# ***MINUTES GREENVILLE TOWN COUNCIL Regular Session, Thursday, March 19, 2020, 6:00 PM CITY HALL, 154 SW OLD MISSION AVENUE, GREENVILLE, FL 32331***

ALSO PRESENT: Edward Dean, Town Manager

John Reid, Town Attorney

Wayne Malone, Public Works Director

1. **Swearing in Newly Elected Council Members:** Swearing in convened at 6:12 PM for the swearing in of officers. The town attorney administered the owes required by the town charter and state law to Bobby Burnett, Kathleen Hamilton, and Brandi Tillman.
2. **Election of Mayor:** Motion to nominate Brittni Brown as Mayor, made by Calvin Malone, seconded by Bobby Burnett. No discussion. Vote 5-0.
3. **Election of Vice Mayor.** Motion to nominate Calvin Malone for Vice Mayor, made by Bobby Burnett, seconded by Brandi Tillman. No discussion. Vote 5-0.
4. **Call to Order:** Mayor Brown called the meeting to order at 6:17 PM.
5. **Roll Call by the Clerk:** Town Attorney Reid, acting as the Town Clerk’s designee, conducted the rollcall.
6. **Invocation and Pledge of Allegiance:** The Council engaged in a moment of silence, followed by the Pledge of Allegiance.
7. **Reading and approval of the agenda.** Councilmember Burnett moved to approve the agenda, seconded Councilmember Tillman. Mayor Brown objected, stating she had changes. Councilmember Burnett rescinded his motion.

Mayor Brown propose the following changes to the agenda:

* Fire Chief discussion on COVID-19 to be moved from #16 to #12. Zoning and Planning Board item is renumbered to #13 as well as all subsequent sections.
* Possible approval of variance for Ms. Denise Williams, previously #17, moved to follow the zoning and planning board item and renumbered as #14. All subsequent items to be renumbered accordingly.
* Consideration on HR firm moved to the end of new business.

Amendments to Agenda adopted by unanimous consent.

MOTION: Mr. Burnett moved to approve the agenda as amended, seconded by Mrs. Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Approval of Minutes:**

MOTION: Mr. Malone moved to approve the minutes of **February 10, 2020**, seconded by Mr. Burnett. No discussion.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Consideration of Council Member Absences:** None.
2. **Citizens Comments:** There was no citizen comment.
3. **Consent Agenda:** None.
4. **Coronavirus (COVID-19) Emergency Plan:**

* Fire Chief Allen Clayton distributed handouts including recommendations from the Center for Disease Control and the Florida Department of Health.
* Chief Clayton stressed the following recommendations: conduct screenings, keep meetings below 10 persons, social distancing, etc.
* Chief Clayton stressed general prevention, such as staying home when sick, no physical contact, adequate sleep and diet, washing hands for no less than 20 seconds, drying hands with a clean towel, avoiding touching hand to mouth, face, or eyes, etc.
* Chief Clayton said that if one observes symptoms that do not constitute an emergency, first call your doctor, not 911. If person does not have a doctor, call the county health department.
* Councilmember Burnett asked if there was any testing in Madison County.
  + Chief Clayton directed the Board to Laura at the Health Department, Tests are sent to LabCorp. If a person is suffering from severe respiratory distress, call 911.
* Councilmember Burnett asked if there were any plans for food for residence..
  + Chief Clayton said he did not know of any plans yet; however, people had dropped off food at the fire department.
* Mayor Brown stated she had observed kids not in school going to the park to play with friends. Asked what could be done.
  + Chief Clayton stress that people need to isolate, but they could go to the park if they follow proper CDC guidelines.
* Mayor Brown requested more supplies at park bathrooms.
  + Wayne Malone said that supplies typically won’t last a single day, but he would do his best to accommodate the request.
  + Chief Clayton recommended that public works regularly spray with disinfectant.
  + Vice Mayor Malone asked if there is a ratio of bleach and water for a proper disinfectant.
  + Mayor Brown recommended 3 ounces of bleach to 1 gallon of water. Chief Clayton agreed saying the ratio should be 7%.
* Councilmember Burnett asked what other cities are doing to hold meetings within the sunshine.
  + Chief Clayton acknowledged that seniors are high risk individuals, particularly age is 65-80 years old. He said he knew of some local governments using Facebook live where someone monitors questions. He also said many public boards are simply canceling meetings.
  + County Commissioner Ronnie Moore discussed the county emergency meeting. He recommended the Town Manager obtain the emergency plan established by the County Commission.
  + Commissioner Moore stated that the county government had closed ball parks and stressed social distancing. He did not know how long these restrictions would last.
* Councilmember Burnett asked if the board should consider closing the parks.
  + Chief Clayton said he would advise doing so.
* Councilmember Burnett asked what this city could do to declare a state of emergency.
  + Town Attorney Reid identified state law that authorized county governments to establish emergency management plans. The law also permits municipalities to do the same; however, if a municipality has failed to establish an emergency plan by ordinates, that municipality falls under the plan of the county. Greenville has not established an emergency plan; therefore, the Town falls under the county.
* Vice Mayor Malone asked what would be involved in closing the parks.
* Councilmember Burnett recommended just closing the parks, even if the closure cannot be enforced. It is most important to send a message to the public.
* Mayor Brown recommended closing the parks and talking to parents in the city. She also recommended limiting pedestrian traffic in City Hall and recommended that staff screen anyone visiting City Hall with the questions drafted by the Town Attorney for the current meeting. She also recommending encouraging utility customers to use the drop box outside or paying online.
* Mayor Brown asked public works director Wayne Malone how staff was being protected against coronavirus.
  + Director Malone said that they are cleaning bathrooms three times a week but would increase that frequency. He also said they would spray items at the parks with bleach with regularity.
* Mayor Brown asked Director Malone about protecting his employees.
  + Director Malone said there is not a lot of contact between the employees and they are largely separated when riding on trucks. Those handling garbage wear gloves and a suit, but they do not wear masks.
* Vice Mayor Malone asked if we could order masks.
  + Chief Clayton said that it was difficult as facemasks are currently on backorder.
  + Mayor Brown stressed that wearing masks does not prevent one from exposure to the virus, but more prevents a carrier from spreading it to others.
* Mayor Brown proposed a policy to not cut off water during this time and to waive any late fees. She stressed that we would not be waiving the actual bills and that resident would ultimately be responsible for all of the utility usage.
  + Councilmember Burnett asked how many people are cut off per month.
  + Director Malone said it is approximately 15-20 people, and it is usually the same people.
  + Mayor Brown stress that residents need to be informed to keep paying their bills during this time. Mayor Brown asked what time period the board wishes to implement this policy change.
  + Councilmember Burnett proposed that the policy be enacted for one month.
  + Mayor Brown ask about billing and cut off schedules.
  + Director Malone said that bills are due on the 15th, Utilities are typically cut off on the 21st, and readings are conducted on the 23rd or 24th of each month.

MOTION: Vice Mayor Malone moved to close town parks until future notice, seconded by Councilmember Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

MOTION: Councilmember Hamilton moved to not disconnect any utilities and to waive late fees for period of 30 days, seconded by Councilmember Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

MOTION: Councilmember Burnett moved to place the Town of Greenville under Madison County’s State of Emergency and Emergency Management plan, seconded by Councilmember Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Consider Appointing Zoning and Planning Board – Renee Demps, County Planner**

* Planner Demps handed out literature related to the Town’s land development code. She reminded the board that it has an interlocal agreement with the county to administer its local development code.
* Planner Demps recommended the Council create a local planning agency comprised of individuals appointed by the Council. She recommended they be individuals familiar with real estate, land-use, and land development regulations. Planner Demps recommended appointing a separate board instead of the council serving that role.
* Planner Dempsey stressed that changes by to the land development code must be done through two publicly noticed meetings.
* Mayor Brown asked if the council was the current local planning agency.
  + Attorney Reid opined that he believed under our current ordinance and land development code, the Council as a whole served as the local planning agency. He told Planner Demps that he would provide her with a copy of the applicable ordinance.
* Vice Mayor Malone asked who implements the current code.
  + Mayor Brown opined that the county implemented the code, while the full Council took action, such as variances.
* Attorney Reed asked Planner Demps if this separate board would be quasi-judicial and take action pertaining to homeowners, and if so, how would those actions be subject to judicial review?
  + Planner Demps said that the purpose of the independent committee would just to make recommendations regarding zoning and planning, and that the new board would not take any action.
* Mayor Brown recommended that we keep the existing system and thanked Planner Demps for her comments.

1. **Discussion of Possible Approval of Variance for Ms. Denise Williams – Brittni Brown, Town Mayor**

* Planner Demps informed the board that Ms. Williams approached her about placing a mobile home on a lot within the Town of Greenville that was less than half an acre.
* Greenville‘s current land development code requires at least half an acre for a mobile home; therefore, the property was not large enough.
* Ms. Demps said the Council could approve a variance to allow the mobile home. She thought there also could be issues dealing with setbacks.
* Director Malone stated that he was familiar with the issues dealing with the setbacks but thought they could be resolved.
* Planner Demps reminded the Council that a public meeting would need to be advertised 10- or 15-days prior to the hearing and that residents within 500 feet of the property would have to be notified.
* Vice Mayor Malone asked where the property was located.
  + Mayor Brown informed him it is on Church Street.
* Manager Dean stated that Clerk Reams had raised legal questions about this particular property.
  + Manager Dean stated he felt that the Town could be open to a discrimination claim if we granted the variation for one person and not for others.
  + Attorney Reid opined that there does not appear to be an incident of discrimination when discussing a single variance. Attorney Reid stated an issue of discrimination tends to arise when numerous variances are granted or denied and one particular group that is a protected class tends to be granted while others are denied. Attorney Reid felt that this was not the case here.
* Planner Demps informed the board that the mobile home would be on a property located in a residential single-family medium density zoned area.
* Mayor Brown reminded the board that the land development code needs to be revised.
* Mayor Brown asked the board how they wish to proceed.

MOTION: Councilmember Tillman moved to hold a variance hearing for Ms. Williams and to waive any filing fee, seconded by Vice Mayor Malone.

* Vice Mayor Malone asked how he could get more specifics on the property.
  + Attorney Reid offered to do an independent analysis for the board on this particular property. The board declined, advising the Town Attorney that they would conduct their own research.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

* Planner Demps reminded the Council that certain fees and advertising costs cannot be waived and would be required to be paid by Ms. Williams.

1. **Resolution 2020-03: Authorize Submittal of a Rural Business Development Grant (RBDG) – Ed Dean, Town Manager**

* Attorney Reid introduced and explained Resolution 2020-03.
* Mayor Brown asked if this subject matter was a new grant.
  + Manager Dean informed the Council that this was a grant he tried last year but had to wait for additional funds from other grants to be awarded in order to provide the match.
  + Mayor Brown reminded the Town Manager that she was assured that there would be no additional matches for this grant. She remembered two (2) additional votes involving matches to be provided by the Town.
  + Manager Dean explained that the prior votes she recalled were related to the Senior-Youth Center and that this grant applied to the refrigeration of the grocery store.
* Councilmember Burnett asked when the grant would be approved.
  + Manager Dean said he hoped to learn from the Florida Department of Economic Opportunity within six weeks, but that all timing was tentative due to the coronavirus outbreak.
* Mayor Brown asked when the application for this particular grant was due.
  + Manager Dean informed her it was due by the end of the month.
* Mayor Brown asked when we would know if we received the award.
  + Manager Dean said he does not know because of the coronavirus outbreak.

MOTION: Councilmember Burnett moved to approve Resolution 2020-03. authorize Submittal of a Rural Business Development Grant (RBDG), seconded by Councilmember Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Resolution 2020-04 related to Acquisition of Right-of-Way – John Reid, Town Attorney.**

* Attorney Reid introduced Resolution 2020-04 providing for the Town to request the county property appraiser update maps to show three particular rights-of-way as the property of the Town.
* Attorney Reed stated that the Town had maintained and exclusively possessed these three (3) rights-of-way for an excess of seven years.
* Vice Mayor Malone asked why we were asking the county property appraiser to make this change.
  + Attorney Reid said that this was a request made by the engineers as they completed the septic sewer project. The rights-of-way are necessary in order to maintain the roadways and the utilities under the roadways.
* Councilmember Burnett asked if there would be any opposition to these actions.
  + Director Malone stated that no one would object to these changes, because the residents want the road paved and this would assist in that effort.

MOTION: Councilmember Tillman moved to approve 2020-04 related to Acquisition of Right-of-Way, seconded by Councilmember Hamilton.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Resolution 2020-05, related to Wastewater Application Fee Waiver – John Reid, Town Attorney**

* Attorney Reid introduced Resolution 2020-04, explaining that the Town would be required to pay application fees for permits to the Florida Department of Environmental Protection in relation to its septic the sewer project. Attorney Reid informed the board that due to the financial status of the Town, it would be eligible for a reduction or waiver of these fees.
* Councilmember Burnett asked how much the fee costs.
  + Attorney Reed stated he believed the cost was $100 per permit but did not know how many permits would need to be obtained.
  + Director Malone opined said he believed a new permit per property would be necessary.
  + Attorney Reid reminded the Council that this resolution simply allowed the Town to apply for permits and not be required to pay the State of Florida fees.

MOTION: Vice Mayor Malone moved to approve Resolution 2020-05, related to Wastewater Application Fee Waiver, seconded by Councilmember Burnett.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **DISCUSSION: Human resources policies - contractor versus committee – John Reid, Town Attorney**

* Attorney Reid reviewed the three proposals received by the town from human resources firms willing to create new personnel policies, employee handbooks, evaluation forms, and other similar documents. Attorney Reed identified the three proposals:
* David Knight, who offered a flat fee of $3,495.
* James Moore, who is the Town’s current auditor, required either an annual fee of $5,076 billed monthly, or a pay as you go at an hourly rate of $235 per hour.
* Newlin & Associates. The firm estimated the project will take anywhere from 18 to 44 hours to complete and would bill hourly at a rate from $150-225 per hour.
* Bobby Burnett asked where this money would come from in the budget.
  + Mayor Brown recommended that since the policies affect all areas of government that we could split up funds from different accounts.
  + Manager Dean stated that he would also like to pay from separate funds proportionally.

MOTION: Councilmember Tillman moved to accept the offer by consultant David Knight, seconded by Councilmember Burnett.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Comments by Town Council, Town Attorney, Town Manager, Town Clerk, and Grant Consultant(s).**

* Mayor Brown informed the Council that it typically receives trial balance sheets, but she wanted a budget that showed the budget amount, the amount spent to date, and the current balance for each line item.
  + Manager Dean said this was a fair request but reminded the board that the staff is limited. Mr. Dean expressed concern that more time spent on administrative duties would take away from other important duties such as obtaining grants for important project. Mr. Dean said he is currently working on 15 projects.
  + Councilmember Tillman asked what those 15 projects were and requested a list of those projects.
  + Manager Dean clarified that there are numerous projects with a total of 15 grants, which he calls projects because they involve different teams and agencies. Manager Dean concluded that these 15 separate grants likely apply to five separate independent projects or facilities.
* Councilmember Burnett, returning to the issue of the budgets, said that he felt a software should be able to automate the procedure.
* Mayor Brown asked the Town Manager if the budgets as described could be submitted quarterly as opposed to monthly considering the amount of Town staff.
  + Councilmember Hamilton said she would like to see the above referenced budget once per quarter.
  + Councilmember Tillman agreed that she would like to see the above referenced budgets once per quarter but for it to be detailed. Councilmember Tillman also said she wanted to see something every month.
* Mayor Brown reminded the Council that the budgets are the responsibility of the Town Manager, not the Town Clerk.
* Manager Dean again warned that excessive administrative work placed on staff would take away from other issues.
* Manager Dean raise concerns that these additional duties could negatively affect the time-consuming grant application processes.

MOTION: Vice Mayor Calvin Malone moved to require a quarterly budget that shows amounts budgeted, amount spent, and balance remaining, to be presented each quarter with the first budget to be made available to all members on April 3, seconded by Councilmember Tillman.

Yay Nay

Mayor Brown X

Vice Mayor Malone X

Mr. Burnett X

Ms. Hamilton X

Mrs. Tillman X

Motion passed unanimously.

1. **Future agenda item requests.**

* Vice Mayor Malone asked that the Council address the Town Manager’s hours and when he is in the office.
  + Mayor Brown questioned if the Town manager was a full-time or part-time employee and asked that the Council review his contract and better clarify his duties and responsibilities.
* Mayor Brown asked that the town manager remind Mr. Read of Twin Oaks that he has to return for the April meeting to provide an update on the loan.

1. **Informational items.**

* Mayor Brown asked Attorney Reid to provide a brief summary of the State’s Sunshine, Public Records, and Ethics Laws.
  + Attorney Reid provided a very brief review of the requested issues.
  + Mayor Brown reminded members that they each have an assigned Town email address and ask that they use those addresses for Town business.
* Mayor Brown also informed the Council that she spoke with the webmaster about the Town’s website. She asked members to think as to whether they would like their photos to appear on the website.
* Councilmember Burnett stated that the Council must find a way to make the meetings finish in a timely fashion.
* Mayor Brown recommended that the meeting packets be provided to the Council no less than seven (7) days prior to the meeting as set forth in the Council’s current procedures.

1. **Adjournment.**

Meeting was adjourned at 8:29 PM.

Respectfully submitted,

Kimberly M. Reams, Town Clerk