

Proceedings of a regular meeting of the City Commission of the City of Palatka held on the 28th day of January, 1999.

PRESENT: Mayor Tim Smith
Commissioner Mary Lawson Brown
Commissioner George Sanders
Commissioner Hernan Azula
ABSENT: Commissioner Ish Edwards

Also Present: City Manager Allen R. Bush, City Attorney Edward E. Hedstrom, City Clerk Betsy Jordan Driggers, City Finance Director Ruby M. Williams, Police Chief Bill Dolinski, Fire Chief Rudy Howard, Acting Water, Sewer & Streets Supervisor Sam Willis, and Main Street Manager Debbie Banks.

INVOCATION - The Reverend Robert Bronkema, Pastor; First Presbyterian Church

PLEDGE OF ALLEGIANCE - Elizabeth Mace

APPROVAL OF MINUTES 1/14/99 - Commissioner Azula made a motion to approve the minutes as submitted. Commissioner Brown seconded the motion, which passed unopposed.

PUBLIC RECOGNITION: Mayor Smith asked Commissioner Azula to join him in recognizing Stanley and Susan Hodge for Stanley's almost 10 years of dedicated service to the community as a member of the Palatka Housing Authority Board. He did an outstanding job for the community with the help and support of his wife, Susan.

STUDENT RECOGNITION - January, 1999 - Mayor Smith asked Commissioner Azula to assist him in recognizing the following students for their academic excellence, leadership, citizenship and attendance:

T. J. Adams	Mellon Elementary School
Mitchell Mills	Moseley Elementary School
Sam Crowley	E. H. Miller School
James Dasher	Beasley Middle School
Brandy Stuckey	Jenkins Middle School
Kelly Chaires	Palatka High School
Morgan Mace	Palatka High School (December recipient)
Brieann Rutten	Kelley Smith Elementary School
Sara Jacopez	James A. Long Elementary School
Chris Flanders	Browning-Pearce Elementary School
Suzanne Haddock	Peniel Baptist Academy & High School
Eric Miller	Putnam Academy School

REQUEST FOR CHARITABLE DONATION - Miss Justine Abel said she is 12 years old, attends C. H. Price Middle School, and is the reigning (1998) Junior Miss Azalea and

Junior Miss Interlachen. She is working with the Feed the Children organization and wants to bring at least one truck load of food to Putnam County to help aid families and children in need. She gave a presentation on the Feed the Children organization and passed out literature. Her goal is to raise \$5,400 which will buy one truckload of food. She desires the Commission's support and a monetary contribution. A television crew will be filming her progress. Commissioner Brown said she could give her some information on the Rural Development Council's food give-away program. She has put Palatka on the donation list, and any non-profit organization can get truckloads of food to help feed the poor. Mayor Smith asked the Commission to pass a motion in support of Miss Abel's efforts. Commissioner Sanders made a motion in support of Justine Abel's efforts on behalf of Feed the Children. Commissioner Azula seconded the motion, which passed unopposed. Mayor Smith asked Mr. Bush if he could review the budget to determine if there are funds available for monetary assistance. They will put her organization on the list for funding and will consider it in the next budget year, also. He asked her to come to a Palatka Sunrise Rotary meeting to give a presentation, as they are looking for worthwhile local efforts to sponsor. Mr. Bush asked if this is a one-time thing or is she trying to establish a regular program. Miss Able said at this point it is a one-time thing, but if she gets a chance she would like to make it an established program. Commissioner Brown said she would contribute \$25.00 and challenged the rest of the Commission to meet her contribution. Miss Abel's local phone # is 684-6207. Mayor Smith commended her for her courage in making her presentation.

AZALEA FESTIVAL FENCING - Wayne Troiano, Chairman; Florida Azalea Festival, said Festival organizers would like approval to fence in part of the festival, specifically from the Bridge, across Memorial Drive to 2nd Street, South across Laurel and the City Dock lot, West to the river, encompassing the City Dock parking lot and Riverfront Park. The purpose is to improve security and cut back on liability concerning alcoholic beverages, and to enable the Festival to charge admission. They have received three bids on doing the fencing work; if this should go through, Lowman's Fence Company will do the work. They will not damage the surface of Laurel Street, as it is brick. The other streets will have pavement inserts to hold the fencing. EMS and the PD will have keys. The Arts and Crafts will be outside the gate. Games, rides, boat races, entertainment, attractions and other entertainment will be inside the gate. He has met with the Housing Authority about letting high rise residents in and out. They will be hiring off-duty police officers who will provide night-time access. Commissioner Brown said they may lose revenue from people who can't afford to pay admission and ride rides. Mr. Troiano said they need to raise additional revenue to meet expenses. The charges are not unreasonable and are fair compared to other festivals, many of which charge admission. Adults will cost \$5.00 each, \$3.00 for students and seniors, and 14 & under is free. Commissioner Azula said, as a past Jaycee, he has a problem with this; it has always been free, and that's what brings the people in. This is a public waterfront area and they want to encourage people to come. If they charge admission it becomes more privatized. He realizes there are no more Jaycees to do the festival, but the point is accessibility for the public. Mr. Troiano said The Fall Festival once fenced the riverfront and charged admission. This is no different from the Fair or a football game. It is a good way to

provide security as well as revenue. They have partnered with Children's Miracle Network who will receive 20% of the gate in exchange for 100 volunteers.

Fire Chief Rudy Howard asked Mr. Troiano to consider access for emergency vehicles. Police Chief Bill Dolinski said they have already met with Mr. Troiano and worked out details. Mr. Bush asked if they will be drilling holes in the roadway; Mr. Troiano said they will be drilling and installing inserts; there are already some inserts in place from past fencing. The gates are standard 8' x 8' gates, which will give 16' total width for access. Mayor Smith said he feels this goes against what they have always done with the Azalea Festival, but understands the revenue concerns. The Ravines used to be free, but aren't anymore. He goes to other events in other communities that also charge. He is willing to try it for one year to see how it works. He does not like it, but he understands the need for it. He is concerned about impact to roads and flowerbeds, and expects those to be left as they are found. Both Chiefs should also sign off on the design. Mr. Bush said he also needs a schematic for the Utility Dept. Commissioner Brown said he is concerned about high-rise residents and their families that may want to visit. Mr. Troiano said he needs an answer as the Festival is six weeks away. Commissioner Azula said they might consider fencing only the waterfront and Memorial Drive and leaving 2nd Street unblocked. Mr. Troiano said they have problems with vehicles trying to drive through the Festival by moving barricades. The only place they may have to install inserts is across 2nd street.

Allegra Kitchens, 1027 S. 12th Street, said she is against the fencing and won't pay to get into the Festival. She is a member of the Police Partnership and for the past two years there have been no unfavorable security reports on the Azalea Festival. Mayor Smith asked Mr. Troiano to bring a fencing diagram to City Hall for distribution to the Commission for their consideration. If need be they can call a special meeting to address the issue.

REQUEST FOR STREET PAVING - Paul Smith, 732 S. 18th Street, said he recently acquired some property from an estate and found an easement giving the City right-of-way some 40 years ago in exchange for street paving. He would like the City to now pave the street. Mr. Bush referred the Commission to the 1958 easement and read the language conveying the right of way to the City, in exchange for the paving and maintenance of a street through the property. Several years ago the City went in and put curbs and a brick street in where there were houses leading up to this property. This easement would carry that street another 120'. The City has a prison crew laying brick streets, which is very time-consuming, and if the street needs to be laid, they would want to continue with brick. Mr. Hedstrom said the language in the easement does not dictate that the City must lay the street. If there are minutes whereby the City accepted the easement and agreed and obligated themselves to do it, or a signed agreement, then that would be proof of the City's obligation. This document, on face value, does not obligate the City to pave the street, but only gives the City the right to do so. This requires further investigation. Mr. Bush said there are utilities and a manhole on the property. Mr. Smith asked if he could fence the easement off and make it part of his property, as he owns on both sides of the easement. Mr. Hedstrom said the easement doesn't become public

property until the governing body formally accepts the easement or deed. If the minutes show it was formally accepted, then the question is what they obligated themselves to do other than accept it; if the City desires, it can vacate the easement, and then the land would revert back to the property owners. Mr. Bush said it seems the City accepted the easement because it ran lines across it. Mr. Hedstrom said the City has vacated roads and easements while reserving the right to maintain underground utilities. Mr. Smith said he can be contacted at 328-3889 or 329-0550.

REPORTS:

a) Police Department RFP on three sport utility vehicles - Chief Dolinski said they had received bids from two local dealers and Brannen Motors in Georgia. The low bid came from Beck Chrysler on Jeep Cherokees. He would like to reject that bid as they are trying to stay with Fords Explorers, as they better fit the PD's purposes. The Cherokee has a center console which presents a problem in trying to install accessible equipment. The next lowest bid came from Palatka Ford, which they would like to accept. The bid includes installation of equipment. Commissioner Brown made a motion to accept the Police Department's recommendation to purchase three sport utility vehicles from Palatka Ford, based on their bid. Commissioner Azula seconded the motion, which passed unopposed.

b) Dilapidated Houses - Commissioner Sanders passed out copies of data on several dilapidated houses which present an eyesore and health hazard. Most of these have several liens against them for violations. Delinquent taxes are owed. There have been no title searches done on any of the houses yet. All the houses have been to the Codes Board. Mr. Bush said they have been using Program Income for these demolitions. Mr. Hedstrom said there are two ready to be torn down, but bids came back at \$3,500 for the work; they were rejected since there wasn't enough money to do it. Those two houses are worse than these. The City Commission needs to authorize the filing of a nuisance act on these, which will enable the City to get an order of demolition. The houses are all abandoned. He recommends the Code Enforcement Board should coax the owners along and get them to comply; if that fails, they go the public nuisance route, in which case they do a title search first so they can give proper service upon all parties, and then go to court. It is too late to go back and do the title search after you've created a lien, as some of the proper people may not have gotten notice. The Codes Board tries to follow the title search route, but it takes months to get the work done since title companies don't give this type of work top priority. Commissioner Sanders said they can charge expenses back to the owners of the property. Mr. Hedstrom said a final order would direct the owners to demolish and clean up the property within 5 or 10 days, and further says if they don't do this, the plaintiff can demolish it and clean it up, and then go back to the courts with an affidavit of cost. The judge would enter a supplemental judgement placing a lien for those costs. That puts the City in the same line of priority as taxes; the property can be sold to satisfy the lien, providing there is money left after paying the tax liens. Mayor Smith asked if there is a fine schedule in the minimum maintenance standards. The owner should be held accountable. Debbie Banks said citations are not enforced by Judge Miller. Mayor Smith asked if they could ask Judge Miller to appear at the next

meeting to discuss why citations are not being enforced and to hear the City's predicament. These owners should be forced to either demolish the buildings and clean up the property, or deed the property to the City. After discussion on tax liens and tax forgiveness, Mr. Hedstrom recommended the Commission order title searches at \$75.00 each on all five properties. Commissioner Brown said one of these houses was the "gingerbread house" and is historic. Debbie Banks said citations have been written on the house, but have not been paid. People have made offers to purchase the house and refurbish it, but the owners have turned them all down. Mayor Smith said the City should cite them again. Mr. Hedstrom said he would speak with Judge Miller himself about enforcing the citations; it should not be necessary to ask him to come to the next meeting. Commissioner Azula made a motion to approve title searches on the five properties, specifically 517 Crill Ave, 1100 Burns, 1122 S. 15th, 2500 W. Main, and 322 N. 6th. Commissioner Sanders seconded the motion, which passed unopposed.

Commissioner Sanders said he and Mr. Hedstrom have been working on the Blue Room property for some time. The building is ready to cave in. It can be deeded to the City, but there are liens on it. Of three demolition bids; the lowest bid is \$16,000; if the County would waive the landfill fees, the bid would run \$12,000 for both buildings. Commissioner Brown said the owner would consider deeding it to the City; if the City accepted the deed, could they work on getting the federal liens lifted? Mr. Bush said the liens are in the \$300,000 range. Mr. Hedstrom said they will all be gone in the year 2005. He suggested if the City spends the money on the demolition, they should take title to it. Eventually, it would belong to the City. A discussion ensued on forcing the lienholders to accept deed to and responsibility for the property. The IRS may release their liens if the City agrees to take the deed and clean up the property. Commissioner Brown said there is a program (called "Renaissance" before Gov. Bush took office) which helps to renovate areas; they may be able to get those funds to clean up the property so housing or businesses can come in. Commissioner Azula asked if they could contact Congresswoman Brown to help with the IRS liens. Commissioner Sanders said that was a good idea, but they should try to remedy the situation themselves first. Mr. Hedstrom said at best they would probably never get all the \$12,000 in demolition costs back. Mayor Smith said 11th Street may never be a commercial district again, but it could have some nice housing which would encourage other residents to clean up their property, and the City should do their part to take down those old buildings even if the street is no longer commercial. Commissioner Brown said at one time or another there were 27 businesses along that street. There is a lot of history in that corner and she would like to see the City commemorate that somehow. The Commission directed Mr. Hedstrom to contact Mr. Simmons to determine if he would work with the City in trying to remedy the problems, and contact the IRS to get some type of commitment from them that if the City took the property the IRS would not try to take it.

c) Pension Board Election - Mr. Bush said the Police Department held a Pension Board representative election in December, 1998. Gary Kirby was elected to take over James Griffith's seat on the Pension Board; his first meeting will be on Monday, 2/1/99.

PUBLIC HEARING - 236 HWY 17 NORTH - Request to Annex, Rezone to M-1 from County IH, and amend the Future Land Use Map to Industrial from County Urban Service - Ken Nicholson, Owner. Mayor Smith opened the public hearing.

ORDINANCE - The Clerk read Ordinance 99-01 entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA, PUTNAM COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown made a motion to place Ordinance 99-01 on its first reading for adoption. Commissioner Azula seconded the motion. The results of a roll-call vote are as follows: Commissioners Azula, Brown, Sanders and Mayor Smith, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE - The Clerk read an Ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown made a motion to place the Ordinance on first reading for adoption. Commissioner Sanders seconded the motion. The results of a roll-call vote are as follows: Commissioners Azula, Brown, Sanders and Mayor Smith, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE - The Clerk read an Ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown made a motion to place the ordinance on second reading for adoption. Commissioner Azula seconded the motion. The results of a roll-call vote are as follows: Commissioners Azula, Brown, Sanders and Mayor Smith, Yes; Nays, none. The ordinance was declared adopted.

APPOINTMENTS - Commissioner Brown made a motion to reappoint herself, Mayor Smith and Commissioner Azula to the Putnam County Redevelopment Authority for a one-year term. Commissioner Sanders seconded the motion, which passed unopposed.

APPOINTMENTS - Commissioner Azula made a motion to reappoint Doug Feltner, John Wolfenden, Dick Westbury, Dan Lipko, Warren Wilhite, Gen Alvers, Cathy Carlin and Greg Bacon to the Golf Course Advisory Board for a one-year term, to expire January 2000. Commissioner Sanders seconded the motion, which passed unopposed.

APPOINTMENTS - Commissioner Sanders made a motion to reappoint Ben Bates to the Code Enforcement Board for a three year term to expire September, 2001. Commissioner Azula seconded the motion, which passed unopposed.

Commissioner Sanders made a motion to appoint T. H. "Jake" Jacoway to the Code Enforcement Board to fill the seat resigned by Mike Tarter, whose term will expire September, 2001. Commissioner Azula seconded the motion, which passed unopposed.

Mayor Smith welcomed Butch Prevatt, Palatka Daily News reporter.

COMMISSIONER REPORTS:

Commissioner Brown requested Mr. Bush get information on "slamming, cramming and jamming" of telephone customers. Mr. Bush said he has spoken with Randy LeFevre; he is going to fax him her telephone bill so he can look at the 'cramming' charges she experienced. He has some phone numbers that should be printed in the newspaper so that citizens can call when this happens to them. "Slamming" is when your carrier is switched without your knowledge; "cramming" is when you are billed for services you didn't order. Commissioner Brown said it took her half a day to get her find out what was on her bill. She wants someone from the FCC to make the phone company feel like they need to be more receptive to people when they speak with them. Mr. Bush said they don't deny these things happen; for an explanation of your bill you can call 780-2355 for residential or 780-2800 for business. Commissioner Brown said the FCC needs to investigate this and make it stop. Mr. Bush said they will identify the charges so you can call the company that has charged you to get the charges reversed. Commissioner Brown said she tried to call the company that charged her but can't get an answer to tell them to take off the charges. Mayor Smith said they should ask Mr. LeFevre to make a presentation to the Commission on the problem.

Commissioner Brown said she sits on the Board of Family Medical and Dental; the CEO gave them a statement of operations in the community which she will leave with the Clerk to copy and distribute to the Commission. They do a good job for the community.

She brought back a Rural Development Resource Book which has information on grants and programs available. She will leave it with Debbie Banks if anyone wants to peruse it.

Commissioner Sanders said today he made a tour of the cemeteries and they look very good. There are some trees that need replacing in the new cemetery. Some of the trees need to be fertilized, straightened up and tied down. Mr. Bush said he has already instructed Larry Hartman and Jeff Norton to have many of them dug up and replanted, as they were improperly planted. Commissioner Sanders commended the citizens of Palatka for adorning the cemeteries with so many flowers.

Commissioner Sanders received a call from Mr. James Williams about getting a report on the Lefty Turner Park project. Mr. Bush said he gave a report to the Legislative delegates a few days ago; the topographical survey has been contracted out to Snyder Surveying; it should be completed within two weeks. When the survey is completed, the engineer will be able to proceed. Commissioner Brown said Senator Holzendorf wants them to put in for more money next year, so they should move on this quickly. Mr. Bush said they plan

to allow the engineers to get started on the whole project so they can go back and ask for the money as it is being spent.

Commissioner Azula said he has seen vehicles in the cemetery late at night. He called the Fire Department asking when the gates close and was told they should close at dusk. Mr. Bush said the gates should be closed around dusk, right at dark; he asked Chief Howard to check on when they are being closed. Commissioner Brown said the Police need to up their patrols on the cemeteries because sometimes people vandalize headstones and graves.

Commissioner Azula thanked Chief Dolinski for requesting proposals on the three SUV's as it saved the City money and made the local dealers happy.

Commissioner Azula said he has not heard any local governing body make any comments or address the Georgia Pacific/St. Johns River issue. The City should come out in support of Georgia Pacific because they provide a lot of economic support for the community. If they were to leave it would have a devastating effect on the City of Palatka. G-P should be asked to do the right thing, also, but the City needs to give them support and stand behind them. Mayor Smith said they can work up a resolution to be adopted at the next meeting.

Mayor Smith welcomed Chief Howard back to work after his surgery.

Mayor Smith announced on Friday, 2/5/99 there will be a Rails-to-Trails meeting at the Keystone Heights City Hall at 9:00 a.m. The Riverfront Planning Committee will meet on 2/16/99 at 4:00 pm in the Commission meeting room. They will hear recommendations to be considered for a long-term plan at this meeting. Both meetings are open to the public.

Mayor Smith said he attended the Alachua County Legislative Delegation meeting and Senator Kirkpatrick said he is introducing a bill to limit the liability of cities for skate parks.

Mayor Smith said on the subject of the mural for the wall behind the Commission seating, he noticed several chambers he has visited have wood paneling with a seal in the center. Commissioner Brown said her daughter in Atlanta has volunteered to take a photograph to Kinko's for enlargement to place on the wall; it could even be more than one photograph. She needs the measurements to give to her daughter.

There being no further business, the meeting was adjourned.

CITY CLERK

MAYOR