

TOWN OF PENNEY FARMS
TOWN COUNCIL WORKSHOP MINUTES
1st Quarter Town Council Workshop for 2023
Friday, February 17, 2023 9:00AM AT TOWN HALL

CALL TO ORDER at 9:00am: Mayor DeVille

Present: Mayor DeVille, CM Andrews; CM Brooks; and CM Ryder

Absent: VM Sabin

Additional Audience: None

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.*

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. ****

OUTLINE:

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

- *Chairman DeVille announced he has two (2) new water utility committee members: Robert Fisher and Jim Jones*
- *He stated he will reach out to committee members Judge McWhorter and Fred Bruner to see if they would like to continue serving on this committee.*
- *He reported that pump #2 at the master lift station is down and being sent out to be repaired and asked the Town Manager to explain further, later in this meeting.*

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

- *Chairman Andrews asked the Town Manager if the benches in front of the museum can be stained to be protected from the sun?*
- *TM Cooper stated the benches have been clear coated to protect them.*
- *TC Cooper asked Chairman Andrews to come up with a date and time by May 2023 for a meeting of this committee to produce a new five year capital plan, for which this committee is responsible for.*
- *Chairman Andrews stated he will get a date to her.*

3) Seat #3 – HUMAN RESOURCES – Elizabeth Ryder

- *Chairwoman Ryder stated that she has added Kathleen Masters to her committee and Laurena Fisher has resigned.*

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

- *Chairwoman Brooks announced that “Old Fashioned Farm Day” will be changed to Saturday, October 7, 2023 from 10am – 3pm.*
- *Chairwoman Brooks announced that she will schedule her CDR meetings on the second Tuesday of each month at 7:00pm to accommodate some working members.*
- *Chairwoman Brooks announced that at this point she has nine or ten committee members and is still contacting more to add.*
- *TC Cooper stated she will keep a budget for this committee for Ms. Brooks. She explained to the Council Members that this line item will show that the amount will be over the budget allowed, but does not account for the monies that have been or will be donated that will be kept separately on a different spreadsheet.*
- *Chairwoman Brooks reported that she has already been in contact with a group to help with the event.*

5) Seat #5 – FINANCE COMMITTEE – Paul Sabin

- *No items submitted*

6) TOWN MANAGER

(The Town Clerk distributed a copy of the Clay County Development Impact Fee study to all Town Council members for review):

TM Cooper explained that Clay County has passed a new Ordinance 2022-56 back in December 2022 to impose new impact fees to accommodate the expanding growth within Clay County. He explained the Town is obligated to collect these fees for the County for any new development within the town limits without exception. He further stated the Clay County Manager, Howard Wannamaker will be attending the next Town Council meeting to answer any questions the Council may have and to oversee the needed motion to accept the new Inter-Local Agreement to collect these fees, effective June 1, 2023. He explained the following:

- **New Clay County Inter-local Agreement for the new County approved Impact Fee**
 - **Effective June 1, 2023**
 - **Town will collect fees – Provide a line item in the budget for those fees**
 - **Town will retain 3% of the total fees for administration costs**
 - **Town staff will be trained**
 - **Motion needed at the next Town Council Meeting / Clay County staff will be present**

MOTION:

Motion to approve the Clay County Inter-local Agreement/Contract No. 2022/2023- _____ between Clay County and the Town of Penney Farms for the collection of Comprehensive Impact Fees.

TM Cooper stated a new fire station is projected to be built in the Town by 2028/2029. He stated the fire station may be located at the corner of Paso Fino Road and State Road 16.

Mayor DeVille asked how long a building permit is good for?

TC Cooper stated the contractor has one year from the issue date.

Mayor DeVille stated there may be many permits being pulled before the June 1st effective date.

CM Andrews asked how the 3% administration fee calculated?

TC Cooper stated that the original amount was 1.5%, so 3% is better.

CM Andrews asked if this fee will ever be increased?

TM Cooper stated no, this fee is a flat fee and probably will not be raised.

TM Cooper stated that he will ask them Tuesday night if there would ever be an increase in those administrative fees.

➤ **Florida Power & Light rate increase – 7.19%**

- **Effective April 2023**

(The Town Clerk distributed a copy of the email and bill projection for the Town of Penney Farms beginning in April 2023)

TM Cooper stated that FPL has informed him that the Town's electric bills will be increased by 7.19% increase because they are recovering from the hurricanes in the past year.

➤ **New Pump #2 needed for the Master Lift Station**

- **Estimated cost to repair or replace**

TM Cooper stated as Mayor DeVille mentioned earlier that Pump # 2 at the master lift station had to be pulled out and sent out for repair. He stated, at this time, he does not yet have an estimate of the cost to rebuild the pump yet, and was grateful the Town had some reserves to help pay for this repair or replacement. He stated that the main problem is the vendor is having a hard time getting the parts for these pumps which are getting older. He stated the Town has been paying about \$9,000 - \$10,000 to repair one pump and a new pump is running about \$32,000. He further stated that he will keep the Council informed as he gets the quotes to fix the pump.

CM Andrews asked if the pumps are being depreciated?

TM Cooper stated they are and have been depreciated.

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

- **Need appropriate bond**
- **Survey approved**
- **New Invoice sent 02/14/23 – Still may be another**

TM Cooper stated the contractor has paid the outstanding invoices of approximately \$5,700, but there is another invoice going out, that will need to be paid.

TM Cooper stated the original bond amount of \$25,000 for the entire project, which is not nearly enough, and the Town's engineer has recommended the Town accept no less than a \$150,000 bond to guarantee the work gets done.

TM Cooper stated that our surveyor had questions on the survey turned in and still needs to answer those questions to certify the original survey.

TM Cooper stated the developer needs to get a utility easement for this project and there is still some questions to whether or not he can prove he has access to the road and who actually owns the road.

Mayor DeVille stated he thought the developer submitted paperwork with the original submission that the county owned the road.

TC Cooper stated he submitted a letter that the county maintains the road and the developer feels that if the county has maintained the road for many years, they own the road.

-There was discussion on where the current water and sewer lines are located.

*Mayor DeVille asked what size line is at the fire hydrant that was replaced on State Road 16?
TM Cooper stated that is a six inch water line.*

*CM Andrews asked what the status is on getting turning lanes on State Road 16 at the stoplight intersection?
TM Cooper stated that he was told it would be scheduled to be done sometime this year.*

➤ **Playground Equipment Update**

TM Cooper stated the new playground equipment has been scheduled to be delivered and installed the first and second week of April.

TM Cooper reported there has been more issues at the playground park. He reported the men's and women's signs have been torn off the restroom doors and the signs that were on the dedicated trees in the park have been ripped off and thrown into the play yard, sand was put in the brand new water cooler. He stated the \$1,300.00 brand new water cooler will have to be taken apart and rebuilt. He stated the door handles and shocks have been broken off the screened doors, several times. He also stated that one of the cameras have been taken down and destroyed and a bag of marijuana was found at the gate of the park. He expressed his frustration about these continuing problems and reported more cameras will be put out.

*CM Andrews stated that we have been dealing with this for awhile and it seems like we can't do anything about it.
TM Cooper stated that you have to be able to prove who is doing these things, hence the cameras.*

CM Andrews asked if finger prints were taken off the signs and other items.

TM Cooper stated that he didn't think you could get any finger prints after five people have touched them.

CM Andrews stated they should try anyways and the police need to do everything they can to help with this.

TM Cooper stated he feels the Clay County Sheriff's department is doing everything they can to help and he has documented all incidents.

CM Brooks asked if the new playground equipment should be installed with all of this bad activity happening.

TM Cooper stated that the new equipment is part of a grant and the progress can not be stopped.

There was discussion of noted problem residents and possible reasons as to why this keeps happening, as well as suggestions to stop these problems

TC Cooper stated the Town staff was trying to come up with a Code Enforcement Ordinance to help with some of these issues.

TC Cooper stated that originally the thought was to hook on to Clay County's Code Enforcement Ordinance, but after further consideration and careful review of their Ordinance, the Town Manager did not want the County to be able to come into the Town without permission for any reason, so he suggested that the Town comes up with it's own Code Enforcement Ordinance.

TC Cooper stated she has the administrative assistant going through all of the Town's Ordinances related to some sort of code enforcement and pulling those to see if they can be updated, amended and/or are even relevant now. She further suggested that at the next quarterly Town Council Workshop in May, the Council Members be prepared to review the current Ordinances and also provide suggestions of what they want to add or amend, in regards to code enforcement.

TM Cooper asked the Town Council to support him to enforce whatever Ordinances are considered.

CM Andrews stated there should be processes in place to enforce any Ordinance.

Mayor DeVille asked for an update on the fencing issue near the playground park, in regards that part of the fence was on their property.

TM Cooper stated this resident's attorney sent a letter to the Town stating the playground fence was located on her property and she wanted it moved. The Town's attorney responded with a letter stating the property survey has been

certified and there is no conflict, if there are any more questions to please notify him. There has been no communication since then.

Mayor DeVille stated his concern was this issue may affect the current playground grant and does not want the Town to have any issues with owing the state money, because there is a town problem.

TM Cooper assured him the Town has done its due diligence and the ball is back in the resident's court to pursue further, but the Town attorney says the Town has no worries.

Mayor DeVille asked if the Town could put a permanent solid wall, concrete topped kind of fence as a barrier against this property?

TM Cooper stated there is no more grant money for that purpose, maybe in a future grant.

There was discussion on the infringement rumors.

7) TOWN CLERK

➤ New bank signature cards

TC Cooper stated that she has the new signature cards for each of the seven Town bank accounts that need to be signed by all the Town Council members. She passed out blue pens and all present members signed the individual bank signature cards.

➤ Master Plan – UF Internship

(TC Cooper distributed a copy of a proposed new Internship proposal for a Town Master Plan)

TC Cooper explained that as the Planning & Zoning Commission (P&Z) is reviewing the Town's current Comprehensive Plan (CP) and Land Development Regulations (LDR), a couple of the Commission members asked that a new master plan be considered for the Town. She stated this is an expensive process and would require a lot of work to be accomplished. She demonstrated using the Town's Future Land Use Map (FLUM) which is in the (CP) document and shows the current way the Town is zoned.

TC Cooper stated that because a master plan would cost the Town so much money, she and Faith Jones, another P&Z Commission Member thought about looking at the local universities for an intern who needed hours to achieve their degrees in rural planning, who may be interested in doing this for free or a nominal cost. She stated that Town Manager has allowed no more than \$1,500.00 for this project.

TC Cooper reported that Mrs. Jones was able to narrow it down to the University of Florida (UF) that has a rural planning degree program and I got in touch with the Internship Coordinator.

TC Cooper asked the Council Members to look over the proposal distributed that include doing a master plan built out with the current zoning and then do a second master plan, rezoning the vacant areas in town to show a younger, fresh updated new look for the Town, to have a visual look at what could happen here in Penney Farms. TC Cooper stated that the proposal includes not just the master plan map(s), but also to provide a Historical Section; a Special Zoning District; and a review of the Town's Planning Documents.

CM Andrews asked if a scope of work would be listed? He stated he liked the idea.

TC Cooper stated it is listed in the proposal. She stated that she doesn't know if any intern may be interested in doing it.

TC Cooper stated that there will be no official changes made, just possible ideas.

CM Andrews asked for a disclosure cause to be put in the proposal.

CM Ryder stated it was a good idea.

The general consensus was this was a good idea.

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

CM Andrews asked the Council Members to revisit the Clay County Impact Fee Study book and look at Page 21 where it mentions a new jail in PF, which he would like clarification on.

TM Cooper stated he would ask the Clay County Manager and clarify that.

CM Ryder stated that in regards to the Ordinances, there is one that states that no liquor can be sold in the Town and that needs to be reevaluated.

TC Cooper clarified that any code enforcement related Ordinances should be dealt with first. She also reminded the Council Members is the process of getting an Ordinance approved.

TM Cooper stated that George Egan of the Reinhold Corporation has called him to state he will be in soon to begin the process of closing the platted streets. TM Cooper reported that Mr. Greg Alexander who owns the Jax-Palatka property has been in town and met with the county. He reported to the Town Council what the county manager's impression of Mr. Alexander was.

TM Cooper stated the Community Development Block Grant (CDBG) letter should be arriving in the mail any day now and the Town has applied for another \$650,000.00 State Appropriations grant.

Mayor DeVille asked what about the St. John's River Water Management District (SJRWMD) addition.

TM Cooper stated that SJRWMD only contributes to storm water issues.

CM Andrews asked the Town Manager about the swings that were requested for Kohler Park.


TM Cooper stated that those were about \$2,000.00 each and would be possible with the next park grant.

Mayor DeVille stated this is another reason for his point earlier, to make sure there are no issues with the Town getting park grants in the future.

TC Cooper asked all present to keep Vice-Mayor Sabin and his wife in their prayers because they are both very sick and at home with COVID.

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There being no further questions or concerns the workshop was adjourned at 10:20am by Mayor DeVille.



Mayor, Thomas E. DeVille, Presiding