

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 13<sup>th</sup> day of December, 2001.

PRESENT:	Mayor	Karl N. Flagg
	Commissioner	Mary Lawson Brown
	Commissioner	Hernan Azula
	Commissioner	James Norwood

Also Present: City Manager Allen R. Bush; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers, Finance Director Ruby Williams, Planning Director Adam Mengel, Police Chief Gary Getchell, Fire Captain Randy Porter, and Main Street Manager Debbie Banks.

INVOCATION – The Reverend Bill Williams, Pastor; Francis Baptist Church

PLEDGE OF ALLEGIANCE – Gwendolyn White

APPROVAL OF MINUTES – 11/20/01 – Commissioner Azula moved to approve the minutes as read. Commissioner Norwood seconded the motion, which passed unopposed.

**PUBLIC RECOGNITION:**

Mayor Flagg greeted Commissioner Elect Sanders, noting he will be joining the Commission in January, and introduced Commissioner Azula's wife Lyn, noting today is her birthday, and his mother, Jilna Azula, who is visiting.

Mayor Flagg read and presented a proclamation designating Friday, December 21, 2001 as Clint and Elizabeth Snyder Day in recognition of their public and civic service, and their work on the Conlee Mural Committee, which they founded. Mr. Snyder thanked the City for all the support they have given to the Mural Committee. Their goal is to revitalize the downtown area and establish more pride in the community.

Mayor Flagg read and presented a proclamation designating Friday, December 14, 2001 as Terry Scroggins Day, in recognition of his first place win in the B.A.S.S. Masters Eastern Open Season Tournament held in Palatka this past week. He also recognized Terry's son Jonathan Hudson, who won the B.A.S.S. Kids Casting contest. Mr. Scroggins thanked the City of Palatka and the local businesses for their support of these tournaments and for making the participants welcome.

Mayor Flagg presented certificates in recognition of Excellence in Workplace Safety to the members of the G-P Palatka Sawmill VPP Safety Committee in recognition of their acceptance into OSHA's Voluntary Protection Program Merit Level. Commissioner Norwood accepted the certificates on behalf of the committee members.

POLICE DEPARTMENT PROMOTIONS – Introduction of newly promoted officers – Chief Getchell said three officers are being promoted into supervisor positions with the PPD. They began the process three months ago with a competitive examination and a competitive process where they did role-playing in front of assessors. These officers represent the "best of the best." Palatka has a fine police department, but there is only one person to fill any one position. He introduced Brian Hawkins, who is being promoted to Sergeant of Patrol Operations; Matt Newcomb, who is being promoted to Corporal of Patrol Operations; and Cornell Brown, who is being promoted to Corporal of Patrol Operations. He administered the Police Supervisors Oath to each officer and invited their family member to pin their badges on them. Chief Getchell told the new supervisors that they represent him and the elected officials in the Community, and when they are making decisions that will affect others, they should make them as he would expect them to make them, and not as they want to make them.

STUDENT OF THE MONTH – December, 2001 – Vice Mayor Brown joined Mayor Flagg in presenting certificates of achievement to the following students in recognition of their academic excellence, leadership, citizenship and attendance:

Tina Shuman	Beasley Middle School
Maleka Baker	Browning Pearce Elementary

Erika Smith	E. H. Miller School
James “Matthew” Parham	James A. Long Elementary
Benito Herrera	Jenkins Middle School
Renee’ Westberry	Kelley Smith Elementary
Anthony L. Chandler	Mellon Elementary
Te’onna Smith	Moseley Elementary
Jacob Cremer	Palatka High School
Samantha O’Brien	Peniel Baptist Academy
Ashley Ecker	River Breeze Elementary

PUBLIC COMMENTS – There were none.

CONSENT AGENDA – per staff recommendations:

- a. DISASTER RELIEF FUNDING AGREEMENT – Tropical Storm Gabrielle – Authorize Mayor Flagg to sign FEMA agreement.
- b. SURPLUS PROPERTY DISPOSAL REQUEST – Chief Getchell, Police Dept.
- c. CONCURRENCE ON BID AWARD - Larimer Arts Center Renovation Electrical Upgrade - to Brooks Electrical, Inc. for \$8,450 (base bid) – per Allen R. Bush and Robert Taylor
- d. CONCURRENCE ON BID AWARD on Handheld Meter Readers - to Sunstate Meter & Supply for \$10,750 – per Ruby Williams
- e. CONCURRENCE ON VICTORY GARDEN LOCATION – Keep Putnam Beautiful – per Allen R. Bush
- f. APPOINTMENTS – Reappointment of Margaret Willis, Sue Roskosh and Carl Stewart to the Planning Board for three-year terms each to expire 12/31/04

Commissioner Brown moved to approve the consent agenda as presented. Commissioner Azula seconded the motion, which passed unopposed.

COMMUNITY REDEVELOPMENT AGENCY – Mayor Flagg suspended the regular meeting and convened the Community Redevelopment Agency to hear the following requests:

ALLOCATION OF TAX INCREMENT MONIES – South Historic District – this item was pulled from the agenda.

ADVERTISEMENT FOR CRA DIRECTOR/MAIN STREET MANAGER – Mr. Bush presented the job description for this position, which they have combined in order for it to qualify for tax increment monies. He would like to advertise the job opening as soon as possible. Commissioner Norwood moved to advertise to fill the position of CRA Director/Main Street Manager, job description as presented. Commissioner Azula seconded the motion, which passed unopposed.

Mayor Flagg adjourned the Community Redevelopment Agency and reconvened the regular City Commissioner Meeting.

WATER SERVICE REQUEST – Francis Baptist Church – Pastor Bill Williams, 155 CR 309C, Palatka, said he has withdrawn his request for annexation, and is asking for water service only for the Church due to a hardship they are experiencing with their water supply, as noted in his letter of hardship (filed). Commissioner Norwood moved to grant an extension of water services on to Francis Baptist Church with the stipulation that they agree to annex whenever they become contiguous to the City Limits. Commissioner Azula seconded the motion. Per the question, Mayor Flagg said the map provided by Gene Garrett (filed) shows the line will be extended 1,910 feet to the Church, and an extra fire hydrant will be installed, at no cost to the City. Mr. Bush said they will request a stub-out for a hydrant, also, since the city normally places hydrants every 600 feet. Per the question, Mr. Bush said the City is not required to furnish fire protection outside the city limits, if a hydrant is there or not. When an annexation occurs, it would simply be an easy matter to install a hydrant if a stub-out is already there. They do have some hydrants in unincorporated areas, on Old Wolf Bay Road and Rolling Hills. Mayor Flagg asked what obligation the City has to allow county firefighters use of the hydrant if it is there. Mr. Bush said volunteers have the ability to hook into any hydrant, but the City is not obligated to provide first response services. City taxpayers pay the bill for the water to

fight a fire. His recommendation is to stub it out for a hydrant until annexation occurs. Per Commissioner Brown's question, Pastor Williams said the church has unanimously agreed to annex. Mr. Bush said there are two properties between the Church and the Sports Complex, which is soon to be annexed. One is owned by Villa Farms and the other by Clay Electric. Pastor Williams said they will hire the contractor and have the lines installed to the City's specifications. Mr. Bush asked Capt. Porter if churches outside the City pay a fee for first responder services from the City. Capt. Porter said they have a long-standing mutual aid agreement with all churches located within a 10-mile radius of the city limits, as a courtesy, same as schools. He asked if it would be better to go ahead and install a hydrant if the Palatka Fire Dept. is a first responder, and asked for his recommendation. Capt. Porter said they would like to see as many hydrants as possible installed wherever they can get them. The volunteer departments get their water from the hydrants at Old Wolf Bay Road now, so it is the same. They don't like to see it done, but you can't stop it. Mayor Flagg said the citizens of the City are funding that water usage, so this needs to be addressed during the fire committee discussions. Mr. Bush said the issue of volunteer departments coming into the City to fill their trucks came up several years ago, and at that time the Commission voted to allow them to continue to do so. Commissioner Brown said at one time Susan Cook with CDBG was pushing a project where citizens did the actual digging to get the ground ready to lay the pipe, and CDBG paid for the pipe and the equipment. Welaka participated in it. They may need to call her to see if they can use that service. There being no further discussion, the motion passed unopposed. Pastor Williams was directed to meet with Mr. Mengel on the annexation agreement, which will begin the process, and to provide Gene Garrett with a set of the specifications when the bid the project. Payment for hook up and impact fees should be made prior to receipt of service.

**FESTIVAL NOISE POLICY** – Chief Getchell provided the Commission with a memorandum on his recommendations on festival noise policy with reference to decibel levels, along with a recommendation on a revision to the present ordinance (filed). This is due to the noise complaints they receive, which are not that numerous. He was concerned about being able to base his recommendation on an actual study. He found a source, the League for the Hard of Hearing, which has done these studies. These levels will allow festivals to operate, but will address the complaints, also. Most of the complaints they receive are about noise than occurs continuously over a length of time. Continuous noise for one hour at 150 decibels is equivalent to a fireworks display. The current ordinance calls for no higher than 60 decibels in a residential area. An amplified voice violates this ordinance. A normal conversation is heard at 60 decibels. Per his recommendation, the longer the duration of noise, the lower the decibel. Four hours of music should be no louder than 120 decibels. There are a lot of variables that affect the noise levels. This gives them a basis to work with. Mayor Flagg asked if it would be to the City's advantage to make all decibel levels consistent during the 11:00 p.m. hour. Chief Getchell said table 1 is the current ordinance; table 2 is what he proposes to be added. Mayor Flagg said while they are upgrading the ordinance, they should take care of any inconsistencies. Mr. Holmes said the ordinance appears to need an upgrade if the City's ordinance prohibits exceeding normal conversation during daylight hours. Chief Getchell said at the present levels, there are violations going on all day long in each category. Mr. Bush said if the Commission agrees with the variance levels, he would like to get with the Chief to adjust the current noise levels to more realistic levels. Mayor Flagg agreed, suggested he allow Mr. Holmes to review it, and bring it back for consideration. Commissioner Brown said they need some compromises for businesses that are back-to-back with residences. Chief Getchell said enforcement will depend on zoning. Commissioner Brown said her house sits on commercially zoned property, but the houses next to her are residential. Her block is half-and-half. Mr. Bush said they can try to make the ordinance uniform throughout. Mr. Holmes said you don't want the same noise levels in residential as you do commercial areas. You also don't want to limit people in industrial areas to the same limits as those in commercial areas. Mr. Bush said he and Chief Getchell will review the decibel levels and bring it back to the Commission.

**RESOLUTION** – The Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF A LIFT

STATION FOR PALATKA'S KAY LARKIN MUNICIPAL AIRPORT. Commissioner Brown moved to adopt the resolution as presented. Commissioner Azula seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood and Mayor Flagg, Yes; Nays, none. Resolution #7-78 was declared adopted.

RESOLUTION - The Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REPAIR A DRAINAGE CULVERT RUNNING UNDER THE END OF RUNWAY 12 AT PALATKA'S KAY LARKIN MUNICIPAL AIRPORT. Commissioner Brown moved to adopt the resolution as presented. Commissioner Norwood seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood and Mayor Flagg, Yes; Nays, none. Resolution #7-79 was declared adopted.

RESOLUTION - The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, DIRECTING STAFF TO DEVELOP A JOINT PLANNING AGREEMENT BETWEEN PUTNAM COUNTY, FLORIDA, AND THE CITY OF PALATKA, FLORIDA, THAT IDENTIFIES THE SHARED GOALS OF THE CITY OF PALATKA AND PUTNAM COUNTY. Commissioner Norwood moved to adopt the resolution as presented. Commissioner Azula seconded the motion. Commissioner Brown said she wants to make certain the City is properly represented, as the City gets the shaft every time they do something with the County. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood and Mayor Flagg, Yes; Nays, none. Resolution #7-80 was declared adopted.

ORDINANCE – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY REVISING SECTION 2-284(a) AND (d); PROVIDING FOR ALTERNATE MEMBERS TO SERVE ON THE CODE ENFORCEMENT BOARD AND FOR THEIR TERM OF OFFICE; AND PROVIDING AN EFFECTIVE DATE. Commissioner Azula moved to pass the ordinance on first reading. Commissioner Brown seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood and Mayor Flagg, Yes; Nays, none. The ordinance was passed on first reading.

ORDINANCE – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY REVISING SECTION 54-76 (c), REMOVING THE MEMBER REPRESENTATIVE OF THE GREATER PALATKA BEAUTIFICATION COUNCIL ON THE HISTORIC PRESERVATION BOARD; AND PROVIDING AN EFFECTIVE DATE. Commissioner Azula moved to pass the ordinance on first reading. Commissioner Norwood seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood and Mayor Flagg, Yes; Nays, none. The ordinance was passed on first reading.

#### ADMINISTRATIVE REPORTS:

The reports were taken out of order per consensus of the Commission.

City Clerk Betsy Driggers said she distributed a memorandum with her report to the commission (filed). The installation of officials is scheduled for 7:00 p.m. January 7, 2002, at City Hall. There will be no employee Christmas Party this year. City Hall employees will have their Christmas covered-dish lunch on Thursday, 12/20/01 at noon. Former Commissioner Edwards will be there to accept a plaque for his service, and Joann Jones, the docent at the Bronson house, is retiring, and she will be there. Everyone is urged to attend and bring something. She will be on vacation Dec. 26 – Jan. 2.

1504 & 1506 DUNHAM ST. - City Attorney Don Holmes updated the Commission on the 1504 & 1506 Dunham Street properties. He filed suit against the owners and mortgage holders and has obtained service of process against everyone, but no one wants

to claim ownership interest in the properties, in spite of the deed status. Everyone has offered to quitclaim his or her interest to the City. He ran the taxes, and found there is a total of \$7,480.18 in tax liens owed on the properties. In the past, when they have dealt with their options on cleaning up property, they have considered the value of the property and the expense of accepting ownership. He does not know what this property is worth, but has been advised the value is less than the taxes owed. The outstanding certificates might be negotiated down some. The Commission needs to decide if they want him to go forward with a hearing date on the complaint, which the City will certainly win, since no one opposes the ownership of the property. The City can then clean up the property and add that cost to the existing liens, as they will never get that back. Mr. Bush said the liens would drop off after so many years. They can accept the property and refuse to pay the tax deeds, unless those people choose to foreclose on the properties and take title to them. Per the question, Mr. Holmes said the reason the City goes after ownership is they can clean them up and sell them for what they have in them to get them back on the tax rolls, or even donate them. If this property is worth \$10,000, even if they pay the tax liens and clean up costs, they can recoup it if sold at its value. The odds are they will never recoup the cost of the clean up if they just record it and sit on it, and it will probably never be paid. Tax liens usually drop off after seven years. Mayor Flagg said seven years is too long to wait to recoup an investment. Mr. Bush said these tax liens are probably three times the value of the property, and no one is likely to offer to purchase the property for the amount of the tax liens also. Mr. Holmes said the City can either wait until the liens fall off or negotiate with the owner of the tax liens for a reduced price. His suit is ready to go. The Judge will give them permission to clean up the property and place a lien on it, but they will be in line behind \$7,480 worth of tax liens. The City will never get that money back. Or, the City can accept title and either wait for the liens to drop off or negotiate for a sale of the property. Almost \$2,000 in tax liens will drop off next year. Commissioner Azula said he has been approached by a Mr. Greenup, who is interested in purchasing those properties as-is. He wants to remodel them. Mr. Bush said even if he remodels, he is still faced with those tax liens. He can demolish the houses at no cost to the City, in exchange for the wood.

Allegra Kitchens, Putnam Co. Tax Appraisers' Office, said people who purchase certificates draw interest on them for seven years. Many times before the seven years is up, someone will make a tax application on the property. Because the Codes Board has liens against this property, that would dissuade the tax lien holder from making an application for deed. The City has a good chance of the liens dropping off when they mature. Mr. Holmes said if the City does not accept title, they are not in a position to sell the property to Mr. Greenup or anyone. The code lien cannot supercede the taxes. Mr. Greenup has left messages at his home, but should call him at his office. Mr. Bush recommended the Commission take title, clean them up, and sit on them until the liens fall off. Commissioner Brown moved to direct the City Attorney to move forward with his suit to obtain the deeds to 1504 & 1506 Dunham Street. Commissioner Azula seconded the motion, which passed unopposed.

Mr. Holmes said he obtained a quitclaim deed from the owner of 1003 Ocean Street. He purchased tax certificates on 930 N. 19<sup>th</sup> St., which he intends to file for title on. They dismissed the suite on 216 N. 17<sup>th</sup> street as Mr. Vickers has paid his administrative fee and cleaned up the property. They have acquired a clean-up order on a nuisance property on Olive Street, signed by Judge Parsons, and it is now in Code Enforcement's hands to take bids on clean up. Mayor Flagg asked what happens if they don't have the money.

Debbie Banks, Code Enforcement Officer, said they began working with the County on clean up of properties both inside and outside of the city limits. This week they cleaned up 300 N. 6<sup>th</sup> Street, owned by Earnest Clayton, who gave them permission to do so. 1421 Olive Street will be the next property to be cleaned up, which will be a major job. Robert Lee was living in that house, but he is trespassing by being there.

Adam Mengel, Planning Director, said he notified the Commission of Ed Huntsberger's retirement party. It will be held at Kris' Steak House at 6:00 on January 12, 2002. Tickets are \$10.00/person and can be obtained from Joff Fillion. His actual last day is the end of the second pay period in January. They are also trying to collect for a gift for him.

Fire Capt. Randy Porter said Chief Howard was unable to attend the meeting due to his knee injury. He begins therapy today and hopes to return to light duty status on Monday. The Department has acquired a 1994 Ford F-350 diesel p/u from SJRWMD and refurbished it for use as a brush truck. They installed a tank, pump and hose on it. They spent a little less than \$6,000 on it. This has been needed ever since the fires of 1998. The regular pumper trucks are not designed for use in the woods on brush fires. They are designed for use on paved roads. He brought it with him tonight if any of them would like to see it. Mayor Flagg said the Commission is appreciative of the Department's teamwork, and suggested they put back up their sign stating "this is a can-do department." They should put out a press release. Capt. Porter said SJRWMD does not want them to state whom they received it from.

Capt. Porter said their new breathing apparatus air compressor should arrive any day. They are remodeling one of the rooms at the station to accommodate this equipment. Per Commissioner Brown's question, the schools campaigned to purchase them a thermal imaging unit, and over the course of two years they raised just over \$8,000. They coupled that with some City funds and ordered the unit.

City Manager Allen Bush said the Fire Chief Selection Committee is in place. They are writing up a list of questions to ask the applicants. The Committee will meet first to short-list the applicants to six or so for interviews. They hope to have a new fire chief on-board by the end of January. They have better than 30 applicants. Capt. Porter said he would like to be notified of when those interviews will take place as some of the men would like to be present.

Police Chief Gary Getchell had no report.

Finance Director Ruby Williams had no report.

#### COMMISSIONER COMMENTS:

Commissioner Brown:

- Said she has been traveling to several meetings and conferences, and brought back all the information she thought the city might be interested in. She will leave it in Mr. Bush's office for the commissioners and dept. heads to look through and take whatever they are interested in. She brought back some very interesting literature on terrorism, racial equality and forming better communities from the National League conference.
- Presented the Commission with a very large bag of candy to fill their candy jars with throughout the year.

Commissioner Azula:

- Said he went to look at the Azalea Festival building several weeks ago. They have remodeled the building, installed central a/c, and it is in very good condition now.
- Complimented the good job the Codes Board is doing with the joint City/County property clean-up project. The first piece of property was cleaned up in one day.
- With reference to hydrants outside the city limits, he does not believe any citizen in Palatka would complain about water being used to save lives or prevent fires from spreading whether in or outside the city limits. He realizes they have to be cautious about liability issues, but they also need to be aware of their neighbors' needs. Mayor Flagg agreed, but said the City still needs to be able to use better fire protection to convince people to annex. There are enclaves all over. Mr. Holmes said the resolution they passed tonight will help them solve some of these problems.

Commissioner Norwood:

- Complimented the joint city/county clean-up project, as well as the sidewalk joint effort with the School Board.
- Would like to see the newspaper promote helmet safety for bike riders. This is the time of year when people purchase bicycles for their children.

- Said the PD has been doing a great job of citing people for noise violations, and the problem was lessened for a while, but is starting back up on weekend nights at the M.L.King Center in the 700 block of N. 19<sup>th</sup> Street.
- Said previously they discussed establishing some type of minimum maintenance standards for retention ponds. The retention pond at the M.L. King Center is constantly coming before the Codes Board. They should have a mechanism in place to force the owner to keep it clean without having to spend time and effort notifying him. Mayor Flagg the City should not continue to make phone calls to prompt the owner, but should begin writing citations. The fences around those ponds also need repair. Commissioner Norwood said the palmettos are havens for snakes, and there are residences in that area. They are not designed for that type of growth. Water Management does not monitor them once they are in place.

Mayor Flagg:

- Said he has now been a part of the City's team for a year, and he rates them as Palatka's best. He is grateful to be able to serve with them and don't take any of them for granted. They have a very strong and progressive team that is moving the City forward. He appreciates the support they have given him. He believes that they have become family, and give each other the respect they need and deserve. He looks forward to the next four years.
- Complimented the sidewalk work going on through the City, especially on Reid and St. Johns Avenue.
- Complimented the PD with their efforts on DUI control. Today the FHP Captain said of the Palatka PD that, in his history of dealing with other agencies, he has never experienced the kind of relationship that actually touches every law enforcement agency in this county, and they have the best working relationship and team camaraderie of all the other departments in the County.
- Said he would like another set of commissioner photos posted in the Price Martin Center, if possible.
- He wished everyone a Merry Christmas and Joyful Holiday Season

There being no further business to discuss, the meeting was adjourned upon a motion by Commissioner Brown, seconded by Commissioner Norwood.

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CITY CLERK

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MAYOR