

Proceedings of a regular meeting of the City Commission of the City of Palatka held on the 23<sup>rd</sup> day of September, 1999.

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

\*Commissioner Azula notified the Clerk that he would be arriving late.

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

INVOCATION – The Reverend Lester Jenkins, Peniel Baptist Church

PLEDGE OF ALLEGIANCE – Janice Pounds

APPROVAL OF MINUTES – 9/9/99 – Commissioner Brown made a motion to approve the minutes as submitted. Commissioner Edwards seconded the motion, which passed.

STUDENT RECOGNITION AND PRESENTATION OF SCHOOL PLAQUES – September, 1999 – Mayor Smith asked Commissioner Brown to join him in recognizing the following students for academic excellence, achievement, citizenship and attendance:

Brittany A. Battles	Mellon Elementary School
Brandi Gilliam	Moseley Elementary School
Candy Ryan	James A. Long Elementary School
Zachary Fishburn	E. H. Miller School
Ashleigh Dowling	Browning-Pearce Elementary School
Tara Waters	Kelley Smith Elementary School
Heather Odom	Jenkins Middle School
Ashley Cox	Beasley Middle School
Charlie Douglas	Palatka High School
Quincy Masters	Peniel Baptist Academy & High School
Dalton King	Putnam Academy

PUBLIC HEARING – Adopt Final Millage Rate and Budget (7.042 mills) – Mayor Smith opened the public hearing.

ORDINANCE – The Clerk read an ordinance entitled AN ORDINANCE LEVYING TAXES FOR THE YEAR 1999 TO RAISE THE NECESSARY REVENUE TO DEFRAID THE EXPENSES OF THE CITY OF PALATKA FOR THE FISCAL YEAR 1999-2000 in its entirety. Commissioner Sanders made a motion to place the ordinance on its 2<sup>nd</sup> reading for adoption. Commissioner Edwards seconded the motion. Mr. Bush said there are no changes in the budget since the first reading at the last meeting. The millage rate is set at 0% above the rolled-back rate. There being no further discussion, a roll call vote was taken with the following results: Commissioners Brown, Edwards, Sanders and Mayor Smith, Yes; Nays, none. The ordinance was declared adopted.

ORDINANCE – The Clerk read an ordinance entitled AN ORDINANCE MAKING AN APPROPRIATION OF MONIES FOR THE OPERATING EXPENSES OF THE CITY OF PALATKA FOR GENERAL ADMINISTRATION OF THE SEVERAL GOVERNMENTAL DEPARTMENTS OF THE CITY, AND FOR CONTRIBUTING TO THE SEVERAL SINKING FUNDS OF THE CITY TO PAY INTEREST ON AND PROVIDE FOR THE RETIREMENT OF THE OUTSTANDING BONDS AND OTHER FIXED OBLIGATIONS OF THE CITY, AND FOR PALATKA GAS AUTHORITY, FOR AND DURING THE FISCAL YEAR A.D. 1999-2000. Commissioner Brown made a motion to place the ordinance on its 2<sup>nd</sup> reading for adoption. Commissioner Sanders seconded the motion. The results of a roll-call vote are as follows: Commissioners Brown, Edwards, Sanders and Azula, Yes; Nays, none. The ordinance was declared adopted.

EMPLOYEES OF THE MONTH: Mr. Bush said Planning Director Adam Mengel is being recognized for his efforts on behalf of the City during the recent Hurricane Floyd watch. Adam remained at the EMS center during the night the storm was scheduled to pass, and assisted the center with various tasks. His dedication reflected admirably upon the City of Palatka. Mayor Smith presented Planning Director Adam Mengel a certificate, city lapel pin and a check for \$25.00 in recognition of this honor, and said Adam had been working when most of us were home preparing for the storm, and remained at his post for 36 hours.

Mr. Bush said Parks Supervisor Jeff Norton is being recognized for his part in obtaining grants for the City's parks and historic structures over the last two years. The include grants for the Bronson House, R.R. Depot, two riverfront grants and a Hank Bryan Park grant. Mayor Smith presented Jeff with a certificate, lapel pin and check for \$25.00 in recognition of this honor, and said Jeff and his crew are serving the needs of the community, and Jeff has brought considerable dollars into the community.

PUBLIC COMMENTS – Jill Jester, 418 Emmett Street, said she had requested this be put on the Agenda. She is once again representing the owner of the house at 418 Emmett Street, Ms. Sherri K. Dickey, in a request for a refund of water charges. She said she had previously provided documents for the Commission, which they retained, supporting her contention that she has been overcharged \$2,863.62, and she requests a full refund at this time. Mr. Bush said Ms. Jester came to see him prior to the last meeting about taking her billing from a 3x multiplier to a 1x multiplier, indicating hers was a single-family home, had one meter, and was entitled to a single-family water bill. After listening to her statements, he changed her multiplier from 3x to 1x to reflect a single-family dwelling rate. Previously, this house was a 5-apartment unit building. When Ms. Dickey bought the home and came in to turn on her water, the billing was negotiated from a multiplier of 5x to a multiplier of 3x, due to their statements to the effect there would be two apartments upstairs and one downstairs, in which they would live. Taking her at her word that there were no longer rental units in the house, he reduced her meter multiplier to 1x a couple of weeks ago. He sent her a statement to have Ms. Dickey sign acknowledging the home at 418 Emmett Street is and has been a single-family home since the time of her purchase, and she intends to remain single family in the future, meaning no apartment and or rooms have been rented over this period and will not be rented in the future. He stated if she would sign and return a copy of this statement, he would be in a position to review her utility bills. At the last meeting, Ms. Jester brought in a number of what she called 'comparibles' to Ms. Dickey's property. When they met today, Ms. Jester took exception to the statement, saying it is not their intent be single-family; she would like to run a boarding house at 418 Emmett. This was somewhat different than her original statements. In the meantime, staff took the comparibles she offered, saying they were homes in the same situation she was in who only paid one water bill, and investigated them. At 528 Kirby Street, the main structure is one-family with two additional units – 524 Kirby Street and 308 Dodge. Both of those additional units have their own separate meters and are billed separately, and is 528 Kirby Street. There are a total of 3 meters at that location. At 409 Emmett Street, Mr. Robert Knott at one time had his brother (who was unable to care for himself) living with him in that home. Mr. Fillion went by and spoke with Mrs. Knott, who said the brother is no longer there; Mr. Knott and his wife are the only people living in the house. This house is also listed as multi-family designation, but pays a single family rate as it is just the two of them. He has sent Mr. Knott the same acknowledgement that he sent Ms. Jester and Ms. Dickey to sign, so his designation with the County can be changed, also. The last was Mr. Henry Chastain's home at 622 Emmett Street; this is listed with the County as a single family dwelling. As far as we know, he does not rent out apartments there. A test as to whether this is multi family is whether you are renting out rooms for profit. If you invite a guest to stay with you and no money changes hands, is not multi-family. There are many cases where a parent will move in one of their children, etc. He has to follow the ordinance; the ordinance states if it is multi-family and only a single meter on the house, they have to charge a multiplier determined by the number of apartments in the home. If you have two apartments in addition to your own living space, you will have a multiplier of 3x. At 528 Kirby, everyone has their own meter. Unless the ordinance is changed, that is what the City of Palatka must enforce. He has made inquiries among employees, and they say Ms. Jester has had rentals at that home. He has had reports of

actual tenants coming in to City Hall and arguing with Ms. Jester about how much they were being charged for their share of the water bills. Mr. Bush asked Pam Sprouse to come forward and tell the Commission what her recollection is about a dispute involving Ms. Jester and one of her tenants over a water bill.

Pam Sprouse, a City employee, who worked the water customer service desk from August, 1997 through January, 1998, said she recalled a dispute between a person who said she was a tenant of Ms. Jester's at 418 Emmett Street, and recalls printing out a report giving her information about the water consumption at that location. She has renters at the time, and evidently the water consumption was included with the rent payments, and the tenant wanted that information.

Jill Jester said she did not recall speaking with Mrs. Sprouse. She disagrees that she came in and said she had tenants. Ms. Sprouse said she did. Ms. Jester said she recalls a person who she had a personal problem with that was trying to create problems for her back in 1996. That person came into City Hall and claimed to be a tenant and claimed to get water bills, and she did come see Mr. Bush about it as she was very upset about the City giving out her private records. She found out later these are public records and they were released to this person, because this person was going around town collecting information on her private life to try and use it against her. This person had no way of identifying themselves as being her tenant, and she has expressed her concerns to Mr. Bush that anyone can walk in and say they are anyone and get records. This person had no proof of who they were or where they came from; this is an adversarial issue going on in her life at that time. Mr. Bush asked Ms. Sprouse if it was clear at that time that this was a renter; Ms. Sprouse said that was her understanding. Ms. Jester asked if there was any documentation or receipts provided to Ms. Sprouse that showed this person was a renter; Ms. Sprouse said no, but the comment was this person had taken issue with the amount of money Ms. Jester was charging them for water consumption, which was to be included in the rent, and they believed it was an unfair amount and wanted to see what the bill was for themselves. Ms. Jester asked if it was possible the person could have been lying to her and possessed no documentation to support their statements. Ms. Sprouse said anything is possible.

Mr. Bush asked Ruby Williams to relate the recollections of Holly Harris, a City employee who also worked the customer service counter at the time Ms. Dickey's water was turned on, as to why the 5x multiplier was taken down to 3x. Ms. Williams said Ms. Harris recalled they revised the multiplier based on their statements there would be two apartments upstairs and a living quarters for the two of them downstairs.