

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 25th day of January, 2001.

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

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

INVOCATION - Dr. Algerine Atkins, Evangelist; Holy Temple of God

PLEDGE OF ALLEGIANCE – Coach Wilson Edwards

APPROVAL OF MINUTES - 12/20/00 Inauguration & 1/11/01 - Commissioner Norwood moved to accept the minutes as read. Commissioner Azula seconded the motion, which passed unopposed.

Item 3 was moved to the front of the Orders of the Day by unanimous consent.

POLICE CHIEF APPOINTMENT - Mr. Bush said with the recent resignation of Chief Dolinski, he found himself in the position of having to choose an Interim Police Chief fairly quickly, and was looking for someone who was a professional and could come in and restore order and calm to a split department. Dick Schauland was interviewed; he has the knowledge and is well respected in the law enforcement community. Commissioner Brown said she would like Channels 4 and 12 to be notified there is a new police chief. Commissioner Azula thanked Chief Schauland for accepting this position, and said all the officers are behind him 100%. Chief Schauland said this is an opportunity to come back to the Department where he started his law enforcement career 28 years ago. Although his term will be short, it is an honor to be able to serve the citizens of Palatka and to serve with the professional men and women at the PPD. Commissioner Brown moved to concur with the City Manager on the appointment of Dick Schauland as Interim Police Chief. Commissioner Norwood seconded the motion, which passed unopposed upon a roll-call vote. Mayor Flagg said the Commission pledges its full support of this appointment, and at no time does this Commission try to micro-manage the activities of its departments, giving respect and honor to those who serve the City.

PUBLIC COMMENTS/RECOGNITION - Mayor Flagg said a Proclamation was issued last month honoring former Mayor Frank Hancock, Sr., who was unable to attend that ceremony. He is also unable to attend tonight to accept his proclamation.

2000 PALATKA HIGH SCHOOL PANTHERS FOOTBALL TEAM - Mayor Flagg read a proclamation naming January 26, 2001, 2000 PHS Panthers Football Team Day, and presented it to PHS Principal Karen Hughes, who was accompanied by the PHS Panthers Football team, coaches and cheerleaders. He then presented Ms. Hughes with a plaque commemorating their highly successful 2000 football season. The team received a standing ovation. Principal Hughes said she is honored to accept this recognition on behalf of Panther Head Coach Jim McCool, who could not attend tonight due to a prior coaching engagement. They are all proud of these young men and women.

FINANCIAL ACHIEVEMENT AWARD - Mayor Flagg presented City Finance Director Ruby Williams with a Certificate of Achievement for Excellence in Financial Reporting issued by the Government Finance Officer's Association of the US & Canada. This represents the highest standard in government financial reporting. This is not the first award the City has received under her leadership, and they are all extremely proud of Mrs. Williams and her staff. Mr. Bush said this is the 8th consecutive year the City has

received this award, which was granted the first year the City applied for it. They have not missed a year since.

STUDENT OF THE MONTH - January, 2001 - Mayor Flagg asked Vice Mayor Brown to join him in recognizing the following students for their academic excellence, leadership, citizenship and attendance at their respective schools:

Traci Driggers	Beasley Middle School
Maya Brady	Browning Pearce Elementary School
Erika Smith	E. H. Miller School (unable to attend)
Brittany Green	James A. Long Elementary School
Jamelia Edwards	Jenkins Middle School
Kimberly Traxler	Kelley Smith Elementary School
Kristain D. Hickson	Mellon Elementary School
Tavoris Lamb	Moseley Elementary School
Kari Floyd	Palatka High School
Amy Neenan	Peniel Baptist Academy & High School

Vice Mayor Brown said last year she accompanied 44 students from Beasley Middle School to Tallahassee during a legislative visit, co-sponsored by the Florida League of Cities. This year she hopes to take students from Beasley, Jenkins Middle School and Palatka High School. She has already spoken to the League about this. This is an opportunity for the City to partnership with the schools to provide a reward for the students for all their hard work.

PUBLIC COMMENTS - Kate Povlich, Keep Putnam Beautiful, said they held their first community NICE (Neighborhood Improvement for a Cleaner Environment) meeting. They are taking an 18-block section and concentrating on code enforcement and clean up for that area. They held the meeting at Bethel Church Hall, located at the center of that neighborhood. The clean up is not only of litter, but also codes and law violations. They want to involve the occupants in cleaning up their environment and bringing back order to their neighborhoods. The next meeting is scheduled for February 15, 7:00 pm at Bethel Baptist Church Hall, 800 Madison Street. Commissioner Norwood said they have done a significant amount of work in their community, and it is now time for the citizens to stand up and take some pride and do their part. The City also has a responsibility to do their part in this clean up. He hopes the City Manager and City Attorney can come up with a plan on the City's behalf. The private sector also needs to get involved. Commissioner Brown said they all missed Mrs. Povlich during her absence, and are truly glad to have her back. To answer Mayor Flagg's questions, Mrs. Povlich said they only had three people at tonight's meeting, but that is a start. They will grow. They will be in this zone until the clean up is accomplished. Mayor Flagg said there should be a way to develop some concurrent actions throughout the City. They used to have an annual Spring clean up. Mrs. Povlich said March 17 is scheduled for the Celebrate the St. Johns River Clean up. People can sign up and let them know where in the City they are going to be so their trash can be picked up. This is a countywide clean up. Mr. Bush said the City used to have a program where it offered a free pick-up "amnesty" for large item disposal prior to the Azalea Festival. These items are now picked up free. They now try to encourage people through the media to do a spring clean up. Mayor Flagg said they can raise the level of awareness prior to March 17 to have a citywide clean up campaign that will culminate on that date. There are too many issues throughout the City that need addressing on a larger scale, and not just in this one particular zone. Mr. Bush said the reason they targeted one area is that by concentrating forces they can have a greater impact. They will flood the area with code enforcement, give them an opportunity to clean it up, and then come in with citations. When this zone is completed, they will move on to another, and will eventually cover the entire city. These programs have been very successful. Mrs. Povlich said they have already done this type project just outside the City, between 19th Street & the old Jax Hwy & Hwy 17, which was very successful. It brought the neighborhood back together, and they celebrated together afterwards. This is what they are hoping will happen with this second area. Litter attracts more litter; if one house gets cleaned up, others will follow. Commissioner Brown said some time ago she brought back some literature on senior citizens growing vegetable gardens in vacant lots. If they know who owns the two lots on Main & 10th Street they could get permission to

let the Caring Center or an area church plant a garden there to feed senior citizens. Mrs. Povlich said they discussed this at their meeting.

James Williams, Jr., 1424 Ocean Street, said many people don't have the money to accomplish this clean up. They have low-valued houses and once they pay taxes and utilities they have no money left. The City should be prepared to start another housing project because people will lose their \$5,000 homes because they can't pay their taxes. Before they start enforcing the ordinances they need to take lower income people into consideration. Mayor Flagg said enforcement means mandate; the objective is to make this city better. They can instill pride into the person occupying a home concerning their own yard or house. Many times money is not involved in cleaning and tidying up. That is the City's objective. If code enforcement officers find situations where economic difficulties are the main problem, there are appropriate agencies that can help. They are not out to "get" folks. These individuals are interested in cleaning up blight to improve the entire city and instill community pride. Mr. Williams said they don't need to go to an extreme of citing people and putting liens on their houses. If the houses are cleaned up their value will rise, and so will the taxes.

MULTI-USE DOCKING FACILITY - Ed Taylor, 109 N. 2nd Street, said the Commission previously approved of this concept, and they are now ready to move forward with the engineering, design, permitting and construction. He presented a larger scale drawing, which is something they have already seen on a smaller scale. They proposed a stage, covered viewing area, fixed dock extension of the fishing pier, and floating dock "fingers". They can put over one hundred 18' to 20' boats inside this facility. The Putnam County Fishing Fund has committed \$40,000 to this project. GP has agreed to donate the decking for the fixed dock, stage, viewing area, and roof-over. Miller Electric has donated all the electrical work. The Fish & Wildlife Commission has given them at least a \$10,000 grant. That has been increased but he does not have the new figure. He's been working on this for two years. They would like to take their \$40,000 and give it to the City, hire a marine architect and do the permitting. They may have to do this in phases, but once they start it, they would like to finish it. He has spoken to a surveying firm that will do the work free. Seminole Electric is ready to make a donation, but they have to have plans and the Commission's approval to start the project. He is now asking for approval to commence the actual work, commission the drawings, obtain bids, and start construction. Mayor Flagg asked what authority the City Commission has to give this project permission to start; is it a city or community project? Mr. Bush said the concept was approved by the City Commission, who has offered the use of its land area, which it has control over. Anything over the water will have to be permitted through DEP and other agencies. He asked if they are looking to the City to actually hire the architect & contractor, and submit applications for the necessary permitting. Mr. Taylor said he understands they will raise the money and turn it over to the City, who commissions the work. They are not asking the City for any money. When this project is completed it will belong to the City. Mr. Bush said he has heard comments on the size of the facility and how much of the riverfront it will take up. He asked what Phase I will consist of. Mr. Taylor said the fixed dockage and fishing pier. There will be an area to tie up boats, plus a fishing pier. The second phase will be the stage and viewing area for weigh-ins and other functions. The final phase will be the floating docks. Mr. Bush said people have expressed concerns that the riverfront will be consumed with docks, instead of being able to look out on the river. If they limit themselves in Phase I to the platform and dockage closer to the shore, it would give people time to get a feel for the impact it will have. Mr. Taylor said they can phase this however they want. He is open to suggestions. Mr. Bush said some people have commented they would like to see this closer to the shore instead of extending so far out into the water. Commissioner Brown said the big bass tournaments did not have enough dockage for the larger tournaments, and they started looking for funds to enhance the waterfront. She does not like having one big pavilion on the waterfront; people enjoy having the smaller private tables. Mr. Taylor said this has been needed for a long time. Putnam County is called the Bass Capital of the World, but they don't have a single facility in the area that warrants that title. This would do it. Mr. Bush said the marina is planned for the other side of the amphitheater, and would not affect this. He has received comments that if you build a full-scale marina on one end and a full-scale docking facility on the other, you will have nothing but docks on the riverfront rather than some open river. They should build phase I and keep it closer to the shore, making it useable,

with a stage, platform and enough boat tie-ups to accommodate several boats, and see how it looks before completing phases II and III. Mr. Taylor said he had no problem with that. Mayor Flagg asked how many groups have been consulted in the planning of this. Mr. Taylor said the Palatka Riverfront Advisory Council is representative of many groups with an interest in the riverfront, headed up by John Hodge. They brought this to the Commission along with some other proposals. This is the Advisory Committee's priority. Mayor Flagg said the City must have a master plan that takes care of everything on the shoreline. Mr. Bush said the Advisory Committee has been advised of the marina plans as they have developed. The comments he has had have come from citizens, not that group. The idea behind the Advisory Committee was to coordinate all the different groups that hold an interest in the riverfront. They met and came up with a master plan, and their concept was approved by the Commission. He has heard concerns expressed over such a massive facility. Mr. Taylor said you can't please 100% of the people. Mayor Flagg said his primary concern is the overall development of the riverfront. The master plan is not Mr. Taylor's responsibility. He would like a schematic for their benefit. Whatever the master plan is, they should follow it, and not say let's look at the first phase and hinge the rest of the phases on it. He has no problem with what has already been approved. Mr. Taylor is ready to proceed. Commissioner Brown asked if they have looked at parking and boat launching for this large scale of an operation. The City has properties that can address those issues. Mr. Taylor said parking has always been a problem and probably always will. They have had 600 boats launched from the City Dock and survived. Commissioner Brown said they need to consider other activities, and should look at long-range planning. Another staging area is probably needed. Mr. Bush said the waterfront committee was put together to bring all these ideas together, but no single comprehensive plan came out of that meeting. They did not know what the private developer they would be dealing with would come up with. Mr. Taylor has moved faster than the other principals. From what he knows of the Zirkelbach concept, a large concrete city-owned dock will run off the gazebo area by the bridge with a number of finger docks coming off it, which will constitute the marina. Commissioner Norwood concurred with Mayor Flagg. He likes the design, but there needs to be a plan. Mr. Taylor asked how long they have to wait for a private developer to tell them what they need to do with their waterfront. Mr. Bush said the Riverfront Advisory Council should sit down and come up with a schematic of the entire riverfront showing what we think we will end up with after the marina and docking facility are in place, and invite public comments. Commissioner Brown said they need to know what the citizens want, and moved to hold a public workshop on this issue. The motion died for lack of a second. Mayor Flagg asked how much involvement the Planning Board has had in any of this, saying it would suit the City better to turn this matter over to them in order to pull the loose ends together and hold a public hearing. Citizens who are not affiliated with any organized group could put forth their comments at that time. This Commission is not in a position to commence anything. To answer Commissioner Azula's question, this is the same drawing they saw last year. They have the money to at least do the professional drawings, engineering and permitting, and that has to be done first. If the Commission OK's phase I and they spend that money, it is wasted if they say no to further phases.

Adam Mengel, Planning Director said tomorrow he is preparing an agenda for the February 6th Planning Board meeting, and he will be happy to schedule Mr. Taylor for an initial presentation. They can schedule a Public Hearing for March. Commissioner Brown said she would like to be fully advised of what is going on. Commissioner Norwood moved to refer Mr. Taylor's request to the Planning Board for consideration and public hearing. Commissioner Edwards seconded the motion, which passed unopposed.

PROPOSED MOTORCYCLE EVENT - April 21, 22 & 23 - Request for park occupancy, alcohol variance and noise variance - Debra Spires, 919 St. Johns Avenue, said she came before them at the last meeting but did not have all the information they needed. She passed out a map of the area they are requesting control over and what they will be used for. April 20 will be only for set up. Indian Cycle is coming out of Jacksonville with 700 motorcycles and demos. The motorcycle events will start at 10:00 a.m. Sat. 4/21, and will run until 10:00 pm at night. Rodeheaver Boys Ranch will be the sponsor. Ashley Jeter has committed the Boys' Ranch, and they will fill out the forms for the alcohol permit. They will only serve beer. On Sunday the events will begin at 1:00

pm and end at 6:00 pm. Mayor Flagg said there has been discussion on what non-profit group will be the sponsor or recipient of the funds. There is now an application in with Helping Hands of Putnam County as the sponsor, and not ABATE or Rolling Thunder. Is Helping Hands the sponsor or recipient of the proceeds? Mrs. Spires said they have backed out completely, but Ashley Jeter with Rodeheaver Boys' Ranch has committed to sponsoring. Mayor Flagg said he should approach the Commission and make the request, as he will be the responsible party. Commissioner Azula asked if they can approve this contingent upon Rodeheaver Boys' Ranch being the sponsor and coming in to fill out the proper paperwork. Commissioner Edwards concurred. Mayor Flagg said he does not have a problem with the festival, but he does have a problem if they are just filling out applications with whatever the Commission wants to hear. This is a major festival and whoever is sponsoring it needs to come before this Commission. They need to know up front what the City expects from them and what they expect from the City. There is a liability issue here. This can't be done contingent upon their solicitation of a sponsor. Mr. Bush asked if the Boys' Ranch will receive the proceeds; Mrs. Spires said they will. The only money coming out of this will be actual expenses; the rest will go to the Ranch. It is not a private moneymaker. Commissioner Brown said that many people on motorcycles calls for extra policing, and asked how that will impact that department and overtime budget.

Mr. Schwartz said it will require extra manpower to work the festival. He does not know if the City pays extra officers or if the festivals pay for the extra officers. Mr. Bush said these festivals are expensive; they require extra police, sanitation, parks expenses and overtime. Mrs. Spires said they are making arrangements for off-duty officers at their expense. Mr. Bush said the other festivals also do that for security, but they need extra on-duty uniformed officers on the scene. Commissioner Brown said the downtown merchants are behind this. She is also concerned with noise. Mrs. Spires said there will be thousands of bikes here, and there will be noise. Commissioner Azula said festivals cost the City money, but they draw a lot of people in who also spend money. Most of the motorcycles clubs have members who have money, and are willing to spend it. The downtown merchants support this. The main concern is with the sponsor, and if they approve this contingent upon the Boys' Ranch being the sponsor, if they back out, it will not happen. They can have a representative provide the Clerk with the proper paperwork and credentials, and understand they are going to be responsible for that event. Mrs. Spires said they will have \$1 million in liability insurance on this event. Mayor Flagg said the technical issue is, is this a private function or a non-profit function. He can put anyone's name on the application. There is no one single individual who can speak for a non-profit organization; they have a board of directors who approves these issues. If that information comes in, he does not have a problem with it, but they can't keep adjusting this application. He wants to vote on what is in front of him, not something that may come in later. Commissioner Edwards moved to approve the application for riverfront park occupancy April 21, 22 & 23, and noise and alcohol variances on April 22 & 23, contingent upon Rodeheaver Boys' Ranch turning in the proper application and paperwork to the City. Commissioner Azula seconded the motion, which passed unopposed. Mrs. Spires said Mr. Jeter has spoken to their board members, and assured her that they will be sponsoring this event. Mr. Bush said she needs to be sure to have Mr. Jeter come in to fill out the necessary forms and bring in the Certificate of Insurance.

RESOLUTION - the Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, DECLARING SUPPORT FOR SCHOOL NURSES IN ALL FLORIDA PUBLIC SCHOOLS. Commissioner Brown moved 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, Norwood, and Mayor Flagg, Yes; Nays, none. The resolution was declared adopted. In answer to Commissioner Norwood's question, Mr. Bush said Mr. Buckles has no objection to this resolution or what the School Nurses Association is trying to accomplish.

ORDINANCE - the Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING SECTION 2-31 OF THE MUNICIPAL CODE BY CHANGING THE TIME OF REGULAR MEETINGS OF THE CITY COMMISSION FROM 7:30 P.M. TO 6:00 P.M.; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE. Commissioner Azula moved to

place the ordinance on first reading. Commissioner Edwards seconded the motion. Commissioner Norwood asked if this also takes care of the new agenda deadline of 5:00 p.m. on Fridays. Mrs. Driggers said they took care of that at the last meeting, when they changed the deadline. This applies only to the time of the meeting. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards, Norwood and Mayor Flagg, Yes; Nays, none. Commissioner Brown asked the Daily News reporter to do a story on this for the newspaper. Mrs. Driggers said it will be advertised in the legal advertisements, but it would serve the public better if they could put it on the front page.

APPOINTMENTS - Golf Advisory Board - Mayor Flagg said the four candidates came to a consensus as to who would serve, so now there are three applicants and three positions. Commissioner Azula moved to appoint Danny Byrnes, Larry Fayard and Dan Lipko to the Golf Advisory Board for one-year terms to expire January, 2002. Commissioner Brown seconded the motion, which passed unopposed. Mayor Flagg said they should send a certificate of recognition to the retiring board members. Commissioner Brown said they should invite them to come to the next meeting.

STEAM CLEANER PURCHASE - Mr. Bush said the Sanitation Department is in need of a new steam cleaner. The old one can be fixed, but it will not cost much more to replace it, as it is 7 years old. Bernard Williams, the superintendent, is asking permission to transfer \$1,500 from one budget line item to another in order to make that purchase. Mr. Williams failed to include the bids with his memorandum, but bids have been taken, and he has seen them. Commissioner Brown moved to approve the purchase of a steam cleaner for the Sanitation Department, and to transfer \$1,500 from Contingency to Equipment Maintenance. Commissioner Norwood seconded the motion. Mr. Bush said they did get a lower bid, but it was an off-brand and they would not honor a city purchase order for the item, but had to have cash only. They went with a brand name, which was the lowest, most responsible bid. Commissioner Norwood said they need to include the bids whenever they ask for budget transfers. Mr. Bush said normally they do, but Mr. Williams did not attach them; however, they have been reviewed. There being no further discussion, the motion passed unopposed.

DISCUSSION - Police/Sheriff consolidation - Mayor Flagg said an editorial appeared in the Palatka Daily News asking the Commission to consider a consolidation of their police department with the Putnam County Sheriff's Department. Mayor Flagg read the editorial and asked for the Commission's thoughts on the matter. Their PD does more than just patrol streets. This Commission should not send out a message that would make anyone feel their job or this department is in jeopardy, even if they decide to commission a study on the matter. There are transition issues going on, but this Department is stable as it relates to providing services to the community from a legislative perspective. They owe it to the citizens to have these discussions and seek ways and means to conserve where they can, but should not compromise the quality of services that the PPD provides to the citizens. He read the PPD's mission statement. This department serves the public and they should not send out any mixed signals and create a morale problem while they are trying to fix one that exists at this time. Commissioner Norwood said they need to look at the quality of services they now have and what their citizens demand, and need to maintain that level of services while finding ways to improve their level of service. The citizens are not satisfied with the level of services they are receiving from all departments. There are employee longevity issues when you look at consolidation; our lieutenants and captains would not necessarily be their lieutenants, etc., and would probably begin as patrol officers; however, they should always look for opportunities to be conservative with taxpayer resources. He believes the PPD should stay in tact. He is open to appointing a citizens' advisory committee to look at the possibility in order to put the issue to rest. This issue came up about five or six years ago. Commissioner Azula said he has been very involved with police issues during his tenure, and brought out many issues during his campaign. He has worked closely with Chief Dolinski and has seen major changes since he began as a commissioner. That department is not broken. He is proud of their PD. They don't need to seek advice from another group of citizens. Their level of professionalism, equipment and training is superior to other police departments. This is a metropolitan area, not a rural area. The City needs its own PD. They have seen what happens to their services when they turn them over to the county. They should

unanimously back their PD; when it breaks down, then they can fix it. Commissioner Edwards concurred with Commissioner Azula. They need to retain control over the public safety departments within the City. He does agree that they need to take their time when selecting a new police chief, and choose not only a good manager but a good people person. Commissioner Brown said everything they have passed along to the County they have lost. The PD does an excellent job. She would still like to see them open nights and weekends. Consolidation would not serve them well. They can usually do things cheaper and better than the county can. Mayor Flagg said they need to understand that the County has not asked for the police department, and the City has not offered it, but when an issue is raised on this level, they are obligated to hold a public discussion on it. Rather than just ignore the issue, they should visit all the factors, and economics is a factor. They need agencies with like interests to develop partnerships and ways to save money and share resources. The PD is not subservient to the County, but when you are dealing with a budget in excess of \$1 million, you need to look at ways to save money. There is no decision that has to be made tonight; this is only a discussion. The Commission is free to put forth other ideas on how to conserve public funds during the next budget workshop. Commissioner Brown said several years ago a group of citizens did look at consolidating the Police and Sheriff, and decided it would not be beneficial. It was around the time Chief Hill left. Mr. Bush said there was a study done in the early 1980's. Mayor Flagg said there may be a way to bring the Sheriff's Department into a relationship with the other top law enforcement people in the County that could bring about savings to all concerned. They should give the transition at the PD an opportunity to work, and foster the relationship of cooperation with the Sheriff's Department in trying to bring about savings to the taxpayers.

DISCUSSION - EVALUATIONS - Commissioner Brown passed out some evaluation sheets used by the League. After the last meeting she had feedback from citizens who were concerned that they apparently have no control over city employees, and if the City manager takes care of everything, what exactly is their job? They all work together for the good of the city, and the City Manager works with the rest of the staff at the pleasure of the Commission. They don't micro manage but want the City to run better. They are employees too and look for ways to make this town run better and create jobs. They need to have some say-so in what goes on. At one time when they got ready to hire the City Manager, Clerk, Fire Chief, Police Chief and Attorney, the City Manager interviewed for them and allowed the Commission to interview, also, and then they voted on who would be the best person to do the job. Somewhere in the translation, this was changed. She would like to see it be reinstated and moved to reinstate the ordinance that gives the power to the Commission to hire the top five administrators. Chief Dolinski would not have gone as far as he did if he understood that he got evaluated on what he did by the Commission. It would have helped if they had had an opportunity to pass along to him suggestions on how he could improve. If three of them believe these people are not doing their jobs, they can dismiss them. They are elected and should have a say. Commissioner Norwood seconded the motion for discussion. Commissioner Brown said she would like to make the motion after discussion. Commissioner Azula said previously the Commission approved the promotion of sergeants, lieutenants and captains, and that was removed, also. He tried to find out when this was done, but was unable to do so. His biggest complaint is they are not informed. He had to find out on from someone else that the police chief quit. They are not out of touch, but a lot of things happen that they do not find out about. There are lawsuits involving the City that he has no idea what the outcome has been. According to city records they paid \$4,000 to Mr. Clapp, but he says it was a \$25,000 settlement, and his wife collected money, also. He has never been given any information on that. He does not know how many suits they have settled and what the City pays out in legal fees, but gets this information second-hand. It could be his fault for not digging deeper, but it is not his responsibility to dig. There is a lawsuit coming up with depositions he is not aware of. People ask him what is happening and he cannot tell them. He is entitled to that information. They should know when someone gets promoted. It is common courtesy. If it is not in the charter, he expects to know what supervisor was fired, or quit, or was promoted. Mr. Bush said the ordinance used to state that the Commission set the number of sergeants, lieutenants, & captains positions, but were not involved in a review of promotions. They simply created the slots, and that is how it was before the ordinance was updated. As far as the resignation of the Chief, he learned about it from the television just like everyone else did. The Chief brought a

resignation letter by on Wednesday afternoon just before 5:00 for consideration, but he was under the impression it was just between the two of them, and come to find out the rest of the world already know about it. Commissioner Brown said if he were to have been responsible to all of them, he would have had to notify all of them. Many things they only get on a need to know basis, for example Mr. Caputo's trip to see Zirkelbach's marina. The way she got to go was she was approached by some business people to go. They had a group with the Chamber go to see Sykes about coming to town, but none of them went. If they are going to help make it convenient for people to come into this area, they should be in on it from the beginning and make these trips, also. Many times she attends meetings and hears things for the first time, and it is not right. She does not like being asked questions that she cannot answer. They should be able to do these evaluations and put in writing what needs to be done quietly, so it can be taken care of. She hears more about what goes on in this town from outside sources, and when people ask her questions, she has to tell them she will get back to them. If people don't feel like they are doing their job, they vote them out. Somewhere the communication is breaking down. Mayor Flagg said when the ordinance was revised, something came from the FLC that upgraded the language of the code, but the Commission was not aware of what changes would be felt as a result of that. They need the Clerk and Manager to pull the information of what it is, and compare it to what it used to be, and what the intent was, and bring them a copy to compare and allow the legal counsel to review it, and put it on the agenda for a discussion item. If they are saying that the Commission needs to develop a policy for annual review, then that can probably be accomplished by not changing the code, and they need to know where they are going with these evaluations. Commissioner Brown said every year the League's executive directors are evaluated, and people who sit in those top positions need to know how this Commission feels about the job they are doing. It may be they get patted on the back or not. She is not trying to put anyone down, but constructive criticism is good. Maybe salaries need to hinge on it. In 19 years she has had three raises. Some of them do travel. Three of them went to a birthday party the other night. It is not just sitting in a meeting twice a month. The League does a lot of research for them. Maybe the information the League sent them was not the proper thing for them. Mayor Flagg said there are several issues here. One relates to evaluations. The other is related to communication. This is a two-way situation. It is their responsibility to have dialogue with their administrative leaders. Mr. Bush said an evaluation does not bother him and would not necessitate any changes in the ordinance. If the Commission wants to annually evaluate him he feels it would be helpful. Commissioner Norwood said when the ordinances change, the Commission should be the one to change it, and asked when the ordinance was changed. Mr. Bush said in the early 1990's. Commissioner Brown said she did not realize what was being changed. Suddenly they stopped appointing officials every year. It is something they need to do. If more of them had been able to bring these concerns up to the department heads, it would have helped. She did not like the way he had one set of standards for himself, and another set for his men. They all share blame. Commissioner Norwood called the question. Mayor Flagg asked Commissioner Brown to restate the motion. Commissioner Brown said she wants to reinstate the ordinance that gave the commission the right to appoint the top five positions, and to institute a policy of evaluations for those top five positions. Mayor Flagg said if they want to do evaluations, they can adopt that practice and do it annually at a designated time. If they need to look at the change that was made, he would prefer the Clerk bring them both versions; what they used to do and what they now do, to see if it needs to be adjusted, or if there are things they can do they are just not doing. Commissioner Brown asked this be agendad for discussion at the next meeting. Commissioner Brown and Commissioner Norwood were allowed to withdraw their motion and second. The Clerk clarified they want to look at the ordinance that changed the form of government to the City Manager form. Commission Brown said when she ran she was told the Commission controlled the government. Mr. Bush said the old ordinances were antiquated and contained a lot of errors. They were not really followed. What they did was clarify and correct it. Commissioner Brown moved to look at adopting a policy of evaluating top officials and set a time to do them. It can be either before their reappointment or at budget time. Commissioner Azula seconded the motion, which passed unopposed.

This concludes the items on the agenda.

Mr. Bush passed out Change Order No. 1 on the Old Water Plant restoration project and asked if the Commission would consider it tonight. He received it right before 5:00 today and could not put it on the agenda. Commissioner Brown asked when they could go there to see what they are doing. Mr. Bush said he can arrange that any time. The original contract sum for Peterson Construction was \$198,890. They are asking for a change order of \$49,731.72. The items are broken out on the change order. When they got into the building they found problems they did not anticipate. They have received a donation from Seminole Electric of \$40,000 and have another coming for \$5,000, leaving around \$4,731.72, which they will come up with through donations. They cannot go forward with the building in the condition it is in. He recommends approving this change order. Mr. Holmes said the Commission was originally required to approve the contract, and before they can discuss or vote on this they should designate it as an emergency item as it was not on the agenda. Mayor Flagg said he believes when they are talking about a change order of around \$50,000, they need an opportunity to look through it, and asked if they have to spend this money tomorrow? Mr. Bush said they need to start quickly; the walls are about to fall down and they cannot work on the building until the lead paint is removed, which is why the architect rushed it down tonight and is trying to get emergency approval. Commissioner Azula said he happened to be in City Hall yesterday when the architect and contractor were here discussing this matter, so he is able to comprehend the problem. Mayor Flagg said this goes back to communication. They all need to be in the loop. If it is that important, everyone should have known at 5:00 yesterday. This amounts to a rubber stamp action. Mr. Bush said this was brought in around 4:30 this afternoon. If they will go ahead and approve the lead based paint removal, they can wait on the rest of it. Mayor Flagg said the contractor and architect both need to understand this is a municipal government and these wheels don't turn overnight. They can deal with what they need to deal with under emergency and deal with the rest of it later. After going through the change order request, the consensus was there was no provision in it for removing the lead-based paint. Mr. Bush asked if they would call an emergency meeting and bring the architect in to discuss the issue. Commissioner Norwood said the contractor needs to know the agenda policy. The consensus of the Commission was to call an emergency meeting, possibly at the job site.

COMMISSIONERS' REPORTS:

Commissioner Brown:

- Said she will be bringing a report back from the Riverboat Committee on the latest grant they are working on.

Commissioner Norwood:

- Said Commissioner Azula raised the issue of lawsuits, and he would like to be informed to the extent that he can be. Mr. Bush said there are two pending right now brought by two ex-police officers. The Florida League of Cities' legal staff is handling it. Mayor Flagg asked Mr. Bush to send the Commission a memorandum bringing them up to date on these two lawsuits. If they want further information, they can each take the time to sit and talk with him on their own. This should probably be done quarterly. Mr. Bush said people are constantly falling down on sidewalks and the like, which the insurance company settles. If they want to put all those in the newspaper it would cause the number of those suits to multiply by 10. Commissioner Brown said she sits on the insurance trust, and they have a fraud division, which is investigating a person in Palatka. Mr. Bush said there are two. Commissioner Brown said if there are things pending, she would like a note to let her know what they are so she does not appear uninformed.
- Said he would like the City Attorney to get with the Code Enforcement people on coming up with a legal plan for the vacant lots in the city. They are meeting on the 15th. He would like to know what the contingency plan is.
- Asked how they are coming along with getting the cars moved off of 10th street between Main & Reid Street. Mr. Mengel said he was contacted by Williams Body Shop about this, and he informed them that to do what they are proposing would be considered a junk yard, which is only allowed in M-1 zoning, and they are not zoned for that. They were actually inquiring about a neighboring parcel to theirs. Kingsley Plimpton contacted him a week after that letter went out for that same use on that parcel. The use then came up on the adjacent parcel, which is a junkyard for all intents and purposes. Joff inspected it yesterday and said he was issuing them a

second notice of violation. You can have a commercial parking lot, but the vehicles have to be operable and tagged, and these vehicles are not operable, nor tagged. Mayor Flagg asked if they have earned a citation. A letter is not strong enough. Mrs. Banks said they give them a warning first, and they have 30 days to comply. At the end of the 30 days a reinspection is done, and if the problem is not resolved the City can issue a citation, which they have five days to pay, along with court costs. The fine is \$82 for the entire lot, and for every day it remains a violation she can write another citation. Mr. Holmes said they could also bring the matter before the Code Enforcement Board, which can impose a daily fine until clean up is accomplished. That can revert to a lien, which can be foreclosed. This includes a \$75.00 administrative fee. Commissioner Norwood said they need to follow the strictest guidelines to see that this is corrected, and send a message that this will not be tolerated. Mr. Mengel said the use can be permitted for operable tagged vehicles. All the vehicles that are in there now are disabled. This looks like an impound lot. They were told four or six months ago when they inquired that they could not do this legally, and have apparently chosen to ignore that. Commissioner Norwood said if they are going to ignore citations and city ordinance, they are not being a good neighbor. Mr. Mengel said at this point they have been given notice, and the City is following its normal process and not treating them any differently. There have been no more vehicles placed on the lot since the first notice. Mrs. Banks said they can concurrently give them a citation and a notice to appear before the Code Enforcement Board. If they will read their Code Enforcement Board minutes from Wednesday, they can see that they are working on their procedures with the City Attorney. Mr. Holmes said an associate in his office is trying to find out what they have and don't have, and will make a recommendation on code changes and enforcement measures. They are exploring some novel ways to enforce code, including purchasing tax certificates on code violation properties. He drafted a letter today, which they can send out on a regular basis for properties that have accumulated liens, but the value of the property is not such that they can pay off the taxes and still end up recouping the money. The City may be able to purchase tax certificates at a discount rate, end up owning the property, clean it up themselves, and sell the property in a cleaned up state to recoup the costs. The Code does not have an abatement provision for undeveloped land. They have researched other cities that do have that provision. He is preparing a draft modification to put that provision in the Code. He was instructed yesterday to file two or three nuisance suits to affect the clean up of undeveloped land. They are trying to get a handle on the entire code enforcement framework and develop 'assembly line' procedures. He can probably put something in place in the next two months. This does not stop them from taking action. They need to do some research, which takes time. There are a number of things they can't statutorily do. They need to develop a cost-effective method to handle these issues.

Commissioner Azula:

- Said he has spoken to some employees who have been hurt on the job and have had to go on workmen's comp. They have accumulated sick leave, but are not allowed to use it to make up the difference between their regular wages and worker comp benefits. The County allows this. Also, they are penalized for a break in service, and they should look into doing it differently. The County does not do it this way. Mayor Flagg said he received a package of the same information, and has spoken with the City Manager about it. Some time ago when things were being done manually, the best way to keep track of breaks in service was to adjust the date of employment. Now they have computer programs that can handle the same task, and it should not be going on now. Mr. Bush said if they will remember when the 175/185 legislation was passed and the fire and police departments "end ran" the League and the various cities to get additional benefits, there is much the same intent here, because these are additional benefits. Right now people who are out on worker's comp do not receive benefits while they are out. This is done because they are not accruing time towards their pension and are not paying into it, and while they are not present at work, they are receiving two-thirds of their salary. There is a certain amount of fraud in worker's comp and there are people who are out for years. An extreme example is someone who works for a few years, gets hurt on the job, and stays out on worker's comp for years before coming back in and trying to claim that time on a pension. Not every city does these things. He turned Mr. Dixon's package, which amounts to going

around the collective bargaining process, over to the League's insurance representatives, who are going to review it. They have offered to come back and speak to the Commission about the seriousness and the cost to taxpayers of this request. Commissioner Brown asked what they do with other employees besides fire and police. Mr. Bush said they are treated no differently. They need to look at all sides of this issue. Mayor Flagg said they will look for that person to come in and give a response to the Commission, and will also want to hear from someone who deals with the worker's comp issue in a workshop.

Commissioner Edwards:

- Said Commissioner Brown mentioned commission raises, and previously when they voted themselves a raise they spoke to the City Manager about drawing up an ordinance to handle periodic raises so they wouldn't have to revisit it. The County Commissioner salaries are set by the state. Mr. Bush said he brought each of them in and showed them how their salaries compare to other comparatively sized cities. They are some of the highest paid commissioners in the state already. Commissioner Edwards said he would like to see something drawn up so periodic raises will be given. He should investigate how others cities do it.

Mrs. Driggers said the City received suit papers from a woman who claimed an injury due to a sidewalk trip and fall, which seemed very suspicious. Most times the insurance company will offer people a nuisance settlement instead of pursuing the truth of the matter. She got the police and streets departments involved in looking into this further, and after checking deeper and looking for witness, they discovered the woman was not being honest about when and where this happened. She was asking for a very large sum of money. She is being arraigned for attempting to defraud an insurance company on February 14. Mayor Flagg said he hopes they can get some proper publicity about that. He would like a copy of the judicial order to come to this commission.

Chief Howard said there is a mini seminar at the Ag Center with the fire services and Division of Forestry Services. There will be eight 30-minute presentations dealing with wildfires. It starts at 8:30 a.m. and ends around 12:30.

Chief Howard said on Tuesday two of their vehicles were involved in not-at-fault accidents. First a school bus ran into one of their fire trucks, and the door is being replaced. An hour later Chief White was struck from the rear by another vehicle while he was stopped at a light. No one was injured in either instance.

Mayor Flagg noted the annual Chamber of Commerce dinner meeting is tomorrow night.

Calvin Smith, 910 Reid Street, said they really need the dock Mr. Taylor is trying to build. He loves to fish and will really use something like that. He does not know who called the City Manager to complain about the dockage, but he can bet they don't fish. If they want this money to come into Putnam County, they need to build that dock.

Mr. Mengel said for their information, Mr. Cobb, the planning consultant, has offered a proposal for his services, which they can discuss at the next meeting. He passed out a copy of the proposal.

There being no further business to discuss, the meeting was adjourned on a motion made by Commissioner Azula, seconded by Commissioner Brown.

CITY CLERK

MAYOR