

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

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

ABSENT: Commissioner George Sanders

Also Present: City Manager Allen R. Bush, City Manager Edward E. Hedstrom, City Clerk Betsy Jordan Driggers, City Finance Director Ruby Williams, Planning Director Adam Mengel, Police Chief Bill Dolinski, Fire Chief Rudy Howard, and Water, Sewer & Streets Supervisor Sam Willis.

INVOCATION – The Reverend Ruth Lowe-Reeves, Pastor; To God be the Glory Holiness Church

PLEDGE OF ALLEGIANCE – John Hodge

Mayor Smith said Commissioner Sanders is unable to attend tonight's meeting as his wife is very ill and he is taking her to the hospital.

APPROVAL OF MINUTES – October 14, 1999 – Commissioner Brown made a motion to approve the minutes as submitted. Commissioner Edwards seconded the motion, which passed unopposed.

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

Lathena D. Brown	Mellon Elementary School
Brittnay Kemp	Moseley Elementary School
Brandon Starr	E. H. Miller Exceptional Education School
Aundrea Mott	Beasley Middle School
Blake Roberts	Jenkins Middle School
Debrina Nealy	Palatka High School
Josh Grawey	Kelley Smith Elementary School
Thomasina Link	James A. Long Elementary School
Shashonta Gilyard	Browning-Pearce Elementary School
Caitlin Meade	Peniel Baptist Academy & High School
Jada Walker	Putnam Academy

PUBLIC COMMENTS/RECOGNITION – Charles Wellborn presented the Commission with a plaque on behalf of the Azalea City Cruisers in recognition of the City's sponsorship of their 20th Annual Car Show. They have the 2nd oldest continuous running car show in NE Florida. They also sponsor a "Shop Palatka & Win" promotion in conjunction with the Downtown Merchants for anyone registered in the car show. If they spend money in Palatka, they can bring the receipt in and get one ticket for each dollar they spend. They have a cash drawing at the end of the show. This year they gave out more than 7,500 tickets, and will be able to donate \$3,000 to local charities.

Edison Lambana, 200 Belmont Drive, presented the Commission with a plaque in recognition of the City's help with the 2nd Annual Criterion Bicycle Race. He is grateful to the City commissioners and staff. They had 314 riders from all over the U.S. and France. Next year they will hold the races at night. He invited the Commission to attend.

PALATKA POLICE ACCREDITATION – Lt. Dave Oyster, PPD, said over the last two years the Department has gone through an accreditation process. Representatives from SFAFPCA have developed an accreditation program modeled after the national accreditation program, which requires compliance with more than 250 professional standards designed specifically for law enforcement agencies. The program was designed to establish standards for law enforcement services. With the help of others, he

has re-written the PPD'S policy and procedures manual. This was not a one-man operation and could not have been done without the commitment and dedication of the Chief of Police. He brought the department up to state standards. On October 27 they received their accreditation certificate in Daytona, which he presented to the City Commission. Mayor Smith offered his congratulations to the Police Department and accepted the certificate on behalf of the City. He asked Lt. Oyster to hang it in a place of prominence at the Police Station.

Mayor Smith said this was a monumental task, to the credit of the Chief and his staff. He presented Lt. Dave Oyster with a certificate naming him Employee of the Month, a city lapel pin and a check for \$25.00. This was done at the request of Chief Dolinski, in recognition of Lt. Oyster's leadership role in the accreditation effort.

Mayor Smith recognized former City Commissioner, the Reverend Karl Flagg.

Jeanne Hebel, Palatka Women's Club, Crime Prevention Federation, said she has worked in crime prevention for 35 years. Yesterday the Police Department received a great recognition, which reflects well on the City of Palatka. Out of 415 police departments, only 42 have received state accreditation. Not one person from the City attended that ceremony. To her this is unforgivable. She has received many phone calls on the recent newspaper coverage on the Police Department. Things don't have to be settled in the Palatka Daily News. They are anti-police department. Scandal sells papers. In the future the City should try to resolve these things within committee, not in the newspaper. People are tired of this. Palatka has one of the best police departments and Chiefs of Police they have had in years, and Mr. Bush agrees with her on this, but they are crucifying Chief Dolinski and the PD in the Palatka Daily News. This Department is vital to the community and it is a good department, probably one of the best.

Clint Snyder, Mural Committee, commended the Commission for budgeting to hire another state prison crew. They are doing a noticeably excellent job cleaning up the riverfront, 100 block, etc. A lot of old rubbish has been removed and the City is being cleaned up. He gave a report on the status of the four remaining City Hall window murals. Julia McCoy, the artist, has completed them, with the exception of a protective coating. The final mural of the Old Water Works for the east side of City Hall is being done by Sherri Lowe, and it is 2/3 complete. The large mural of the Putnam House Hotel will be started sometime before the end of the year.

Edison Lambana, 200 Belmont Drive, said he disagrees with Mrs. Hebel. The newspaper should get involved. He does not want to badger the Chief of Police, but he personally has a very negative attitude towards the PD. He has experienced harassment for eight years. He is a member of a minority and gets treated like trash. Not once have they shown him any respect. The police department's attitude stinks. The newspaper should publicize their attitude. People like him have experienced racial slurs, and he has heard of comments about himself personally made to other people. He has never been given the opportunity to express his feelings, but he is speaking tonight. They have violated his rights and come into his house while he was sleeping. He thinks they should be investigated and he can bring witnesses. Whatever problems they have, they should not take it out on the citizens. He is not a criminal, but that is how he is treated.

PALATKA FIREFIGHTERS UNION LOCAL #2992 – Ronnie Collier said there were some statements made at the last meeting concerning minorities in the Fire Department. Most of those statements were answered by Mayor Smith, Commissioner Brown and Chief Howard. The question was asked if minorities were overlooked or unwanted. He is speaking on behalf of the Local Firefighters Union #2992, which is the majority of the Fire Department. All the members are upset; they take this as an accusation. It is definitely not because they are not wanted. They all love working for the public and are definitely not here for the money, although they have to have a paycheck as this is their career. They have minorities working; one full time and two part time. Percentages of minorities in fire services is low state-wide. It is not his job to recruit. It is his job to train them once they are hired. Mayor Smith said they hope to get a mix in all the departments that resembles the make-up of the community. Diversity helps us to understand all the parts of the community and helps us work better. In the Police

Department they instituted a program that pays a cadet's way to school in exchange for their agreement to work for the City for a specified length of time. The Fire Department can recruit through their Explorer program and show minority members there is a way to become a Palatka firefighter. This is not to say you should only consider race when hiring, but sometimes you have to make a greater effort to obtain a good mix more representative of the community. Chief Howard has stated he is willing to look at all options to make a greater effort towards minority recruiting. Mr. Collier said there are minorities in the Fire Explorers. Once they get old enough to be certified, and there is an opening, they should be hired. They have openings, but then new firefighters get their training in and then leave for better money elsewhere. The problem is they probably won't stay because other communities pay better salaries. Mayor Smith said they fight that same battle in the Police Dept. and he hears that in the EMS services. When you go through the expense and effort to train them, they are valuable somewhere else and they go there. If Palatka foots the bill for the schooling and training and has them agree they will spend a certain length of time here, you have a better chance of retaining them. Commissioner Azula asked how many explorers are now going through the program.

Mark Lynady, Firefighter, said they have six or seven that are active every week. They have three minority members who are very active. They can become part-time employees when they are 18 years old. One is 16 ½ and one is 17. They are all very close. You have to be 18 to go to fire school. In answer to Commissioner Azula's question, Chief Howard said starting salary is around \$18,000. In Jacksonville they start around \$24,000. Commissioner Azula asked if Chief Howard felt they could offer to send one of the explorers to fire school in exchange for a two-year employment commitment. Chief Howard said they can train at Florida State Fire College, for a 480 hour program and on-campus housing Monday through Friday, (12 week continuous – 40 hours/week training). Course fees, tuition and books cost around \$1,000. Bunker gear is around \$800. They have an explorer who is attending First Coast Technical Center and he had requested that same program, but it was at the end of the budget year and there were no funds available for that; he apologizes to the family for that. They would welcome the opportunity to get a minority explorer trained and hired. All their recent hires have come from their volunteers and part-timers. According to the Statute, they can work them for one year, but after one year they have to be fully certified. They could work out a shift for a student while he is attending school. Commissioner Azula said they should work something out on getting some of these explorers into school and hired. He can see that they want to be firemen. Commissioner Brown said she found a young man who wanted to be a firefighter. They tried to figure out a way to take him on and get him into school. He had to wait for a new education cycle to begin before he could enroll. In the meantime, he got an offer from Daytona and they lost him. She feels their best source for minority hiring will be the Explorers. They feel comfortable being there and working, and some of them may want to stay in Palatka. Commissioner Azula said he wants to recognize Chief Howard and Mark Lynady on their training and effort with the Explorers. It is a lot of work. Mark Lynady said the Explorer who received an award for being the first to complete his training has since left and is working for Daytona, but still works with Palatka part-time. Commissioner Brown said people tend to go where they find a level of comfort. They need to remember that as they go out and recruit.

REPORTS:

a) Cost Share Grant application to SJRWMD to study Crill Avenue Underpass Flooding- Mr. Bush said they have a proposal from Hartman & Associates for a not-to-exceed sum of \$1,100.00. The purpose of the application to SJRWMD is to receive funding for the study of the Crill Avenue Underpass. They have worked in the past with DOT and SJRWMD on this project. This grant will fund that study. Commissioner Brown said the City has property on Morris Street that is swampy; she asked if they have considered looking at that property. Mr. Bush said in the Stormwater Master Plan that area is a major part of the retention area and there supposedly will be skimmers and the like installed in there before the stormwater goes into the river. Commissioner Brown made a motion to allow Hartman & Associates to prepare the cost share grant application to SJRWMD. Commissioner Azula seconded the motion, which passed unopposed.

b) Green Book Revision Committee update – Adam Mengel, Planning Director, said they are still meeting on these revisions. The last meeting was very hopeful; they are getting

some workable guidelines, which they do not have with either the 'green book' or the Secretary of Interior's guidelines. Commissioner Brown said when they first created the historic districts, some wanted to be in and some wanted to be out. She asked if they are going to put so many restrictions on people that they won't want to live in those areas. Mr. Mengel said there should be more 'buyer beware' type of information exchange going on at the realtor level as a contract type arrangement between the realtor and purchaser to make them aware of what they are getting in to. They are also looking at classifying contributing and non-contributing properties and a re-survey of historic properties during the next two years, which is something they are putting into the Comprehensive Plan during that review. Some that were non contributing may now be contributing. Some that were contributing may not be contributing now through improvements that have been done. They want to come up with a 'site-specific' standard. Commissioner Brown said she wants to make sure they are 'people-friendly' also. Mayor Smith said this is a good approach if they can work with realtors; the point of these suggestions is to make the neighborhood more cohesive. Prospective buyers need to know what the requirements are and what resources are available, so there are no surprises down the road. The guidelines are for the benefit of the whole neighborhood. Commissioner Azula apologized to the Committee; he has been hard to reach over the last few months due to employment and family commitments. He has not been able to make some of these meetings, but it is his intention to follow through with this and participate. Mayor Smith suggested he keep up with the Committee's work through telephone discussions whenever he can't attend a meeting.

RIVERFRONT ADVISORY COUNCIL – John Hodge, Chairman of the Riverfront Planning Committee, passed out a list of positions for the new board and suggested appointees to those positions. He suggested the Board be called the "Palatka Riverfront Advisory Council". The following seven names and/or positions were suggested: At Large – John Hodge; Downtown Merchants – Gene Caputo; Yacht Club – Otto Bankhardt; Riverboat – Constantine Feltis; Sports Fishermen – Ed Taylor; Chamber of Commerce – Wes Larson or his representative. He suggested the Putnam County Board of Commissioners appoint a representative, since they have a vested interest in the Riverfront. They hope to schedule an all-day workshop to decide what they believe their role should be. Commissioner Brown made a motion to establish the Palatka Riverfront Advisory Council and to ask the Chamber and Putnam County to appoint a representative. Commissioner Azula seconded the motion. Mr. Bush asked if a letter should come from the Commission or the Advisory Council. Mr. Hodge asked for a letter from the Commission that he can deliver in person. There being no further discussion, the motion passed unopposed. Commissioner Brown told Mr. Hodge that the Riverboat committee had a contract on the riverboat feasibility study; they signed the contract last month, and they should have the study 90 days from then. Mr. Hodge said the next item the council suggested they work on is the high density docking they recommended be done at the foot of the present City Dock. Mr. Taylor has gathered around 1/3 of the funds and materials donated at this point, but he has reached the 'outer limits' of his contribution list without having anything specific to show. He would like for the Commission to endorse a call for bids on the engineering and design, and he would like the City to bear that cost. Mr. Taylor's group will actually do the fund and material raising for the actual construction. They need design work done, of which they know nothing about. Commissioner Brown said Mrs. Brown with DOT from Lake City has T-21 enhancement money, which is separate from transportation money. They said they would help work out a walkway they had talked about for the Riverboat. Mr. Bush could call her and ask about getting funding assistance. Mayor Smith said until you know what the design is, you can't get very technical about how many pilings, how much wood, etc. Mr. Hodge said they came up with a design that suits everyone on the council; what they need now is a drawing with a seal on it that states 'this is what it is going to be' so people will have something concrete they can contribute to. Mayor Smith said there are two issues here: The design and planning of what they would like to have versus the engineered drawings. The issue is to have a professional say whether or not their conceptual design will work. They may need to find a naval architect to do that.

RESOLUTION – The Clerk read a resolution entitled A RESOLUTION AUTHORIZING PURCHASE OF FIRE EQUIPMENT. Commissioner Brown made a motion to adopt the resolution as read. Commissioner Azula seconded the motion. The

results of a roll call vote are as follows: Commissioners Azula, Brown, Edwards, and Mayor Smith, Yes; Nays, none. The resolution was declared adopted.

RESOLUTION – The Clerk read a resolution entitled A RESOLUTION AUTHORIZING PURCHASE OF A SANITATION DEPARTMENT REFUSE COLLECTION TRUCK. Commissioner Brown made a motion to adopt the resolution as read. Commissioner Edwards seconded the motion. In answer to Mayor Smith's question, Mr. Bush said the Commission previously approved the purchase of the truck and one year's payment is built into the budget. The City has paid cash for the truck and will now repay the lending institution over the term of the loan. Commissioner Azula said he hopes they will take better care of this truck. Commissioner Brown said the other truck was pulling double duty and ran night and day. Mr. Bush said there was little time for maintenance as there was only one truck; it ran two shifts a day, seven days a week. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards and Mayor Smith, Yes; Nays, none. The resolution was declared adopted. Mayor Smith said he observed a sign on a neighboring community's truck that said "working to serve you better" in big, bold letters. He would like to see this slogan put on the City's trucks, also.

RESOLUTION – The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SUPPORTING A LEGISLATIVE INITIATIVE TO PROVIDE A DEDICATED REVENUE SOURCE FOR THE INFRASTRUCTURE FUND CREATED IN SB1566. Commissioner Brown made a motion to adopt the resolution as read. Commissioner Edwards seconded the motion. Mayor Smith said they discussed this at Monday's Chamber Board meeting and they have asked all the cities in Putnam County to pass this resolution. There are 30 rural counties in Florida and Putnam Co. is at the top of the rural counties. They want to make sure that funding source is funded. If you average it out, you are looking at \$5 million, which would then go for roads, streets, sidewalks, water & sewer projects, or any other infrastructure needs. Commissioner Brown said folks are worried that CDBG is being cut by 75% from the federal level, and this would help us out. Without having infrastructure, you can't do economic development. Also, the affordable housing people are looking at the comprehensive plan and pressing to have more affordable housing built. They are going to force cities and counties to take care of housing, so this needs to be a priority. Mayor Smith said they should take this resolution to the Legislative Delegation meeting in a few months and present it to the senators and representatives. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards, and Mayor Smith, Yes; Nays, none. The resolution passed unopposed.

APPOINTMENT – Palatka Housing Authority Board – Commissioner Brown made a motion to accept a letter of resignation from Dr. Gilbert Evans. Commissioner Edwards seconded the motion, which passed unopposed. Commissioner Brown made a motion to appoint Rev. Richard C. Grady to serve out the unexpired term of Dr. Evans, to expire 4/12/2002. Commissioner Edwards seconded the motion, which passed unopposed.

This ends the items on the agenda.

CONCURRENCE – Mr. Bush said on October 14 he spoke with Chief Dolinski about some problems he was having with the PHA over a crime prevention grant. At that time he told the Chief a meeting with the PHA may be necessary to attempt to resolve whatever problems existed. He also requested Susan Roe, PHA Director, meet with him in an attempt to resolve their differences. He contacted the Chief and informed him of the meeting; he acted as though he were not interested in carrying the matter any further, and told him he should not interfere. He indicated the matter was closed as far as he was concerned. Mr. Bush said he directed Chief Dolinski to be at the meeting at the established place and time. He went to the PHA office and waited with Mrs. Roe for approximately ½ hour past the appointed time. He attempted to contact the Chief, who was not in his office. As a result, he suspended Chief Dolinski for two days. He requested the commission's concurrence on the suspension. Mayor Smith said they reviewed the Charter, which says the City Manager, in any instances of suspension or dismissal, should seek the concurrence of the Commission, and this is what he is seeking tonight on the two day suspension. Mr. Hedstrom said this has been the first commission

meeting since that time. Commissioner Brown made a motion to concur with the City Manager on Chief Dolinski's two-day suspension. Commissioner Azula seconded the motion. Mayor Smith asked Chief Dolinski if he had any comments on the matter; he had none. There being no further discussion, the motion passed unopposed.

COMMISSIONER REPORTS:

Commissioner Brown said she will be going to a CDBG meeting soon so she will probably have some more information about the funding source for the City.

Commissioner Azula said he is concerned about the lawsuit that Chief Dolinski has mentioned to the newspaper. First, how is the Chief Executive Officer going to be able to work under threat of a lawsuit from any of his supervisors? He asked if the City is going to allow something like this to happen. This calls into question the judgement of the City Manager every time he makes a decision. Everybody has the right to go to the courts, but in any organization, when one of your chief supervisors threatens his immediate supervisor, he does not see how the City can operate and give the people what they need without having to worry about going to court. In his opinion, there have been some very serious accusations made of interference with law enforcement. If the Chief feels that he needs to go to the courts, that is his prerogative, but the final word here is the City Commission. He does not feel comfortable with a threat from a supervisor of a lawsuit against either the City or its Chief Operating Officer, and wants to know what to expect.

Mr. Hedstrom said he received a letter from Chief Dolinski's attorney today, and he is dealing with that issue. The Chief may not want to say anything at this point, in view of the fact he has an attorney, and he is not prepared at this point to make a report to the Commission. In the immediate future he will advise the Commission as to the position they feel the commission and city manager should take. They just received the letter today and have already responded to it and will make a report as soon as they get a little further down the road. Commissioner Azula asked if he is suggesting no action be taken until he makes a report to the Commission; Mr. Hedstrom said probably at the next meeting they will have a report and a recommendation ready for the commission. Commissioner Azula said he would like for the Commission to show their support of Mr. Bush on behalf of his actions; they need to stand behind their Chief Operating Officer. Mayor Smith said they did that by their concurrence with the suspension. When the issue first came up, they checked the Charter and complied with it. He and Mr. Hedstrom confirmed the line of authority, and tonight's concurrence makes a statement that they support that process. He can understand the Chief's position that he runs a department, and it is a good department. They just went through a nice celebration of their accreditation. When you have issues to discuss, particularly on management styles, they should have those discussions just as Mrs. Hebel suggested. He is concerned that all of them did not have that opportunity and go through that process. He is not faulting the Chief, he has every right to take whatever action he deems necessary for the operation of his department, and ultimately it may be that is where the suspension issue needs to be; let the courts decide. He cannot say where it should be; he can only say what he thinks the ordinance says. All of the City's employees are a very small group doing a very good job for the City of Palatka. Sometimes they need to just take a deep breath and get back to the task at hand, move forward and do good for the citizens who expect the City to do good for them. Mr. Hedstrom said generally their recommendation is going to be that the Commission should never invite lawsuits, but by the same token the Commission will not be intimidated by the threat of lawsuits, and will defend any lawsuit with vigor. If you look at the City's record regarding threats of lawsuits and lawsuits in the past, the City's record is impeccable and they hope to keep it that way. Commissioner Brown said the City has no control over the newspaper, and that needs to be made clear. Even the President of the United States has problems with press coverage. None of them called and said 'put this on the front page of the newspaper'. Mayor Smith said he personally does not have a problem with it. Commissioner Brown said sometimes things are blown out of proportion because people get half-truths.

Commissioner Edwards said the River Navigator tour on the 19th went well. They went 119 miles up and down the river. Mayor Smith apologized to Chief Dolinski for not being able to attend the accreditation ceremony due to the River Navigator tour. He

advised that everyone should take a trip on the river, especially south, because it is magnificent.

Commissioner Azula also apologized to Chief Dolinski for not attending the accreditation ceremony. He was in St. Petersburg at a conference.

Commissioner Edwards said he attended a new pension board member workshop in St. Petersburg on Monday.

Mayor Smith said on River Street there is an old dock and boathouse that has fallen in, and now there is a boat half sunk at the same location. He asked Adam Mengel if the City has any authority in the river, and if not, could he ask the County code enforcement officer to go by there and see about getting it cleaned up. Mr. Mengel said he believes that is DEP's responsibility; they have jurisdiction over waterways. He knows the area he is referring to. He will take care of researching that issue. Mayor Smith said he would just like whoever has the authority to ask the owner to clean up the mess.

Mayor Smith said they should set a holiday meeting schedule for November and December. After discussion it was decided to set the next two meetings for November 11th and December 9th. There will be only one regular meeting per month during both of those months.

Commissioner Edwards said the Canvassing Board will be meeting in the morning at 10:00 a.m. at Don Hersey's office.

Mr. Hedstrom said the Code Enforcement Board would like the Commission to authorize the filing of a nuisance suit on two structures, located at 1504 and 1506 Dunham Street, owned by Thomas and Myrtice Colbert, Jr. Commissioner Azula made a motion to file a nuisance suit against 1504 and 1506 Dunham Street. Commissioner Edwards seconded the motion, which passed unopposed.

There being no further business to discuss, the meeting was adjourned.

CITY CLERK

MAYOR