

Proceedings of a called meeting of the City Commission of the City of Palatka, Florida held on the 8<sup>th</sup> day of September, 2004.

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

ALSO PRESENT - City Manager Allen R. Bush, City Attorney Donald E. Holmes, City Clerk Betsy Jordan Driggers, Police Chief Gary Getchell.

Mayor Flagg called the meeting to order and read the following call:

TO MESSRS: MARY LAWSON BROWN, HERNAN AZULA,  
JAMES NORWOOD AND GEORGE SANDERS:

You are hereby notified that a special meeting of the City Commission is called to be held at the regular meeting place of the City Commission at City Hall, 201 N. 2nd Street, in the City of Palatka at 11:00 a.m. on Thursday, September 8, 2004.

The purpose of the meeting is to consider the adoption of a resolution declaring a Local State of Emergency due to the effects of Hurricane Frances, and designating a curfew.

/s/ Karl N. Flagg, Mayor

We acknowledge receipt of a copy of the foregoing notice of a special meeting the 8<sup>th</sup> day of September, 2004.

/s/ Mary Lawson Brown  
COMMISSIONER

/s/ James Norwood, Jr.  
COMMISSIONER

/s/ George Sanders  
COMMISSIONER

/s/ Hernan Azula  
COMMISSIONER

Mayor Flagg stated on Sunday, 9/5/04, he declared a State of Local Emergency in the City of Palatka, pursuant to FS 870.041 - 048, which gave the City an instrument to create a safe environment in the City of Palatka before, during and after Hurricane Frances. Post Hurricane Charley experiences provided cities with insight as to what would be needed in an emergency such as this. This is not created to give the Police the authority to arrest average citizens and put them in jail, but this is more of a tool to curtail mischief and crime.

Police Chief Gary Getchell said on September 8th they were tracking the effects of Hurricane Frances on the City of Palatka, and were in contact with EMS, EOC and Tallahassee, and other cities' emergency services. By Sunday afternoon it was clear that Palatka would take a devastating hit, which would leave significant power outages and property damage. A curfew is a tool used to keep order in place prior to the storm, and to keep things in order after the storm. It is important to be able to enact these emergency measures and put them in place prior to storms in the event that they cannot get to the Mayor or Commissioners. Chapter 2-2 of the Code of Ordinances gives the Mayor the authorization to declare a state of emergency and establish a curfew depending upon the circumstances, and Florida Statute gives him the authority to establish a declaration of emergency and curfew for 72 hours, which can be extended by the Commission. This can be enacted whenever riots are occurring or "there is sufficient reason to believe that there exists a clear and present danger of general public disorder, widespread disobedience of the law, and substantial injury to persons or property, all of which constitute a threat to public peace or order and to the general welfare of the City," which is secondary to the County's declaration of emergency. Before and during the storm there were a lot of citizens coming out on the streets and looking or gawking and hampering law enforcement or emergency services. Hurricane Frances delivered 40 mph sustained winds and 70 mph gusts, which do considerable damage to trees and power lines. He went to

the Mayor and City Manager and gave them an assessment of the situation, and asked for a curfew. This is not an all-encompassing curfew, but is a tool to deal with citizens that are hampering law enforcement and emergency services. They have now closed their emergency Operations management center at the PD but still have 15 - 20% more personnel on the streets than normal. Within the storm period, from activation to deactivation, there were 51 reported incidents within the City, which don't include incidents they did not take a report on, like downed trees, etc. They probably had at least 50 more calls for service and many PD-initiated calls. There were 11 arrests made. The PD was able to exercise its authority under the curfew, and it worked well for them. Many business owners stayed in their businesses during and after the storm. There were several 'known' burglars in these areas and, when spotted in commercial areas, were asked to leave those areas, but if burglaries are reported in those areas during those times, they will have a record of those people being in those areas. When you have this type of storm, you get 'roaming bandits' who come in from outside the area. They are looking for areas that have no power. They are out driving around at 4:00 a.m. looking for areas to hit. This tool worked well for the PD in helping to deter crime. It needs to be proclaimed prior to the next storm; many communities with more experience in these matters do this routinely.

Chief Getchell said there are still power outages in spots; FPL reports all the grids are up, but there are still many customers without power. At this time, there are still power outages in spots; FPL reports all the grids are up, but power is still out in many places. For the most part, they have come back to a level of normalcy that they can handle without a curfew. They can try to handle calls for service within reason, but if they find that calls are increasing, they would like the Mayor to once again declare a state of emergency and reinstate the curfew, if necessary. Commissioner Azula said his neighborhood is still without electricity and they have had a problem with re-routed traffic coming through his neighborhood. He did not see anyone in his neighborhood trying to enforce the curfew. It is very dark there and there is traffic all night. There are safety problems. The windows are open all night and there is no security for the residents. Mayor Flagg said they have requested a detour be set up to get the traffic off the neighborhood streets. Mr. Bush said they will be detouring traffic from neighborhoods for people who are just passing through. Mayor Flagg noted Crill Avenue is a state road, but the State never brought any signage over for it. Local people know the routes, but non-locals don't.

Commissioner Azula thanked Lt. Harper for keeping him personally informed during and after the storm. He thanked city crews for working during high winds to keep the streets open. He would like to see Commissioners issued two-way radios for future emergency situations, which will keep them better informed. Commissioner Brown said she didn't get a lot of information during or after the storm, and people were calling her to ask questions. She was told about the curfew, but word about it was not widespread, so she was spreading the word about that. They need to stay informed during these storms. Mr. Holmes said the PD responded to an alarm at his business last night; the burglars were thwarted and he appreciates their efficiency. Commissioner Sanders said a bad situation was made worse when the radio stations went off the air. Several of his friends have generators and were able to have lights and a refrigerator, and radio stations can use those to stay on the air. Many people were very understanding about the hardships, but they just wanted information, mostly about electrical service. Even at the ice station people were calm and orderly. Palatka lost a lot of trees. City employees are doing a good job. They were prepared for the worst, and it happened. He has seen vehicles in his neighborhood that were not from Putnam County. There are a lot of traffic signs down. Many of the restaurants that were open ran out of food. This storm has taught them about future storm preparations.

Commissioner Norwood thanked the Mayor for instituting the Declaration and curfew, and for working with other officials to execute the game plan. He asked how they notify citizens when a curfew is instituted. Chief Getchell said they send it to EOC who sends it to the media. Unfortunately, much of the media was out of commission. They got on loud speakers in neighborhoods and stationed people at home improvement centers and grocery stores with flyers. Mass Media is the best way to spread the word. The public access channel is underutilized, but will be utilized more in the future.

Commissioner Norwood said everyone will be much better prepared for the next storm. The WTP & WWTP did an excellent job of keeping utilities running, and Utilities did a great job of minimizing impact to citizens. He does not know how they can tell people to stay inside during a crisis as people are out helping each other. The benevolence of the citizens reflects well on the City of Palatka. Commissioner Sanders said several radio stations in Jacksonville and Daytona tried to keep Putnam County citizens informed by giving periodic reports on what was going on in Putnam County. Mayor Flagg said he hopes everyone learns that Mayors and Commissioners are also citizens and are also impacted by hardship, but their purview extends outside their own households. He tries to keep the Commission informed through the City Manager and Clerk. Many of the local inquiries are concerning power outages. The City Manager has been in contact with FP&L, but even the City's contacts at FP&L can only report what Corporate Offices allow them to report. It may require a town meeting for FP&L to sit down and explain to citizens what is happening with the power. Departments are responding to the best of their abilities, but there is only so much they can do. City workers are citizens first and their lives must be protected as well. Some situations are too dangerous for our employees to handle until the danger is removed.

Wendy Branford - 2418 & 2416 Crill Avenue, said she has had problems for several months with looters and burglars. The PD cannot stop them. They have vandalized her van, business and home. She has been hit three times since the power went out. They keep coming back. Other businesses on Crill Avenue have been hit by these kids. She is asking the Commission to enforce the curfew until they have power. People are afraid and have no security. It is frightening in the dark; they need some security. They need to keep people on foot, bicycles and mopeds off the streets at night.

Mayor Flagg said some of Ms. Branford's issues pre-date the storm, and they will be meeting with her on that. Ms. Branford said the issues are worsened by the lack of lighting. Mayor Flagg said the Chief has provided them with some statistics on her situation, but they don't need to keep the entire city under curfew because of her situation. If the situation worsens or becomes widespread, they can enact the curfew. They are extremely concerned about her needs, and the PD is committed to doing what they can. They have to be sensitive to all the citizens' needs. Spotty power outages are creating tensions between neighbors where one has power and another doesn't. She and her neighbors need to continue to be vigilant. He understands she has had problems with 9-1-1 dispatch, and she needs to keep a log of her calls to 9-1-1. She should only call 9-1-1 when she has complaints of criminal activities taking place, but for information, she needs to call 329-0800.

Mayor Flagg said at this time the Emergency Declaration expires at 4:00 p.m.; if any Commissioner feels that a state of emergency should be declared again, they can contact the City Manager and a conference with public safety officials will be held to determine the need. They need to put out an impassioned plea to the citizens to allow the utility workers to do their job unhampered. Everyone is getting questions about the power outages, but they don't have the answers. Once this expires, he is empowered to put this Declaration and curfew back into place. Chief Getchell said the "need" criteria as stated in the statute does not exist at this time; his recommendation is not to extend the Declaration or curfew at this time.

Commissioner Sanders moved to not extend the Declaration of Local Emergency or curfew at this time. Commissioner Norwood seconded the motion. Commissioner Brown asked if having the children out of school until Monday has any effect on this decision. Chief Getchell said there is no more effect than with school being out during summer break. At the PD they are out of Alpha Bravo mode and are back to regular mode, with increased personnel on patrol as earlier noted. There being no further discussion, Mayor Flagg called for a roll-call vote. A roll call vote was taken with the following results: Commissioners Azula, Brown, Norwood, Sanders and Mayor Flagg, Yes; Nays, none. The motion was passed.

Commissioners Brown and Azula quantified their "yes" votes with a request that police patrol be increased in neighborhoods that are still experiencing power outages.

Chief Getchell said they do have adequate patrol out, but FP&L cannot provide them with a list of areas still experiencing power outages. If it is a known area, they will increase patrol. Mayor Flagg said outages are based on unique situations. Sometimes the power supply has been pulled completely off the resident's home; sometimes it involves trees tangled in downed power lines. Per Ms. Branford's statement that she saw no police patrolling her neighborhood last night, Mayor Flagg said Mrs. Branford can be certain that the police have been and will be patrolling her neighborhood. Not all police cars are marked.

There being no further business to discuss, the meeting was adjourned at 12:05 p.m. upon a motion by Commissioner Brown.

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CITY CLERK

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MAYOR