

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 27<sup>th</sup> day of February, 2003.

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, City Clerk Betsy Jordan Driggers, Finance Director Ruby Williams, Police Lt. Rodney Harper, Fire Chief Kenneth Venables, Planning Director Adam Mengel, WWTP Supt. Platt Drew, Sanitation & Streets Supt. Bernard Williams, W & S Asst. Supt. Rhett McCamey, Parks Supt. Jeff Norton, Airport Supervisor Mike Cavello, Assistant Golf Pro Claude Connor.

INVOCATION – The Reverend Steve Swearingen, Pastor; St. Johns Baptist Church

PLEDGE OF ALLEGIANCE – Sonja Jackson

APPROVAL OF MINUTES – 2/13/03 – Commissioner Azula moved to adopt the minutes as read. Commissioner Sanders seconded the motion, which passed unopposed.

PROCLAMATION -- Keep Putnam Beautiful Director Kelly Rose said KPB and the City of Palatka are kicking off Operation Clean-Sweep – Greater Palatka Clean-Up in order to get the city cleaned up and ready for the festivals. Mayor Flagg read a Proclamation proclaiming the month of March, 2003 as Operation Clean-Sweep – Greater Palatka Clean Up Month. Palatka residents will be given “amnesty” for large item sanitation pick-up during the first two weeks of March. The target area is the area north of Oak Street, South of Main Street, from the River west to 19<sup>th</sup> Street.

BLACK HISTORY MONTH – Vice-Mayor Brown gave a presentation on the history of the former Black Business District, the corridor of N. 11<sup>th</sup> Street beginning at Reid and running approximately 2-1/2 blocks north. She said before non-discrimination laws there was no financing available to female or black entrepreneurs to begin a business, so they had a much harder time establishing and maintaining businesses, but prior to desegregation, there was a thriving black business community on Palatka’s Northside. She recalled the stores and proprietors from memory, and talked about her grandmother’s hospital at 9<sup>th</sup> & St. Johns Ave., which catered to both blacks and whites prior to desegregation. White patients were on one floor and black patients on the other floor.

RESOLUTION – the Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ENDORSING THE MONTH OF FEBRUARY AS BLACK HISTORY MONTH. Commissioner Azula moved to adopt the resolution 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. Resolution No. 7-100 was declared adopted.

STUDENT OF THE MONTH – February, 2003 – Commissioners Azula and Norwood joined Mayor Flagg in recognizing the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

Katrina Copley	Beasley Middle School
Jonathan Gresham	Browning-Pearce Elementary School
Justin Montgomery	E. H. Miller School
Katie Feagin	James A. Long Elementary School
Cara Cruce	Jenkins Middle School
Shanna Watson	Kelley Smith Elementary School
Justin A. Rigdon	Mellon Elementary School
Mehreen Haq	Moseley Elementary
Shane Camp	Palatka High School
Justin Crabtree	Peniel Baptist Academy
Dayne Taylor	River Breeze Elementary
Deshunitra Beauford	Central Academy School of Excellence

PUBLIC COMMENTS – Allegra Kitchens, 1027 S. 12<sup>th</sup> Street, said a few nights ago a large water main broke on S. 12<sup>th</sup> Street, and she wanted to thank the City’s Water & Sewer Crews for working through the night to repair it. It was a big job, especially in the dark. Mayor Flagg said vandals turned the switches, which caused that line to blow.

CONSENT AGENDA:

- a. Appoint committee to rank engineering firms to provide services for the renewal of the Wastewater Treatment Plant Utility Permit: Allen Bush, Platt Drew and Commissioner Norwood.
  - b. Adopt revised Board Appointment Policy (attached – filed)
- Commissioner Brown asked to remove Item (b) from the consent agenda, and moved to adopt the remaining item (a) as proposed. Commissioner Azula seconded the motion, which passed unopposed.

BOARD REAPPOINTMENT POLICY - Commissioner Brown said she believes they should only appoint residents or people that own property in the City Limits to these boards. Mayor Flagg said some board appointees own property or businesses in the city limits, but don’t live in the City. He asked the Clerk to give them a synopsis of residency requirements according to the ordinances. Commissioner Azula moved to table the Board Reappointment Policy until the 3/13/03 meeting. Commissioner Norwood seconded the motion, which passed unopposed.

DONATION OF 824 DUNHAM STREET – C. H. “Neil” Freeman – Mr. Freeman said he would like to donate this entire block to the City in hopes that the City will expand Lefty Turner Park, which is across the street. It contains three rental homes, and he expects they will all be vacant by April 30. One lady is currently checking on building a house on a lot she owns a few blocks away, or she may move into an assisted living facility. Mr. Bush said he recommends not conveying the property to the City until it has been verified that the properties are vacated. At least half this property is swampland, but the portion that contains the houses can be used for playground area and parking. The City can demolish and remove the houses through the city-county demolition program after they have been vacated and the property has been conveyed. Per Mr. Holmes’ question, Mr. Freeman said there has never been any commercial use of the property, and nothing has ever been there that would cause environmental contamination. A sawmill at one time stacked wood and sawdust there. Mr. Holmes said once the City accepts title, they accept responsibility for any environmental contamination. If they are comfortable enough with the history of the property that there is nothing to warrant environmental contamination, they can forego a Phase 1 Environmental Exam. Commissioner Brown said there is money available for ground fill and testing. Mr. Bush said they have determined that this has always been residential property; Wilson Cypress did not encroach on this property. Commissioner Norwood said he does not believe this is wetland, but probably river swamp. Commissioner Brown said this may be a good place for Greenways & Trails as that is where the railroad once came in from Lake City. Commissioner Azula said his concern is with leaving empty buildings next to a park, so they need to establish a timetable for demolishing these buildings. Mr. Bush said these properties will move to the top of the demolition list, and could even be demolished before the property is conveyed; once the City takes title, there is nothing to slow them down on demolition. Mr. Freeman said he will keep his liability insurance until the property is conveyed. Mayor Flagg said Mr. Bush will bring conveyance of the property back to the Commission once the houses have been vacated and are scheduled for demolition. Commissioner Brown moved to accept the donation of Block 82, or 824 Dunham Street, from C. H. “Neil” Freeman. Commissioner Azula seconded the motion, which passed unopposed.

RESOLUTION – the Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A PIPELINE CROSSING AGREEMENT WITH CSX TRANSPORTATION FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A PIPELINE FOR THE TRANSMISSION OF POTABLE WATER UNDER OR ACROSS TRACKS AND/OR PROPERTY CONTROLLED BY CSX TRANSPORTATION. Commissioner Norwood moved to adopt the resolution. Commissioner Sanders seconded the motion. Mr. Bush said this is not for potable water, but for the effluent going to the golf course. He has called CSX about fixing the verbiage in the contract, which does call it potable water. Mayor Flagg said he is concerned that the contract calls for \$3 million in liability insurance. Mr. Bush said the City carries \$500,000, which is what the statute requires for government entities. He has a

certificate of insurance to forward with the resolution that reflects that. They may or may not accept it; if they do not accept it, he can purchase a special RR policy to cover it. Mayor Flagg said he is concerned about signing this resolution and contract if it requires \$3 million in insurance. Mr. Bush said they can change the amount when they sign the contract, and CSX can either accept or deny it. He said he would like them to pass this resolution so he can send it with the amended contract to CSX, which they can either accept or reject. If they reject it, he can buy the increased RR crossing coverage. Mayor Flagg said this is CSX's agreement, and they can't sign this contract until the changes have been made. The Commission needs to go ahead and give He and the Clerk the authority to sign whatever contract is negotiated so it does not have to come back, and once the changes have been made they can take care of this. Mr. Holmes said they can revise the resolution to authorize the signature on a contract, but not this contract. After discussion, upon Mr. Holmes' recommendation, Commissioner Norwood moved to amend the resolution to replace "potable" with "non-potable" in the title and 1<sup>st</sup> paragraph, delete the 2<sup>nd</sup> paragraph, add the word "a" before "pipeline" and strike "#CSX-044919" in the 4<sup>th</sup> paragraph, and replace "the" with "a" in the 2<sup>nd</sup> line and strike "#CSX-044919" in the 5<sup>th</sup> paragraph. Commissioner Azula seconded the motion, which passed unopposed. There being no further discussion, a roll-call vote was taken on the main motion to adopt the Resolution, with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Resolution #7-101 was declared adopted as amended.

CODE OF CONDUCT – Mr. Bush said this proposed policy has been highly recommended by the labor attorney as one of the best, most comprehensive policies she has seen. There was a change made to Item 10, "gifts", in order to reflect the state statute. This will apply to all city employees. Mr. Bush read the General Statement of the Code, and said all employees will be responsible for being aware of and familiar with this policy. He briefly went over all other sections. Per the question, people who are relatives can be employed at the same time, but you cannot be in a position to promote or otherwise favor another family member. This also tracks the statute. Each case of violation will be determined separately, and violators may be subject to disciplinary action from a warning all the way up to and including termination, as stated in the first paragraph. Per the 4<sup>th</sup> Amendment guidelines, the City has to be cautious about delving in too deeply into anyone's private life, and cannot set strict disciplinary guidelines as to infractions, so each case needs to be handled individually. If an individual's actions discredit the City, they can mete out discipline. The next step is to bring this back to the next meeting for adoption, so it can be added to the Personnel Rules and Regulations.

#### ADMINISTRATIVE REPORTS:

Police Lt. Rodney Harper said they conducted a driver license checkpoint a few nights ago at 13<sup>th</sup> & Reid Streets, which was very productive. Mayor Flagg said he received a lot of compliments on the checkpoint from people who thought it was badly needed. Lt. Harper said they not only made several arrests due to licensing and warrants, they also wrote many tickets for boom boxes. One man told him he sold all his music because he got tired of being stopped for it. Tickets for boom boxes are \$46.00 non-moving violations, but they hope the legislature will make it a moving violation.

Lt. Harper said they had dog traps set out around Lemon Heights Baptist Church, but many of them were stolen. They have been getting many complaints about dogs running around loose and barking. They are currently researching state laws as to charging owners of canines, which is more restrictive than city ordinances. They have a new chemical capture technique which will allow them to tranquilize dogs so they can be transported to the impound. Some dogs are too smart for traps. Some dogs are trained to be very violent.

Fire Chief Ken Venables said in light of the recent night club tragedies, he wants to urge the media and citizens to note that when they are in a public assembly building, they should know where the exits are and insist that all blocked exits are unblocked. Mayor Flagg said each department head needs to establish an evacuation plan and hold drills on evacuation. Mr. Venables said they will discuss this at the next safety committee meeting.

Finance Director Ruby Williams had nothing to report. Mr. Bush noted she distributed a memo to the Commission about the cost of the historic district gaslights, which will certainly be discussed when budget comes up again.

City Clerk Betsy Driggers had nothing to report.

City Attorney Don Holmes had nothing to report.

City Manager Allen Bush had nothing to report.

#### COMMISSIONER COMMENTS:

Commissioner Brown:

- Said at the next meeting she would like to hear an update on the Old Water Plant, the Old Train Station and the Greenways & Trails project. Mr. Bush said he has sent the Property Appraiser's appraisal to CSX on the property beside the Old Train Station, as they had indicated they would entertain an offer on it. They will get back to him on his offer.
- Said the new Secretary of State is former Orlando Mayor Glenda Hood. She received an invitation to her March 12 reception in Tallahassee, but cannot attend, so if one of them would like to use her invitation, they are welcomed to it. Mayor Flagg noted they are scheduled to be in Tallahassee on April 2. They can send her a congratulatory letter with all their signatures. Commissioner Brown said DCA is being combined with her department, so they need to keep that channel of communication open.

Commissioner Azula:

- Said it has been 6 years since he took office and many things have improved during that time. It is good to see positive articles in the newspaper, such as the recent Airport article. The quality of the supervisors as improved, as has employee moral. He appreciates Mr. Bush's assistance and willingness to work with all of them. It is a pleasure to call any supervisor in the City; he can get answers any time he needs them. The citizens appreciate it, also. The employees are making the City look very good.

Commissioner Norwood:

- Said he has received many compliments on the work Parks & Streets crews did on the Forest Park Drive circle, and wants the employees know what a good job they did.

Commissioner Sanders:

- Said at the last meeting he mentioned a dangerous manhole on St. Johns Avenue, but did not have an exact location. It is located in front of Martha's Kitchen. Rhett McCamey, W&S Supt. said that is a BellSouth manhole. He has put in a call to them about fixing it.
- Said his Kiwanis Club cleaned up a portion of St. Johns Avenue and Hwy 19, and did a fantastic job. They left several bags full of trash beside Walt's Barbecue, which need to be picked up. Mayor Flagg said someone needs to make a courtesy call to Sanitation to pick them up, as they may not know about them. Mr. Bush will take care of it.
- Said he received calls about deplorable conditions of yards, and he, the Fire Chief and Codes Officer are going to be making an inspection of those yards tomorrow.
- Said he and Ms. Frances Wells are to be married at First Baptist Church on June 21<sup>st</sup>. The reception will be held at his house on Mulholland. He hopes they will all attend.

Mayor Flagg:

- Said it is his personal privilege to work with all of the commissioners and city staff to make the city a better place to live, and that is what it is all about.
- Asked Mr. Bush to challenge all his supervisors to be sure we have 'swept around our own front door' before they ask the rest of the City to sweep around theirs. Each Department needs to designate someone to go around and make a list of areas that need improvement; Each department has areas that could be improved.

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

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CITY CLERK

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MAYOR