

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida held on the 21st day of November, 2002.

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

ABSENT: Commissioner Mary Lawson Brown

ALSO PRESENT: City Manager Allen R. Bush, City Attorney Donald E. Holmes, City Clerk Betsy Jordan Driggers, Finance Director Ruby Williams, Police Chief Gary Getchell, Fire Chief Ken Venables, Planning Director Adam Mengel, Building Official Joff Fillion; Code Enforcement Officer Debbie Banks, WTP Supt. Mike Felton, WWTP Supt. Platt Drew, Sanitation & Streets Supt. Bernard Williams, and Cemeteries Supt. Larry Hartman.

INVOCATION: Rev. Frederick T. Demps, Pastor; Calvary Missionary Baptist Church

PLEDGE OF ALLEGIANCE: Mayor Karl Flagg

APPROVAL OF MINUTES – 9/26/02 – Commissioner Azula moved to approve the minutes as read. Commissioner Norwood seconded the motion, which passed unopposed.

EMPLOYEE OF THE MONTH – Guy Tillis, Bronson-Mulholland House Docent, was awarded a certificate of recognition, city pin and gift certificate in recognition of being designated as Employee of the Month. Larry Beaton, Putnam County Historical Society, said Mr. Tillis has done an exceptional job as docent and caretaker of Bronson Mulholland House and Putnam Museum.

STUDENT OF THE MONTH – November, 2002 – Commissioner Norwood joined Mayor Flagg in presenting certificates of recognition to the following students for academic excellence, achievement, citizenship and attendance:

Joshua Ellis	Beasley Middle School
Christin Jones	Browning-Pearce Elementary School (Nov.)
Deanna Boucher	Browning-Pearce Elementary School (Oct.)
Kenneth Hill	E.H. Miller School
Kelsey Carriere	James A. Long Elementary School
Velvis Thomas	Jenkins Middle School
Eryn Daley	Kelley Smith Elementary School
Anthony M. Mosley	Mellon Elementary School
Kenia Maldonado	Moseley Elementary School
Jason Bush	Palatka High School
Brittney Smith	Peniel Baptist Academy (Nov.)
Bethany Maddox	Peniel Baptist Academy (Oct.)
Bryan “Keith” Wiley	River Breeze Elementary School

PUBLIC COMMENTS: Rev. Frederick Demps, 100 Robinson Ave, complimented the City Commission and staff on the excellent job they have been doing with the sidewalks and streets repair program, and all the many improvements all over the City. Mayor Flagg congratulated Rev. Demps on the contribution that Calvary Missionary Baptist Church has made to the community through the opening of the new Family Life Center.

CONSENT AGENDA:

- a. Authorize Mayor and City Clerk to execute and attest Amendment #2 to the Drinking Water State Revolving Fund Grant Agreement with DEP, providing an Additional #68,175 for the project.
- b. Authorize City Manager to execute 1st Addendum to the 5th Supplemental Engineering Agreement with HTA Engineers for permitting of the Airport Access Road from Hwy 309C.

- c. Authorize City Manager to execute 1st Addendum to the 6th Supplemental Engineering Agreement with HTA Engineers to design, bid and oversee construction of the Airport Taxiway Lighting project.
- d. Authorize closure of City Hall and B&Z Annex on December 12 & 13, 2002 for installation of new AS400 computer network system.
- e. Surplus one pick-up truck for trade-in on newer vehicle and three mowers from Parks Dept. property per request from Jeff Norton, Parks Supt.

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

APPOINTMENT – Putnam County Better Place Plan Oversight Board – Mayor Flagg said the City will appoint its own oversight board to work at the City level, which he expects will consist of 5 people. This Board will act similarly to a CATF and will act in an advisory capacity. Those applicants that are not appointed to the County’s board tonight will be automatically considered for appointment to the City’s Board. Commissioner Azula moved to appoint Jason Alexander as the City of Palatka’s liaison/representative to the Putnam County Better Place Oversight Board. Commissioner Sanders seconded the motion, which passed unopposed.

COMPLAINT – CODE ENFORCEMENT ACTIONS ON GREENO PROPERTIES – Richard & Janet Greeno, homeowners, said they feel that they have been singled out for excessive code enforcement actions, as noted in their letter of complain (filed). Mayor Flagg noted that some things they have asked for can be acted on by this Commission and some cannot. Mr. Greeno passed out photos of properties they have been buying up in Palatka for the last years. They purchased some of the worst properties in the historic districts and have been upgrading them. They have worked hard to bring these properties up to code, and it takes time to do it correctly. The house at 202 S. 9th Street has been boarded up, as it has been broken into repeatedly and vagrants keep moving in. The neighbors have called code enforcement and complained. He is at a loss as to what to do. As soon as he replaces the windows, they are broken out. He needs police protection. They recently purchased at house t 308 Main Street, which was occupied by prostitutes. They cleaned up the house and fixed it up, and now have it rented out to working people who have made good tenants. They purchased 300 N. 3rd Street, which was another crack and prostitute house, and moved the man living in it out, physically, and gave him money to leave. They got rid of the drug dealers and prostitutes. He recently had the house appraised at \$94,000, and increased the property values of the neighborhood dramatically. He has increased the property values of every neighborhood he has bought property in. He is a professional house painter. He is going to paint these houses, but he needs time to do it correctly. He works in Palm Beach and is in Palatka 2 days a week. As soon as he gets to Palatka he goes to work and works until he leaves. Mayor Flagg said they are not here to second-guess what the Code Enforcement Board has done. They are not in a position to violate their own laws. A circuit court can reverse a Code Board decision, if it gets to that point. This is not a trial. They can see t he advancements the Greeno’s have make. No one can predict what his time frame is for his overall improvements, and that is what the Code Enforcement has asked for. Someone outside of he and his wife need to know what he intends to do and when he intends to do these things. Once property has been cited as a code enforcement case, it is crucial for the property owner to present a plan for bringing the property into compliance. Their actions are all citizen-complaint driven; none of them have originated in the Building & Zoning Department. The Greeno’s should reduce their plan to writing and present it to the Code Enforcement Board, which is what they have asked for. In the past the Code Enforcement has been merciful and has waived fines that have been assessed when issues have been resolved. The City’s building officials have been working with them. Some of his homes are in historic districts, and they have a whole different set of parameters they are required to work within there. One of the problems is that the certified mail being sent to the Greeno’s is either being returned or not being answered. Cases only get to the Code Enforcement Board when all other avenues for compliance have been exhausted. Some of their properties are now at that point. The Greeno’s need to itemize each project out for the Code Enforcement Board just as they have done here tonight. Just because the ownership of these properties has changed, the clock on the violations has not been reset. Prior property owners have testified that these code enforcement

actions were disclosed to them prior to their purchasing the properties. None of the City's staff is against the Greeno's, but they can't look the other way for them. Commissioner Azula said he toured many of these properties with Mr. Greeno and he thinks the work he is doing is admirable, but he concurs that they all have to go through the proper channels. Mr. Holmes said he wants to clarify to the Greeno's that according to the Code, this Commission does not have appellate power over the actions of the Code Enforcement Board; only the circuit court does. There is no procedure in the ordinance providing for an appeal to come to the City Commission. It is important for the Greeno's to express themselves to the Code Enforcement Board itself, as they are the body with jurisdiction. If they are not satisfied with the actions of the Code Enforcement Board, the code specifies that the exclusive remedy lies with the Circuit Court. The City Commission can review the actions of their personnel and board appointees, but in terms of actual procedures, the Commission does not have jurisdiction to overrule, countermand, or modify a decision of the Code Enforcement Board. Should the issue arise again, he does not want this information to come as a surprise. Commissioner Azula, referring to accusations of harassment and discrimination made by the Greeno's said this Commission does not tolerate nor endorse discrimination against blacks, Hispanics, nor anyone else. If the accusation was made to get their attention, it was done the wrong way. In the five years he has been a commissioner, this Commission has never discriminated between one citizen and another. Mayor Flagg recognized, for the record, letters submitted by Lib Gibson, John Nettles, Charles Chaney, Gary Wood, and Mike Davis in support of the Greeno's (filed).

REQUEST TO PROVIDE WATER UTILITIES to 115 E. Hicks Street – Bobbie J. Davis, owner. Planning Director Adam Mengel said Ms. Davis is present tonight. The home is outside the City Limits and she is not contiguous, being 800 feet west of the limits on Old Jacksonville Highway, but she is requesting water service due to a hardship. There is an existing water line in front of her house. This commission approved a water hook-up at 116 E. Hicks Street, across the street from this residence. Commissioner Azula moved to approve providing water service to 115 E. Hicks Street upon execution of an Agreement to Annex and proper fees paid by Ms. Bobbie J. Davis. Commissioner Norwood seconded the motion, which passed unopposed.

RESOLUTION – The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE PALATKA FIRE CHIEF TO MAKE APPLICATION FOR EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE (EMPA) TRUST FUND COMPETITIVE GRANT FUNDS, AS PART OF THE APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, FOR APPROVAL OF THE CITY OF PALATKA'S EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE COMPETITIVE GRANT APPLICATIONS; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the Resolution as read. Commissioner Sanders seconded the motion. A roll-call vote was taken with the following results: Commissioner Azula, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The resolution was declared adopted.

RESOLUTION – The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE COMMITMENT OF CASH MATCHING FUNDS FOR THE EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE (EMPA) TRUST FUND COMPETITIVE GRANT, AS PART OF THE APPLICATION PROCESS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, FOR THE PALATKA FIRE DEPARTMENT'S EMERGENCY MANAGEMENT EMERGENCY MANAGEMENT, PREPAREDNESS AND ASSISTANCE COMPETITIVE GRANT APPLICATION FOR AN EMERGENCY GENERATOR; AND PROVIDING FOR AN EFFECTIVE DATE. Commissioner Azula moved to adopt the Resolution as presented. Commissioner Sanders seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The resolution was declared adopted

ORDINANCE – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REQUIRING AN ADEQUATE WATER SUPPLY FOR

FIRE FIGHTING AND STRUCTURES FOR WHICH A BUILDING PERMIT IS ISSUED; SETTING FORTH REQUIREMENTS FOR WATER SUPPLY, NEEDED FIRE FLOW, WATER MAINS, TESTING AND FIRE HYDRANTS; PROHIBITING TAMPERING WITH FIRE EQUIPMENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AND EFFECTIVE DATE. Fire Chief Ken Venables said today he learned that the planning Department and some Commissioners have questions & concerns about this ordinance, and suggested a workshop be held on this ordinance. After discussion, consensus was reached to address concerns and discuss this ordinance during a workshop to be set for December 19, 2002. Commissioner Azula moved to table first reading of this ordinance. Commissioner Norwood seconded the motion, which passed unopposed.

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 AMENDING SECTION 54-32 MEMBERSHIP, SO AS TO INCLUDE A NON-VOTING SCHOOL DISTRICT APPOINTEE TO THE CITY PLANNING BOARD; AMENDING SECTION 54-33 TO PROVIDE FOR APPOINTMENT OF THE SCHOOL DISTRICT REPRESENTATIVE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Azula seconded the motion. A roll-call vote was taken with the following results: Commissioners Azula, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Per the question, Ms. Driggers said the School Board will notify her prior to the December 12 meeting as to who their appointee will be. Per the question, Mr. Holmes said the statute dictates whom are to be appointed, and even the City's current ordinance does not require members of the Planning Board to be residents of the City or City voters. If they require the School Board appointee to be a city resident, they will be requiring something of that appointee that they don't require of their regular members. There has been talk that they may try to appoint the same liaison to all the County municipal planning boards. He does not know if that is going to be done. The appointee does not have to be an elected official; the statute specifies they can appoint anyone as their representative. Ms. Driggers said they told her generally the Chairman is the one appointed as liaison to other boards. They will have their reorganization meeting soon and a new chairman will be designated. Mayor Flagg said they need to make certain the right person is appointed to this board, and asked Mr. Bush to see that the school board understands the role of this individual.

ADMINISTRATIVE REPORTS:

Planning Director Adam Mengel had nothing to report.

Police Chief Gary Getchell had nothing to report.

Fire Chief Ken Venables said the fire personnel have completed painting the exterior of the Kay Larkin Station. They did a great job and the project came in under budget.

Chief Venables said the Palatka Moose Lodge held a golf tournament at the Palatka course for the benefit of the Palatka Fire Department. More the \$600 was raised and presented to the Fire Department for the purchase of smoke detectors for residents as a part of their pro-active fire safety program.

Chief Venables said he received a fax this afternoon from Congressman Cliff Stearns' officially notifying him that the City has been approved for a Federal Fire Grant in the amount of \$162,310, requiring 10% matching funds, in order to enhance the City's hazardous materials response capability.

Finance Director Ruby Williams had nothing to report.

City Clerk Betsy Driggers had nothing to report.

City Attorney Don Holmes had nothing to report.

City Manager Allen Bush passed out a separate attachment to the commission, saying they will be seeing an advertisement appearing the newspaper beginning next Friday and

continuing for the next four consecutive weeks notifying the public of the Commission's consideration of a resolution giving the City the option to enact an assessment of a fire services tax in the City of Palatka. This does not enact a fee, but preserves the right of the City to enact one during the coming year, if the Commission sees fit to do so. The advertisement refers to a special meeting to be held December 19 at noon here in Commission Chambers. A call is attached with all the supporting information so that they can discuss this if and when they receive calls from the public. This is a new means of funding for fire services that is being done all over the State.

COMMISSIONER COMMENTS:

Commissioner Azula:

- Said it was refreshing to hear Pastor Demps' comments on the improved quality of life in Palatka. As elected officials they should all be concerned that there are so many citizens with alcohol, drug abuse, spousal abuse issues, suspended licenses, to name a few. Funding to correct these problems is getting scant. They should do a study to determine what type of program they can start to alleviate these types of problems. He spoke to Chief Getchell about this. They should put some focus groups together to study what other communities are doing about these issues, and try to put together a local solution with the County and other communities. They will never eliminate these problems, but they can alleviate them. Chief Getchell has some very good ideas as to coming up with some solutions. As a commission they have been very progressive, and they have done more in the last five years that was done for many years before. This Commission is able to expedite things much quicker. Mayor Flagg said he envisions some town meetings in various neighborhoods during the next year so that they will know what is going on and can improve the overall quality of life for the citizens. Commissioner Azula said Rev. Demps' comments were actually complimentary of all the department heads and staff, as they are the ones doing the work.

Commissioner Norwood:

- Thanked Mayor Flagg for his participation in the Family Life Center's dedication services, which were held last week. The City was well represented. The Community Center is named PHEO – "People Helping Each Other" – and community improvement is what it is all about. Mayor Flagg also attended the Hospice Center groundbreaking, and he made whatever sacrifice he needed to make to be there. They all appreciate the representation he gives to the City.
- Said Thanksgiving is upon us, and they should all give thanks to the Creator for what they have and for the great Country they live in.
- Said he shares Pastor Demps' sentiments about the great improvements the City has made over the past few years, and has been told by residents they have never seen so many improvements and civic pride in the community. The citizens need to thank the department heads and staff, especially Mr. Williams and the staff at the wastewater plant. Palatka's wastewater treatment system is one of the top systems in the State. Mr. Drew does a tremendous job with the Plant.
- Said he works with one of the greatest group of guys and lady that has ever been assembled on the Commission and he is humbled to be able to work with them and represent the citizens of the City.
- Recognized Ms. Anne Keys, who stayed throughout the entire meeting.

Commissioner Sanders

- Thanked Mr. Williams for furnishing the commission with copies of all his work orders for the month. It was a lot of information and greatly appreciated.
- Said FP&L is doing some tree trimming on Main Street, which is a vast improvement on the overhanging limbs.
- Said Commissioner Azula pointed out they need to find solutions for certain community problems, and said Chief Getchell has done an excellent job of holding community meetings to come up with ways to combat those problems. The information he has received on those meetings has been very revealing as to the type of crimes happening in what areas. He is doing an outstanding job.

Said he road through all the cemeteries this week, and they all look very good. The grass at Oak Hill is very neat, and Oak Hill West looks very good, also. The personal items are still hanging from the trees, and he would like to see them come down as soon as possible. At the last meeting thy asked Mr. Hartman to notify the people who put the things in the trees to remove them, but they have not been removed. Mr. Bush said Mr. Hartman was to ask the lot owners to remove those items; if people do not respond, they will go ahead and remove them.

Mayor Flagg:

- Asked Mr. Bush if the DOT's overlaying on Reid Street is completed, saying that they omitted the overlay of the turn lanes and parking spaces. They seem to be finished, as they have done all the striping. It does not look complete. Mr. Bush said he contacted Mr. Williams about having his department sweep the turn lanes, at the request of FDOT, so they could finish the job. Mr. Williams said they swept it, but then DOT came in and striped it instead of finishing the overlay. Mr. Bush said he will contact FDOT representatives to find out what they intend to do about finishing the job.
- Said at several intersections where city streets intersect state highways, some still have a concrete signpost, which creates situations that may create traffic accidents. Those intersections need the more modern aerial street signs so people are not hunting for street names on concrete posts.

There being no further business to discuss, the meeting was adjourned at 7:50 p.m. upon a motion by Commissioner Sanders.

CITY CLERK

MAYOR