

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 8<sup>th</sup> day of February, 2001.

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

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

INVOCATION – The Reverend Barry Beauchamp, Pastor; College Park Baptist Church

PLEDGE OF ALLEGIANCE – Former Commissioner Ted MacGibbon

APPROVAL OF MINUTES – 1/25/01 and 1/29/01 - Commissioner Norwood moved to approve the minutes as read. Commissioner Edwards seconded the motion, which passed unopposed.

AWARD – Mayor Flagg presented Cathy Carlin with a Distinguished Service Award in recognition of her years of service on the Golf Course Advisory Board.

PUBLIC COMMENTS – Clint Snyder, 7300 Crill Avenue #32, said he is appealing to the Commission on behalf of folks on limited incomes who cannot pay their high gas bills for December and January. He realizes the Commission has no control over the Gas Authority, but they can intercede to a point as they appoint Gas Authority Board members. He served as its Chairman in 1965. He suggested they come up with a way to spread the bills out over the year so people don't get cut off, similar to the way FPL does their "budget billing". Mayor Flagg said they will make sure his request is transmitted to the Gas Authority before their next meeting.

CONSENT AGENDA – Mayor Flagg asked they take Item (a) separately.

- b. Appoint Toni LaBani to the Golf Course Advisory Board for a one-year term to expire January, 2002. Motion to approve made by Commissioner Brown, seconded by Commissioner Azula, and passed.
- c. Award Distinguished Service Recognition certificates to John Wolfenden & Dick Westbury for their tenure on the Golf Course Advisory Board. Motion to approve made by Commissioner Edwards, seconded by Commissioner Brown, and passed.
- a. Bid Award for two Water & Sewer trucks – Commissioner Azula declared a conflict of interest on this item. He is employed by Palatka Ford, Inc., the only firm submitting a bid. Mr. Bush noted the bid specifications were per state contract specs, at a contract cost of \$10,409.45 per vehicle. One bid was received from Palatka Ford for \$11,401.35. This is \$1,092 more than the contract price. These vehicles have a slightly larger engine. The Commission has always favored buying vehicles locally whenever they can. The rule used is to take the local bid if it is within \$1,000. Commissioner Norwood said he wants to be sure in the future they include a bid from each vendor that bid. They need to create a paper trail on the bids instead of running all over town delivering bid packages. Mr. Bush said the bid procedure is spelled out in the policy manual. Normally they are mailed out, and if they do not return anything, there is proof of notification. Mr. Willis has provided proof that these people passed on bidding. These trucks were budgeted under the state contract price. Mr. Willis said they have budgeted \$22,000 for this. The Commission will need to make a decision on whether or not to award the bid to Palatka Ford, Inc. or go with State contract. These trucks meet the specifications listed in the bids. Commissioner Brown moved to award the bid for two water & sewer trucks to Palatka Ford, Inc. for \$11,401.35 each. Commissioner Norwood seconded the motion and asked for a memorandum as to where the extra \$802 will come from. Mr. Bush said the extra will probably come from Water & Sewer contingency. There being no further discussion, the motion passed 4 – 0, one abstention by Commissioner Azula.

**PURCHASE OF KIRBY STREET LAUNDRY** – Ken Campbell, President, South Historic District Neighborhood Association, said they would like to use their tax increment funds to purchase the Kirby Street Laundry Building. He noted the many people in the audience who are in support of this purchase. At last night's neighborhood meeting this purchase was approved unanimously (40 votes). They wish to purchase and restore this building, which dates back to 1909, and use it for meeting and events. This will also serve to eliminate a public nuisance that has plagued their neighborhood for many years. The purchase will be funded over a five-year period. An amortization schedule was provided (filed). Mrs. Williams said approximately \$23,000 will be available once this year's deposit has been made. Commissioner Brown asked who will be responsible for the upkeep on the building. Mr. Bush said ongoing costs are not tax increment fund eligible. Mr. Campbell said their Association is prepared to pay the cost of insurance, utilities and maintenance. They will accept that responsibility. Mayor Flagg said this will require a written agreement between the City and the Neighborhood Association. Mr. Bush said they will work out a long-term lease agreement, which will come back to the Commission for final approval. Commissioner Edwards moved to begin negotiations for the purchase of the Kirby Street Laundry building located at 429 Kirby Street, using tax increment funds for the South Historic District. Commissioner Azula seconded the motion.

Theodore Tice, 426 Kirby Street, said he lives directly across from the building. He is concerned as the building is a nuisance and is not historic. He does not want the traffic in front of his house. This is not a commercial district. If this is overseen or continually owned by the City, it would be all right, but he objects to his tax funds going towards a social club, which is what this is. He does not know that this is legal. These monies are for neighborhood improvement. It would be nice to repair houses with it or sponsor low interest loans, or purchase some of the vacant houses for renovation and resale. Mayor Flagg said buildings are not nuisances, but the utilization of buildings can create a nuisance. The Association has done an outstanding job of pulling this neighborhood together and has made many improvements. There being no further discussion, the motion passed unopposed.

**BUS STOP BENCHES** – Bob Shackleford, Benchmark Ad Services, passed out a proposal for bus stop benches with advertising on the seat backs. Mr. Bush asked if he has coordinated this with Boyd Thompson with ARC Transit. Mr. Shackleford said he has, and Mr. Thompson informed him they needed 25 shelters throughout the City and County. He said there were 15 shelters in the City, but the Zoning Dept. only shows eight. Mr. Bush said 20/20 Media came in last year and offered a lease agreement asking for exclusive rights to place bus stop shelters throughout the City. He recommends the Commission allow him to sit down with Mr. Holmes, Mr. Thompson, Mr. Shackleford, and someone from 20/20 Media to see what can be worked out. 20/20 Media is still very much interested in this venture. The City will probably propose a first come/first serve arrangement. When asked for references from other communities, Mr. Shackleford said this is a new business. They have not done this before. It is a simple plan. Commissioner Brown said they really need covered shelters. Commissioner Norwood asked if the proposed benches meet the sign ordinance.

Adam Mengel, Planning Director, said they had discussed what had gone through the conditional use procedure. The Code was amended to allow for advertising on bus stop benches and bus stops as a conditional use. 20/20 Media was approved for their locations and was granted a conditional use permit, which has since expired. Commissioner Azula moved to authorize the City Manager to meet with the City Attorney and all other interested parties to work out the details and bring it back to the Commission at a later date. Commissioner Edwards seconded the motion, which passed unopposed.

**POWERTEL/JACKSONVILLE TELECOMMUNICATIONS TOWER** – Commissioner Norwood moved to approve Powertel/Jacksonville's request to locate a telecommunications tower on the City Water Tank, contingent upon the City Attorney and City Manager obtaining a successfully negotiated contract. Commissioner Edwards seconded the motion. Mr. Bush said there are a few contract details to be worked out. There are already two antennae atop the tower now. There being no further discussion, the motion passed unopposed.

REPORTS:

a. Motorcycle Event – Ms. Driggers said the Commission was provided with a memorandum stating the Boy’s Ranch will not be supporting this event due to the alcohol sales. Mrs. Spires was notified, but did not come back with another sponsor before the agenda deadline. Mrs. Spires advises Wayne Troiano has now agreed to be the sponsor. She was advised that Mr. Troiano needs to take the same steps as when he obtains permission to hold his other festivals, and should come before this Commission. Mayor Flagg expressed his appreciation to the Commission for making their motion at the last meeting contingent upon the sponsorship. He is concerned with the continual change of sponsors. He considers this item dead. Commissioner Brown said she was happy to see that Rodeheaver did not want to be associated with any event that was tied to alcohol sales. They should be able to have events on the waterfront that do not involve alcohol. She is concerned about people drinking and then riding motorcycles. Commissioner Azula said there never used to be alcohol sold on the waterfront before the Blue Crab Festival. There was never a need for it. They need to start limiting alcohol at the riverfront with the exception of the existing festivals. They need to create a policy. Mayor Flagg said a policy should be developed so people don’t waste their time asking for things they won’t get. The Commission does not need to conform their policy to make it fit someone’s plan. Mr. Bush said if they are going to limit this to festivals, they need to define what a festival is. They will run into a problem if they don’t. Mr. Holmes said they need to develop an articulate standard to be applied to each application. Right now they have a prohibition against alcohol sales, and this Commission has entertained requests to waive that prohibition on a case-by-case basis. In order to avoid accusations of being selective, they need to have an objective standard of operation and apply it to everyone that applies, no matter who it is. Mayor Flagg said they should review all the festivals and determine their level of requests, whether it deals with noise, alcohol, etc., and establish a standard. Commissioner Norwood said he would like to workshop this.

Debbie Banks, Main Street Manager, said there should be a staff meeting or workshop on this because these festivals cost the City a lot of money. There are staffing issues, utilities, occupational licenses, etc. Mr. Bush said they need to define festivals, set some standards for riverfront occupancy, and bring them back before the Commission. Commissioner Brown said she would like a workshop on this. Mayor Flagg said they should be conscious of the time lapse between the workshop and upcoming existing festivals, and be working on these issues simultaneously. They can define the issues and limit workshop discussion to that. Commissioner Azula said there is no alcohol sold at Crescent City’s Catfish Festival, which is very successful. The festivals have become more of a “drink-a-thon.” Azalea Festival is now running two weekends.

b. Proposal for Professional Planning Services – Mayor Flagg said this will address C-3 zoning. Mr. Cobb’s credentials and reputation in this area are impressive. Mr. Bush asked Mr. Mengel if he knew where the \$4,000 would come from to fund this proposal. Mr. Mengel said they have not determined where it would come from but they do have a small amount available for professional services. Mr. Bush said there is some money left in contingency. He asked Mr. Mengel to sit down with the Finance Director and identify revenue sources for this item. Commissioner Norwood said they need to have a contingency plan in place. They also need to identify a funding source when they ask for this type of thing. Mayor Flagg said this request came from the Commission, not the Planning Department. Mr. Bush and Mr. Mengel should get together to come up with these funds. Mr. Mengel said this was not foreseen when they were in the budget process. Commissioner Brown said this is important, and they have been talking about doing this for several years. It is badly needed. Mayor Flagg said he would like to see the Commission move forward on this. Commissioner Azula moved to approve Mr. Cobb’s proposal for professional planning services, contingent upon identifying a funding source. Commissioner Edwards seconded the motion, which passed unopposed.

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 Edwards moved to place the ordinance on 2<sup>nd</sup> reading for adoption. Commissioner Norwood seconded

the motion. There being no discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Edwards, Norwood and Mayor Flagg, Yes; Nays, none. The ordinance was declared adopted. Mayor Flagg noted the next meeting of the City Commission will begin at 6:00 p.m.

#### COMMISSIONERS' REPORTS:

Mr. Bush said the International Cuisine project has been in the works for the past five years. Mr. Shaikh's financing is still not in place. He met with Mr. Shaikh and informed him that if they hold this project open any longer it will begin to endanger other projects, so the City will be closing this project out, as he has not met his deadline. He has instructed Fred Fox to process the necessary paperwork to close out this grant.

Mr. Bush said he previously distributed a copy of an advertisement asking for applicants for Police Chief. He would like feedback from the Commission and permission to advertise in the League's Datagram. It has been advertised on the Florida Police Chief Association's web site. Commissioner Brown moved to approve the advertisement for Police Chief. Commissioner Norwood seconded the motion. Commissioner Azula asked if they can substitute experience in lieu of some of the degrees. Mayor Flagg said "masters degree preferred" gives them some options. He is not sure they want to waive the bachelor's degree part. Commissioner Azula said the current interim chief would not meet these qualifications, and he would make an excellent chief. Mayor Flagg said "demonstrated history of leadership skills (etc.)" will give some leeway to individuals to market themselves to the City Manager. It does not automatically rule out anyone. Mr. Bush said he researched the qualifications that both small as well as large towns are looking for in a police chief, and this seems to be the standard. After the deadline, he will short-list the applicants and come up with a priority list, which he will provide to the Commission for their review. If they are not able to come up with a satisfactory candidate, they can revisit the qualifications. Mayor Flagg asked how he will determine the short list and keep the Commission as well as the public informed. Mr. Bush said according to the Code, it is the City Manager's responsibility to select a chief and then bring him to the Commission for concurrence. He would not bring in an unacceptable candidate, which would be embarrassing to everyone. He will probably come up with a priority list naming his #1, #2, #3, etc., choices, and let the Commission look at it. Commissioner Brown said the ordinance used to be set up to let the Commission rate the candidates. That is how they did it when they hired Chief Thies. The Commission interviewed the candidates in a commission meeting. She wants to see that ordinance brought back so they can follow that procedure. Mayor Flagg said as the Ordinance is now written, the Commission concurs on appointments, and Mr. Bush will not bring someone in that is going to be rejected. They need to ask Mr. Bush to short list it to the top three or four. It is public record who applies for the job. He will have to justify how he shortened the list down. If the Commission wants to be involved in the process, they need to clear that up now. Mr. Bush said the way he described it is the method they used when Chief Thies was hired. Commissioner Brown said when Chief Dolinski began to differ with city policies, they should have been able to let him know the Commission supports the City Manager. It gives them some insight when they talk with citizens. If something goes wrong, they can all take the blame. There were elected to do this. The ordinance needs to be put back like it was and the top five should be reappointed every year. She wants a short list of applicants they can all interview in a meeting, which is the way they handled it when Chief Thies was chosen. Mayor Flagg said Mr. Bush agreed to that procedure. He has received calls as to whether the search would be limited to people outside the city, or if people inside the city were to be considered, also. He responded that Mr. Bush has not specified where qualified applicants come from; if you are qualified, you can submit an application.

Commissioner Azula:

- Said he has been approached about conflicting speed limits on St. Johns Avenue and S. Palm Avenue. The speed limit changes from place to place. People speed on these roads. Mr. Bush said S. Palm Avenue is county maintained. He will speak with the County on this matter.

Commissioner Brown:

- Said she approached the Arts Council about putting some art work in the Price Martin Building. She would like permission to hang student artwork on the walls.
- She would like to see a portion of the Price Martin Center rents put aside for new curtains. The present ones look very shabby. Mr. Bush said they charge about 1/10<sup>th</sup> of the overall expenses of running that building. Commissioner Brown said they need to find a way to upgrade the facility. Kate McDaniel, former secretary for the Art League, spoke and said the Art League has some students who would be willing to donate some of their work to display at Price Martin. They have a display going on now at the Tilghman House. Commissioner Brown said if they are concerned about vandalism or theft they can donate color copies of their work.

Commissioner Edwards:

- Said he took a call from Mrs. Kerney who lives on the corner of Lundy Road, which was recently paved. Mr. Bush said the County paved that road. Commissioner Edwards said they did not replace the sod they removed from the right of way. He will call Commissioner Purcell and forward the message to him.

Commissioner Norwood:

- Said the Sanitation Department has done an excellent job in assisting citizens and groups in carrying off large trash items. They have done it willingly.
- He is still seeing signs on the right of way, whether they belong to realtors or people advertising their houses, or whoever, and code enforcement needs to address those.

PUBLIC COMMENTS – Revisited – James Williams, 1424 Ocean Street, said when the City looks for people for the top positions, they always hire from out of state. There are people living in Palatka who are qualified for these positions. The people from out of town do not vote for anyone sitting on the Commission. Also, the Community Center has been there for over 10 years and is supposed to be open every day for activities. He has not seen this happen. They need to start activities for old people, like reading or exercise, which is what that building was built for.

Debbie Banks said they will be having another neighborhood improvement meeting at Bethlehem Baptist Church on February 15 at 7:00 p.m. At their last meeting Commissioner Norwood offered to take notices to be distributed at area churches. Mrs. Banks handed the notices to Commissioner Norwood and thanked him for his help.

Mrs. Banks said as to signs along the right of ways, they have taken photos of these signs and have found that most of them belong to churches and other non-profit organizations and/or service clubs. If they are to have uniform enforcement, she will need to pull everyone's signs. Mayor Flagg said their level of awareness should be raised so they will know their sign is illegal, and enforce the ordinance across the board.

Adam Mengel, speaking as a Community Safety Team member, passed out literature on the "Buckle-Up Florida" campaign week, February 10 – 18. He asked they pass the literature along to anyone who has a message board. The calendar is available from FHP.

Mr. Mengel said they have been having communications problems with code enforcement radio systems, which can endanger code enforcement officers. He passed out information on purchasing a new system from Hasty's Communications. There are other options, such as repairing the existing equipment. There are cost savings for 10 or more people getting on this plan. Mayor Flagg asked if he would share this information with other departments. Mr. Bush said many communities are going with the radio/telephone combination.

There being no further business to discuss, the meeting was adjourned at 8:50 p.m. upon a motion by Commissioner Brown.