

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 17th day of October, 2000.

PRESENT:	Mayor	Tim Smith
	Commissioner	Mary Lawson Brown
	Commissioner	Ish Edwards
	Commissioner	Hernan Azula
	Commissioner	James Norwood, Jr.

Also Present: City Manager Allen R. Bush, City Attorney Donald Homes, City Clerk Betsy Jordan Driggers, Finance Director Ruby Williams, Police Chief Bill Dolinski, Fire Chief Rudy Howard, Planning Director Adam Mengel, Main Street Manager Debbie Banks, and Acting Water & Sewer Supt. Sam Willis

INVOCATION - The Reverend Leo Jackson, Pastor; Emanuel United Methodist Church

PLEDGE OF ALLEGIANCE – Janice Pounds

APPROVAL OF MINUTES – 9/28/00 – Commissioner Azula moved to approve the minutes as read; Commissioner Edwards seconded the motion, which passed unopposed.

RESOLUTION – the Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, DESIGNATING THE MONTH OF OCTOBER, 2000 AS DOMESTIC VIOLENCE AWARENESS MONTH. Commissioner Brown moved to adopt the resolution as read. Commissioner Norwood seconded the motion.

Susan Roe, representing Lee Conlee House, said they are Putnam County's only organization offering shelter and counseling services for victims of domestic violence. Since 1987 the month of October has been recognized as Domestic Violence Awareness Month. She read statistics on the occurrence of domestic violence in Florida. The Lee Conlee House has sheltered 114 victims of domestic violence in the last year, and they are often at full capacity. She presented the Commission with purple ribbons and asked them to wear them in order to raise awareness of domestic violence. She said by passing this resolution the Commission sends a message that domestic violence will not be tolerated in Palatka. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards, Norwood, and Mayor Smith, Yes; Nays, none. The resolution was declared adopted and was presented to Susan Roe by Mayor Smith, saying he is particularly honored to do so in memory of the late Commissioner Lee Conlee, who was such a supporter of domestic violence awareness programs.

PRESENTATION – On his and his family's behalf, Chief Howard presented a wooden plaque to Mayor Smith in honor of his 13 years of service to the City of Palatka. He read a verse from Matthew, 7:12, "Therefore, all things, whatever you should do that men should do to you, do even to them, for this is the law, and the prophets." He said Mayor Smith has demonstrated this from day one during his tenure as Mayor of the City of Palatka, and he considers him his Christian Brother. Mayor Smith accepted the plaque and said it has been a real honor to serve as Mayor of Palatka for the past 13 years, saying Palatka has one of the best fire department staffs in the State.

STUDENT OF THE MONTH AWARDS – October, 2000 – Mayor Smith asked Vice-Mayor Brown to assist him in presenting certificates to the following students for academic excellence, leadership, citizenship and attendance:

Mayor Smith said Erica Smith was also the City of Palatka's March of Dimes Ambassador last year, and the City's employees raised \$1,555 and donated those funds to the March of Dimes in her honor. He presented her with a City lapel pin as a memento of her service to the City of Palatka.

PERSONNEL ISSUE – Mark Lynady's proposal for a repayment plan for salary debt – Mr. Bush said the Commission has an agenda attachment outlining what has transpired. Mr. Lynady was out for a back injury for four months in 1999 and received his full salary

via sick leave for that absence. He requested and received Workers Comp for that injury, and was granted workers compensation in lieu of salary for his absence. Mark now owes the difference between what he collected in salary and what he was paid under workers' compensation back to the City. Once he has reimbursed the City, he will receive his sick leave hours back.

Mark Lynady said he originally hurt his back in 1986 and throughout his career he has lived with pain and will live with pain for the rest of his life. In 1997 he injured his back and was out several weeks. He re-injured his back in April 1999, and workers' comp denied him benefits saying the statute of limitations on the 1997 injury had run out. He was out for a month. In September he had surgery on his back and was out for three months. He applied for workers' comp benefits but was denied them. He used around 950 hours of sick time altogether, plus out-of-pocket expenses. Several months later he had to come to City Hall and pay some retirement back for his absence and Betsy gave him a letter dated 12/97 telling him he was entitled to permanent impairment income benefits of around \$5,000. He never received that letter or the check. Because of that, workers' comp re-opened his case and agreed to pay for his back injury. They paid him his benefits plus interest. They reimbursed the City for his time off and the doctor for his fees. As of this date he has had no sick time reimbursed even though the City has received around \$8,000 from workers comp for his absence. He is being penalized for saving lives and property by receiving a reduced amount of salary, and his benefits, longevity and pension are also affected. It is an inconvenience to have to come to City Hall every week to pay for his benefits. He tried to negotiate a repayment plan with Mr. Bush, but is not satisfied with what he was offered. He owes the City \$6,907. He agrees with that figure and does not dispute that he owes it. He would like to offer two repayment plans. First, the City owes him 933 sick leave hours. If they were to take 471 of those hours dollar-for-dollar that will repay \$6,904. This will leave him over 500 sick hours in his bank. Mr. Bush said he was concerned about setting a precedent, but this is a most unusual case. This was worker's comp's fault by them not sending him that check. Mr. Lynady said if that is not satisfactory, he will repay the amount at \$25.00 dollars per week, payroll-deduction, interest-free, until the balance is paid off. He is at least entitled to 462 hours sick-time reimbursement for the over \$8,000 the City has already received. He wants all of his sick time reimbursed now if the Commission allows him to make payments. He cannot get a loan himself to repay the money. He has bills and lives from paycheck to paycheck. He will accept having to repay the amount at \$25.00 per week. Mr. Bush said Mr. Lynady told him that he spent the settlement he received from worker's comp, which amounted to more than \$8,000, and that money is not available for this repayment. He cautioned the Commission not to change the sick leave policy, because they would be opening the door to other people being out on workers' comp wanting to supplement their worker's comp with sick leave. The personnel rules and regulations are very explicit about how sick leave is used. Another option is to allow Mr. Lynady to sell his sick leave at \$.25 on the dollar, as it is the City's policy to purchase sick leave at that rate from terminated employees who have more than 10 years tenure with the City. This is just as the State does. Mr. Lynady said that would leave him with no sick time, which is unacceptable to him. It is not fair to him to sell his sick time for less than it is worth. He was put in this situation because of the insurance company's error, not because of anything he did. He buys things when he has extra money and lives his life week- to-week. This was a surprise to him. He earned those sick hours and has been here 18 years. Mr. Bush said no one questions that those sick hours are his, but the City's policy states they are to be used for sickness only and he has offered to purchase them according to policy. Another proposal he made was to allow Mr. Lynady to pay it off in a manner he can afford with interest. Mr. Lynady received interest on the money Worker's Comp held. Mr. Lynady said that was a different situation. He asked if it is legal for the City to charge interest; Mr. Bush said it is, as it is the City's money he is holding.

Jill Lynady said this is not their mistake. The insurance company made a mistake. They denied his claim and then turned around four months later and allowed it, to their surprise. Mr. Bush agreed that worker's comp made a mistake, and had they not made it Mr. Lynady would not have been eligible to go against worker's comp for this injury. Mr. Lynady asked if the City charges interest on money they loan to employees for school. Mr. Bush said they loan limited amounts for education on a short-term basis, and

do not charge interest. Jill Lynady said this will not set precedence as this is the insurance company's mistake and does not happen to everyone. Mr. Lynady said he is not trying to supplement his worker's comp benefits with his sick leave. That is not the issue. This is the insurance company's fault that he owes this money. He is willing to give up his sick time dollar for dollar to repay this debt and they can be done with this thing. Mr. Bush said the City will credit him all his sick time once he has reimbursed the City. Worker's comp has paid their portion, he has no problem reimbursing his sick leave bank for that portion. What he has not re-paid should not be given back until he repays it. He would hate to see the Commission deviate from standard workers' comp or sick leave policy. The rules state sick leave is a privilege to be used only when needed and is intended for bona-fide illnesses. Mayor Smith said Mr. Lynady has offered to repay \$25/wk and Mr. Bush has offered to let him; the difference is whether he pays interest on the money or now. Mr. Lynady said he would like the Commission to vote on whether or not they will buy 471 of his sick leave hours dollar-for-dollar to wipe out the debt. Mayor Smith said it is not the City's policy to pay full value for the sale of sick leave. Mr. Lynady said if they won't allow that, he will repay it \$25.00/wk without interest. He has already been punished for being on worker's comp by changing his longevity date, his pension time and lost benefits. Everyone benefited from this but him. Mr. Bush said when Mr. Lynady pursued workers comp benefits for this he knew what the personnel policy was. That should not have been a surprise. Mr. Lynady said he was surprised when worker's comp allowed the claim. This was worker comp's mistake. He would never have known he had money coming from his 1997 claim if Ms. Driggers hadn't shown him the letter. Mr. Bush said in all fairness the insurance company paid him interest on that money. Commissioner Brown said insurance companies are supposed to pay interest. Mr. Lynady said he wants to make good to his employer. Mr. Bush said the insurance company sent him a settlement for over \$8,000 besides what they reimbursed the City for his salary. Mr. Lynady said that was an impairment benefit, not a settlement. Mr. Bush said it is a settlement for an impairment. He has actually benefited by converting this to worker's comp. Mrs. Lynady said if they had known they were going to have to repay this money they would not have spent it. Commissioner Brown said she heard about this at an insurance trust meeting, and asked how much the interest was. The mistake was not his, but was made by the insurance carrier. Mr. Bush said the insurance company paid a high interest rate, higher than what the City would make if that money were invested like any other taxpayer money. They would charge him an interest rate commensurate with what the City would be earning, around 5 or 6 percent.

Commissioner Azula said Mr. Lynady has been with the City for 18 years and asked how much time he volunteers to the City. Mr. Lynady said with his Explorers, over 8 years, over 1,000 hours. Besides Explorers, he did the school programs, but was compensated with comp time hour-for-hour. He has done other programs, but he did that on his own, and has not asked for compensation for that as well as Explorers. To answer Commissioner Azula's question, four or five of his Explorers have become full-time employees of the Fire Department. Commissioner Azula said this is not someone who just wants to take something from the City; he has put a lot into his job over and above what his job calls for. Obviously a mistake was made, and he has paid for it. The personnel policy has been changed before for other instances. They need to do something for a good and dedicated employee. He moved to accept 471 of Mark Lynady's sick time to repay the debt in full, and since this is a unique case, all cases of this type should be determined on a case-to-case basis, since this debt came about due to a mistake made by the City's insurance carrier, saying this probably will not ever happen again. Commissioner Edwards seconded the motion. Mayor Smith said he believes it is a mistake to allow this as sick leave is not intended to be sold or compensated for on a dollar-for-dollar basis. In this scenario, he was compensated according to the personnel rules, and this is contrary to personnel rules. If he leaves, he will be entitled to 25% of their value, but not 100%, and this compensates him at 100%. This would be a mistake. He prefers to go with the repayment route in order to make the City whole, with no interest charged. Commissioner Azula said if he gets injured, he will collect 100% on those hours anyway. Not so if he retires. Mayor Smith said that is the intent of those hours, not the other way around.

Rudy Howard, Fire Chief, said as Fire Chief he strongly asks them to consider not passing this motion, as he has a Battalion Chief who has been with the City since 1973

with a similar situation and recently had to repay a debt to the city accrued through a worker's comp claim, for almost the same amount of money, which he paid back out of his impairment benefit check he received from worker's comp. He urges the Commission not to do this as there are other employees with the City who have had claims of the same nature, and it could have ramifications. Commissioner Azula asked if those other claims were of the same situation, where the insurance company was at fault. Mr. & Mrs. Lynady said the situation was not identical and is a completely different situation. Commissioner Azula said he knows of occasions where Chief Howard has not supported Mr. Lynady in anything that he does, and there is a vindictive thing between them. That is not the same case and the same situation that happened to Mr. Lynady. Chief Howard said he feels it is his duty as Chief to forewarn the Commission that it will cost the City more as there will be ramifications from this decision. He has a Battalion Chief on duty today who is awaiting the outcome of tonight's meeting, and it will produce ramifications. Commissioner Azula said it is not the same situation. Mr. Bush said the same situation occurred with the Battalion Chief; he had a heart attack and bypass operation, and after he returned to work he was awarded worker's comp benefits by presumption, which says no matter what the cause of the heart attack was, since he was a firefighter it is presumed to be a line-of-duty injury. Although his health insurance paid for the operation and he used sick leave for his absence, he received worker's comp benefits and had to repay the difference between comp benefits and his salary to get his sick time back. Commissioner Norwood said he does not agree with the motion because once you start fooling around with policy, you cannot enforce policy from that point on. He agrees Mr. Lynady should have an opportunity to repay the money, even without interest. He disagrees with the motion to circumvent policy, even though the circumstances are unusual. Policies are in place for a reason. Mr. Lynady said even though Chief Howard brought up another case of this type, which there is, it is nothing like his and far different in the way it transpired. Just because he is asking, it doesn't mean it's not right. They may want to review the other case. The Commission should take care of its employees. Just because another person may be trying to get some money, it doesn't mean it's wrong. They should take it on a case-by-case basis. Whatever they decide he will abide by. This other person has a similar situation, even though he knows for a fact it is completely different, it doesn't mean this is wrong. And please don't use that information to make a decision on his case. He does not want the threat that if you do it for him you have to do it for the other guy to hinder the Commission's decision. Their cases have nothing to do with each other. If Chief White wants to wait and see what the Commission does on this case, that is his business. He did not put in for a claim in the beginning. It's completely different. Commissioner Brown said they have to look at this on the whole. She verified the figures and total debt of \$6,907. Mr. Lynady said when the city loans money to employees for things they don't charge interest, so if he can get the interest dropped and have his hours deposited back into his sick bank, he will agree to \$25.00 per week payroll deduction. It would be too much trouble for the City to figure out how many hours to add to his sick back each week so he should be reimbursed all his sick time, regardless how and when he pays the money back. There being no further discussion, a vote was taken and the motion failed, 2 for, 3 against. Commissioner Brown moved to allow Mr. Lynady to re-pay the City \$6,907, at no interest, at \$25.00/wk until paid in full, and to deposit 933 hours of sick leave back into his sick leave account. Commissioner Norwood seconded the motion. Commissioner Azula asked when the hours will be reimbursed. Mr. Bush said the \$8,000 already received will credit quite a few hours. Mr. Lynady said if they will credit all of them now he will sign a paper stating he will pay the City of Palatka \$25.00 per week until the \$6,907 is paid in full. This way he gets his hours back and the City will get their money. Even if he leaves the City's employ he will still owe the money. Commissioner Brown revised her motion to give Mr. Lynady's hours back immediately upon execution of an agreement for repayment. There being no further discussion, the motion passed unopposed.

INTERNATIONAL CUISINE CDBG PROJECT – Mr. Bush said the City had given Mr. Sheikh a September 31 deadline to move on this CDBG. He has asked the City to sell him the building he now rents at the west end of the industrial park. It is fenced and sits on approximately 1 acre of land. So that he can keep his grant, he now wants to initiate his operation in this building. He will make renovations to and expand it, and will buy his equipment under the CDBG loan. He would like to purchase the building and is

talking a long-term lease of the land, not purchase. This is better, as anytime they sell publicly owned land they have to get an appraisal done and sell it at fair market value. He is asking the Commission for the authority to obtain an appraisal and offer Mr. Sheikh the property at the appraised value. Commissioner Edwards moved to authorize the City Manager to obtain an appraisal of the building and property and enter into negotiations with Ashe Sheikh of International Cuisine for purchase of the property at the Industrial Park, which he now rents from the City. Commissioner Brown asked if he has missed his deadline on this CDBG.

Fred Fox, CDGB project administrator, said Mr. Sheikh came to them before the deadline and stated his intentions. They have submitted an amendment to the State. The state says they will not consider this for approval until they see he can move the project along. The people higher up are now saying this is the City's decision, and they are allowing for more flexibility. If and when the Walmart project comes together, they cannot submit that application until one month after this amendment is approved. If this is not resolved one way or the other before the next cycle begins in April, they will have to wait to apply for the Walmart grant. Mayor Smith asked if they approve this tonight, how long will it take for DCA to concur that this is sufficient to keep the grant. Mr. Fox said when he physically begins to remodel the building and begins to spend money. Commissioner Brown said Gov. Bush is re-doing the CDBG program, and she wants to be sure they don't miss the grant application cycle coming up. The Affordable Housing Study Commission wants to add language to the City's Comprehensive Plan that the City will do more Housing, and that is one place they can get money. All the money they get for their infrastructure support comes through CDBG. They need to give Mr. Sheikh a deadline themselves and let him know that he should have certain things done by a certain time, in order to protect their opportunity to apply for the Walmart CDGB grant. Mr. Fox said the cycle starts at the end of April, so the grant needs to be back on a DCA-approved schedule by mid-March at the latest. The City controls this and can establish milestones. Mr. Bush said when he gets the appraisal, he will present it to him and if he is willing to pay that price, they can tell him the sale is conditional upon his breaking ground and getting the project underway. Commissioner Azula said they have been dealing with this grant for years and last year he was given an ultimatum. Mayor Smith said they are still within that time frame. He made his request before his time was up on September 30th. He did meet his milestones. If DCA will consider his purchase of this building as 'breaking ground,' then he is back on schedule. If this project is on schedule, the City can apply for other Economic and/or commercial grants. Economic Development is separate. As long as DCA sees movement, they will approve it. Mr. Holmes said one legal issue they need to discuss is the concept of buying a building without also purchasing the underlying land. This is fraught with problems and is not normally done. Mr. Bush said that is what Mr. Sheikh said he would like to do in their last conversation. Mr. Holmes said if something happens and Mr. Sheikh ends up with the building and the City ends up with the land it can cause problems on how to get the building back should Mr. Sheikh default. Mr. Bush said he is talking long-term lease. The City holds other long-term leases on properties that people have built on. It is his feeling if the business goes under the building would revert back to the City. Mr. Holmes said they can propose that, and make the lease read that way. Mr. Fox said he will be making expensive improvements to that building, and it will be worth much more than what he will be purchasing it for. They will want protection in that case because they will be taking out a loan for those improvements. Commissioner Brown said Mr. Fox should keep the Commission abreast of the developments on this CDBG. This has been going on for some time, and other people need this money. When she gets back from her next meeting she will know if they will be keeping the CDBG advisory committee.

Mayor-elect Flagg asked for clarification of the intent of the Commission as it relates to the request, which is not as precise as it needs to be. Is it his intent to purchase the building and land or purchase the building and lease the adjacent land, and this is not clear enough to follow through with a motion. Mr. Bush said Mr. Holmes suggested they clarify that before they made any decisions. They have talked about granting a long-term lease to the Zirkelbach organization for the Marina. He asked what happens to the buildings that sit on top of the property in that case. Mr. Holmes said they can write stipulations into the lease. There may have to be some amortization of the investment if the individual defaults. His point was that if this is a \$100,000 building, and the

individual pays \$100,000 for it, and then leases the property for however many years and defaults after two years, then he does not know that a court could find it an equitable liquidated damage clause for the City to take his \$100,000 building when the City has the ability to re-lease that building and land for the balance of the lease term and make some of that money back. The lease can be written to say that, if he does intend to only lease the land upon which the building sits. It is his advice that clauses are written into any lease to prepare for that type of situation. Mr. Bush said DCA hates to see any land sold and they usually urge the City to lease the land out regardless of what is built upon it. Commissioner Norwood moved to table the motion until all the legal ramifications can be worked out. Mayor Smith said the Commission will not be meeting again until next month. The motion is to allow the City Manager to obtain an appraisal and negotiate with Mr. Sheikh on a purchase, and with all this discussion Mr. Bush knows what the Commission expects. They need to get the process started. It may be that they will have these issues worked out by the next meeting, but they need to get the appraisal process started. Mr. Fox said if indeed the City decides to lease him the land and he wants to buy the building, they will come back with a request to purchase the building for the appraised value with a lease on the land. Mr. Bush said if the enterprise goes under, they can stipulate he purchase the land if that happens. Commissioner Azula said Mr. Bush is requesting an authorization to offer him the building plus one acre of land, so there is real property involved in this transaction. That is what the motion is for. Mayor Smith said if they work it out, the Commission can call a meeting to deal with the issue. Mr. Holmes asked if it is key that he owns the building, or can they look at the possibility of leasing him the building as well. Mr. Fox said he plans to make expensive improvements to the building to bring it up to a standard to be used for his purposes. This building right now is basically just a shell. He will turn it into a food processing factory. He will have to own it to make that kind of improvement to it. Mr. Bush said he has spoken to Bruce Limanti about making the appraisal and he is ready to go. Mayor Smith said they can have a special called meeting when the negotiations are finalized. There being no further discussion, the motion passed unopposed.

REPORTS:

a. Parking Lot Sales Occupational License Fee – this report was pulled from the agenda.
 b. Planning Board Recommendation to Annex, Amend Future Land Use Map from County Urban Service to City Commercial, and Rezone from County C-1 to City C-1 – West ½ of parcel #0130-0011, Old Wolf Bay Road – Commissioner Edwards moved to ask the City Attorney to draw up ordinances to annex, amend the future land use map from County Urban Service to City Commercial and rezone this parcel from County C-1 to City C-1. Commissioner Brown seconded the motion. Commissioner Edwards said this parcel is next to the Putnam Medical Center on Old Wolf Bay Road. There being no further discussion, the motion passed unopposed.

c. National League of Cities membership – Mr. Bush said they are selling memberships at half-price. They will sell a membership to the City of Palatka for \$566 for its first year. Subsequent years will cost \$1,113. The Florida League of Cities dues are approximately half of that, around \$400.00 per year. Commissioner Norwood asked what benefit the City will gain from joining that organization. Commissioner Brown said they have asked her to sit on one of their committees. She attended one of their meetings one year in Atlanta; she stayed with her daughter and the City paid her mileage and meeting fees. She brought tapes and information back. She does not really need to sit on another committee but she thought the information would be beneficial. One person can go to the national meeting each year to get the experience of lobbying congress. Commissioner Norwood moved to join the National League of Cities for one year, and to look at this again when the membership comes up for renewal. Commissioner Azula seconded the motion. Mayor Smith said their interests should be represented through the Florida League of Cities to the National League of Cities without the City having to go outside of that League. The Florida League of Cities is part of the National League of Cities. Commissioner Brown said that Florida is ranked second in number of cities with membership to the National League; if ten more cities join, Florida will lead the nation. She sits on the task force because of her connection with Congresswoman Brown. They look at issues from the federal side. They look at how to change racial tension. The City needs to be part of those agendas. There being no further discussion, the motion passed unopposed.

RESOLUTION – the Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, RECOGNIZING CITY GOVERNMENT WEEK, OCTOBER 22 – 28, 2000, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES. Commissioner Azula moved to adopt the resolution as read. Commissioner Brown seconded the motion. There being no discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards, Norwood, and Mayor Smith, Yes, Nays, none. The resolution was declared adopted.

LEFTY TURNER PARK ISSUES – Commissioner Brown said the dedication plaque is in and she spoke with Senator Holzendorf about coming back for the plaque dedication. She would like the Commission to add two seats to the Lefty Turner Park Committee, one being her seat as commissioner-liaison, as she would like to be a voting member. She would also like to recommend Mr. Bellamy, who has not yet turned in his application, for appointment to the Committee. Commissioner Norwood moved to expand the Lefty Turner Park Committee to nine seats, to include the appointment of Mr. Bellamy and Commissioner Brown. Commissioner Edwards seconded the motion, which passed unopposed.

This ends the items on the agenda.

COMMISSIONER REPORTS:

Commissioner Azula:

- Asked if letters can be written to the past Lefty Turner Park committee members thanking them for their service.
- Said the City is looking very nice with all the new paving going on. The entrance on Hwy 100 looks very nice, also. Mr. Bush said the City maintains that through an agreement with FDOT.

Commissioner Norwood:

- Said the County is having some discussions on putting a rescue unit in the city limits, and the City has been invited to attend. He would like the Commission to participate in those meetings, or at least appoint a representative to attend. Mr. Bush said Commissioner Norwood could be appointed by the Commission to attend those meetings, along with Chief Howard. Commissioner Brown said they would all like to know when they have meetings. She was the only one who voted against the City not pulling out the first time, as she knows what it means to have ambulance service in this City. She would like to hear what is going on. Commissioner Azula moved to appoint Commissioner Norwood as the Palatka City Commission's representative to attend the talks on bringing a county rescue unit into the City of Palatka. Commissioner Brown seconded the motion, which passed unopposed.

Mayor Smith:

- Asked Mr. Bush if the City is addressing a letter sent by Nancy Jones from the Southside Historic District. Mr. Bush said he has spoken to Ms. Jones. Some of the issues were already being addressed. Numerous citations have already been issued, and in fact Ms. Jones has been flooded with calls from people thanking her for their citations. Mayor Smith said the situation at 611 Kirby Street continues to be a problem. Mr. Bush said he has discussed this with Chief Dolinski and he is going to be looking at any alternative to bring relief to the residents in that neighborhood from that situation. Commissioner Brown said she knows Reverend Shivers, and his mother, and she told Chief Dolinski that she would try to get by there and speak with him about it. Mayor Smith said he has had many calls on this and has spoken to the Chief about it. There is a real problem there that someone needs to get a handle on. Commissioner Azula said he contacted the Chief about a problem in Mulholland Park, and he took care of it. The neighbors are quite happy about it and he did good work.
- Mayor Smith said they have had discussions with the Riverfront Development Committee about establishing a pump-out station for water vehicles. Lynn Freeman, who lives on River Street and works at SJRWMD, went to the DEP's website and

downloaded an application for a grant from the Clean Vessel Act. The problem is that you can apply for a grant to pay for 75% of the total cost of construction and costs related to training and promoting the facility, but the application needs to be in the mail by November 2, 2000. Commissioner Brown moved to ask the City Manager to move forward with an application to the Clean Vessel Act for a grant to construct and promote a pump-out facility for ocean vehicles. Commissioner Edwards seconded the motion, which passed unopposed.

Commissioner Brown:

- Said tomorrow at 12:00 noon the Riverboat Committee will be meeting at City Hall to look at another grant for acquiring the Riverboat. The River Navigator for the American Heritage River will also be at that meeting. All commissioners are invited to attend.

Mr. Bush:

- Said the City needs to purchase a new computer for the GIS operator, as she is having problems with her old computer. Commissioner Brown moved to appropriate the funds to purchase a new computer for the GIS operator and to move her old computer over to Building & Zoning for Adam Mengel's use. Commissioner Edwards seconded the motion, which passed unopposed.

Ms. Driggers said she has distributed a memorandum to the Commissioners, Mr. Bush and Mayor-Elect Flagg on the November 15, 16 & 17 Legislative Conference in Orlando. If anyone is unable to attend this conference, they should let her know before November 3 as that is the last day they can cancel and receive a refund on registration fees.

Ms. Driggers said Mayor Smith has issued a call for a workshop on the proposed changes to the alcohol ordinance on October 30, 2000 at 11:00. She will distribute a typed call to everyone tomorrow.

Mayor Smith said the Commission has scheduled one meeting for November, on the 9th.

Chief Howard said the shift captains, Fire Marshall and he attended a training session on writing tickets and are ticketing people for parking in fire lanes. During the training session they were told you could call in for a "10-28" which is an information on the auto tag. He checked with the Captain of Communications at the sheriff's office, and he didn't think that NCIC, the information center, would allow that, and their attorney confirmed that. Det. Sharp has advised them to just write the tag number and send it on to City Hall, not put any information, and if the ticket holder doesn't pay the fine they can send it back. The attorney also said there is a program through the motor vehicle system where they can access the information through their web-site with a pass-code. The person from motor vehicles will be getting back with him within the next few days. If this is not an option for them, they will just write the ticket with a tag no. only and send it to City Hall; if the fine goes unpaid, City Hall will have to turn it over to the PD. Mayor Smith asked why they have to have that information to write a parking ticket; Chief Howard said the ticket calls for that information. When the ticket comes to City Hall, they know who to bill if it's not paid. Commissioner Norwood asked if the PD is involved in this process at all; Chief Howard said the PD trained them on the procedure.

Debbie Banks, Main Street Manager, said Downtown Palatka will hold a block party on October 27, from 6:30 p.m. to 10:30 p.m. It includes a costume contest, sidewalk chalk-art contest, and a street dance. They are holding a sidewalk sale October 26, 27 & 28, which will be advertised in accordance with the Code. The Christmas Parade is scheduled for November 24 and the Commission is invited to participate. It starts at 7:00 p.m.

She has been working with Levi's Bar on their Veteran's Day parade. They have a large participation. They plan to set a world's record of the most people over 40 skydiving onto the riverfront. They have to have over 80 skydivers. An apache helicopter will land at the riverfront for display, and will take off and fly over St. Johns Avenue to begin the parade. Mr. Bush said Levi's Bar is asking to close the block. He discussed this with Lt. Fells, who is supposed to be contact the merchants to see how they feel. Lt. Fells is

going to talk to them about holding their all-day block party on 10th Street instead of St. Johns Avenue. Even after 5:00 it will constitute a major obstruction of St. Johns Avenue. Mrs. Banks said they only want to close it for a few hours in the evening. They had asked about doing a Confederate battle re-enactment, and she advised them to speak with Mr. Bush about that.

Commissioner Brown said she has complained before that on Sunday evenings they have outdoor parties, and the noise is so loud it rattles the dishes in the cupboards. There are older people in the neighborhood and Sunday is supposed to be a peaceful day. Talent shows are fine, but this is excessive. If they want to have that kind of noise in the street, people are going to be very upset. Ms. Banks said she told them they would need to discuss their plans with Mr. Bush as that is a residential area and there would be noise restrictions. The regular noise the police department can take care of.

Mayor-elect Flagg asked if the City has designated its Trick-or-Treat hours the same as the County's. Mr. Bush said the County usually follows the City. Normally they hold Trick-or-Treat on Halloween Day from 6:00 to 8:00 p.m. The City traditionally holds Halloween on Halloween Day.

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

CITY CLERK

MAYOR