

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 10th day of October, 2002.

PRESENT:	Mayor	Karl N. Flagg
	Commissioner	Mary Lawson Brown
	Commissioner	Hernan Azula
	Commissioner	James Norwood, Jr.
	Commissioner	George E. Sanders

Also Present: City Manager Allen R. Bush, City Attorney Donald E. Holmes, Finance Director Ruby Williams, Acting Clerk Debbie Banks (filling in for Betsy Driggers), Police Chief Gary Getchell, Fire Chief Kenneth Venables, Planning Director Adam Mengel, WTP Supt. Mike Felton, WWTP Supt. Platt Drew, Sanitation & Streets Supt. Bernard Williams, Sanitation Foreman Ed Chandler, W & S Asst. Supt. Rhett McCamey, and Parks Supt. Jeff Norton,

INVOCATION – The Reverend Keith Altman, Chaplain; Palatka Police Dept.

PLEDGE OF ALLEGIANCE – Fire Chief Ken Venables

APPROVAL OF MINUTES – 9/12/02 – Commissioner Sanders moved to approve the minutes as read. Commissioner Azula seconded the motion, which passed unopposed.

PALATKA POLICE DEPARTMENT RE-ACCREDITATION STATUS – Chief Gary Getchell said the PPD received its re-accreditation status in Pensacola last week, with no exceptions. He is proud of the men and women at the PD, who did an excellent job. A lot of work went into this. When he came on board 16 months ago, nothing had been done towards this. No one wanted to lose its accreditation status, so through commitment, they were able to retain that status, and accomplished three years' work in nine months.

PUBLIC COMMENTS:

James Williams, Jr., 1424 Ocean Street, said on Tuesday he had a problem with his sewer line. The stoppage was on the 15' part of the property that goes to the City line. It was stopped up in the City's main line. A plumber told him he needed to call the City to blow the stoppage out of the main line, which he did. The City blew out the main line, but he still had a problem. The city worker told him it was in his line. He should have some help from the City with maintaining the 15' from the main line to his house. Mr. Bush said many years ago, private plumbers would push clogs from the homeowner's pipes into the lateral, which serves only that house, and then tell the homeowner to call the City. They put an ordinance on the books which requires plumbers to push the obstruction all the way to the main line. Mr. Williams said this line is on City property. Mr. Bush said even though the line is on city property, it serves only his house. The plumber should have pushed the clog all the way to the main line and not stopped partway there. Mr. Williams said the City has the equipment to unstop this line. Per the question, if the city crew checks the main and it is clear, the problem is obviously in the lateral. It is reasonable for a plumber to clear the line all the way to the Main. If a lateral runs a considerable distance, the City will help clear it for a reasonable charge. Rhett McCamey, W&S Supt., said they washed the main line, so if the stoppage had been in the lateral within 3 feet from the main, the pressure would have dislodged it. Per the question, Mr. Bush said the homeowner is not allowed to tear up the road. If the line collapses, the City will replace it. Mr. Williams said the city worker said he did not mind taking the equipment and blowing his line clear. Mr. Bush said they don't mind doing it for a fee. Many times plumbers will push the clog underneath the sidewalk, hand the homeowner a bill, and tell them to call the City to clear it the rest of the way. Mayor Flagg said this policy needs to be made clear by city personnel. The policy should be user-friendly, so that citizens don't incur two bills. Mr. Bush said all plumbers know this policy; if the plumber suspects that the line is collapsed, the City will confirm it and replace it. The plumbers all know to push the clog all the way to the Main. Mr. McCamey read the appropriate ordinance passage reference plumbing connecting buildings to the city's sewer main. Mr. Bush said it is just as easy for the plumber that is already there to fix the problem as it is for the City to come out and fix it. Mayor Flagg

said sometimes there are exceptions to this rule, depending on the situation. They need to bring back a report on what exceptions exist and how they are handled. Mr. Bush said if it is underneath a sidewalk or road, they don't want a private plumber digging it up. Per the question, Mr. McCamey said the charge for the truck that washes the main line is \$150/hour from the time it leaves the lot. Mr. Williams said the plumber charged him \$79.50 for 30-min. work.

Daniel R. Ziem, Jr., 401 Olive Street, said the sewer line goes underneath the sidewalk and there's a clean-out valve on that line. Per the question, Mr. Bush said the homeowner is responsible for cleaning the line on both sides of the clean-out valve. He and the Commission fully understand the issue at hand. The problem has been plumbers pushing clogs underneath the sidewalk, billing the people, and telling them to call the City because the clog is no longer on their property. They just relocate the blockage, instead of pushing it all the way into the Main. Mayor Flagg said every licensed plumber in the City is aware of this rule. If the plumber is not pushing it into the main, code enforcement needs to deal with that plumber. It does not matter what side of the sidewalk the clog is on, it is their line until it gets to the Main.

CONSENT AGENDA:

- a. Approve Powertell Cell Tower Placement atop Water Tank per City Manager's recommendation.
- b. Adopt Price Martin Center Application
- c. Award Bid on AS400 Computer System per Finance Director's recommendation

Commissioner Brown said they need to look at the cost on the application. The building was put there for public use, and she knows they have to take care of it. She would like the price to be the same for the hours after the 4-hr minimum as for the first 4 hours, which is \$25.00 per hour. Mr. Holmes said as to Item No 1, Alcoholic Beverages, he would like to see a comma after the word "beverages" and the word "or" inserted, and a semi-colon after "or".

As to the cell tower antenna, Mr. Bush, per the question of aesthetics, said they have computer-generated images of what the towers will look like once placement is made, which he passed around. There being no further discussion on the consent agenda, Commissioner Azula moved to adopt the consent agenda with the price and wording changes suggested to the Price Martin Center application. Commissioner Brown seconded the motion, which passed unopposed.

ORDINANCE – the Acting Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY RESTATING THE FIREFIGHTERS' RETIREMENT PLAN IN ITS ENTIRETY; AMENDING THE DEFINITION OF SERVICE; AMENDING CREDITED SERVICE, FORFEITURE AND REINSTATEMENT; AMENDING INTERVENING MILITARY SERVICE; AMENDING NORMAL RETIREMENT CONDITIONS; AMENDING THE AMOUNT OF A PENSION; AMENDING THE NORMAL FORM OF PENSION BENEFIT; AMENDING THE FORMS OF PAYMENT; AMENDING THE DUTY DISABILITY BENEFIT; AMENDING MEMBER SURVIVOR BENEFITS; AMENDING PENSION PAYABLE PRIOR TO THE ENACTMENT OF THE FIREFIGHTERS' RETIREMENT PLAN; AMENDING REQUIRED DISTRIBUTIONS; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on first reading as presented. Commissioner Sanders seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on first reading.

ORDINANCE – the Acting Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY PROVIDING FOR A ONE-TIME INCREASE IN THE BENEFITS PAID TO RETIREES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR PUBLICATION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Azula moved

to pass the ordinance on first reading as presented. Commissioner Brown seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on first reading.

ORDINANCE – the Acting Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY RESTATING THE POLICE OFFICERS' RETIREMENT PLAN IN ITS ENTIRETY; AMENDING THE DEFINITION OF FINAL AVERAGE COMPENSATION; AMENDING THE DEFINITION OF SERVICE; AMENDING CREDITED SERVICE, FORFEITURE AND REINSTATEMENT; AMENDING INTERVENING MILITARY SERVICE; AMENDING THE POLICE OFFICER BENEFIT GROUP PENSION AMOUNT FORMULA; AMENDING THE FORM OF PENSION BENEFIT; AMENDING THE FORMS OF PAYMENT; AMENDING THE DUTY DISABILITY BENEFIT; AMENDING MEMBER SURVIVOR BENEFITS; AMENDING THE MEMBER CONTRIBUTIONS; AMENDING REQUIRED DISTRIBUTIONS; AND PROVIDING AN EFFECTIVE DATE. Commissioner Sanders moved to pass the ordinance on second reading for adoption as presented. Commission Azula seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Ordinance No. 02-29 was declared adopted.

ORDINANCE – the Acting Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA REVISING SECTION 2-250, DIVISION 7, OF THE PALATKA MUNICIPAL CODE BY CREATING A POLICE OFFICERS' EARLY RETIREMENT INCENTIVE PROGRAM; PROVIDING REQUIREMENTS FOR PARTICIPATION IN THE EARLY RETIREMENT INCENTIVE PROGRAM; PROVIDING CRITERIA FOR QUALIFICATION FOR EARLY RETIREMENT INCENTIVE PROGRAM; APPROVING AND ISSUING A STATEMENT OF ACTUARIAL IMPACT; APPROVING THE FORM OF AGREEMENT FOR PARTICIPATION IN THE EARLY RETIREMENT INCENTIVE PROGRAM; PROVIDING A SAVING CLAUSE; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE. Mayor Flagg noted this hearing was continued from September 26, 2002. Commissioner Sanders moved to pass the ordinance on second reading for adoption. Commissioner Azula seconded the motion. Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Ordinance No. 02-30 was declared adopted.

ORDINANCE – The Acting Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA BE AMENDED BY REVISING SECTION 6-2(b), SETTING FORTH THE TIME FOR THE PLACEMENT OF RESIDENTIAL GARBAGE CONTAINERS AT THE CURB; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to place the ordinance on second reading for adoption. Commissioner Brown seconded the motion.

Daniel R. Ziem, Sr., 401 Olive Street, said he can't see any difference in the change. They used to pick his garbage up between 9 – 10 in the morning; now it is between 11:00 – 1:00 p.m. He does not know why they are changing it. The garbage trucks are still backing up. He wants them to tell drivers not to back up period unless it's a dead-end street. He called them about it. His neighbor, Mrs. Ellis, also spoke to Sanitation, and said they were rude to her. This has to stop. Another neighbor who lives across the street filled his can completely up and had to use a garbage bag for the excess, which he placed on top of the can. The can was emptied but the bag was left behind. They also have to do something about garbage cans being left in streets for more than a week. The ordinance says they have to come in at night, but its not being done.

Bernard Williams, Sanitation Supt., said the difference in the pick up times is due to rescheduling and rerouting on his route. Per the question, they pick up both sides of the road as they go down it. Olive is a narrow street. At the last meeting Mr. Ziem claimed to have clocked one of the sanitation trucks at 42 mph, which is impossible. Mr. Ziem denied making that statement. Mr. Williams said the truck cannot turn on those narrow

streets without making a 3-point turn, so they have to back up at some point to turn the corner without crushing storm drains. When they do back up, the man on the back gets off and directs the driver. No one is backing whole blocks. Mr. Ziem said they still do back up Olive Street all the way to 3rd. Mayor Flagg said Mr. Williams has told his men not to back down the streets, so if it is still happening, he needs to get the paperwork ready for the driver. There being no further discussion, a roll-call vote was taken with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Ordinance No. 02-31 was declared adopted.

SURPLUS PROPERTY DISPOSAL INTERNET SITE – Mr. Bush said as department heads have surplus property declared so, the practice has been to store the surplus property until the County has their auction, or the City holds an auction. The League of Cities has endorsed a program to advertise surplus property on an internet site similar to e-bay, where a photo and description is entered on a state-wide internet site, and other cities can bid for it. The purchaser picks up the property and brings a check to the City. The internet company receives a 7% commission for maintaining the site, which is about what auctioneers charge. He'd like Mr. Holmes to review the contract, and would like concurrence to enter into the agreement after Mr. Holmes' review. Commissioner Brown moved to execute a contract for surplus property disposal with GovDeals.com. Commissioner Sanders seconded the motion. Mr. Holmes said he has a new 'disposition of surplus property' ordinance on his desk, which he will amend to accommodate this new option. He has no problem with it. There being no further discussion, the motion passed unopposed.

TRAINING ON INCIDENT COMMAND SYSTEM – Police Chief Gary Getchell said they all received notice of an incident command training for executives and elected officials on October 23 from 9:00 a.m. to 12:00 p.m. at the EMS Center by the Sheriff's Department. He is urging the commission and department heads to attend this training. They have learned through experience that they don't communicate well during emergencies and incidents. For many years Fire Services have been using an incident command system, which is simply a system to manage any incident, which includes any disaster, whether it be a train wreck or whatever. It ensures that everyone is following the same procedure. The Police Dept. is going to this type of system, which will be mandatory for all police agencies by the end of this year. The Governor has issued an order for public safety departments go to a statewide incident command system. The department heads and officials need to understand how this system works and what it is. If they cannot attend, Capt. Beaton at the SO is the certified instructor for that system, and they may be able to schedule an alternate class. Commissioner Brown said she has a conflict on this; she needs to attend a NEFRPC meeting on that date and time. Mayor Flagg said Mr. Bush should get the department heads to attend, and he plans to be there. He asked if they can video the class for those that cannot attend. Chief Getchell said there are different levels for different employees. He will check with Capt. Beaton and let them know. Commissioner Norwood said he also has a conflict that morning. Mr. Bush said they need to video it, so that as supervisors change, the new supervisors will be able to watch it on video. Commissioner Brown said she will check to see if she can give her input for the NEFRPC meeting over the phone, so she can attend this training.

ADMINISTRATIVE REPORTS:

City Manager Allen R. Bush said the Golf Pro Selection Committee met and interviewed four individuals which were the top applicants. They were prioritized as follows: Mr. Cookitz, Mr. White, Mr. DePamphlis, and Mr. Murfitt. Mr. Cookitz, the #1 choice, will be in town all day on 10/22, and on that date they will sit down and negotiate terms with him. He will go out to the golf course and get to know the members of the men's and women's associations. Per the question, if they can't come to terms with him, they will go to the next person on the list, which is Mr. White.

Mr. Bush said the Safety Committee is looking at ways to cut down on accidents and injuries. As discussed at the last meeting, years ago they had a safety bonus program, wherein those that had no at-fault and/or preventable accidents received a bonus, which was given out at Christmastime. Over the years this has evolved into a Christmas bonus for all employees. The Committee talked about going back to a safety bonus, and moving it to an earlier date so it would not be a Christmas bonus. Many of the lower-

paid employees and their department heads have let him know how much they depend on those bonuses to get them through the holidays. They have now proposed to leave the Christmas Bonus in place and create an additional bonus in the form of an extra 'floating' holiday for those with no at-fault or preventable injuries or accidents for the year. The financial impact is minimal, and the supervisor is able to control when the holiday is taken. Commissioner Brown moved to approve leaving the Christmas Bonus program as-is and implementing a floating holiday as a safety bonus. Commissioner Sanders seconded the motion, which passed unopposed. Per the question, Mr. Bush said this will be added to the Personnel Rules and Regulations.

Planning Director Adam Mengel had nothing to report.

Police Chief Gary Getchell had nothing to report.

Fire Chief Ken Venables said Fire Prevention Week activities are in full swing. He is pleased to announce that on Monday Morning the first secretary in the history of the Fire Department started work. She is an Experience Works/Green Thumb employee, and works 9:00 a.m. – 1:00 p.m. Monday-Friday at the downtown station.

Finance Director Ruby Williams had nothing to report.

City Attorney Don Holmes had nothing to report.

COMMISSIONER COMMENTS:

Commissioner Sanders:

- Said they have been talking about getting compliance on people moving their green roll-out containers out of the street and back up on their property after the garbage has been picked up. He has been giving people copies of the appropriate ordinance in order to get compliance; if they are not home, he leaves a copy of the ordinance and his business card. He received calls from people who said the reason they are not getting their can off the sidewalk is because they both work and don't get home until after 6:00 or later. They want to be fair; if people are working and have no one to bring the can in, it may have to sit there for a while. He will be back out working on this issue at the first of the week. Mayor Flagg said the issue is not the can staying out a little later at night, but the can staying out for days at a time. Commissioner Sanders said he does not recall seeing cans sitting out for a week at a time, and he drives the streets on a regular basis. Mayor Flagg said anything that promotes citizen awareness is good.
- Said one of the service clubs called him with a street complaint, and he called it into Mr. Williams, who handled it immediately, which he and the service club members very much appreciate.

Commissioner Norwood:

- Said he was glad to be a part of the re-dedication of the Roy Campbell Civic Center. They honored Roy Campbell, Joe Pickens and Kelley Smith that day, and they all deserved it. Commissioner Azula was also there to represent the City.

Commissioner Azula:

- Apologized for missing the golf pro interviews, but he is now working in St. Augustine and it makes it difficult to participate in that type of thing. He does not like missing meetings; he rarely has missed a regular meeting, but has difficulty attending some of the special meetings.
- Said he read a good article in the newspaper about the Fire Chief and his Department's participating in the schools for Fire Prevention Week.

Commissioner Brown:

- Said they are pushing for more tourism opportunities, and it has been brought to her attention that the Bronson-Mulholland House is only open a two days a week. They have a full-time docent there. She takes many 'half-day tourists' on short tours, and the Bronson-Mulholland House makes a good impression. The docent has been very cooperative and opened up on the off days for her, but they need it open more days.

- With the train station being remodeled, there is a train museum there, and she would like Mr. Bush to get in touch with the train museum folks to encourage them to open more than one day a month. They may need a few months to pull this together. The City is supposed to have meeting rooms in there, and the City has been gracious enough to let the train museum group occupy two rooms. They need to utilize that building more. People can really use a smaller meeting room at a more reasonable cost than the Price Martin Center.
- Holly Ridge, the new senior citizens complex, is looking at doing another regular apartment complex here. They are having an opening on the 21st, and Congresswoman Brown will be here at 1:00 for that. She hopes they will all try to meet and greet her when she comes.
- Said she came to City Hall last Friday for Greg Bacon's luncheon and walked in while Mr. Bush was holding his pre-agenda/department head meeting. In her business, they read feelings and faces many times to get people through situations. When looking at the department heads' faces that were here, she was a little depressed. In the last few months they have been bringing problems with department heads up at their meetings, and they should try to be a little more considerate as they are asking their departments to change systems they have been working under for some time. She is sorry that Mr. Ziem left; he has been coming to their commission meetings since she has been in her seat, and always comes with negative comments about city employees. She wonders if he works, since every other week he is in here telling them what the sanitation employees are doing. She is going to have a one-on-one with him to let him know that he needs to be more positive in this thinking. If citizens are not moving their cans in his neighborhood, he needs to knock on the door and ask them to do it. He comes to these meetings and drops these loads of complaints on the Commission, and they cannot make adults do anything but get mad when they have to issue citations. The City has terrific department heads, and when they ask them to do something, they bend over backwards to get things done. When she first got on the Commission, people used to come to her with problems, and she would go and jump on Mr. Bush and others without hearing both sides of the story. She has learned that there are two sides to everything. They don't want the guys to lift cans, and that is fine, but it takes time to break bad habits. If they are considerate to those who work for them, they will do a better job because it gives them pride in their jobs. Yes, they want a better town, and things need to be tweaked. If an employee has not broken their bad habit, they can bring it to the Department Head's attention without doing it in a public meeting. Sometimes they embarrass people. They need to make people feel better instead of worse. They can approach these problems in a more sensitive manner. If they fire those guys off the backs of the sanitation trucks, who's going to take their place? None of them are going to do it, and neither is Mr. Ziem. Those workers do a job most of them don't want to do, as do the guys working in the sewer lines and manholes. She wouldn't dare try to tell Mr. Platt and Mr. Felton how to do their jobs; they have been taking care of the city water systems for many years. Their department heads and employees do an excellent job for a city this size. She does not want anyone to feel bad about her comments, but she truly believes communication is the better line for them. They need to get things out in the open, but they should be careful how they communicate. Many times it is not what you say, but how you say it that speaks the loudest. She brings her comments with love and respect, and hopes they will all take them in that spirit. They all need to do better and work together. Mayor Flagg said they can all receive her comments in the same spirit they were given.

Mayor Flagg:

- Thanked Debbie Banks for filling in for the Clerk while she was away.

There being no further business to discuss, the meeting was adjourned at 7:20 p.m. upon a motion by Commissioner Brown.