

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida held on the 9<sup>th</sup> day of September, 2004.

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

ABSENT:	Commissioner	Hernan Azula
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Also Present - City Manager Allen R. Bush; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Police Chief Gary Getchell; Fire Chief Ken Venables; Planning Director Adam Mengel, Parks Supt. Jeff Norton

INVOCATION - The Reverend Elijah Jackson

PLEDGE OF ALLEGIANCE - Mayor Flagg

Approval of Minutes - 9/8/04 - Commissioner Norwood moved to accept the minutes as read. Commissioner Sanders seconded the motion, which passed unopposed.

INTRODUCTIONS - Mayor Flagg, who noted he asked him to come to speak about Hurricane Frances relief, introduced state Representative Joe Pickens.

Representative Pickens said he has some information on the power outage due to Hurricane Frances. FPL has now changed their outage message to give more definite information on certain area outages. There are so many areas that are out of power it is hard to say when everyone will be back up. Many entities provide disaster relief, ie FEMA, Dept. of Agriculture, SBA, etc. Fernery damages are significant. Palatka residents are encouraged to go directly to the organizations that may be able to provide assistance to them. The public can contact his legislative office for any phone number for any state or legislative group. FEMA's phone number is 800-621-3362; (800-621-FEMA); the web site is [www.FEMA.gov](http://www.FEMA.gov). On the website there is a downloadable Help For Disasters Guide that provides information for households. His office will also be distributing hard copies throughout Putnam County's city halls by noon tomorrow. They will also have a Business Administration fact sheet and some FAQs. He hopes everyone is doing the best they can. Hurricane Ivan's 5:00 track has it moving just west of Palatka, but things will change between now and when it comes into Florida. He complimented the Mayor on his efforts prior to the Hurricane in bringing together all the officials to prepare for the storm, and also his efforts during the storm. They have communicated several times each day since then.

Florida Power & Light - Jeff Womble, FP&L, said they want to get the word out about outages better than they have been, and have set deadlines to get certain areas back on altogether; for Putnam County it is Sept. 16. Starting yesterday more crews began coming in to Putnam County to get power back on, and tonight they will determine where to begin dispatching them according to need. The reason the power has been coming on in spots is that they have energized the main feeder to get power back to residences that have no power problems. Now they can work on restoring the rest of the residences to full power. They have been putting a tree crew with each line crew so that the work can all be done simultaneously. Commissioner Norwood said it is easier for individuals to prepare if they know how long power will be out. It makes no sense to purchase a \$1,000 generator when the power comes back on the next day. He asked how they can determine how long power will be out. Commissioner Sanders said they need to get this information to the local radio stations. Mr. Womble said they have an automatic fax set up with the PDN and will be setting one up with the radio stations. They fax information out on every 9:00 and 4:00 hour as to how many more customers are back on. At this point he doesn't have a way to say who will be first on and who will be last on. The system is to get as many people on as quickly as possible, so if you are a single customer on a line with many trees on it, that household will be later down the list. They will be attacking all the areas at once because they will have adequate crews. The 1-800-4OUTAGE recording now says power will be restored by 9/16, but they are changing it to allow folks to put in

their zip code for more accurate information. It was noted by an audience member that all of Palatka has the same zip code.

Mayor Flagg asked if this storm caught them by surprise. With the amount of damages, there is a communications problem. Folks all over the county as to are contacting him when the power will be up. This is an accountability issue. He is disappointed with the lack of communications between FP&L and their customers. Per the question, there is no prioritization between business or residences except for hospitals, water & wastewater suppliers and similar priority businesses. Mr. Holmes said he is without power at his home and business, and if he had a choice, he'd rather have his business back up with the expenses he faces due to the work stoppage. Mr. Womble said they don't distinguish between businesses or residences except for the priority businesses.

Scott O'Neal, Palatka Christian Service Ctr, 3821 Crill Avenue, asked if the 16th 'target' date also incorporates Hurricane Ivan's arrival. People who are out now may be looking at much longer outages. Mr. Womble said Ivan is a very serious storm. The 9/16 date is based on not having to deal with Ivan. They have to prepare for it and have started preparing for it by procuring manpower and materials. Mayor Flagg said the community wants information and wants them to do the very best they can. The public does not understand the prioritization. They need to educate people why someone on one side is on and someone on the other side is off. That doesn't get their power turned on but at least it soothes the hurt. Mr. Holmes said he understands there is only so much they can do, but if he knew it would be Sept. 30 before he has power to his business, he would purchase a generator to get it going. It is a cost-balancing factor. Information about that timetable would be a huge help to him. He assumes at the strategy session they don't just send workers out to fix whatever is broken. There is a rumor going around that there are no more transformers. If he knew there were no transformers, he can look at other options. Mr. Womble said they recognize that communication is essential and they are not doing as well as they should be, but he doesn't have the perfect answer for them. Mayor Flagg asked them to come up with a press release at the strategy meeting and get it to the PDN. Mr. Womble explained how the feeder circuits come out of the sub station at Ravine Gardens and go out in all different directions. They will begin there and work out from there. It is difficult to say what area is totally on what circuit. They are working 24/7 and will spend all night working on packages to give to the crews.

Mayor Flagg said the citizens need some level of explanation. Commissioner Sanders said if the newspaper is out of electricity, they can't print; they need to use the radio as a means to communicate with the public. This is a better way to get the information out. Mayor Flagg said both Clay Electric and FPL need to have someone at the EOC until this is over. They need to get communications strengthened.

**PROCLAMATION** - County Day of Prayer - Mayor Flagg read and presented a proclamation designating Sept. 13 as County-Wide Day of Prayer in remembrance of victims of 9-1-1 to Putnam County BOCC Chairman Hermon Somers and The Reverend Scott O'Neil, representing area pastors.

Mr. Somers said he has never seen so many trees down in his lifetime. With the downed trees and flooding, the County is in a dire predicament. He hopes Ivan goes someplace else. The BOCC is trying to ease the citizens' burdens and have waived the tipping fee at the landfill for tree debris; they have also opened landfill sites in Crescent City and Interlachen. They have waived building permit fees to fix storm related damages.

Christy Sanford, 312 Dodge Street, asked Mr. Somers if there is a possibility of getting free community mulch. Mr. Somers said they can discuss it; they do have the chipper at the landfill. They are also looking at contracting with additional waste haulers. Free mulch may not be a problem, but they need to work out distribution; right now they are concentrating on getting trucks in and out.

**INTRODUCTION** - Mayor Flagg introduced Fred Pilgrim, the newest appointed member of the Palatka Gas Authority Board. They are pleased that he applied and has accepted the appointment. Mr. Pilgrim thanked the Commission and said he is honored to serve on the Gas Authority.

**PUBLIC COMMENTS:**

Christy Sanford, 312 Dodge Street, said she is a member of the Tree Committee and is working on a grant to get more trees through an Urban & Community Forestry Grant. They will need the City's blessing and a letter of support. They have projects at Rotary Field at the School Board building. They will be working with the county on that. The other project is on Washington St. from Booker Park to N. 19th Street. She has met with John Nelson and Reno Fells, Jeff Norton and Sherri Lowe with KP. This is a tree-planting program. Mayor Flagg said they will lend the necessary support and are looking forward to the presentation.

Sam Deputy, 917 Carr Street, invited the members of the Commission to attend an exhibit by Sandra Bernhart, a movie producer who has recently moved to this area and owns the world's largest collection of silent movies, on her diving expedition trip to the Antarctic. It is going to open in St. Augustine. She is holding a pre-grand opening at Ravine Gardens on Sept. 29. She will also show a silent film on Scott's doomed expedition. He will provide tickets to each commissioner. She has also recovered original footage of Marjory Kinan Rawlings and will be showing it in Palatka. There were several silent films made in Palatka in the 1910's and she will have those restored and will show them. She is also loaning Downtown the original Phantom of the Opera and another film and will be showing it on a downtown wall. Commissioner Brown asked to have her invited her to the City Commission for recognition.

Ruby Singleton, 408 E. Palmetto, said she has concerns with standing water. If they don't have power and are in the dark, they need mosquito control. The ditch on MLK Blvd has been grown over for months, and it is full and overflowing into people's yards. Something needs to be done about the open ditches and retention ponds. Mr. Bush said some ditches have a tendency to hold water and crews are going around cleaning them. The retention pond she is speaking of is privately owned. Ms. Singleton said the retention pond on MLK Blvd. (N 19th Street) has overflowed and has flooded the houses around it. Commissioner Norwood said SJRWMD regulates retention ponds and needs to issue citations to the owner. Ms. Singleton said Water Management tells them to call the City. They are getting the run around. This was a problem before the storm. She wants to know who is in charge.

Adam Mengel, Planning Director, said they have taken complaints about this retention pond. There are Codes issues with this pond. There are issues with certain grasses growing there, which provide erosion control. SJRWMD said they handle permitting but don't have the enforcement staff to do anything else. The grass impedes the flow of water into the area. As long as the structure retains the active permit from Water Management, there is nothing they can do. They can address the grasses. Retention ponds are built to withstand a 24-hr flood event, and they are well past that. This is an older pond and doesn't have the outflow structures the others have. Commissioner Brown said the earth around the pond is eroding away and is encroaching on houses. They need to get the owner to do something with this. Maybe they need to have an ordinance forcing folks to take care of them. Mayor Flagg said Water Management issues permits and issues the specifications, and the City can't say whether it is in compliance or not. The City needs to be the complainant so SJRWMD will respond.

Commissioner Brown moved to issue a letter of complaint to SJRWMD and ask for a resolution. Commissioner Norwood seconded the motion. Mr. Holmes cautioned that this is a non-agenda item, and if they want to take action they should first vote to add it to the agenda as an emergency item. Motion and 2nd were withdrawn by the makers. Mayor Flagg said they can put it on the agenda for the next meeting and ask Mr. Bush and Mr. Mengel to begin looking at a solution now. They need to look at all retention ponds. Mr. Mengel said they have had conversations with SJRWMD personnel, who have reviewed the situation and stated there are no retention issues with that pond.

Christy Sanford, Dodge Street, said she noticed someone pumping at Crill and Moseley. Mr. Bush noted that is known as "Davis Lake" and has had water drainage issues for years; it is a natural basin. They pump the water out to keep the street clear for traffic.

Owen Preston, American Red Cross, said their response has been good comparatively. They originally opened 9 shelters in the County and at peak had over 2,300 people in those shelters. They provided food and support, and their volunteers have done a superb job taking care of folks and manning emergency centers. There have been some glitches, and they have made notes for improvement. Their goal is to provide folks with adequate shelter and food, and they have met that goal. At this time three shelters are still open. One of them is a special needs shelter with a nursing staff. They will need to move these folks out when school starts back up. Calvary Baptist Church has offered their facilities. They need places for people to take showers. They have established stations in Crescent City and Interlachen for ice and food. The salvation Army has canteens set up there for two meals a day, brunch and dinner, on a first come, first serve basis. When they run out they have to go to the staging area to restock. They have two mobile vehicles in the City now and have three more coming tomorrow to provide food and bug spray to help with the mosquito problem. Coordination of this is a tremendous effort. They appreciate people's patience; it could be worse. They are always looking for Plan B in an emergency. They are mandated to take orders from State Emergency Management; when they say open a shelter, they do that.

Commissioner Norwood said Red Cross does a tremendous job at what they do. They have contacted the Family Life Center to move individuals out of the schools into that facility. Family Life Center can provide the facility but they need volunteers to staff it. He asked citizens to contact Red Cross and offer their help. Mr. Preston said they need volunteers all year long. They provide the training. Their volunteers are 'worn out' at this point and need a break. They have volunteers from as far away as Virginia. They cover a 9-county area. People can reach Red Cross by calling the office in Jacksonville at 888-843-5748 toll-free. Family Services division is also setting up an office here. They have a center here but don't have the telephone hooked up yet.

Askew Vickers, 207 N. 18th Street, said Main Street between 17th & 18th Streets has not been maintained by the city for the past 17 years. He has contacted Building & Zoning about this land, and said if the City doesn't want to maintain it they can vacate the street and give it to him. He is talking about the ditch, which is Main Street. Mayor Flagg said the City can check that out, and asked him to put in a formal request for agenda placement to close the street. Mr. Bush said he will look at the situation and come back with a report.

Jim Burnett, 2124 Diana Drive, said he is concerned with non-maintenance of trees along right of way. This would be a good opportunity for the newspaper to put out an article about whose responsibility it is to take care of the trees. Mr. Bush said many of the trees are on private property but extend into utility lines. Utility companies will come in and trim trees out of lines. If it sits in the R/W it is the City's tree. FPL contracts with private companies to cut the trees out of the lines.

Maria Huff Edwards, 1102 NW 4th Street, Gainesville, said she is very involved with restoration of old neighborhoods and reviving them. She has heard about problems with retention ponds, and said there is a program called Front Porch Florida that restores inner city neighborhoods. Many neighborhoods have benefited from this program. They have money for redoing retention ponds. Gainesville is also a Tree City USA and they have spent a great deal of money on trees and beautification, which has been a good thing. She commended Ms. Sanford for moving to Palatka and getting involved.

Commissioner Brown said she has been in contact with Front Porch Florida in the past. Mr. Bush said the City has made application for that grant three times and been turned down each time. Commissioner Brown said they will keep trying. Ms. Edwards said she suggested to Mr. Vickers that maybe KPB can get involved with cleaning up retention ponds.

Penny Bradford, 2418 Crill Avenue, said the PD was out more in her neighborhood last night, but she is still concerned with walking traffic on dark roads and vandalism. The curfew has been lifted and she was informed that PD cannot stop anyone for just walking the streets. If the curfew had stayed in force they could have stopped them and made inquiries as to their business. Someone tried to break into her neighbor's house last night. She stated yesterday twice and is stating again now that the curfew needs to be put back

in place until lights and telephones are on all over. Phones are going in and out because the battery system is not on the grid.

Mayor Flagg said the Commission's action to lift the curfew was based on criteria set by Florida Statute, and that criterion does not exist at this time. They are not being insensitive, but there has to be an emergency situation threshold there that is not there now. The commission couldn't extend the curfew without the criteria being met. Neighborhoods with strong neighborhood watch programs are faring better.

Allegra Kitchens, 1027 S. 12th Street, said there is an existing curfew for minors in the City Ordinances, which should apply to keeping minors off the streets after curfew.

#### CONSENT AGENDA

- a. Authorize the Execution of a Grant Agreement with FAA for 95% of the cost to rehabilitate a portion of Taxiway "A" pavement and "C" & "D" Medium Intensity Taxiway Lights.

Commissioner Brown moved to pass the consent agenda as recommended. Commissioner Norwood seconded the motion, which passed unopposed.

PUBLIC HEARING - TRIM Calendar - 8.0 proposed millage rate - Mr. Bush said the budget has been available for public review since the workshops. The budget is based on a tentative millage rate of 8.0, which represents a 5.194% increase over the rolled-back rate.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE LEVYING TAXES FOR THE YEAR 2004 TO RAISE THE NECESSARY REVENUE TO DEFRAY THE EXPENSES OF THE CITY OF PALATKA FOR THE FISCAL YEAR 2004-05 in its entirety. Commissioner Sanders moved to pass the Levy ordinance on first reading. Commissioner Brown seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, Yes; Nays, none. The ordinance was declared passed on first reading.

ORDINANCE - The Clerk Read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, MAKING AN APPROPRIATION OF MONIES FOR THE OPERATING EXPENSES OF THE CITY OF PALATKA FOR GENERAL ADMINISTRATION OF THE SEVERAL GOVERNMENTAL DEPARTMENTS OF THE CITY, AND FOR CONTRIBUTING TO THE SEVERAL SINKING FUNDS OF THE CITY TO PAY INTEREST ON AND PROVIDE FOR THE RETIREMENT OF THE OUTSTANDING BONDS AND OTHER FIXED OBLIGATIONS OF THE CITY, AND FOR PALATKA GAS AUTHORITY, FOR AND DURING THE FISCAL YEAR A.D. 2004-05. Commissioner Brown moved to pass the Appropriations ordinance on first reading. Commissioner Sanders seconded the motion.

PUBLIC DISCUSSION - Askew Vickers 207 N. 18th Street, asked if taxes are being raised for administration expenses. Mr. Bush said the ad valorem taxes fund the General Fund, which also operates police, fire and other departments.

Ruby Singleton, 408 Palmetto, noting the City is in charge of cemeteries, asked if the City is in charge of St. Joseph's Cemetery. Mr. Bush said the City does not own St. Joseph's cemetery. Mayor Flagg noted the County is responsible for its maintenance.

There being no further discussion, a roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, Yes; Nays, none. The ordinance was declared passed on 1st reading.

REQUEST FOR DONATION - Sheila Rowe, representing Bonita & Company Dance Team, said Ms. Nice is out of state and can't get back due to the storm. Their competition dance team is one of six in Florida asked to participate in the Macy's Thanksgiving Day Parade. They have 20 students eligible to attend. It will cost around \$2,000 per participant for hotel, lodging and classes & costumes. They will be the first dance number in the parade. The girls have worked very hard for this. They have danced all over the

county at various functions. They have had national recognition and won first place awards.

Mr. Bush referred to his memo, stating his concern is that the group is a for-profit group. He tried to find out how the county handled their donation, saying he thought they made a donation to the Macy's Foundation on behalf of one student attending. The Commission could make a donation similarly. His recommendation is for a \$500 donation. Ms. Rowe said they have evenly distributed the funds raised throughout the girls who have participated in the fundraising events. Mayor Flagg asked for concurrence from the Attorney. Commissioner Norwood said he thought the County's name would be on the banner, but now finds that it will not be. When you give public funds to a for-profit organization through whatever avenue you give it to them, you are setting a precedent, and others will come wanting the City to do the same for them. They need to decide how they will respond to those organizations, also. Mayor Flagg said the only other option is for them to make individual contributions, not from public funds, and act as a catalyst for others to contribute. They can also assist with promoting the need. Commissioner Sanders said the contingency is low and there is another storm coming. He will personally donate \$100, and said he hopes other commissioners and city employees will donate what they can. Perhaps they can send out a memo to city employees and let the employees sponsor one of the girls.

Scott O'Neal, Christian Service Center, said he understands the desire of the girls wanting to participate, and the honor of being chosen. If the City donates to this, they will be inundated with similar requests from every other operation in town. Private donations are fine, but as public entities, they could be setting themselves up for a fall. There will be hundreds of organizations coming to them asking for support. When they say no to any of them, they will have 'played favorites or discriminated.' They should support the dancers, and the newspaper can help to get the community behind them. The people of Palatka should be asked to support these 20 girls. Mr. Bush said his recommendation from the last meeting was similar. Commissioner Norwood said if commissioners are making donations, then that information needs to be kept private, also. They need to have the freedom to personally support whomever they wish without personally being accused of discrimination.

Commissioner Norwood moved to deny the request for assistance from TNT Dance Team. Commissioner Sanders 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 2ND SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR UPGRADES TO THE FUEL FARM AND RELATED PUMPING EQUIPMENT, TO INCLUDE PURCHASE AND INSTALLATION OF A JET 'A' FUEL TANK AND REMOVAL AND DISPOSAL OF THE EXISTING TANK AT PALATKA'S KAY LARKING MUNICIPAL AIRPORT. Commissioner Sanders moved to adopt the resolution as read. Commissioner Brown seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The Resolution was declared adopted.

RESOLUTION - The Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REHABILITATE A PORTION OF TAXIWAY 'A' PAVEMENT AND REHABILITATE TAXIWAYS 'C' AND 'D' MEDIUM INTENSITY TAXIWAY LIGHTING (MITL) AT PALATKA'S KAY LARKIN MUNICIPAL AIRPORT. Commissioner Sanders moved to adopt the resolution as read. Commissioner Brown seconded the motion, which passed unopposed. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The resolution was declared adopted.

RESOLUTION - The Clerk read a resolution entitled A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A JOINT

PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE DESIGN ONLY OF A NEW TERMINAL FACILITY AT PALATKA'S KAY LARKIN AIRPORT. Commissioner Sanders moved to adopt the resolution as read. Commissioner Brown seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, 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, PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA BE AMENDED BY REVISING APPENDIX 'A' TO SECTION 86-314 AND APPENDIX 'A' TO SECTION 86-315 THEREOF, PEROVIDING NEW WATER RATE SCHEDULES EFFECTIVE OCTOBER 1, 2004, BOTH INSIDE AND OUTSIDE THE CITY LIMITS RESPECTIVELY; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Sanders seconded the motion. Per the question, Mr. Bush said this is a 5% increase; the minimum bill will increase around \$1.58 between the water, sewer and sanitation increases. Compared to other communities, these rates are very low. These are the first increases since 2002. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on 1st reading.

ORDINANCE - The 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 APPENDIX 'A' TO SECTION 86-344 AND APPENDIX 'A' TO SECTION 86-345 THEREOF, PROVIDING NEW SEWER CHARGES EFFECTIVE OCTOBER 1, 2004, BOTH INSIDE AND OUTISDE THE CITY LIMITS RESPECTIVELY; AND PROVIDING AND EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Sanders seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on first reading.

ORDINANCE - The 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 APPENCIX 'A' TO SECTION 66-9, PROVIDING NEW GARBAGE COLLECTION RATES EFFECTIVE OCTOBER 1, 2004; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Sanders seconded the motion. Mr. Bush said this represents a residential increase of \$.50 per month, and the commercial rate is increased by \$.25/yard per pick-up. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on 1st reading.

ORDINANCE - The 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 ADDING SUBSECTION (d) TO SECTION 2-171 THEREOF, PROVIDING FOR AN ADJUSTMENT TO CERTAIN PENSIONS PROVIDED BY THE GENERAL EMPLOYEES RETIREMENT PLAN, AND PROVIDING FOR AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on 1st reading. Commissioner Brown seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on 1st reading.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CLOSING, VACATING AND ABANDONING THAT PORTION OF MAIN STREET LOCATED BETWEEN 19TH STREET AND 21ST STREET, ALONG WITH VACATING THE PORTIONS OF 20TH STREET NOT PREVIOUSLY VACATED BETWEEN REID STREET AND MADISON STREET, ALL WITHIN THE CITY OF PALATKA AS SHOWN ON DICK'S MAP OF PALATKA, MAP BOOK 2, PAGE 46 OF THE OFFICIAL RECORDS OF PUTNAM COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. This reading was continued from the 8/26/04 meeting. Mayor Flagg noted staff has recommended this

reading also be continued until the October 14, 2004 meeting. Commissioner Norwood moved to table first reading of this ordinance until time certain of October 14, 2004. Commissioner Sanders seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. Motion passed.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CLOSING, VACATING AND ABANDONING THAT PORTION OF 12TH STREET BETWEEN DUNHAM STREET AND BRONSON STREET AND DUNHAM STREET LOCATED BETWEEN 12TH STREET AND 13TH STREET WITHIN THE CITY OF PALATKA AS SHOWN ON DICK'S MAP OF PALATKA, MAP BOOK 2, PAGE 46 OF THE OFFICIAL RECORDS OF PUTNAM COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE (Calvary Baptist Church, petitioner).

Commissioner Norwood declared a conflict of interest, as he is a member of the petitioner's Board of Directors. He stepped down from the dais and took a seat in the audience.

Mr. Holmes said Mr. Bush reminded him of an easement discussion that had taken place at the last meeting. The ordinance was passed on first reading with the stipulation that language be added to withhold an easement for Rails to Trails. The specifics as to dimensions, etc. were to be worked out with the church. If the street is closed, the ownership of the land reverts to the church. An easement is generally specific as to its use. The ordinance can be amended to include a section stating 'this ordinance is passed subject to the City's reservation of, or the adjoining property owner's grant of, a perpetual easement to the City for "x". This is where the details come in, i.e. how much will be retained and for what usage. Mr. Bush said many times the City vacates the street but retains the utility easement. Mayor Flagg noted there is a drainage easement there already. This is a big open ditch not related to the retention pond on this property.

James Norwood, Calvary Missionary Baptist Church, said they are proposing to close up the ditch and install piping for water drainage. They intend to build a park there, but the City should always have access to it. Mr. Holmes said, from a legal perspective, if it is not in writing, the City will have to ask for permission to do anything there, and it is not a good position for the City to be in. At this time the City owns the property and doesn't have to ask anyone for that permission. Mayor Flagg said the reading should be tabled until the first meeting in October to give time to work out the details and to have maps drawn up for the Commission. Also, since Commissioner Norwood has declared a conflict, an agent of the Church other than him should be here to represent the Church, so there is no appearance of conflict.

Mr. Holmes suggested to Adam Mengel that they obtain a grant of easement from the Church in advance, and under the Doctrine of After Acquired Title, once they receive Title, that grant of easement will be effective, so there will be a defined easement document signed by the appropriate agents of the church for the Commission to consider. Mr. Mengel concurred and said he is not familiar with any reservation of easement language in ordinances; this is a far cleaner method. Per discussion, the Mayor confirmed that a Rails to Trails easement was also discussed in the 9/26 meeting.

Commissioner Brown moved to continue 2nd Reading of this street-closing ordinance requested by Calvary Missionary Baptist Church until a time certain of October 14, 2004. Commissioner Sanders seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Sanders and Mayor Flagg, yes; Nays, none. Commissioner Norwood abstained. Second Reading continued until October 14, 2004.

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, CHAPTER 34, FIRE PREVENTION AND PROTECTION, ARTICLE III, FIRE CODES, TO PROVIDE FOR A FIRE SELF-INSPECTION PROGRAM; PROVIDING FOR FIRE INSPECTION FEES; PROVIDING FOR NON-COMPLIANCE; PROVIDING FOR SEVERABILITY; AND

PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on 2nd reading for adoption. Commissioner Sanders seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING SECTION 2-283 OF DIVISION I OF ARTICLE V OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA; TO AMEND THE PROVISIONS OF THE CODE OF ORDINANCES OVER WHICH THE CODE ENFORCEMENT BOARD SHALL ENFORCE AND HAVE JURISDICTION OF; AND PROVIDING AN EFFECTIVE DATE. Commissioner Sanders moved to adopt the ordinance on 2nd reading. Commissioner Norwood seconded the motion. Commissioner Brown said she would like to caution board members about taking advantage of their positions to help carry out personal agendas. They have to work within the provisions of the code, and need to look at the whole picture instead of just a small piece of it. A roll call vote was taken with the following results: Commissioners Brown, Norwood, Sanders and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.

DOWNTOWN PALATKA, INC. - Presentation of six-committee recommendation for redevelopment - tabled from 8/26/04 meeting. Mayor Flagg read a memo from Chip Laibl, President, requesting that this item be tabled until September 23 due to recovery efforts from Hurricane Frances and preparation for Hurricane Ivan. Commissioner Sanders moved to continue this presentation to time certain of September 23, 2004. Commissioner Brown seconded the motion. Commissioner Norwood said they need to provide the Commission with the presentation in advance so they will have it in their agenda packets; this item has been on the agenda twice with no packet. They need to have a packet before they can discuss it. Mayor Flagg asked the Clerk to advise the Downtown Merchants of the Agenda deadline for the September 23 meeting, and make certain they understand that compliance is necessary. If they do not comply, it will not be placed on the Agenda. Ms. Driggers said it was on the agenda for this meeting because the Commission did table it until a time certain, so she had to place it on the agenda, even though she did not have the packet. Staff knew they did not make the agenda deadline, but since the Commission continued it to this meeting, it would be up to the Commission to either consider it without the packet or continue it again until they had a packet. Staff cannot make a prediction about what action the Commission will take, but they did advise Downtown Palatka representatives that the Commission needs an advance copy of the report so they can consider it, or it may be tabled again. Mayor Flagg said if they don't meet agenda deadline with the packet, the item won't be discussed, and that should be made clear to them.

ADMINISTRATIVE REPORTS - Allen Bush, City Manager - Thanked all the crews and departments for the tremendous job they did this past weekend and week before, during and after the hurricane. Mayor Flagg extended those comments to the corporate and private volunteers and everyone to pitched in to help out. Every department responded, even the Clerk and City Attorney, and they are extremely grateful. Once the department heads have reported to Mr. Bush in writing, the Commission will get a full briefing on how it went, what needs to be improved, etc. in order to draw up a written plan for the future.

#### COMMISSIONER COMMENTS

Commissioner Sanders:

- Said he went to Golden Corral last night for dinner around 6:45 p.m. and was told they were closing at 7:00. He asked the assistant manager why, and was told that, being a commissioner, he ought to know about the curfew. He asked her where she got her information, as the curfew didn't pertain to restaurants or regularly opened businesses. She said she heard it from a former city or county employee. He told her she shouldn't take just anyone's word for something like this; it reminded him of WWII panic rumors. Misinformation causes a lot of people to do things they normally wouldn't do. The City went to the trouble of putting this information in the newspaper and on the radio. Then someone with no authority walks in and tells them they have to close, and she just took their word for it.

Commissioner Norwood:

- Thanked Mr. Bush, his staff and the commission for fielding phone calls from the citizens about the aftermath from Hurricane Frances. They are all genuinely concerned about their welfare. The crews and public safety employees are doing a tremendous job, and the City was on full alert and high gear.

Mayor Flagg:

- Plead for continued patience from the community, as this is far from over, and he also appreciates the leadership and commitment they have all shown.

There being no further business to discuss, the meeting was adjourned at 8:26 p.m. upon a motion by Commissioner Brown.

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CITY CLERK

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MAYOR