

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

ELWIN C. "WOODY" BOYNTON, JR.
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

MINUTES PALATKA CITY COMMISSION November 13, 2008

Proceedings of a regular meeting of the City Commissioner of the City of Palatka, Florida, held on the 13th day of November, 2008.

PRESENT: Mayor Karl N. Flagg
Commissioner Mary Lawson Brown
Commissioner Allegra Kitchens
Commissioner Vernon Myers
Commissioner James Norwood, Jr.

Also Present: City Manager Elwin C. "Woody" Boynton, Jr.; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Ruby M. Williams; Chief Gary Getchell; Fire Chief Mike Lambert; Planning Director Jim Lee; WWTP Superintendent Platt Drew; Water & Sewer Distr. Supt. Rhett McCamey; Airport Manager John Youell; and Assistant Planning Director Debbie Banks

INVOCATION: The Reverend Brian Oswald, Pastor; Victory Christian Fellowship Church

PLEDGE OF ALLEGIANCE: Dr. Rick Surrency

APPROVAL OF MINUTES – 10-23-08 – Commissioner Brown moved to adopt the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. **PUBLIC RECOGNITION:**

EMPLOYEE RECOGNITION for Service Above and Beyond the Call of Duty: Richard Solano, City Lot - Mr. Boynton said Richard Solano is responsible for the aesthetic changes to City Hall and most recently to the Larimer Arts Center, as he has restored these buildings to the condition they were meant to be in. His craftsmanship is obvious in the work he has done, and the City owes him a debt of gratitude for what he has accomplished. He did much of this work on nights and weekends. Mayor Flagg presented Mr. Solano with a certificate acknowledging his accomplishments, a City pin and a check as a token of appreciation.

STUDENT OF THE MONTH – November 13, 2008 – Commissioner Myers joined Mayor Flagg in presenting certificates to the following students recognizing their academic excellence, leadership, citizenship and attendance at their respective schools:

Amiaya Norris	Beasley Middle School
Jay Leonard	Browning Pearce Elementary School
Duncan Mundy	Children's Reading Center Charter School
Sherry Rae Lukaszewicz	E.H. Miller School
Benjamin Hudnall	James A. Long Elementary School

Lahaze Lewis
Molly Parrish
Alexis Miller
Daisy Ramos
Antwaun Cooks
Amber Spedden
Deonna Lockhart

Jenkins Middle School
Kelley Smith Elementary School
Mellon Elementary School
Moseley Elementary School
Palatka High School
Peniel Baptist Academy
River Breeze Elementary School

2. **PUBLIC COMMENTS:**

Sam Deputy, 917 Carr Street, said on the next "Third Friday" on Nov. 21, there are four ladies that have worked on environmental issues in arts and research that are scheduled to be in Palatka to do an art show at the Art Gallery. Willie Green from the Yearling Restaurant will be there to perform jazz selections. It begins at 5:00 p.m.

Mr. Deputy said the Christmas Parade is scheduled for November 28, and it is coming along very nicely. He hopes the City Commission will have 100% participation for the third year in a row. He asks they bring their families and dress up as characters from the Land of Oz or as Charles Dickens characters. The college does have costumes, and they can be borrowed; they should contact Robert O'Leary. Mr. Pignato's students will dress in character for this parade. They want children and families to enjoy this parade. Mr. Deputy said he plans to dress as the Mayor.

Mr. Deputy said they plan to hold a Messiah Chorus "Sing-a-long" hosted by the River City Players. It will be at St. James United Methodist Church on December 14 at 4:00 p.m.

Lynda Little Crabill, 609 S. 14th Street, said the Pilot Club is sponsoring Light the Riverfront on December 6. They are selling luminaries and sponsorships for this event. There will be entertainment and the lighted boat parade.

AGENDA ITEM 6 was moved to the Front of the Orders of the Day by consensus of the City Commission.

6. **LIBRARY BOARD APPOINTMENT** to fill (1) vacancy for the remainder of a three-year term to expire June, 2010 – Applicant Interviews – Ruth E. Benjamin and Sara D. Pines were both present for interview. The Clerk noted these appointments will be made at the next meeting. She also noted that as there are two applicants, there will likely be an opening in June and if one is not appointed now, that applicant could be appointed then.

The Commission then returned to the Orders of the Day.

3. **CONSENT AGENDA:**

- a. Declare as Surplus Property Palatka Police Department K-9 "Deak" for adoption per recommendation of Palatka Police Chief
- b. Award Contract to Encore Construction Co., Inc. in the amount of \$227,000 for the Clarifier Rehabilitation Project per recommendation of City Manager and WWTP Superintendent
- c. Award contract to Ayres Associates, Inc. in the amount of \$20,000.00 for Construction Inspection Services on the WWTP Clarifier Equipment Replacement Project, per recommendation of City Manager
- d. Award contract to Ayres Associates, Inc. in the amount of \$6,800.00 for Crystal Cove Stormwater Treatment Pond project engineering/design services, per recommendation of City Manager
- e. Introduce and Adopt into Record the 10/29/08, 10/31/08, 11/3/08 and 11/4/08 Report of the Canvassing Board for the 11/04/08 General election

- f. Issue Special Meeting Call for December 18, 2008 at 5:30 p.m. to consider 2nd reading on Ordinance to Suspend Impact Fees and 2nd reading of Large Scale Comprehensive Plan Amendment Ordinances
- g. Award contract to Stone, Joca & Assoc. in the amount of \$59,705.00 for engineering for CDBG E-08, Putnam Lanes Bowling Alley Infrastructure Upgrades, per results of RFQ and City Manager's negotiation
- h. Award contract to Passero Associates, Inc. in the amount of \$11,606.00 for engineering and construction of Airport entrance sign, per City Manager's recommendation
- i. Approve execution of Passero Associates Supplemental Agrmt. #08-19 in the amount of \$165,000.00 for engineering design, surveying, geotechnical investig. & bidding for RW 17-35 Pavement Rehab at Airport
- j. Approve execution of Hashman Const. Co. Contract Change Order #1 in the amount of (173,991.76), for a total contract amount of \$774,953.24, to deduct for City's direct purchase of metal buildings for Airport T-Hangar & Taxilanes project, per City Manager's recommendation
- k. Authorize execution of Modification #1 to FEMA Agreement #08HM-3G-04-64-02-008 to extend the date of completion on FEMA Proj. #1561-137-R, Moseley Avenue/SR20 Drainage Project, to 12/30/08

Commissioner Kitchens moved to pass all items on the Consent Agenda as presented. Commissioner Brown seconded the motion, which passed unopposed.

- 4. **PRESENTATION** – Putnam County Water Supply Plan Briefing – Barbara Vergera, SJRWMD – this Item was pulled from the agenda due to Ms. Vergera's illness, and will be rescheduled for 12/11/08.
- 5. **PRESENTATION** – Neptune Water Meters Automated Read System – Adam Corwin, President, Triton Water Technologies, and Jay Meyers, Florida representative – Mr. Corwin said through automation the City can protect its investment in the water meters it has in inventory. He discussed project goals and the scope of work to get all the City's meters on the new technology within six months time. He stated this will improve billing accuracy and meter reading efficiency. A table in his handout (filed) shows the meters the City has purchased within the last five years, which will be retrofitted to work within the new system. This will cause no disruption in service. They will restore all worksites to their previous condition. A map in his handout showed five proposed locations for the data recorders, which will allow every meter to be read every day, which will provide a daily record of all water usage. If someone has billing questions or concerns, the City can pull up a detailed history of that account to allow diagnosis of high bills. This will cover the entire city.

Mr. Corwin said over the past several months the large meters have been replaced. As a result of that work the City is measuring 2.4 million gallons of water per month that was previously unmetered. As a result of this work, they anticipate a 3 – 5% improvement in registry, which will result in an annual benefit of between \$85,000 to \$105,000 per year. The meter reading will be completely automated, which will save an additional \$64,000 in personnel costs. As the water system expands, there will be no need to hire additional meter readers or purchase additional vehicles. In terms of budget certainty, they know what this project will cost. Those other costs are not fixed and those variables do not provide budget certainty. Assuming the project is approved, the material will be delivered in February and they will complete this project in July. They have offered a payment plan, which delays the City's first payment until November, 2009. They have installed 231,000 meters of this type throughout the United States. They just completed a replacement of the meters for the City of Deland, and they are quite happy with the system, as are their other customers. There is minimal interruption of billing cycles during installation.

Commissioner Kitchens noted, under recommendations, the packet states one price and his presentation shows another. Mr. Boynton said his memorandum shows the adjustment of these numbers. Commissioner Kitchens asked if the additional \$90,000 will increase the water bills; Mr. Boynton said due to the savings this system will generate, there will be no increase in water bills. They have not allocated the full \$200,000 in utilities to any particular project; this money is set-aside in the 5-year CIP. It is not anticipated that water bills will be increased to pay for this project, and no staff will be let go.

Commissioner Brown asked how much people's water bills will increase when the new meters read more water usage. Mr. Boynton said they've shown that revenue will increase from the large meter replacement. The residential meters won't really generate new revenue. There may be a nominal increase in a customer's use because of a new meter, but that would apply for any new meter installation, whether an "antennae system" meter or not. This system gives the City the ability to be more efficient. Per Commissioner Kitchens' question, Mr. Boynton said there are other companies that offer this product, but Triton has done many similar projects throughout Florida and the US, and they are satisfied with their reputation. The City is being allowed to piggyback off another contract to get this price.

Mr. Holmes noted any labor associated with warranty repairs is the City's to bear, and he asked what the manufacturer's warranty is and what the track record of the equipment is. Mr. Meyers said the current meters have a 5-year accuracy guarantee. The electronic meters have a more substantial warranty. The register has a full 10-year warranty for full replacement; the transmitter has a 10-year full replacement warranty with a 10-year addition prorated warranty. The battery has a 20-year life. This is not your average battery. It will transmit once per day for 20 years. The battery does nothing but maintain a certain amount of power on the capacitor; its only real job is to maintain the capacitor. It is proven technology. City personnel will be trained on maintenance; it requires no special tools. This technology is two years old; its predecessor was deployed 10 years ago. Automatic meter reading has grown as an industry standard. Neptune invented automatic meter reading in 1964. This goes from radio read, which captures data as one is driving down the road, to radio-read plus. It is the same package, but they've altered the frequency and increased the power. Regarding accuracy, the residential meters are typically not calibrated, but the large meters can be tested for accuracy according to a low flow, medium flow and high flow.

Rhett McCamey, Water & Sewer Supt., said other cities with this system experience no higher maintenance or correction than with past systems. There is no more tampering or breakage than with other systems. Other cities are happy with this system.

Mr. Meyers said the transmitters and apparatus are waterproof, and passed around a model, explaining what the components are and how they are protected. The transmitter sits inside the box. They have determined they can read 98% of Palatka's meters with three collectors, but suggested two additional collectors to capture all readings and provide for expansion.

Commissioner Myers asked how accurate their projections of savings compare to actual experience. Mr. Corwin said they are very accurate. He compared the actual savings projected by the large meter replacement to his projections, and the savings was almost double. Commissioner Myers asked when the financing will be put in place, and noted the LIBOR index has gone down since they wrote the financing agreement on October 31. Mr. Corwin said they can get an updated rate quote based upon tomorrow's rate, which locks in for 30 days, provided the contract is accepted tonight.

Mayor Flagg noted asked if the system only works with Triton Meters. Mr. Corwin said Triton works with any meter. They want to protect the investments cities have already made and will work with any meter. He wants to make sure that the Commission is authorizing the purchase of the specific meters as well as the automated system that accompanies that. Mr. Boynton

said the technology is all provided by Neptune; the meters in place that are less than five years old will be retrofitted. The older meters will be replaced with a brand new meter provided by Neptune. They chose to stay with Neptune, as there are currently approximately 1,600 Neptune meters in place. They didn't want mismatched meters all over the City. Neptune is the primary meter in place at this time. Mr. Holmes said that is significant as this is a 1.4 million dollar contract. Mr. Meyers said the pricing they are using is piggybacked onto a competitive bid granted by the City of Cape Coral; this bid was taken two years ago. He is offering that price. Mr. Holmes said with no bid, they need to articulate a reason why they didn't bid this out. There are two issues; one is the purchase and the other is the financing. They are purchasing Neptune equipment and financing it through Triton. He's not saying they can't do it, but need to make the record clear. Mr. Boynton said if they put this out to competitive bid, they would have to purchase 1,600 additional meters on top of the additional cost of this system. Over the last several years they have spent a lot of money to get to this place. If they only had a few hundred Neptune meters in place, a competitive bid may have been worthwhile, but not at this point. Mr. Meyers said their piece of the work is being piggybacked from another project. This is competitive financing. Mr. Corwin said construction pricing has increased greatly since this contract was bid.

Commissioner Norwood asked how much the City is saving by not bidding this out. Mr. Boynton said the City is saving the cost of 1,600 meters at \$100 each plus other costs. Mr. Holmes said the system has to be unique in some feature and a clear reason should be provided for not going to competitive bid. Mr. Boynton said they will save from \$250 - \$300 thousand dollars plus by using these meters and not going out to bid. Mr. Corwin said at this time they are using all Neptune hand-helds. His software is already integrated with this system; this will be nothing but a software upgrade, which is a significant savings. Commissioner Norwood said it is prudent to move in this direction, knowing what the savings will be in the future with captured revenue and a system that does not depend upon employees for reading. Commissioner Brown said they decided to begin putting this system in place some time ago when they gave the prior city manager permission to begin purchasing this type of meter. There has been a conscious effort to move toward this change. Mayor Flagg said the record reflects the savings presented by piggybacking this contract, as well as the scrutiny given this by the Finance Director. In the future they should include those savings in presentations. Commissioner Myers moved to approve the proposal by Triton Industries and Neptune Meters, and to Award a Contract to Triton Industries, Inc. in the amount of \$1,392,000 and approve Triton Industries financing proposal for conversion to automatic meter reading system, per the City Manager and Utilities Superintendent's Recommendation. Commissioner Norwood seconded the motion. Commissioner Kitchens said she is uncomfortable with this as she is concerned they may have to pass this cost off to water customers, and does not believe this is the right time to do this. There being no further discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Myers, Norwood and Mayor Flagg, yes; Commissioner Kitchens, No. The motion was declared passed by a margin of 4 in favor, 1 opposed.

Mayor Flagg asked if this will enable a transition to a "budget billing" system for customers that have been on the system for at least five years. He asked Mr. Boynton to look into instituting a budget billing system such as other utilities offer. Mr. Boynton said most of their customers pay a minimal water bill. Over the past four to five months they've been more aware of working with people on fixed incomes to minimize billing fluctuations due to leaks. They can offer customers the opportunity to add an additional \$10 to a minimum bill to account for higher usage months; it is an accounting issue. Mayor Flagg asked if a person's bill doubles because the prior meter was inaccurate, how would they deal with that? Mr. Boynton said that isn't a significant issue for residential accounts, as most customers receive a minimum bill. The big commercial users were most affected. They've been receiving the new bills for around 5 months and there has been no negative feedback received. These customers knew their meters were being changed out, as they were notified before the work was done.

Mayor Flagg asked how the initial notification will be sent out to notify customers that this work will be done. Mr. Boynton said Triton will do one neighborhood at a time, and will notify customers by neighborhood in advance through door hangers and by knocking on doors to let people know the work is being done. They will also utilize local media for advance notice. Triton will do a notice campaign before they begin their work. Downtime will be minimal. Mayor Flagg asked if Triton would be willing to cover the expense of putting this notification on utility bills by including a letter with bills; Mr. Boynton said they can begin that process in January.

7. **RESOLUTION** authorizing the Mayor and City Clerk to execute and attest a Joint Participation Agreement with FDOT for the update of the Airport Master Plan, Airport Layout Plan (ALP) and Terminal Instrument Procedures Standards (TERPS) at Palatka Municipal Airport (FIN43234019401) – Adopt – 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 UPDATE THE AIRPORT MASTER PLAN, AIRPORT LAYOUT PLAN (ALP) AND TERMINAL INSTRUMENT PROCEDURES STANDARD (TERPS) AT PALATKA’S KAY LARKIN MUNICIPAL AIRPORT. Commissioner Kitchens moved to pass the Resolution as read. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Resolution #8-51 was declared adopted. Commissioner Brown expressed thanks to the Airport staff and leadership for their efforts with all these improvements.
8. **RESOLUTION** opposing and protesting the efforts of Miami-Dade County to deny the City of Palatka’s water utility the authority to set rates for outside city water utility customers – Adopt – the Clerk read a resolution entitled A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA, OPPOSING AND PROTESTING THE EFFORTS OF MIAMI-DADE COUNTY TO DENY THE CITY OF PALATKA’S WATER & SEWER UTILITY THE SAME RATE-SETTING AUTHORITY GRANTED TO ALL MUNICIPALITIES IN THE STATE OF FLORIDA THAT OPERATE WATER OR SEWER UTILITIES OUTSIDE THEIR MUNICIPAL BOUNDARIES. Commissioner Kitchens moved to pass the Resolution as read. Commissioner Myers seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Resolution #8-52 was declared adopted.
9. **ORDINANCE** to repeal Ordinance #06-43 and readopt an ordinance amending the Future Land Use Map and Future Land Use Element on 7351 and 7353 Crill Avenue from County Urban Reserve to City Commercial – Barrington M. and Joan G. Findlater, owners – Adopt – Jim Lee, Planning Director, said this item and the next four items are small scale amendments for re-adoption. These amendments were originally adopted by the City Commission in 2006 and 2007. This rehearing is part of the City’s agreement with DCA to approve the City’s recent EAR Report, which was adopted by the Commission on 7/10/08. The Planning Board has recommended all these amendments be made. He noted one change in the body of three of the ordinances, in the last “Whereas” paragraph, that “Council” will be changed to read “Commission.” He said should these be adopted, they will be transmitted to the Northeast Regional Council and State of Florida Dept. of Community Affairs.

The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RESCINDING ORDINANCE NO. 06-43, AND AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the Ordinance as read. Commissioner Kitchens seconded the motion. A roll-call vote was taken, with the following

results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-13 was declared adopted.

10. **ORDINANCE** to repeal Ordinance #06-44 and readopt an ordinance to amend the Future Land Use Map and Future Land Use Element for parcel #09-10-26-0000-0780-0010 (behind 7010 Crill Avenue) from Commercial to Medium Density Residential – Putnam Associates, Inc., owner – Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RESCINDING ORDINANCE NO. 06-44, AND AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE, Commissioner Norwood moved to pass the Ordinance as read. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-14 was declared adopted.
11. **ORDINANCE** to repeal Ordinance #07-02 and readopt an ordinance amending the Future Land Use Map and Future Land Use Element for all parcels in Francis Crossing Subdivision (off CR309) from County Urban Reserve to City Low Density Residential – Ben Bates, Jr. and Marc Spalding, owners – Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RESCINDING ORDINANCE NO. 07-02, AND AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to pass the Ordinance as read. Commissioner Norwood seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-15 was declared adopted.
12. **ORDINANCE** to repeal Ordinance #07-03 and readopt an ordinance amending the Future Land Use Map and Future Land Use Element for parcel #37-09-26-0000-0060-0082 (abutting Crystal Cove Drive and Comfort Road) from Low Density Residential to Medium Density Residential – John Williams, Agent for Thirty-Ninth Avenue Professional Center, Inc. – Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RESCINDING ORDINANCE NO.07-03, AND AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Myers moved to pass the Ordinance as read. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-16 was declared adopted.
13. **ORDINANCE** to repeal Ordinance #07-07 and readopt an ordinance amending the Future Land Use Map and Future Land Use Element on 402 Stillwell Avenue from County Urban Service to City Low Density Residential – Samuel and Willie Mae Wright, owners – Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, RESCINDING ORDINANCE NO. 07-07, AND AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) AS DESCRIBED HEREINAFTER, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the Ordinance as read. Commissioner Kitchens seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-17 was declared adopted.

14. **ORDINANCE** amending the General Employees Pension Plan DROP Program to provide an option for member earnings and to amend employee eligibility to remove years of service restrictions – 2nd Reading - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, ENTITLED GENERAL EMPLOYEES RETIREMENT PLAN, BY AMENDING SECTION 212(a)(2), ELIGIBILITY TO PARTICIPATE IN THE DEFERRED RETIREMENT OPTION PLAN (DROP); AND BY AMENDING SECTION 212(b)(2), AMOUNTS PAYABLE UPON ELECTION TO PARTICIPATE IN DROP; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on second reading as presented. Commissioner Brown seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-10 was declared adopted.
15. **ORDINANCE** amending the Firefighters Pension Plan DROP Program employee eligibility to remove years of service restrictions – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING CHAPTER 2, SECTION 250-136(a)(2) OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, ENTITLED FIREFIGHTERS' RETIREMENT PLAN, BY AMENDING PROVISIONS RELATED TO ELIGIBILITY TO PARTICIPATE IN THE DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on 2nd reading for adoption as presented. Commissioner Kitchens seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-11 was declared adopted.
16. **ORDINANCE** amending the Police Officers' Pension Plan DROP Program employee eligibility to remove years of service restriction – 2nd Reading - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING CHAPTER 2, SECTION 250-371(a)(2) OF THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, ENTITLED POLICE OFFICERS' RETIREMENT PLAN, BY AMENDING PROVISIONS RELATED TO ELIGIBILITY TO PARTICIPATE IN THE DEFERRED RETIREMENT OPTION PLAN (DROP); PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Myers moved to pass the ordinance on 2nd reading for adoption. Commissioner Norwood seconded the motion. A roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Ordinance #08-12 was declared adopted.
17. **ADMINISTRATIVE REPORTS**
City Clerk - Elections Charter Amendments – Recommendation to direct Staff to work with Elections Superintendent to negotiate placement of Charter Amendments concerning Elections on April, 2009 Ballot – The Clerk presented her memorandum as filed regarding recommended changes to the Charter concerning elections. The Commission amended its election dates to hold its elections in conjunction with County, State and National races for three reasons: To provide early voting, to increase voter turnout and to save taxpayer funds. The Nov. 4 election was the first one held in conjunction with County, State and National elections. Voter turnout was at 72% and 4,440 votes were cast at a cost of around 5 cents per vote. Early voting was available. In the April & May 2008 special election, which was held alone, voter turnout was at 15%, at a cost of \$11.77 per votes cast in both races combined – 815 in the primary election, and 833 votes cast in the general election. Early voting was not available. The change in dates accomplished everything the Commission had anticipated. There are several changes yet to be made, specifically to amend the canvassing board so that the County canvassing board can certify elections when a County race is on the ballot, as per State Statute, and to amend the time of the installment meeting from 7:30 p.m. to 6:00 p.m. The Clerk noted

Pomona Park will hold an election in April and she has spoken to the Supervisor of Elections about “piggy backing” a City charter referendum election onto that ballot. The Supervisor of Elections advises it can be done, and advises other cities may also want to take advantage of this opportunity to make similar changes. The cost to the City will be between \$3,000 – \$5,000. The Clerk also noted her memorandum recommended an amendment to Chapter 26, Section 9 to bring the City’s election in line with Florida Statute so that if there are only two candidates on the ballot, that race will be placed on the primary election ballot, instead of the general election ballot. This does not require a charter amendment, but can be done by regular ordinance.

The Clerk said the next issue is a Charter review. Local governments periodically review their charter to determine if it needs to be re-written or updated. The last time the City’s charter was substantially updated was in 1996 when the Commission-Manager form of government was formally adopted, besides the 2006 election date changes. Some cities put a body of appointed volunteers in place to study the issue and make recommendations regarding changes to the Commission. These committees are appointed, complete their mission within 3 – 6 months, and are then sun-setted. They require a lot of consultants, input and training in order to make informed decisions. This review can also be done by Staff.

Regarding the elections charter amendment, City Attorney Don Holmes said the general rule is that you can only amend your charter by referendum. Cities can amend their charter by ordinance to change the dates of its elections, but the attorney general allows cities to do nothing more than amend their charter to change the dates and times of your election and qualifying, per statute. If there is a change that has to be made because of the change of election date, you can also do that, but changing the canvassing board or changing the time of the swearing-in ceremony are not changes necessitated by the change of election dates. He concurs that these charter amendments should be placed on a ballot and need to be made, and they should make as many changes as they deem necessary. Regarding the Charter Review committee, he cautioned them to be careful when empowering a committee to recommend charter changes. Commissioner Kitchens, agreed, and concurred that the elections charter amendments should be taken to referendum, and they may as well piggyback on Pomona Park’s election. Mr. Holmes said Pomona Park’s election may or may not take place, as they don’t need to put an election date change on a ballot. Commissioner Kitchens asked if the City can wait until the next general election, or will they be in trouble with the State? Mr. Holmes said they won’t be in trouble with the state, but there will still be a conflict with the canvassing boards and organization meeting will still be the same. Until these provisions are changed, they have to obey the Charter. Mayor Flagg said Staff can evaluate the Charter to determine if changes need to be made. There was consensus to designate 3 – 5 Staff members through the City Manager’s office to review the Charter and make recommendations on changes, or to determine if the City is out of compliance on any issue, and that a mechanism be put in place to trigger a charter review on a periodic basis. The Clerk noted the Charter consists of six pages, so this will not take long to do, as there is not as much of a “learning curve.” Mayor Flagg asked that this issue be brought to the December agenda. Per Commissioner Norwood’s question, Mr. Holmes confirmed that \$3,000 – \$5,000 is the cost of this election. If the election is held in conjunction with another municipality’s election, there will be a slightly lower cost. The Clerk noted mostly the advantage is one of convenience for the Supervisor of Elections’ office, to do this all under one election. Commissioner Norwood said they need to do whatever is necessary to align their elections with the County’s.

Mayor Flagg noted K-9 Deak’s retirement, and asked Chief Getchell to come back with some highlights of Deak’s career and hold a ‘retirement’ ceremony for him at the December 11 commission meeting. Chief Getchell said they generally don’t allow the dogs in the buildings due to pests. They can bring the dog into the meeting if the Commission wishes. Mayor Flagg

said in view of Deak's contribution, they should do more than just handle this as a "consent agenda" item.

City Manager Boynton:

- Asked the members of the Commission to stop by the Larimer Arts Center to see the recent renovations. They will be very impressed with the quality of the workmanship.
- Said Palatka will convene its Community Redevelopment Agency on December 11 at 4:00 p.m. to hear several requests for funding for FY 2008-09 for all three TIF funds. They will send these recommendations to the City Commission's December 18th called meeting for action.
- Said the roof structure of the new Airport terminal building is being erected. If anyone stops by the Airport, they will see vertical construction progress.
- Concerning the recent water main break, on Wed. afternoon the City's water pressure went to zero throughout the City. The Contractor working on the new Water Plant made provisions for a by-pass line so this won't happen again. They shut the pumps off to install a flow meter on the main line, and when they turned them back on, they blew a slip valve around 11:00 that morning. They turned the pumps off to make repairs and turned the pumps back on around 4:00 p.m. and then blew the other side of the valve off. The pressure then dropped again to zero. The contractor made repairs and the water was turned back on around 9:00 p.m. It took several hours for the pressure to rebuild, and by the next morning pressure was substantially restored. His office was not apprised that the main line being cut into, and would not have allowed that to happen. The next time that type of work is being done, it will be done at night when usage is low. This Sunday night there will be a similar situation, and this has been addressed; and that situation should not exist where the City loses pressure again

18. **COMMISSIONER COMMENTS**

Commissioner Brown said TV Channel 20 interviewed members of the Commission this week about the Forbes article regarding the City's economic vulnerability. She'd like the author of that article to visit Palatka to see the City for himself. All he/she used to make his determination was pie charts and graphs. She asked that the author receive this invitation so they can take him or her on a tour of the City, so he will have a better insight on the City and its citizens.

Commissioner Kitchens concurred, and said Palatka may have economic problems, but the Citizens are wonderful, kind, giving and loving people.

Regarding the water main break last week, Commissioner Kitchens said the Clerk stayed at City Hall and manned the phones from just after 5:00 p.m. until around 11:00 p.m. She is to be commended for the way she handled the callers. She handled hundreds of calls by herself, and handled them very efficiently and professionally. Around 7:30 p.m. she came down to City Hall to help, and they took hundreds of calls during the time she was here helping to take all those calls.

19. **ADJOURN** - There being no further business to discuss, the meeting was adjourned at 8:05 p.m. upon a motion by Commissioner Kitchens, seconded by Commissioner Brown.

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. FS 286.105