

TOWN OF PENNEY FARMS
TOWN COUNCIL WORKSHOP MINUTES
1st Quarterly Town Council Workshop for 2020
Friday, February 21, 2020 9:00AM AT TOWN HALL

CALL TO ORDER:

Present: Mayor Paul Sabin; Vice-Mayor (VM) Elizabeth Ryder; Council Member (CM) Mickey Taylor; (CM) Adrian Andrews; (CM) Tom DeVille; TM David Cooper; and TC Anita Cooper

Absent: All Town Council members and Town staff present for the record.

Additional Audience: Wayne Boone; Bill Brower; Jim Weir; Cooper Murphy, Rosemary Gilson; Richard Dodds; and Charlie McCormick

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.*

**** 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. ****

Mayor Sabin opened the meeting at 9:05am.

Mayor Sabin invited all guests to submit questions they may have to the Town Clerk and she will get them the answers to their questions.

Mayor Sabin stated that the items on the agenda for today are going to be discussed and are up for formal approval at the March 2020 Town Council meeting. He stated the following:

1) There will be one (1) Ordinance and six (6) Resolutions coming up which need to be approved at the next and/or a near future Town Council meeting. (All back up documentation for each item was distributed to the Town Council members for review)

➤ **Ordinance 2020-01**

Implementing the Town of Penney Farms to become a Tree City by Ordinance, which has been approved to apply for by a formal motion at the June 18, 2019 Town Council meeting.

Includes the Planning & Zoning Commission's input based on the Comprehensive Plan /Land Use Regulations.

1) **ORDINANCE 2020-01** - Tree City Ordinance

-TC Cooper stated that in addition to the Tree City USA Application, there are four required elements to becoming known as a Tree City:

- Item 1 - Town Tree Board
 - The Town has to have a five (5) member Tree Board which Cathie Parrott has provided (Member List included)
 - The terms for these members will be for three (3) years, Officers will be selected
 - The duties are listed in the Ordinance, but this board is required to meet and follow the Town of Penney Farms Comprehensive Plan for their decisions upon any special matter that may come within the scope of its work. The Tree Board is only responsible for “Street” trees and “Park” trees located on Town property. These are defined. (Section 2)
- Item 2 – Ordinance
 - Included for review
- Item 3 – Annual Budget (\$2.00 per capita) – 2019 Financial Handbook reporting; the current population is 766 residents
 - If approved, the budget amount for this line item will begin at \$1,532.00 for FY year 2019/2020 from the General Fund.
 - The Tree Board will meet and provide the expenditures and information that will be required for public tree care. The provided worksheet will be used for the reporting by the Tree Board.
- Item 4 – Proclamation (Annually)
 - Included for review
 - Lists the designated day to celebrate Arbor Day in the Town of Penney Farms (Done annually)

-TC Reminded the Council Members as with any Ordinance, Proper Advertisement (Attached) in the newspaper is required prior to scheduling; 2 – Public Hearings, along with a first; second and final readings at the regular monthly Town Council meetings. She stated that this Ordinance can be approved after the second and final reading at the April 21, 2020 regular Town Council meeting.

-TC explained that this Ordinance has taken some time to finally be presented because it had many requirements that had to be met. She explained that the Town’s Planning & Zoning Commission (P&Z) has met a few times to review the Town’s Comprehensive Plan and the Land Use Regulations to make sure that this Ordinance is in compliance with those documents. This Ordinance would only include street and park trees located on Town property only. TC Cooper clarified the trees located on State Road 16 are cared for by the State and the Town is not going to regulate private properties.

***The general consensus from all Town Council members was to move forward with Ordinance 2020-01.**

- **RESOLUTION 2020-01**
Restating and approving the Wastewater Utility Asset Management Plan to include “billed in arrears”.

- **RESOLUTION 2020-02**
Restating and approving the Drinking Water Utility Asset Management Plan to include “billed in arrears”.

-TC Cooper reminded the Town Council members that a technicality was brought to the Town Manager’s attention back in October of 2019 and a credit was given to all water utility customers and then billed the following month. In order to avoid this issue from happening again, the two Resolutions 2020-01 and 2020-02 will be restated to include the wording “billed in arrears”, on them. She further stated no other changes will be made.

***The general consensus from all Town Council members was to move forward with Resolutions 2020-01 and 2020-02.**

➤ **RESOLUTION 2020-03**

Updating the Town's Bad Check Policy
Approved by the Town Attorney

-TC Cooper stated that the Town has a bad check policy currently in place, but it is outdated and does not cover the Town's costs associated with this issue. She stated that this new policy has been written based on the requirements derived from Florida Statute 832, regarding this process. She reviewed the steps of the new process written in the policy.

- Resolution and Exhibit A (2 pages) for review
- This policy has been revised according to Florida Statute 832, regarding this subject
- Copy of the first notice letter
- Copy of the second notice letter
- Copy of letter to no longer accept personal checks (After 2 dishonored checks have been submitted)
- Copy of the Notice of legal action (Can be done on "Closed" and "Non-existent" bank accounts)
- Copy of the State Affidavit that will be required for legal action
- This policy was given to the Town Attorney who has reviewed and approved the submitted criteria.

-TC Cooper reported this is not an excessive problem, but it does happen occasionally and the Town needs to be able to process these items more efficiently.

-TC Cooper stated the only other significant change is the Town will no longer accept a check from a water utility customer if they have written two dishonored checks. The customer will be allowed to pay their bill by money order, cashier's check, or in cash only.

-TC Cooper stated that the Town Attorney has reviewed all documents and has approved the new policy.

-CM Taylor asked if there would ever be a way for a customer to ever pay by check again in the future?

-TM Cooper stated no, there are other options and this will stop the abuse.

***The general consensus from all Town Council members was to move forward with Resolutions 2020-03.**

➤ **RESOLUTION 2020-04**

Implementing New Special Pick-Up Fees
Exhibit A (Two-sided instruction sheet)

-TM Cooper stated this is another policy that has been discussed before and needs to be addressed. He explained the current fees do not cover the costs of special pick-ups. He further stated that "Exhibit A" was updated and will be distributed to all of the utility customers.

-TC Cooper stated the Exhibit A will be available at the front office at Town Hall for residents as well.

- Exhibit A (two-sided) for review
- An increase from \$25.00 to \$50.00 is proposed

-CM Taylor asked how these fees impact the Penney Retirement Community (PRC)?

-TM Cooper stated that these fees do not apply to PRC residents because PRC picks up their own garbage.

-CM Taylor asked that the spelling be corrected on the Resolution itself, instead of "withing"; change to "within".

-TC Cooper stated it will be corrected.

-VM Ryder asked what "dinner water" was on Exhibit A?

-TM Cooper stated that was a typo and will be removed and corrected.

-CM DeVille clarified that these fees do not apply during storms and hurricanes.

-TM Cooper confirmed those emergency situations are exempt and the Town will pick up the debris.
-TC Cooper clarified that if a resident were to voluntarily take down a tree on their property or have it professionally removed, the debris from that scenario would qualify as a special pick-up.

-CM Andrews stated that the policy states that employees will not pick up broken bags of garbage and he has come across a time or two when the garbage did not get picked up.

-TM Cooper stated that the employees usually do pick up unsealed garbage and told CM Andrews to notify him if he has any complaints immediately and he will get it taken care of.

***The general consensus from all Town Council members was to move forward with Resolutions 2020-04.**

➤ **RESOLUTION 2020-05**

Clay County Fair Support

-TC Cooper stated that the Town sponsors the Clay County Fair every year with a Resolution as a formality. She stated that the Town Hall is also a ticket outlet for the Fair and has tickets available at the front office..

***The general consensus from all Town Council members was to move forward with Resolutions 2020-05.**

➤ **RESOLUTION 2020-06**

2020 CPI Water/Wastewater Utility Rate Increase

-TM Cooper reviewed the following details for this Resolution:

- This Resolution addresses the **actual** 2020 utility rate increase. The previous Resolutions 2020-01 & 2020-02 were just restating the Utility Asset Management Plans to include the wording, "billed in arrears".
- The 2019 CPI increase is 1.79%.
- This Resolution 2020-06 will include the increases with Exhibit A (Residential rates) and Exhibit B (Non-Residential rates)
- The average resident shall see approximately an \$0.89 increase monthly on their bill for both Water and Wastewater; the PRC increase will be approximately \$208.00 per month.
- This Resolution shall have an effective date of the Water Utility billing cycle of Friday, May 1st, 2020, after it is passed and adopted on March 18, 2020 to allow plenty of notice to be given to the residents and the PRC Administration. (six weeks of notice) The Notice will be handed out to affected water utility customers
- A copy of the notice that will be sent out to all water utility customers is attached for review.

-CM Taylor asked about the fees that are charged for meter inspections. She asked if a resident has a concern or thinks they may have a water problem, that resident would have to pay the fee, for the inspection of the meter?

-TC Cooper reported that the Town Hall uses discretion when handling water utility customer concerns and the Town Manager has always been accommodating in helping the resident find the problem. She stated that since she has been here, no one has ever been charged that fee. She explained that when the water bills go out every month, she does compare usages for previous months for every customer. She further stated if there is a significant change in usage, she notifies the Town's water administrator who will automatically do a courtesy check of the meter, at no charge, to make sure there is no problems with the Town's equipment. She further stated this prepares the office staff to be able to handle the calls that come in and we can say we have already checked the meter, on the Town's side and advise them to look for the problem in another area.

-CM Taylor asked about the new water installation prices on either of the Exhibits?

-TC Cooper stated that the new installation prices are for new construction only, when no service has been established yet. She stated new water customers just pay a deposit for homes with existing utility services.

-CM DeVille stated the Town also has equipment that can go out to a customer's residence and gather 90 days of history to help determine when a problem started.

***The general consensus from all Town Council members was to move forward with Resolutions 2020-06.**

2) Seat #1 – WATER UTILITY COMMITTEE – Tom DeVille reminded the Council Members of the following:

- The water utility rates may be increased according to Resolution 2020-01/2020-02, and the new annual CPI Index has been announced. These Resolutions will be restated to include “billed in arrears” in the title. There will be an effective date and proper notice given to residents, as discussed earlier in this meeting.
- The Annual CCUA increase was absorbed by the Town of Penney Farms for the fiscal year of 2019/2020 and will be reviewed again for the new fiscal year, when the CCUA announces its increase.

-TC Cooper reminded the Council Members that the CCUA increase comes in around October of each year and coincides with the approval of the new fiscal year budget. She also reminded them that the new budget workshop is coming up in a few months.

3) Seat #2 – PUBLIC WORKS COMMITTEE – Adrian Andrews stated the following:

-CM Andrews stated that he has met with his committee and discussed items to be fixed with priorities and to take into consideration some of the resident concerns that were mentioned for the capital projects list.

-TM Cooper stated that those concerns will be addressed later in this meeting.

4) Seat #3 – HUMAN RESOURCES – Elizabeth Ryder reported the following:

- She updated the Council Members on new developments with Tracy Jones.
 - Unemployment Benefits were paid out in the total amount of \$3,300.00.
 - His Worker’s Compensation Claim paid out a total of \$7,500.00, of which he has to pay his attorney with; he has signed a release, so he can not come back to the Town for any other claims; and also he can never work for the Town again.

5) Seat #4 – COMMUNITY DEVELOPMENT & RECREATION (CDR)– Mickey Taylor reported the following:

- The Town’s Annual “Old Fashioned Farm Day” is set for April 18, 2020 and all vendors and exhibitors are invited to join the event.

6) Seat #5 – FINANCE COMMITTEE – Chairman, Mayor Sabin referred to the Town Manager for comment on his recommendations to the Town Council.

-TM Cooper stated the Town Clerk will bring everyone up to speed on the progress of all the above listed items to discuss, so everyone can begin discussions with all updated information.

-TC Cooper reminded the Council Members that on January 31, 2020, each Town Council member received a yellow folder that contained the following information:

- The January 21, 2020 Finance Committee meeting minutes
- The originally proposed Over & Above the budget items
- The original Ad Valorem Tax implementation and proposed capital projects for Fiscal Year 2019/2020 revenues
- A listing of the Building Permit Revenues from Fiscal Year 2016/2017 thru Fiscal Year 2018/2019, ending September 30, 2019
- A Capital Projects list dated 1/07/2020 for your review and prioritization

-TC Cooper stated that since then the following updates have taken place:

- The Water Utility Committee met on January 16, 2020 and reviewed the Capital Projects list and agreed with the Town Manager's priorities, as their recommendation. This committee prioritized the sections of the capital list for Water Utility; Wastewater/Sewer; and Storm Water projects.*
- The Public Works Committee met on February 10, 2020 and also reviewed the Capital Projects list and agreed with the Town Manager's priorities, as their recommendation. This committee prioritized the sections of the capital list for Public Works and Streets & Roads, with the notations of pricing the outsourcing of street sweeping vs. buying the equipment; and noting the sidewalks will have to be surveyed and prioritized to provide a plan.*
- By the deadline of February 14, 2020, there were a total of 12 Resident written responses are attached from the Notice dated January 7, 2020, that went out to the residents asking for their participation and suggestions for capital projects. 11 of those responses have been added to the end of your updated capital project list (dated 02/13/20) that you are holding in your package today. **NOTE:** the 12th response (From Mr. Charlie McCormick) did not get put on the list because it came in after this meetings package was put together. However, it will be added to the next updated list; with today's meeting changes and/or additions.*
- The Finance Committee met this past Tuesday, February 18, 2020, but the minutes are not completed at this time. However, the Finance Committee and the Town Manager did have some revisions and some minor changes to the prioritization of the capital projects list after contacting the auditor*

-Mayor Sabin clarified that since the last Council Member update, there has been input from three of the Town's Committees and new priorities have been made, as well as input from participating residents, which need to be acknowledged.

-TC Cooper stated that the Finance Committee's goal is to make sure the capital projects lists are agreed upon, then the projects can be source funded with a time frame; and then some projects can be started. She stated there was discussion to take some of the larger costly projects and break them down into smaller sections in order to facilitate those concerns.

-TM Cooper stated that after the Town Council has reviewed the changes and updates, he will then provide his recommendations of what projects need to move forward, for this fiscal year and identify the funding source for those projects.

-TC Cooper stated the auditor was also contacted regarding the following issues that the Finance committee wanted answers to, in order to move forward in making their recommendations:

- Any changes made to the capital projects that do not increase the approved and advertised budgeted amounts should be made by a motion, recorded in the minutes of a Town Council meeting.*
- Any changes that increase the total budgeted amounts would require a budget amendment.*
- The total of \$281,154.18 in Building permit revenues are from FY 2016/2017 through September 30, 2019. This is three (3) fiscal years' worth of permit revenues. These revenues are somewhat restricted.*
- In regards to Building Permit revenues, there is no time limit on spending the revenues and can include spending for related capital outlays such as office facilities, housing the building inspection service: salaries; a storage facility; or anything related to this service. A motion should be made by the Town Council establishing the approved expenditure and noted in the minutes of a Town Council meeting.*
- There is no law that states the level of reserves a local government should maintain. However, many cities and counties are now establishing such through a formal fund balance policy. It is also very*

- prudent to maintain reserves equal to six to twelve months of annual expenditures, and especially with smaller cities, having the larger number of months is more beneficial.
- The Town can have a separate bank account specifically for the building permit revenues, if it chooses to do so, but it is not required.

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-TM Cooper stated that since the implementation of the Ad Valorem tax revenue in October 2019, the Town Council has requested that the capital projects originally approved and budgeted be reviewed and possibly revised, which we are discussing now.

-TM Cooper suggested that the Over & Above budget item list should be eliminated, because those items were considered before the implementation of the Ad Valorem taxes.

-Mayor Sabin stated that the Finance committee agrees with the elimination of the Over & Above item list and asked for a consensus from the remaining Council Members.

***The general consensus from all Council Members was to eliminate the items listed as Over and Above the Budget.**

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A 10 MINUTE BREAK WAS GIVEN AT THIS TIME.

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The following list of Capital Projects have been selected by the Town Manager as priorities.

TM Cooper noted the specific changes from the January proposals given to the Council Members are the following:

1) Moving the Town Hall Painting & Landscaping; and ADA restroom renovation costs to the funding source of Building Permit revenues, which is a permitted expense.

2) The bottom line numbers have changed and are tracked as of January 31, 2020. This leaves more money left over from the Ad Valorem Taxes to be used for other needed capital projects.

- In regards to the capital project list (Town Clerk will review the Finance Committee changes)
- After the Town Council agrees on their priorities, the Finance Committee's goal is to get a clean continuous updated, working capital projects list and provide the funding source for each of those projects, along with some sort of time frame to get the projects done.

ITEM #1

Renovation of the Town Hall restrooms to be ADA Compliant

JUSTIFICATION:

This is a required renovation for the Community Development Block Grant (CDBG)

ESTIMATED COST: \$30,000.00

FUNDING SOURCE: Building Permit Revenue

ITEM #2

Climate controlled Storage Room

JUSTIFICATION:

The Town has received a \$30,000.00 local grant to renovate the existing vacant fire station attached to Town Hall into the Town of Penney Farms Historic Museum and everything stored in there now will need to be relocated.

ESTIMATED COST: \$25,000.00

FUNDING SOURCE: Building Permit Revenue

**The Historic Museum renovation may cost more to complete. The Town Hall is actively searching for additional grants and in-kind services to finish the project.*

ITEM #3

Paint Town Hall/Landscaping

JUSTIFICATION:

After the Town' Historic Museum is completed and all Town Hall renovations are done.

ESTIMATED COST: \$15,000.00

FUNDING SOURCE: Building Permit Revenue

ITEM #4

Passive Park/Clean Out

JUSTIFICATION:

State Park Grant requires this to be done.

ESTIMATED COST: \$10,000.00

FUNDING SOURCE: 2019 Ad Valorem Tax Revenues

-CM Andrews asked if the \$10,000.00 would include lights in Kohler Park?

-TM Cooper stated that does not include those lights, those lights will be considered in a separate park grant.

ITEM #5

Sliding Gate Installed at the Water Tower

JUSTIFICATION:

To secure Town vehicles & Equipment Property

ESTIMATED COST: \$2,000.00

FUNDING SOURCE: 2019 Ad Valorem Tax Revenues

Mayor Sabin reviewed the following revenues:

2019 Ad Valorem Tax Revenues **Building Permit Revenues** **General Fund Bank Balance**
 (12/31/19 - \$67,582.00 Paid/ (9/30/19 - \$281,154.00) (01/31/20 - \$692,019.00)
 \$5,205.00 to still be collected)

Total to be collected -\$72,787.00
 Replacing lost revenue - \$32,000.00
 Ad Valorem Capital to be spent: \$40,787.00

As of January 31, 2020:

TRACKING OF REVENUE SOURCES

<u>2019 Ad Valorem Taxes</u>	<u>Building Permit Revenues</u>	<u>General Fund Cash Reserves</u>	<u>General Fund Bank Balance</u>
Beginning Balance:	Beginning Balance:	Beginning Balance:	Beginning Balance:
\$ 40,787.00	\$ 281,154.00	\$ 370,078.00	\$ 692,019.00
Item #4 - Passive Park	Item #1 - Town Hall		After all proposed projects are completed:
▼ <u>-\$10,000.00</u>	ADA Restrooms		▼ <u>-\$82,000.00</u>
\$ 30,787.00	\$ 251,154.00		\$ 610,019.00
Item #5 - Sliding Gate	Item #2 - Climate		
▼ <u>-\$2,000.00</u>	Controlled Storage		
\$ 28,787.00	▼ <u>-\$25,000.00</u>		
	\$ 226,154.00		
	Item #3 - Painting & Landscaping		
	▼ <u>-\$15,000.00</u>		
	\$ 211,154.00		
Total 2019 Ad Valorem taxes for future projects :	Total balance left from Permit revenues:	Total GF Cash Reserves:	Total left in the GF Bank Account:
\$ 28,787.00	\$ 211,154.00	\$ 370,078.00	\$ 610,019.00

-Mayor Sabin stated he would like to have a 3 to 5 year plan to expend all sources of revenue prudently and carefully.
 -CM Andrews reminded the Council Members to take into consideration that the building permit revenues will fluctuate every year.

-Mayor Sabin acknowledged that the high amount of building permit revenues came from the new construction of the \$12 million dollar Pavilion and it will be highly unlikely to have that happen again.

-Mayor Sabin stated that he would like to move forward with a general consensus, from the Council Members, for the 5 recommendations from the Town Manager at the March Town Council meeting, in order to complete items for this fiscal year.

-CM Andrews stated he likes the tracking of these items. He asked if it was possible to do the same with the rest of the capital projects list and make it available to the public.

-TC Cooper stated that once the list is approved today, change the priority columns to funding source columns.

-CM Andrews stated we need to provide the capital list with funding sources to the public as well.

-CM Andrews asked what should be kept in the General Fund bank account and how close are we to having the 6 to 12 month reserves.

-TC Cooper stated that the average operating budget is anywhere between \$375,000.00 - \$400,000.00, so we are close.

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-Mayor Sabin asked if Bill Brower, who is on the Finance Committee to provide some insight as how to proceed with the current year and the long term goals of the Town.

-B. Brower stated that important thing is to put together an identified plan for this fiscal year, which has been done. He stated the capital projects list may take twenty years to complete. He stated every item on the list should have a funding source listed.

-B. Brower stated that the Town Hall renovations should follow the items listed for this year and we need to get going for this year. He further stated that the community input should be taken into consideration. He also stated that any projects the Town is currently working on should be included on the tracking list.

-CM Andrews stated that the residents needs to be educated on what the Town has to spend, because he believes most residents think the Town is sitting on a pile of money from Ad Valorem taxes and we are not.

-CM DeVille asked B. Brower stated that years ago in 2007, the Town Council said they were going to pave roads and did not complete all of them, and asked doesn't the Town have the obligation to finish those first before beginning anything else related to roads?

-B. Brower stated if the road still exists, then the Town Council should honor its commitments.

-CM Andrews stated that if people do not live on the road, the road would not get paved. He stated that the public works committee will look into the issue.

-TM Cooper assumed that the Town ran out of money.

-CM DeVille stated that this request was stated to the effect of, every resident should be able to access the post office, school bus, and State Road 16, without being on a dirt road.

-TC Cooper stated that she will have to research this issue and get back to the Town Council, by the next Town Council Workshop.

-B. Brower stated this is another reason why the funding source should be determined when a project is submitted.

-CM Taylor stated that a list of projects should be made available to the residents, so they can see that their requests were acknowledged.

-TC Cooper stated that a copy of the capital list is available to the public, at all times, at the front office.

-CM Taylor stated this list is not easy to understand, just add a list to the Town Council Agenda to show the public what the Town is intending to do when revenues become available.

-TC Cooper stated she will add a list to the next agenda(s).

Mayor Sabin asked the Town Council Members for a general consensus to move forward with the Town Manager's revised capital projects for this fiscal year explained clearly for the public.

***The general consensus from all Council Members was to move forward with the Town Manager's prioritized projects for this fiscal year 2019/2020.**

-TC Cooper stated that there will be a specific motion for each project with the same source funding. For instance all of the building permit revenue projects will be approved in one motion; all of the projects funded by Ad Valorem taxes will be approved in another motion, and so on... She stated she will write the motions out prior to the meeting for the Town Councils' convenience.

-B. Brower suggested that there be two capital improvement plans, one for the current fiscal year; and the second for the future projected projects.

-CM Andrews stated that this capital list is nice to already have prioritized, so that next year, the Town Council can keep moving forward.

-TC Cooper stated that the capital projects list will be updated every quarter and given to the Council Members for review at the Town Council Workshops.

-TC Cooper also reminded the Council Members that this seated Council will be approving next years' fiscal budget, which will be discussed in a few months.

-Mayor Sabin stated that he feels comfortable with the action plan for the March meeting items that will be voted on.

-TC Cooper asked if the Town Council would be please review the Committees' and categorize where the resident suggestions would go on the capital list. She stated then a funding source and be sourced and noted with a time frame.

-TC Cooper reviewed the capital list and resident suggestions with the Council Members:

- All of the items were notated and reviewed and put into the category sections
- A new section will be added – Community Development & Recreation (CDR) / Parks
- A new section will be added – Other (Security)
- A new section will be added - Other (Miscellaneous)

-Mayor Sabin stated that in addition to this list, it should be noted that as we move forward, it is important to work with the Penney Retirement Community (PRC) to determine what is the Town's responsibility, what is PRC's responsibility, and what could be done as a joint effort between the two entities with planning. He stated this could clear up some of the perceptions in the community about who is responsible for what.

7) TOWN CLERK

➤ FOLLOW UPS FROM PREVIOUS PUBLIC MEETINGS

- Franchise Fees

-TC Cooper stated the reason this item is on the agenda is because this has been brought up several times by the PRC CEO, since October 2019 and she wanted to clarify with the Council Members that this is a normal practice for every Town or City. She stated each Town or City has its own needs and has different franchise fees in place. (A Florida League of Cities list of franchise fees that can be charged at any time, by any City or Town)

-TC Cooper stated the Town has three franchise fees currently in place that get paid to the Town monthly:

- Florida Power & Light (FPL) – In place since August 2011 (A 30-year contract)
10% Affects all residents / PRC
- Propane Gas – In place since December 2013
10% Affects all residents / PRC
- Solid Waste /Medical – In place since March 2016
10% Affects residents / PRC

-TC Cooper explained that all of these fees are based on usage. For example, if there is more propane being used one month, then that fee will be higher, if the usage is lower, then the fee is lower. The Town does not determine what the contractors charge the residents or PRC, the Town only receives 10% of that month's usage. The Town does not bill the residents, nor PRC for any of these franchise fees. The money gets sent to the Town directly from the contractor's with the required documentation.

-TC Cooper stated that medical waste only applies to PRC and is included in the solid waste franchise fee, which averages \$68.00 per month.

-CM Taylor asks who establishes the franchise fees?

-TM Cooper stated the Town does. For example, FPL has been in this town since 1927.

-TC Cooper stated the question keeps coming up on when these fees are going up. She confirmed that those fees are not changed and will always be 10%, it is based on usage only.

-CM Andrews stated that if the medical waste was separate, that would be unfair.

-TM Cooper confirmed that is not a separate franchise fee, it is included with the solid waste franchise fee contracts.

-CM Taylor asked if the franchise fee is on the individual's bill from FPL?

-TC Cooper stated no, there is no line item on the individual bill for that. The entire Town of Penney Farms is serviced by FPL and every month the Town will receive 10% of the money that was charged to the customers and collected by FPL.

-Audience member, Richard Dodds stated this explanation is very helpful.

- Key to the City – John Bowles

-TC Cooper stated that giving the "Key to the City" to John Bowles has been brought up at the last couple of Town Council meetings. She stated she needed to show the Town Council Members the samples of plaques for this acknowledgement and get approval to move forward with this item. She also asked to set a date to present it to Mr. Bowles, once the item is in hand. She will try to schedule this presentation for April or May.

-CM DeVille stated that Mr. Bowles is very deserving of this gesture, because he always represents the Town well at all town events.

-CM Taylor suggested that when the Town Hall renovations get finished at the Town Hall, there should be some grand re-opening and that would be a good time to have Mr. Bowles there and present the "Key to the City" to him.

-TC Cooper stated that the renovations to the Town Hall won't be completed for at least a year or two.

-CM DeVille suggested that we honor Mr. Bowles as soon as possible.

- Town Website - Update and costs

-TC Cooper reminded the Town Council members the Town's website has been disabled since April 2019 because it was not ADA compliant and cities were getting sued for non-compliance. She explained how the whole problem started with an attorney in South Florida who had a blind man and a deaf man log onto city websites and began suing the cities for not being ADA compliant, which results in an automatic \$50,000.00 to start. She reported that several of our nearby cities were sued for this reason: Palatka; St. Augustine Beach. She stated that our neighboring Clay County municipalities immediately shut their websites down and upgraded to become ADA compliant.

-CM DeVille confirmed the lawsuits to be true.

-TC Cooper stated she has three separate quotes for updating our Town's website:

- Gov Office Web Solutions is the Town's current original website service and costs the Town \$450.00 annually, but has not been helpful in getting the Town ADA compliant, since April. There is no current contract.

-CM Andrews stated that a termination letter needs to be sent out to avoid any further related costs with this company.

-TC Cooper stated she wanted confirmation from the Council Members to move forward with a new service, before she did anything, but will send the company a termination letter and not renew their service.

- Revise Government Websites is another website company, but is very expensive. Rob Schumel was the representative for this company out of New York.

-TC Cooper stated that this is more of a software company and the Town would have to convert its own documents to become ADA compliant, which requires more software costs. The cost for this website service was \$3,500.00 for the initial set-up fee and then \$1,500.00 annually. She explained that this company will charge separately for every additional item needed, such as pictures and website updates.

-TC Cooper stated that this representative did an online presentation with her and the process is complicated. She also stated this company was very pushy and I haven't been able to get a good recommendation from any other city clerk, at this time.

- The Net Group Online, Inc. is a local company with representative Nathan Thornton. He predominantly handles small towns and their website needs and can guarantee ADA compliance. I have twelve (12) letters of recommendations from other City Clerks, County Clerks, and Commissioners for Mr. Thornton and his service team. This would also include 24 hour technical support.

-TC Cooper stated the cost for the new service would be \$2,500.00 for the initial set-up, then \$970.00 annually. She acknowledged this doubles the cost of what we are paying now, but it does guarantee the ADA requirements. She stated that separate servers will be used to ensure no loss of information and provides extra back-up service if needed. She further stated this would be for a five year contract locked in at this cost.

-TC Cooper stated that Mr. Thornton has visited the Town Hall and showed her examples of his websites and noticed the small Town staff, he assured her he could save her so much time and still accommodate the Town's website needs. All we had to do was send him the documents we need uploaded and he or his staff will have the information available online within 24 hours, as well as be ADA compliant.

-TC Cooper stated that the funding for the website costs would come out of the building permit revenues, because we are required to put our building permits online and this was a legitimate cost.

-TC Cooper stated that her personal choice would be the Net Group Online, Inc. website service due to the personal service and ADA guarantees and updates.

-TC Cooper stated the website is an important tool in getting information out to our residents and the public as required.

-TM Cooper reiterated the need and wanted to get a general consensus to move forward.

***The general consensus from all Council Members was to move forward with the updating the new Town Website and get it on the next Town Council agenda.**

-TC Cooper mentioned that she did also contact one of the Town's residents, Reggie Brooks about the website, because he had done such a good job with his church's website and videos, but he could not accommodate the ADA concerns.

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

-CM Taylor stated that she continually gets asked about email for notifications of Town information and asked why email announcements are not being considered.

-TC Cooper explained that when people sign in at the Town Council meetings, they are giving the Town permission to email them information. She further explained that she respects the privacy of people's emails. She has gone to the PRC administration and the PRC Resident's Association and asked for permission for a bulletin board to be put in the HUB for Town specific information and was turned down by both entities for privacy concerns.

-CM Andrews stated that once the website is up and running, that should eliminate the problem of emails.

-TM Cooper agreed and stated the website will be the best place for Town information for everyone.

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-Audience member, Lynn Wightman commented that at the last Town Council meeting there were several people that were complaining about the Ad Valorem rate. He reviewed their comments and stated that the Town of Penney Farms has its own needs and doesn't have the tax base that the other municipalities have.

-Mayor Sabin stated that a one page fact sheet is being considered to help explain why the Town implemented the Ad Valorem tax issue.

-Audience member, Lynn Wightman commented that he appreciated the recognition of the town resident's submissions.

-CM Taylor stated that all resident comments need to be recorded and responded to and acknowledged in these minutes.

-Mayor Sabin commented that the residents who spoke at the last Town Council meeting showed respect to the Town Council and he appreciated that aspect of their concerns.

There being no further comments or questions, Mayor, Paul Sabin adjourned the meeting at 12:05pm.

Presiding Mayor, Paul Sabin