

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 27<sup>th</sup> day of January 2005.

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

Also Present: City Manager Allen R. Bush, City Attorney Betsy J. Driggers, Finance Director Ruby M. Williams, Police Chief Gary Getchell, Fire Chief Ken Venables, Planning Director Adam Mengel, Parks Supt. Jeff Norton, Main Street Manager Cathy Butler

INVOCATION - The Reverend John Cameron, Pastor; Midway Baptist Church

PLEDGE OF ALLEGIANCE - Larry Pritchett

APPROVAL OF MINUTES - 1-13-05 - Commissioner Azula moved to adopt the minutes as read. Commissioner Brown seconded the motion, which passed unopposed.

PUBLIC RECOGNITION - GFOA AWARD OF FINANCIAL REPORTING ACHIEVEMENT - Vice Mayor Brown and Mr. Bush joined Mayor Flagg in presenting the Government Finance Officers' Association Award of Financial Reporting Achievement to Ruby Williams, Finance Director. Mr. Bush and Mayor Flagg also received recognition and a Certificate of Award for this achievement. This is the highest award recognition bestowed upon entities by the Government Finance Officers' Association. This is the 12th year in a row the City has attained this recognition.

INTRODUCTION - Woody Boynton, Public Works Director - Mayor Flagg introduced Woody Boynton, the new Public Works Director for the City of Palatka. Mr. Bush said he comes to the City from FDOT and will be starting with the City on Feb. 7th. This is a new position. Mr. Boynton thanked the Commission for bringing him on board, and said he looks forward to a long tenure with the City. He also looks forward to putting many new programs in place.

INTRODUCTION - Mayor Flagg introduced Michelle Barth, Senior Representative for US Senator Bill Nelson. She will be holding office hours at City Hall on the 4th Thursdays of the month prior to the regular commission meetings. She will be in the lobby tonight, for anyone who would like to meet with her.

PROCLAMATION - Super Cities Community Beautification Days - Mayor Flagg read a proclamation declaring January 27 - Feb 2, 2005 Super Cities Community Clean-up Days in the City of Palatka. This is an initiative in conjunction with Keep Putnam Beautiful and the Downtown Merchants to clean up the City in preparation for the influx of visitors in town for Super Bowl XXXIX to be held in Jacksonville on February 6, 2005. Commissioner Sanders presented the proclamation to Woody Boynton, Public Works Director.

STUDENT OF THE MONTH - Vice Mayor Brown joined Mayor Flagg in presenting the following students with certificates of award recognizing their academic excellence, leadership, citizenship and attendance at their respective schools:

Katrice Oxendine	Beasley Middle School
Jaylin Fontanez	Browning Pearce Elementary School
Xavier Lowe	E. H. Miller School
Chelsea Moore	James A. Long Elementary School
Chelsea Riddle	Jenkins Middle School
Maggie Pritchett	Kelley Smith Elementary School
Cassie Glisson	Mellon Elementary School
T'keara Watson	Moseley Elementary School
Lynnsie Lee	Palatka High School
Raven Brenner	Peniel Baptist Academy

Johnathan Neely  
Jason Small

Q. I. Roberts Middle School  
River Breeze Elementary School

PUBLIC COMMENTS - There were none.

#### CONSENT AGENDA

- a. Approve request for water service outside the City Limits due to hardship – 2425 State Street; Gladys Trembly, owner.
- b. Approve request to provide Better Place Funds for the Putnam county Welcome Wall @ \$2,500 per City Manager's recommendation, upon request from KPB and G-P Corp.
- c. Authorize execution of Work Order No. 04-01R with Passero Associates, Airport Engineers, for resident engineering, inspection, project management & Preparation of drawings during Airport Taxiway "A" Rehabilitation project.

Commissioner Sanders moved to pass the items on the consent agenda as listed. Commissioner Azula seconded the motion, which passed unopposed.

RESOLUTION - The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FLORIDA LEAGUE OF CITIES' GROWTH MANAGEMENT ISSUES AS LISTED DURING THE 2005 LEGISLATIVE SESSION. Commissioner Norwood moved to adopt Resolution 7-130 as read. 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 7-130 was declared adopted.

ORDINANCE - Amending Chapter 10, Alcoholic Beverages - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING AND REPLACING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA; TO AMEND THE PROVISIONS OF THE MUNICIPAL CODE PERTAINING TO ALCOHOLIC BEVERAGES; PROVIDING FOR SCOPE AND APPLICABILITY; PROVIDING FOR MEASUREMENT OF DISTANCE; PROVIDING FOR CLOSING HOURS; PROVIDING FOR VACATION OF PREMISES; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Azula seconded the motion.

City planner Adam Mengel said the City has prepared a revision to the Code that differs somewhat from the ordinance last presented to the Commission. He went over the scope and applicability of the ordinance, noting it will apply to all locations in the City of Palatka. There are grand-fathering provisions for location, but not for hours of sale. He noted the major changes, which were distance setbacks going to 300 feet from parcel line to parcel line, instead of 600 feet from portal to portal. Proposed hours of operation are from 1:00 p.m. - 12:00 midnight on Sundays and until 4:00 a.m. if New Years Eve falls on a Sunday, and from 7:00 a.m. - 2:00 a.m. Monday through Saturday, and until 4:00 a.m. if New Years Eve falls on a Monday through Saturday. He noted that questions will be taken during the meeting. All premises still have to maintain legal status as far as other regulations of the state. The City is not substituting for those regulations. They have added definitions that closely mirror those in the state beverage law. This ordinance defines boundaries from new licensed premises and from religious institutions and schools. There are considerations for granting a conditional use in the current Code. All beverage sales should cease at ending times noted, but consumption can continue 30 minutes past that time until the premises is emptied of patrons. The premises can be occupied for cleaning past that time, but beverages should be off the tables and counters by then.

Mr. Mengel said there is a provision to allow for open containers during special events granted by the Commission on a case-by-case basis. Section (e) This allows outside sales to occur within an area designated by a licensee on their application with the Division of Alcoholic Beverages & Tobacco. This is fairly routine; they do require some form of screening for that outside area. Section 10-6(f) is specific to bottle clubs and mirrors

language in other Codes in neighboring communities. Section 10-7 addresses penalties and provides for injunctive relief. The final item gives the City the right to review licensees and provide any recommendations on any type of disciplinary action to Div. of Alcohol & Tobacco so far as they are able to make those recommendations.

Mayor Flagg opened the Floor to the commission for discussion.

Commissioner Azula asked if the building burns down, can it be rebuilt at the same location? Mr. Mengel said it can, as long as operation is recommenced within one year. Mr. Holmes read the clause in the ordinance at the bottom of page 1, Section 10-1, paragraph (b) pertaining to that issue, which he noted is a very broad clause. He said if the Commission wants to add language that the premises can be replaced if it is destroyed by fire or otherwise, they can, but this is a pretty liberal clause. Commissioner Azula asked that specific language be added. Mr. Holmes said the language can be revised to read as follows: Pg 2, line 2, "contained herein and shall be allowed to continue, comma, (strike and) be expanded at that location, or replaced if destroyed or substantially damaged," and the rest of the paragraph will remain as is.

Commissioner Brown asked what determines what can be grand-fathered in and what can't, and asked if people have been there for 20 years or more, can the hours be grand-fathered in, also. Mr. Holmes said typically hours of operation are not a restriction or limitation that can be exempted by grand-fathering; if operations are changed, they are changed across the board so everyone operates under the same rules across the board, and no one is granted a competitive advantage or disadvantage. You can't apply a location restriction without it working to someone's disadvantage, because people already have their businesses built; there is already development around it, or they may already be in violation of a location restriction, so that if you don't grandfather them in and something occurs like damage or destruction, they have no choice but to cease operations, and technically or theoretically that does give another licensed premise a competitive advantage if they happen to be built somewhere that now qualifies under the new restrictions. Normally, you would not grandfather a regulation like hours of operation, which is going to apply to everyone, and not cut more harshly against one than another. You would grandfather something like a location restriction, which might impose a hardship on one greater than another, should destruction or expansion occur.

Mayor Flagg opened the floor to speakers who filled out speaker cards in the order in which they were received. He asked everyone to hold their applause. This is not a rally. He asked that all those present give speakers and commissioners their full attention and respect, and asked that all speakers address the Commission.

Sister Dolly Harrell, Pentecostal Revival Center and WJGV Gospel Vision, said she appreciates the Commission's efforts in trying to change this ordinance. She was present when the Commission changed setbacks from 1,000 feet to 300 feet. She has seen nothing good come from those actions. At the last meeting the distance requirement was 500 feet but now it is 300 feet. Mr. Bush said the 500 feet was from portal to portal, but the 300 feet is from property line to property line, which almost works out the same. Sister Dolly said the church is sacred, and the City is coming her way. There are many churches along Highway 19, and they wouldn't want to be surrounded by bars. She asked the Commission to consider the children and the crowded prisons before going to a vote.

Clarence Cook, 318 Cedar Creek Road, said he agrees with Sister Dolly. He has a 7-year old child, and he doesn't want bars next to the schools. They don't need any more bars.

Tom Zima, 2608 Reid Street, Paradise Sports Bar, said this is a controversial issue. The existing law has been in existence in excess of 24 years. Proponents of this legislation believe it can be implemented just by a vote of the City Commission, and the Commission believes this legislation can be implemented retroactively. He disagrees. When changes are made to the law pertaining to property rights and property operations, specifically changes made to zoning operational procedures, including hours of operation, any business existing prior to the change can be grand-fathered in. They are grand-fathering distances, but part of a business is its hours of operation. Before they opened Paradise Sports Bar they did a feasibility study and financial study; a major factor in their

decision was the hours of operation. Forty percent of their income comes from business conducted after 2:00 a.m. The Commission can't shut a business down because it becomes too unruly or loud, after they've enticed a business to town. His is not the only business that operates past after 2:00 a.m. There are many more. They will all suffer significant losses, which they will not be able to sustain. It is unfair for the Council to burden these businesses with these losses. The Commission will have to test this in court. The City will spend a lot of money and time to no avail. Mayor Flagg noted that he has been informed that Alex Sharp, who has filled out a speaker card, and is slated to speak after Mr. Zima, has requested that his three minutes to speak be granted to Mr. Zima. Mr. Zima said he encourages the Commission to look at this before it turns into the City fighting the bars, which are being put in a position to fight the City. No one can take these financial losses. Suddenly changing a 28-year old law is not the way to go. More leniency is more appropriate, especially businesses that were established with longer hours in mind. It is unfair and they will lose a lot of money. Mr. Bush asked, and Mr. Zima agreed, that this ordinance is more liberal than those of surrounding communities. Mr. Zima said people here are acclimated to bars being opened for longer hours. Newly established businesses depend on after hours business.

In response to Mr. Zima's grand-fathering concerns, Mr. Holmes said people were allowed to smoke in restaurants and bars for 100 years before the law was changed and smoking in businesses was abolished. Mr. Zima said this is not the same thing. Mr. Holmes said it is not his place to offer opinions on fairness or policy. After significant research, he is very well convinced of and has confidence in the City's ability to limit hours of operation without grand-fathering existing premises. Mr. Zima said they are grand-fathering existing businesses for location; they can do it for hours of operation.

Rev. Ben Tippett, 125 Cypress Drive, East Palatka, President of the Greater Palatka Ministerial Assoc., said he has been in the area for many years. He is concerned about the sale of alcoholic beverages. This is a drug, although many people don't think so. At their last meeting there was a strong expression given about this change. The hours of operation as they are now are too liberal. He believes the change allowing sales until 2:00 a.m. is plenty long enough. Midnight seems ample, too. If it were up to him he'd declare the City dry, but people make their choices. He urges the City to revise the ordinance to close bars no later than 2:00 a.m. Per Mr. Tippett's question, Mr. Mengel said the measurement will change from 'portal to portal' to 'parcel line to parcel line', as determined on the property appraiser's map and using a scale.

Pastor Leroy Lewis, 308 Rustic Road, Satsuma, said he expressed his opinion at a previous meeting, and that has not changed. Although he lives in Satsuma, he is a pastor and citizen. Young lives are being snuffed out due to the consumption of alcoholic beverages late into the evening. Sales need to stop at a reasonable time. Alcoholism is rampant. Downtown Palatka is being humiliated by beer cans, bottles, open containers, patrons getting sick and vomiting or urinating all over the sidewalks and buildings. The ordinance needs to protect the citizens and businesses. They need to accept the moral responsibility of keeping Palatka as a place where people want to visit and live. He can personally attest to the devastation alcohol brings upon families.

Allegra Kitchens, 1027 S. 12th Street, said she thinks this is a very good ordinance. She'd prefer limiting the time more; most surrounding counties do, but 2:00 a.m. is very lenient and bars shouldn't lose a lot of business over that. There are only 3 bars that qualify to stay open now. Palatka needs a better reputation than being known as the place you can go to drink 24 hours a day.

Ruth Burke, 510 Mulholland Park, Downtown property owner, said she feels this ordinance is not fair because it pits churches vs. people who drink. It violates everyone's civil rights. She does not drink. Under this ordinance, her buildings will be rendered worthless. She wasn't planning to open an all-night bar, but would like to open an all night seafood restaurant with cocktails. She wants to open McCrory's building and the James Hotel as restaurants. There needs to be a parking garage downtown. They need tax abatement for restoring historical buildings. She owns many buildings downtown. Her civil rights were violated when the Bingo Palace was opened; their employees aren't covered under workmen's' compensation insurance and they took up all the parking. It

does not make good business sense to mix churches with downtown. Almost all restaurants serve alcohol. She also owns a church. The 300-foot setback is very serious to her. If this wipes her out, she won't be happy.

Venila Carver, 138 E. Ranch Trail, said she loves the Church, which is older than the barroom will ever be, and she takes a stand against bars being closer than 1,000 feet from the church. In Jacksonville the setback is 3,000 feet.

Askew Vickers, 207 N. 18th Street, Vick's Supper Club, said he started his Club in 1976, and built his business based upon what the City allowed him to do. There was a need for this type of business in the community. His business is a nightclub, not a day club; daytime business just does not exist for him. He has been there for 28 years. He asked Mayor Flagg what the purpose is for changing the ordinance. Mayor Flagg said the Commission has determined that the ordinance needs to be changed to accommodate a changing community. There is growth here, and in order to protect the rights of businesses and families, this ordinance is being revised. This has been on the table since before he became Mayor. They have conducted many workshops and held many meetings on the subject, and are now at the point of making a revision. It is not a question as to if, but as to when, because they have to deal with growth; otherwise, growth will deal with them. They are not seeking a prohibition on alcohol. Just because he is not a bar patron, he is not seeking to put bars, or his bar, out of business. This is not a prohibition on alcohol. This is not personal. This is not the forum for churches vs. bars. This is a forum wherein public officials are meeting with the public to affect a revision to an outdated ordinance. They aren't counting the number of bar owners here vs. the number of church folks. It is their role and responsibility to receive public input, and that is what they are seeking. They aren't seeking to put anyone out of business unless that business violates Florida Statutes or federal laws.

Mr. Vickers said he recalls the Mayor told him previously that the previous administration didn't get it right, but this administration will. Mayor Flagg disagreed and said Mr. Vickers is misquoting him. He did not say that. Mr. Vickers said he doesn't care what other counties do; his business is here, he lives and pays taxes here. To pass this ordinance means a regression of progress, which bothers him. There is a need for all things; his business meets a need in the community. If the Commission takes it away, people will be having house parties all over town and the situation will be out of control. The city will shut his business down if this is passed. Per the Commission's question Mr. Vickers stated his hours of operation are from 10:00 p.m. - 2:00 a.m. Thursday, from 10:00 p.m. - 3:00 a.m. Friday, and from 10:00 - 4:00 a.m. on Saturday, and 10:00 a.m. - 2:00 a.m. on Sunday.

Guy Van Doren, 82 Water Street, St. Augustine, said he has an interest in downtown development, which is well known to the Commission. They have to look at ways that someone from outside can develop downtown. An integral part of downtown development will be restaurants and consumption of alcohol associated with restaurants, just as in St. Augustine. If someone who wants to come into town sees regulations that will stymie their business, they will look elsewhere. He suggests they look at establishing entertainment zones downtown that will allow more of this type of business in a certain area, like in other zoning classifications, recognizing that cities are made up of business, residents, churches, schools, and the like. They need to think about developing a downtown business district that allows for less distance between operations like restaurants serving alcohol. As to conditional use exceptions, those are a political issue; he doesn't know if he'll be able to get an exception or not; this hinders development.

Sam Deputy, 917 Carr Street, said they've heard from many venues tonight, and he is speaking as a plain citizen. He knows nothing about some bars, but some are in the newspaper every week. As a tax-paying citizen with buildings on three city blocks, he believes that some businesses are 'sucking off' more city services in a short time than most businesses people will ever use in a lifetime. If police, fire and rescue are all forced to concentrate services at a few locations, who is protecting him at his location? Many citizens don't think about that aspect. This is not true of all bars and restaurants, but it is true of a few. Those few should be dealt with. All taxpayers should have an equal amount of services provided to them.

Mr. Holmes said he is not speaking in favor or against this ordinance; that is not his job. A lot of thought went into these proposed changes. Extensive research has been done. Unfortunately, there are no restrictions on folks suing each other. The City's ability to regulate hours of operation stems from a specific provision in Florida Statutes, chapter 562.14, which states "Except as provided by county or municipal ordinance, no alcoholic beverages may be sold, consumed, served or permitted to be served or consumed in any place holding a license under the Division of Alcoholic Beverages between the hours of midnight and 7:00 a.m. of the following day." In other words, the State statute establishes closing hours at midnight. The authority to expand that closing time is, as stated in the first part of that statute, as he read, "Except as otherwise provided by county or municipal ordinance . . ." In essence, the city is expanding the time allowed by State statute, not restricting it. The conversation taking place here tonight about the City's ability to do this has all taken place before, not here with the City of Palatka, but in court. The very issue Mr. Zima raised about grand-fathering hours of operations was raised in a case known as "The Other Place of Miami, Inc. vs. the City of Hialeah Gardens, where the city had an ordinance that allowed alcoholic beverage sales until 3:00 a.m. for some time. The City then passed an ordinance reducing hours of operation until 1:00 a.m., and "The Other Place" claimed that it was a violation of its right to operate, and they sued. The Appellate Court found that the City has the right to reduce hours of operations because the fact that the bar was in existence prior to the ordinance did not invalidate the ordinance or its affect on the bar. It stated that, in fact, the very nature of the State statute, which established a closing time of 12:00 midnight, and the language that the state that states the County or City can determine its own hours, establishes 12:00 midnight as a reasonable time, and that anything beyond that is in essence an expansion of what the State Legislature has deemed reasonable. This is not the only case where the 'grandfather clause' was pled as a challenge to a municipal ordinance. Neither have the courts required a legislative body like the City to justify its decision to reduce hours, saying, in fact, that motive is not a key element of legislative discretion for a decision like this unless there is an abuse of discretion shown. In other words, the City did not go into drafting this without researching the question of the City's ability to take actions that are being taken. He can't promise that the courts won't change a decision they've previously made, but in his 28 years of law practice, he has learned that case law is uncertain, but the precedent they have found supports the City's right to do what they are doing. Whether they should do it or not is a legislative function.

Mr. Holmes said the fact that Palatka has a longer 'window' within which to consume alcohol has been thought to be a problem from the standpoint of attracting patrons from other counties into Putnam County after the bars in those counties close, i.e., if those bars close around midnight, and ours stay open until 4:00 or 5:00 a.m. If someone is looking for another place to drink, it is possible that they will come here in the early morning hours, maybe after having already consumed alcohol someplace else. It taxes our police resources because the person who has already been consuming alcohol is not as amenable to following certain laws. All these considerations have been raised on other occasions. The concern was that people come here after drinking in other counties after closing down those bars, and they are on the road. He does not recall when that conversation took place; it was at a prior meeting or workshop held on the subject.

Mr. Holmes said with a conditional use, you can theoretically establish licensed premises on adjacent properties. Many uses under City ordinances are permitted only according to conditional use. It simply means that ordinarily, 300 feet is seen as a legitimate business use for parking, avoiding 'alcohol zones,' so to speak, and other reasons. If someone wants to locate in an area that has ample parking and the area is developing with different types of nightclubs or establishments that are door-to-door, and it is a reasonable development for the area, the ordinance allows one to seek a conditional use from the Zoning Board of Adjustment. The BZOA may impose other conditions, such as off-street parking, etc., to make sure the development becomes orderly and you don't end up abandoning a section of the city to door-to-door bars. He is not saying this is the only way the issue can be addressed, but it is not a totally one-sided ordinance.

Commissioner Brown said she has listened to both sides. They have to be good citizens and good neighbors. There are bars on both corners of the block where she lives. She has lived with an alcoholic and has sat on the Board of Directors for the Putnam Behavioral

Center for 20 years. She has a business here. They don't want to put people out of business. They can work this out together. They are not trying to legislate people's behavior, and can't force people to change. They need to work hard to make Palatka the best city it can be. Not every bar is bad; sometimes one bad apple affects the entire barrel. Many ordinances changes come about because one person went too far and abused their privileges, just because they believed they had the right to do so. She knows that whatever decision is made tonight, someone won't be happy, but they will make the best decision they can.

Mr. Sanders said he believes this is a fair ordinance. He is concerned with the hours of operation; 2.00 a.m. is late enough. In the last several weeks a number of people have been killed in traffic accidents because of alcohol. He doesn't want to see bars next door to churches. This ordinance they have before them tonight is a good ordinance, and a fair ordinance.

Commissioner Azula said in Section 10-6, last paragraph pertaining to consumption on private property vs. commercial property. This will limit the Chamber's or other businesses' or private individual's ability to hold social events such as socials and Christmas parties. Companies have picnics where employees consume certain alcoholic beverages. Private property consumption should be allowed, and this seems to limit that. He'd like to see that paragraph revised.

Mr. Holmes said he also has concerns with that language. He has already suggested changing that by lining through the last six lines of Section 10-6, paragraph (b), and placing a period before the word "property" in the preceding line. He agrees that if a business ordinarily used as, say, a candy store or law office, and some folks stop by after closing to have a drink, that shouldn't be against the law. From a standpoint of enforcement, that would be a nightmare. Mr. Holmes received consensus from the Commission to strike that language and make that revision.

Commissioner Azula said he understands Mrs. Burk's concerns on setbacks. The City does grant conditional use variances, but people are concerned with having to purchase property before coming in to apply for a conditional use. He would like to work out an exception to limit only the downtown area and riverfront property to any type of restrictions, whether for church, school, bar, etc., to allow anyone to build any business without restrictions. He doesn't see the sense in forcing people to apply for conditional use variances. Commissioner Norwood asked Mr. Holmes if there is a way to accomplish that without setting up 'special zoning' for that particular area. Mr. Holmes said they may be able to do it without setting up a special zoning if they already have a zoning classification that applies to the 'downtown area', and they accept it in this ordinance. Mr. Mengel said there is a 'downtown riverfront district' running from the river to 4th Street, and a 'downtown business district' running from 4th to 11th Street. Mr. Homes said he supposes they can exempt one or both of those districts from the hours or provisions of the ordinance, but he hasn't considered it in detail, so that supposition could change. Commissioner Brown said she doesn't mind having bars close to her if people are considerate and mindful of their actions. There are a lot of churches in the area, too. Most of them co-exist peacefully. A bar opened in the old Yeoman's building, and they take up the church's parking during nighttime events. Some bars are not always mindful of what they are doing. She doesn't mind restaurants coming in, but she doesn't want to see wall-to-wall bars. Many of these churches and citizens' residences pre-date these bars by 100 years or more.

Mr. Holmes said as to conferring exempt status on a district, if they keep everything across the board and applicable to all, they will more likely stay out of court. He is not saying they can't free up one regulation within that zone, either location or hours, but he is not prepared to tell them if they should or shouldn't do it without first researching it, because they will be conferring an unfair advantage to businesses in that zone. If someone in the Riverfront District can stay open until 4:00 a.m., but Vick's Supper Club or Paradise Sports Bar has to close at 2:00 a.m., that would be unfair. He is not sure it is a good idea. If the Commission wants to do it, he'd appreciate some time to research it.

Mr. Bush said he concurs. There are situations downtown with zero setbacks and limited parking. If they spell out criteria for exemptions to the Board of Zoning Appeals, they can adhere to those criteria when making their decisions. Mr. Holmes said they have a better chance of doing that with location rather than hours. In the downtown area they have a lot of zero setbacks where they don't in most other areas. They may be able to justify lessening distance restrictions in the downtown area as opposed to other areas. Mr. Bush said this will address the concerns; if a prospective property buyer knows what conditional use criteria he has to meet, that would give more certainty to a potential developer. Mr. Holmes said if one has to go before a Board, and ultimately some appellate body from there, that doesn't ensure the kind of certainty Mr. Van Doren was referring to. The only way he sees you can address it is by making it a 'use by right' or permissive use in a district, so the zoning is there and they know they can do it. If they have to go before a board for a conditional use, his experience has been that a developer has some degree of uncertainty about whether he can get what he wants, and that's where they build in contingencies in sales contracts for one thing or another. Mr. Bush said if there were, say, adjacent or nearby parking, and you could justify a conditional use with that, it gives more certainty to a developer who is considering asking for a conditional use. Commissioner Azula said his concerns relate to location only, and do not apply to hours of operation.

Ruth Burke, 510 Mulholland, asked if city-owned properties are exempt from this ordinance. Mayor Flagg said not all city-owned properties are exempt. Mrs. Burke said if she builds a parking garage, she would like some certainty as to whether or not she will be granted a conditional use permit. It shouldn't be a popularity contest, or left up to someone's political agenda or emotions. It should be a business decision based upon set criteria. Mr. Bush said the Board has a set of criteria they follow to determine if an applicant should be granted or denied a conditional use. They can establish some criteria for zero lot line establishments.

Christy Sanford, 323 Dodge Street, asked if the Commission has thought of separating restaurants from bars? Other communities have done that. She said the time seems reasonable; she asked if a restaurant serving beverages is the same as a bar. Mayor Flagg said a bar is different from a restaurant. Mr. Bush said that distinction is made in the ordinance now, but at this time there are bars that are selling very little food, who are calling themselves restaurants so they can stay open all night.

Rev. Keith Altman, 255 West River Road, said there are more alcoholics in Putnam County than you can shake a stick at. He runs the alcoholics program at the state prison. No one seems to care about the families of people who are killed by drunk drivers, or the people getting killed by drunk drivers. MADD mothers have stories that would make everyone in this room cry. He had lunch today with a man whose 10-year old daughter was killed by a drunk driver. He hears these terrible stories all the time. It is not necessary for people to drink all night long; 2:00 a.m. is plenty long enough. He's been a police officer from Jacksonville Beach all the way down to Palatka, and can tell them Palatka has more than its share of drunks. If they keep contributing to people's drinking, they ought to provide some type of rehabilitation for them. They are helpless against this. He has to do his work for free, because it seems that no one cares about the affects of alcohol enough to fund its rehabilitation.

Alex Sharp, 822 S. 15th Street, said he supports Commissioner Azula's concept of a location exemption. He owns a 4,000 sf building at 210 St. Johns Avenue, and a 3,500 sf building at 1005 St. Johns Avenue. He recently purchased the 900 block of St. Johns Avenue - 902, 904, 906 and 908. If these restrictions are passed, he can't put a restaurant in any of those three locations. They will not meet the 300-foot setbacks. Commissioner Brown said not every restaurant serves alcohol. Mr. Sharp said his do. Commissioner Brown asked that if he puts a restaurant on 9th street, please try not to make it one that serves alcohol; there are already three bars there now. Mayor Flagg said the law of supply and demand will take care of the 900 block of St. Johns Avenue.

Clarence Cook, 310 Cedar Creek Road, said he and his family, including his child, stopped at McDonalds on the way home from a bonfire function to get his child something to eat. The crowd at Paradise Sports Bar was horrendous, and his 7-year old

didn't need to see this going on next door to McDonalds at midnight. People were drunk and riding bicycles & walking drunk across the street, and driving drunk in and out of the parking lot. It was terrible. The ordinance should make bars close at 12:00 midnight.

Allegra Kitchens, 1027 S. 12th Street, said this is a good ordinance; it needs to be passed. It allows a conditional use to be granted through the same process that she as a private citizen would have to go through to get a zoning variance that is the same for everyone who wants a zoning exception. She doesn't want to see bars next to churches, businesses and private day care centers. Many people have to apply for conditional use exceptions for a variety of reasons; why should bars and restaurants be any different? The laws of supply and demand will take care of limiting bars and restaurants downtown.

Rev. Ben Tippett, 125 Cypress, E. Palatka, said most people want to have dinner from 6 - 9 p.m. He asked what are people doing from 9 - 2 a.m.?

Commissioner Sanders said as to restaurants and bars serving food, just because a bar serves food, they aren't necessarily a restaurant. A hot plate or a microwave doesn't make a restaurant out of a bar. The state has certain criteria for meeting the definition of a restaurant. He'd like that cleared up.

Mayor Flagg read the definition of a restaurant from the ordinance, which follows the state standard (filed). It states an establishment must be licensed as a restaurant by the Division of Hotels and Restaurants, or a business that does not otherwise qualify for a special license but derives at least 51% of its total revenue from the sale of food and non-alcoholic beverages and has a city occupational license as a restaurant.

Askew Vickers, 207 N 18th Street, asked if restaurants and bars should be treated equally or given special privileges because of the investment? Also, he has researched the alcohol arrests for September, October, November and December. December has the highest possibility of arrests due to alcohol, and it only came to 11% for the entire county. The other months were between 9% & 10%. This doesn't seem like a big problem. Between 2:00 am - 5:00 a.m., arrests due to alcohol are around 1%. There aren't a lot of people coming from other counties to get a drink. The people here have a right to go out at 2:00 a.m. and get something to eat and a drink of wine; no one should take away that right. Restaurants should be treated differently. Bars don't require the same kind of monetary investment as do restaurants. The way they do business is different. They should have special considerations for restaurants, and not lump restaurants into the same bag with bars.

Mr. Holmes said the proposed ordinance requires all licensed premises to cease sales of alcoholic beverages at 2:00 a.m. It doesn't require a restaurant to close at 2:00 a.m., but it requires restaurants as well as bars to stop selling alcoholic beverages at 2:00 a.m. There is no distinction between a restaurant and bar as to times of sales. Mr. Vickers said the prior ordinance said if a restaurant had 75 seats or more, they were no restrictions on the sales of alcohol from 7:00 a.m. to 7:00 a.m. Mayor Flagg said this proposed ordinance is extremely lenient compared to laws all over Florida. They are being more lenient than they have to be. They could cut it off at midnight. To his knowledge, no one on this Commission is trying to put anyone out of business, or stop growth of this community. They are pro-growth, but they need checks and balances. A lot of points have been brought up tonight. This revision is being affected to enhance the quality of life for all concerned. A restaurant can stay open and keep serving food until 5:00 a.m., but has to stop selling alcohol at 2:00 a.m., and that is the proposal on the table. Mr. Vickers said prior commissions decided restaurants had special privileges because they are a restaurant, and now this commission is saying those commissions were wrong. Mayor Flagg stated he is not calling anyone wrong. Commissioner Norwood asked Mr. Vickers for his recommendation as to what hours a restaurant should be open and/or closed. Mr. Vickers said restaurants should be allowed to stay open at least one to one and one-half hours longer than bars. Mayor Flagg noted this ordinance allows restaurants and bars to serve alcohol two additional hours for five days a week. Mr. Vickers said he is not open during the day, and only four days per week including weekends.

Commissioner Azula said the present ordinance allows anyone with a hot dog stand to stay open 24 hours a day and sell alcoholic beverages. It is completely ineffective. They just want to level the playing field. He has spoken to just about every bar owner in the City of Palatka. No one wants to work until 2:00 a.m.; most want to go home at midnight. 2:00 a.m. seems to be accepted in this and surrounding communities. They have to have some control over alcohol sales. It creates a lot of problems in the late and early morning hours on weekends. He has spoken to Mr. Vickers about his problems, but he believes 2:00 a.m. is very lenient. Mr. Vickers said the hours they have always had were very lenient. He has never had problems in the 28 years he has been in business.

Randy Braddy, 614 River Street, said he has not attended prior meetings when this ordinance was discussed. He moved here to get away from many things, including these same issues. He wholeheartedly endorses this ordinance except the language regarding restaurant setback activity. Restaurants, by his definition and in his experience, are not open serving alcohol even at midnight. A restaurant that serves good wine or beer with a meal, that operates under normal circumstances and within normal hours, closes at reasonable hour in order to clean up and prepare for the next day, usually around 10:00 p.m. Restaurants that operate for the betterment of their community and for the good of the public operate within reasonable hours. He moved here to attain what Palatka offers, which is almost a utopic sense of propriety and well-being. He came here with a clear view of opportunity as an investor and a clear view of how to help the community retain its footing and grow. Once-blighted communities in South Florida had to practically purchase their downtown rights of way in order to raze the old buildings and erase the blight. They made downtown areas pedestrian friendly, where restaurants were not a bane, and lived in harmony with businesses, residences and churches. Restaurants who serve alcohol with a meal and close their doors 10:00 p.m. is not something does not promote drunkenness or over-serving. A restaurant with a good fare is serving beverages to compliment their food, and contribute to what he believes Palatka aspires to be as a community. How much can you drink with a good meal? Hours of operation are not his argument or concern; proximity to other buildings is. Restaurants do not infringe upon the rights or churches or other property owners. There is a church on almost every corner downtown.

RECESS - Commissioner Azula moved to take a 10-minute recess. Commissioner Brown seconded the motion, which passed unopposed. Recess commenced at 8:15 p.m.

CALL TO ORDER - Mayor Flagg called the January 27, 2005 regular meeting of the City Commission back into session at 8:30 p.m. The Commission returned to the Orders of the Day.

ALCOHOLIC BEVERAGES ORDINANCE - Commissioner Norwood said they have already addressed every conceivable issue concerning this ordinance. The conditional use tool addresses his concerns. He has no other issues.

Mr. Holmes clarified that the motion on the floor includes a language revision at 10-1(b) and the language stricken from 10-6(b), by consensus of the Commission. There was no objection given. 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. The ordinance amending Chapter 10, Alcoholic Beverages, was declared passed on first reading.

Mayor Flagg advised that a second reading will be held on February 10 at the regular commission meeting. Mr. Holmes said the ordinance is now in its final form; he does not recommend and there should be no amendments on the 2nd reading. There will only be an 'up or down' vote.

PUBLIC HEARING - Planning Board recommendation to annex & rezone 4406 W. Madison Street - Johnnie O. Givens, Owner. Mayor Flagg opened the public hearing.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION

2, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance as read. Commissioner 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 05-01 was declared adopted.

ORDINANCE - Rezoning 4406 W. Madison Street from County R-1A to City R-3 (multifamily residential) - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Sanders moved to pass the ordinance on first reading as read. Commissioner Norwood 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 passed on first reading. Mayor Flagg closed the public hearing.

PUBLIC HEARING - Planning Board Recommendation to annex & rezone 3111 St. Johns Avenue - 1st Assembly of God, owner. Mayor Flagg opened the public hearing.

Doug Fornier, Associate Pastor, First Assembly of God, said they want to rezone into the city for the fire protection. They also have need for sewage and water from the City. He understands there is an issue with creating enclaves with other properties their property surrounds by this annexation, but he understands they can still go forward with this with in hopes the property owners of the other out-parcels will annex in the future. Mr. Bush said the County has contacted him about this. The City will approach the individual property owners so affected an ask them to voluntarily annex. The Planning Board has recommended this annexation goes forward.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Azula moved to adopt the ordinance as read. 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. Ordinance 05-02 was declared adopted.

ORDINANCE - Rezoning 3111 St. Johns Avenue from County R1A, C-1, C-2 and PUD to City C-1 (general commercial - the Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 12, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on first reading. Commissioner Azula seconded the motion. A roll call vote was taken with the following results: Commissioner Azula, Brown, Norwood, Sanders, and Mayor Flagg, yes; Nays, none. The ordinance was passed on first reading. Mayor Flagg closed the public hearing.

PUBLIC HEARING - Planning Board recommendation to annex & rezone 6918 & 6926 Crill Avenue - Arlen B. & Patricia Keen, owners. Mayor Flagg opened the Public Hearing.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. 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. Ordinance 05-03 was declared adopted.

ORDINANCE - Rezoning 6918 & 6926 Crill Avenue from County R-2 to City C-1 (general commercial) - the Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown 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, Brown, Norwood, Sanders & Mayor Flagg, Yes; Nays, none. The ordinance was declared passed on first reading. Mayor Flagg closed the Public Hearing.

PUBLIC HEARING - Planning Board Recommendation to annex & rezone 307 & 309 SR 19 South - Grayson & Ann Meade, owners - Mayor Flagg opened the Public Hearing.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Sanders moved to adopt the ordinance as read. 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. Ordinance 05-04 was declared adopted.

ORDINANCE - Rezoning 307 & 309 SR 19 South from County C-2 to City C-2 (Intensive Commercial) - the Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; 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, Brown, Norwood, Sanders, and Mayor Flagg, Yes; Nays, none. The ordinance was declared passed on first reading. Mayor Flagg closed the public hearing.

PUBLIC HEARING - Planning Board recommendation to annex & rezone 836 S. Moody Road - David & Suzie Givens, owners. Mayor Flagg opened the Public Hearing.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the ordinance as read. 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. Ordinance 05-05 was declared adopted.

ORDINANCE - Rezoning 836 S. Moody Road from County Agriculture to City C-1 (General Commercial) - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. 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. Mayor Flagg closed the Public Hearing.

PUBLIC HEARING - Planning Board Recommendation to annex & rezone 3308 Crill Avenue - Foy Gerald Mattox as Trustee for the Foy Gerald Mattox Living Trust, owner - Mayor Flagg opened the Public Hearing.

ORDINANCE - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA, CERTAIN ADJACENT TERRITORY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the ordinance as read. Commissioner 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 05-06 was declared passed.

ORDINANCE - Rezoning 3308 Crill Avenue from County C-1 to City C-2 (Intensive Commercial) - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED AS TO THAT CERTAIN PROPERTY IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. 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. Mayor Flagg closed the Public Hearing. Commissioner Brown said they have been trying to figure out how to get rid of the enclaves they have, and are doing what they need to do so fire and police don't need to keep wondering if a piece of property is in the city or county.

COMMISSIONER APPOINTMENTS - Boards, Committees and Commission Liaisons - Action Item #1 - The Clerk read her memorandum into the record (filed). Putnam County Development Authority appointments are made yearly; Mayor Flagg, Vice Mayor Brown and Commissioner Norwood are currently appointed. Other commission appointees are generally revised when new commissions take their seats, usually in January every even year. They can be revisited at any time. Pension Board terms are for two years and are usually appointed in January of even years unless a vacancy occurs. Commissioner Brown moved to reappoint Mayor Flagg, Vice Mayor Brown and Commissioner Norwood to the Putnam County Development Authority for a one-year term, expiring January 31, 2005. Commissioner Azula seconded the motion, which passed unopposed.

Action Item #2 - The Clerk continued reading from the memorandum (filed), stating staff has made a recommendation to do away with appointed commissioner liaisons to the Golf Course and Airport Advisory Boards, and instead rotate commissioners to allow each commissioner to attend at least two meetings per year. It is believed that this will give each commissioner the ability to work with these boards in a meaningful way and keep them informed on the issues. Commissioner Azula moved to accept Staff's recommendation and rotate commissioners as liaisons to the Golf Course and Airport Advisory Boards. Commissioner Norwood seconded the motion. Commissioner Norwood said the rotation will accomplish what the recommendation states it will, but they are losing continuity provided by a set commissioner-liaison, which he does not like. If an issue is addressed with a board by a commissioner one month, the next commissioner coming in may not agree or may need to be brought up to speed. These Boards need the continuity these are seeking from liaisons. Mayor Flagg said if one liaison stays with these boards indefinitely, that commissioner is much more informed of what is going on with those boards than the other four. The commissioners should all receive minutes of these meetings and can keep abreast of what they are doing. They all need an opportunity to influence these boards. Commissioner Sanders concurred with Commissioner Norwood on his continuity concerns, saying instead they should consider rotating liaisons each year. Mayor Flagg said although these are advisory boards, they are also city departments, and they all need to be current on their issues. They need to be there for input. There creates no Sunshine issues, and allows all of them to serve in an advisory capacity. There being no further discussion, the motion passed by majority vote; four in favor, opposed by Commissioner Sanders.

Commissioner Brown said she has not been attending Greenways & Trails meetings, but she does attend Heritage River meetings. They are trying to combine those committees, and are addressing Blueways as well as Greenways. She would like to add her appointment by the Mayor of Jacksonville to this list of appointments. She has been appointed by that group to represent all the cities in the lower basin.

Mayor Flagg asked if anyone else desires to shift, transfer or come off any committee. Commission consensus to leave all other appointments as is.

ADMINISTRATIVE REPORTS - There were none

COMMISSIONER COMMENTS - Mayor Flagg

- Expressed deepest sympathy to Commissioner Norwood and his family upon the passing of his aunt. The funeral services will be held Saturday.

There being no further business to discuss, the meeting was adjourned at 8:55 p.m. upon a motion by Commissioner Brown.

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CITY CLERK

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MAYOR