record.*

*Absent: None*

*Additional Audience: Richard Hollowell*

This meeting has been called to ensure that all Council members may attend for discussions and not violate the Sunshine Law. *NOTE: No voting can take place at this meeting.*

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*Additional Audience:*

**\*\* According to the Florida Municipal Officials Manual: Although citizens are allowed to attend all meetings of the public body, there is no requirement that citizens be allowed to participate in these meetings. Citizens are permitted to participate at public hearings and legislative meetings, such as the Town Council meetings.**

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**AGENDA OUTLINE:**

**1) Seat #1 – WATER UTILITY COMMITTEE – Tom DeVille**

➤ No items submitted

*-Mayor Tom DeVille stated everything is good with the water utility.*

**2) Seat #2 – PUBLIC WORKS COMMITTEE – Adrian Andrews**

➤ No items submitted

*-CM Andrews stated he would provide the Town Clerk a date for a Public Works meeting.*

**3) Seat #3 – HUMAN RESOURCES – Elizabeth Ryder**

➤ No items submitted

*-CM Ryder stated everything is good right now.*

4) **Seat #4 – COMMUNITY DEVELOPMENT & RECREATION** – Annette Brooks

- No items submitted

*-CM Brooks stated she has a good committee and the Town's event should be great.*

5) **Seat #5 – FINANCE COMMITTEE** – Paul Sabin

- No items submitted
  - *VM Sabin stated his committee is anticipating the new budget in the next few months.*
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6) **MAYOR**

➤ **Coalition Against Bigger Trucks (CABT)**

- New Handouts distributed
- Congressional Bill (H.R. 471) Summary/Entire Bill
- No one was available to meet in person
- Discussion for response letters to our Town's representatives

*-Mayor DeVille asked the Town Manager what direction we should be looking at and tabled this discussion until the next Town Council Workshop in August in order to allow time to read all the information.*

*-TM Cooper expressed his opinion in not supporting this request. He stated this issue may save the corporations money, but does not promote public safety.*

*-CM Andrews expressed his concern on the wear and tear on the roads.*

*-TC Cooper asked when the vote will take place and how long does the town have to respond. She also added that there was information to be found on the proponents of this bill.*

*-Mayor DeVille stated that the contact person for this issue was more or less fact finding and looking for people to vote against this sponsored bill. He stated she did not ask for an immediate response.*

*-Mayor DeVille mentioned that AI is coming into play soon where the trucks will be able to drive themselves and stop by themselves.*

*-CM Andrews asked if a special meeting can be called if a vote is near.*

*-TC Cooper stated yes, and she will try to find out when the voting will take place, but for now understands this issue is tabled until the next Town Council Workshop on August 11, 2023.*

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7) **TOWN MANAGER**

➤ **New Ordinance 2023-01 (Garbage/Special Pick-Up Policies & Fees)**

- Increase in curbside garbage pick-up rates (Last increase - 2007)
- New policies for curbside pick-up (Customers taking advantage)
- Future Rate Changes to be done by Resolution
- Town Attorney Approval / Proper Advertisement for Public Hearings
- 1<sup>st</sup> Reading/Public Hearing – June 20<sup>th</sup> Town Council meeting

- TM Cooper gave examples of the Town being taken advantage of with yard trash pick-up and regular curbside services by residents. He stated that he intends to raise the garbage rates by \$5.00, with the new rate being \$25.00 per month, to help offset costs.
- TM Cooper justified the increase and explained the rate hikes at the landfill, as well as fuel costs. He reviewed Exhibit "A" and Exhibit "B" with the Council Members and reviewed the changes.
- Mayor DeVille stated the Town Manager should be given the discretion to determine Special Pick-Ups.
- TC Cooper explained the process of doing an Ordinance will take two (2) public hearings and proper legal ads will be submitted, as well as, giving the residents time to know of the upcoming changes. She stated that June 20<sup>th</sup> will be the first public hearing and she stated the Town Attorney has approved the Ordinance as presented.
- Mayor DeVille mentioned that the Town office should check with the fair and find out if they have a manure dump site.
- CM Andrews asked about placing the garbage out on the morning of garbage pick-up, instead of the night before.
- TM Cooper stated there are animals that get in the garbage and spread it all over the road and he showed the Council Members pictures of very littered areas, because of loose dogs and other animals. He stated that if the garbage lids are secured there should be no problem putting the cans out the night before.

➤ **Hunter's Ridge Estates Subdivision Update**

- No new submissions – Deadline is July 18<sup>th</sup> (Or start the whole process over)
- Still Need appropriate bond
- Still need Survey questions answered
- New Invoice sent 02/15/23 – Still needs to be paid (\$1,940.00)

-TM Cooper reviewed the above listed items with the Council Members. He stated there is still a question about the ownership of Paso Fino Road to allow the necessary access for MR. Groff to be able to provide utility easements.

-TM Cooper reported Mr. Groff has moved a new double-wide mobile home onto his property in the County, just outside the Town limits.

- CM Andrews commented on the holes in Mr. Groff's story with how he has presented his grievances to the Town Council and cautions the Town to have our Town Attorney involved with this process.

-TM Cooper stated that the Town's Planner is and Town Attorney are communicating regularly with Mr. Groff's attorney, as Mr. Groff has requested.

-TC Cooper explained to the Council Members that each month she contacts the Town Planner who lets Mr. Groff's attorney know the deadline dates of getting his information turned in, in order to get onto the next possible Town Council Meeting Agenda. She stated that way the Town Council does not get blind-sided by Mr. Groff.

➤ **Code Enforcement Ordinance Discussion**

- Ordinance/Resolution Binders distributed (Consists of all town documents titles)
- Ordinances = Laws (Which can be enforced by the Town and CCSO, if needed)
- Resolutions = Rules (Which can only be enforced by the Town)
- All of the Town's documents need to be reviewed; updated; and/or discontinued
- Focusing on Code Enforcement issues only
- Discussion of new Ordinance to incorporate into a new Code Enforcement Ordinance

-TC Cooper distributed a notebook of all of the Town's Ordinances, back to 1927 by title only; and all of the Town's Resolutions, dated back to 1975, when the most recent Town Charter was redone. She reviewed the above mentioned items with the Town Council members and stated the Town Manager has the power to enforce all Ordinances/Resolutions currently in effect.

-TM Cooper stated this Code Enforcement issue started with a concern of people living in sheds in the backyard of some residences in town. He stated he thought about doing an Inter-Local Agreement with Clay County, in order to get some help with enforcing some issues, but when he received a copy of the Clay County's Code Enforcement Policy, he found that it was way too invasive for Penney Farms.

-TM Cooper stated he has read the entire binder and found it very interesting and cited some unknown town facts. He encouraged the Council Members to read it.

-TC Cooper reminded the Council Members that the items are listed by title only and if someone wants more information, we can pull the entire item for more details.

-TM Cooper stated a golf cart Ordinance will have to be addressed soon. He stated there are more and more communities re-doing their golf cart ordinances.

-VM Sabin commented that it would be better to invite the PRC administrators to meet and explain the necessary requirements.

-CM Andrews stated that it is not just PRC that is affected, there are town residents that have golf carts too.

-TC Cooper stated that we are focusing on Code Enforcement issues only at this point. She has pulled Ordinance 2009-02, regarding landscape irrigation rules; Ordinance 2006-04 Golf Cart Ordinance; and Ordinance 2006-02 about junk vehicles. She stated the Council Members can consider doing each Ordinance separately or combine all of them and make one Code Enforcement Ordinance.

-TM Cooper expressed his opinion that each issue should be a separate ordinance.

-Mayor DeVille stated the Town Clerk should prepare something for the Town Council

-CM Andrews asked if it would be feasible to check into hiring a code enforcement officer on retainer for some of the things that the town wants to address? He stated he does not want to put the Town Manager in jeopardy to enforce the Town's codes. He stated the Town shouldn't put things out there, it can't enforce.

-TM Cooper stated he will check into this issue further, by the next Town Council Workshop.

-TC Cooper was instructed to get something together for people living in sheds, by the next Town Council Workshop.

➤ **Reinhold Corporation**

- Turning roads over to the County (Need utility easements)
- Need Town Council approval after Town Manager considers all Town options
- Saunders Road (Part in town limits)
- Little Dairy Road (Part in town limits)
- Paso Fino Road (Utility Easement)

-TM Cooper explained the Reinhold Corporation has approached him about giving some roads to either the Town of Penney Farms or to Clay County. He stated the roads are Paso Fino Road; Little Dairy Road; Saunders Road; and Kentucky Avenue.

-TM Cooper stated that Paso Fino Road is not inside the town limits, so the town doesn't have to worry about that one.

-TM Cooper stated that North Kentucky Avenue would be no problem to take over, after the survey is done, because it is the town paved the road.

-TM Cooper stated that Saunders Road consists of 669 feet in the town limits.

-TM Cooper stated that Little Dairy Road consists of 639 feet in the town limits.

-TM Cooper stated the issue is, if the Town accepts the roads, the town would have to maintain those roads, which we do not have the equipment for. If not, then the town would have to have utility easements for all of them.

-TM Cooper stated he has an appointment with Clay County in the next week or two and will follow-up with the Town Council, after that meeting.

-TM Cooper stated that Reinhold has not brought anything up about the closing the platted streets.

➤ **Surplus Equipment List**

- Review List with Town Council
- Proceeds to go towards the purchase of a new town truck

-TM Cooper reviewed the surplus equipment list and stated most of these items are junk. He stated he would like the Council Members to give permission to sell those items. He stated that there is a grant out there that will pay 75% of a new pick-up truck.

-TC Cooper stated that a simple motion at the next Town Council meeting would suffice for the record to be able to sell these items. She also stated these items will be sold in "AS-IS" condition.

**8) TOWN CLERK**

➤ **New Resolution 2023-02 (Traffic Signal Maintenance Agreement)**

- For FY 2023/2024
- Increase this year (+\$97.00)
- Done Annually – Formality at next Town Council meeting

-CM Ryder asked about when the turning lanes will be put in on State Road 16 at the traffic light in town.

-TM Cooper stated he was told that it should be done by the end of the year.

-TC Cooper reported that this contract was increased by almost \$100.00. She explained that the Town doesn't make a whole lot on this contract because the Town pays Clay County to actually do the maintenance on the traffic signal.

-TC Cooper stated this item will be on the Agenda at the next Town Council meeting.

➤ **New Resolution 2023-03 (State Highway Lighting Agreement)**

- For FY 2023/2024
- Increase this year (+\$412.42)
- Done Annually – Formality at next Town Council meeting

-TC Cooper explained this state contract had a larger increase of about \$412.00 and is for all of the 17 street lights on State road 16.

-TC Cooper stated this Resolution will be on the Agenda at the next Town Council for approval.

➤ **Development Plan Application**

- Different than a re-plat (Not changing parcels)
- Planning & Zoning Commission will provide the recommendation
- Approved by Resolution as a new policy
- Resolution not completed yet, but will be done in the next few months
- The Development Plan Application will be "Exhibit A" and include fees

-TC Cooper reminded the Council Members that the Town Manager has talked about Contractor, Joe Wiggins who purchased the property across from the water tower. This is the reason for this policy. She further explained that the town has a re-plat policy in place, but this is different; no parcels are being changed, therefore, a development plan must be submitted to show what the developer wants to do with the property and how he plans to provide the infrastructure. She stated that Mr. Groff is taking parcels totaling over five (5) acres and changing the parcels, that is a re-plat.

-TC Cooper reviewed this policy application and includes the fees, which are comparable to all surrounding municipalities with the same policy.

*-TC Cooper stated no plans have been presented to the town yet and will be presented to the Planning & Zoning Commission (P&Z) first and then recommended to the Town Council for approval.*

➤ **Council Member, Annette Brooks stipend**

- This Council Member would like to collect her stipend as a Town Council Member
- FY Town Budget was decided at last year's budget workshop, however, this is a new Council Member
- Auditor approved – Does not change the budget
- Town Council Reserve Line Item will reflect this expense – \$107.65 per month
- From Feb 2023 forward

*-TC Cooper explained that new Town Council member, Annette Brooks was not on the Town Council last year when the decisions were made for the budget, but would like to collect her stipend. She stated she just wanted the rest of the Council to know about this, for the record. She further explained this would not change the budget, it would just require new line items to accommodate this request.*

*TC Cooper stated that CM Brooks will need to report her stipend as earned income and fill out a W-4 form for the record and she will receive a W-2 next January.*

**REMINDERS:**

➤ **New Clay County Impact Fee**

- Inter-local Agreement already approved at the February 21, 2023 Town Council Meeting
- Effective June 1, 2023
- Based on Residential/Non-Residential square footage – New construction only
- No exemptions
- I will be attending the required training for this issue on May 17, 2023

*-TC Cooper reminded the Council that we already passed the Inter-Local Agreement to collect these fees will become effective June 1, 2023 and she will be attending the training class for this issue next week.*

➤ **Ethics Training Dates / Financial Form 1 Deadline – Due July 1<sup>st</sup>**

*-TC Cooper reminded the Council of the Ethics training dates that are available. She asked them to let her know if and when they would like her to register them for the required training.*

*-TC Cooper stated the Council Members should have received their forms in the mail and are due by July 1, 2023. She has a copy of the Form included in this packet that would need to be filled out and returned to the Supervisor of Elections office.*

➤ **Master Plan – UF Internship**

- Three (3) Responses
- When contacted, they each had already secured internships elsewhere
- Will try again next year

*-TC Cooper reminded the Council Members we have previously discussed maybe getting an intern to do a master plan of what we would like the Town to look like if done with our current zoning; and as well changing some zoning and getting a fresh perspective on what the town can be.*

*-TC Cooper stated she contacted all three and they have all accepted internships for the summer.*

- **CPI Increase** – Effective on June 1, 2023 water billing cycle

-TC Cooper stated that the new CPI Increase will be on the next billing cycle. She stated the 7.7% increase will result in an average bill increasing between \$3-4.00 depending on the usage.

- **Schedule a Public Works Committee Meeting**

- Need 5 Year Capital Plan

-TC Cooper stated CM Andrews will get with her to schedule a meeting.

- **Schedule a Budget Workshop – Date**

- Possibly – Next Town Council Workshop – August 11, 2023 at 9:00am

-TC Cooper asked if the next Town Council Workshop is scheduled for August 11, 2023 can be used as the Budget Workshop, instead of scheduling another meeting.

-The general consensus was yes, for August 11, 2023 at 9:00am.

- **Ad-Valorem Taxes – TRIM Process (General Consensus)**

- Process starts June 1, 2023 thru September 2023

-TC Cooper reminded the Council Members that the Ad-Valorem tax process is June through September and understands that no voting takes place in these workshops, but would like to get a general consensus on keeping the tax rate the same.

-The general consensus was to keep the rate the same.

#### **8) Other Subjects - Open discussion for the Town Council members only**

-CM Andrews asked for the advertisement for the Northeast Florida League of Cities (NEFLC) dinner meetings to be given out in advance.

-CM Andrews asked the rest of the Council Members to consider attending these meetings as an entire Town Council representing the Town of Penney Farms.

There being no further questions or concerns the meeting was adjourned at 10:30am.

  
Mayor, Thomas E. DeVille, presiding

