

KARL N. FLAGG
MAYOR-COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER



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

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

MINUTES CITY OF PALATKA May 22, 2008

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 22nd day of May, 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, Police Chief Gary Getchell, Planning Director Jim Lee, Fire Marshal Mark Lynady, Parks & Cemeteries Supt. Jeff Norton,

CALL TO ORDER: - 6:00 p.m. by Mayor Flagg

INVOCATION - The Reverend Bob Scott, Pastor, First Presbyterian Church of Palatka

PLEDGE OF ALLEGIANCE – James Townsend

APPROVAL OF MINUTES – 4/22/08 regular meeting, 5/8/08 regular meeting – Commissioner Brown moved to approve the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION

POLICE DEPARTMENT CITIZEN RECOGNITION: For Heroic Measures – Joff Fillion, Jonathan Fillion and John LaForge – Police Chief Getchell said last week the City memorialized 16 officers that were killed in the State of Florida this year, and due to an incident in March, that number could have included Cpl. Pete Ruiz, one of Palatka's own. They now wish to recognize those people that came to his aid the night he was shot. Mayor Flagg joined Chief Getchell and Corporal Ruiz in presenting "Heroism Awards" recognizing Joff Fillion, Jonathan Fillion and John LaForge for their bravery and unselfishness in risking their lives to provide assistance to Cpl. Ruiz on March 28 during his time of need. Chief Getchell noted Joff and Jonathan Fillion are City of Palatka employees.

EMPLOYEE RECOGNITION For Service Above and Beyond the Call of Duty: Mayor Flagg recognized Fire Marshal Mark Lynady for exemplary actions displayed on behalf of the Palatka Fire Department. He was recognized today as a First Coast Volunteer. He was instrumental in securing a grant for AED machines for municipal offices throughout the City, and has conducted AED/training for employees. He also coordinates the Fire Department's

fundraisers. He recently chaired a golf tournament, which raised over \$11,000 this year, for educational purposes.

STUDENT OF THE MONTH – May, 2008 – Mayor Flagg and Commissioner Myers recognized the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

Odessa Parker	Beasley Middle School
Ryne Beasley	Browning Pearce Elementary School
Patrick McCall	Childrens' Reading Center Charter School
Olivia Miller	E.H. Miller School
Kaishia Robinson	Jenkins Middle School
Azaria Flagler	Kelley Smith Elementary School
Taylor Seitz	Mellon Elementary School
Brittany Arnau	Moseley Elementary School
Jenna Harris	Palatka High School
Austin Coulliette	Peniel Baptist Academy
Jetta Williams	River Breeze Elementary School

2. PUBLIC COMMENTS

Lynda Crabill, 609 S. 14th Street, representing Blue Crab Festival, said the Festival begins at 4:30 tomorrow. She hopes to see everyone there.

3. CONSENT AGENDA:

- a. **Award bid to Universal Engineering in the amount of \$7,207.00 for the 100 Block Asbestos Survey** per results of RFP and recommendation from Robert Taylor, Project Architect.
- b. **Adopt Interlocal Agreement with Putnam County Board of County Commissioners** concerning 911 addressing in the City of Palatka – Planning Director's Recommendation
- c. **Authorize donation of Parcel # 12-10-26-0520-0010-0050**, MB 2, P22, Lots 5, 6, 7, 8, 9 and 10, Becks S/D of Hussons Addition, to Palatka Housing Authority for Affordable Housing Program (three houses proposed), per recommendation of City Manager
- d. **Declare as Surplus the Items and Equipment** as listed for disposition, per recommendation from Department Heads as follows:
 1. 2001 Mercury Marquis – Building & Zoning
 2. 1983 John Deere Tractor, 1993 Dodge Ram Truck, 1986 Ford Ranger P/U Truck, 1988 Woods Bush hog, 1996 Pontiac, 1994 Ford Ranger P/U Truck, 1993 Maruyama Power Blower, 1991 Miracle Recreation Whirl-A-Round – Parks Dept.
 3. 1993 GMC Chevy P/U – Municipal Airport
 4. 1999 Dodge Van and 1999 Chevy Pickup (4dr. Crewcab) – Streets Dept.
- e. **Reappoint Lynda Little Crabill (Real Estate Representative) and Lynn Braddy (Alternate) to the Historic Preservation Board** for a three-year term to expire June 31, 2011 (incumbents – sole applicants)
- f. **Appoint Patti Vogt** (Zone 1 – Commissioner Myers) **and Cynthia Leary** (Zone 5 – Mayor Flagg) to the Better Place Plan Oversight Committee
- g. **Amend 2008 City Commission Meeting Schedule** to reinstate the June 26, 2008 City Commission meeting to hear a 2nd reading of the Proportionate Fair Share Ordinance

Commissioner Kitchens requested to pull Items (b) and (c) to be discussed for clarification. Commissioner Brown moved to adopt Items 3 (a), (d), (e), (f) and (g) of the Consent Agenda. Commissioner Kitchens seconded the motion, which passed unopposed.

Item 3(b) - Interlocal Agreement with Putnam County Board of County Commissioners concerning 911 addressing in the City of Palatka - Jim Lee, Planning Director, said the intent

of this Interlocal Agreement is to have the County do the 911 addressing for the City. They have done it piece-meal in the past, and sometimes it produces inaccuracies. This will provide consistency throughout the County, and will give them a say in what the County is doing. Commissioner Kitchens noted several concerns with the Agreement, and those items were addressed to her satisfaction. Mayor Flagg noted this Agreement was drawn up at the City's request. Mr. Lee said he and the County had negotiated several changes, and this meets with both parties' approval. Commissioner Kitchens said the County has decided that all 911 addresses on vacant parcels will no longer appear on records, and she has concerns with that. Mayor Flagg asked Mr. Lee to check that out. Commissioner Brown asked how the 911 number is requested. Mr. Lee said the City's method and the County's method differed in the past, but now it will be handled between City staff and the 911 addressing for the County, and the City still has veto power over the assigned address. The County will not come in and re-address parcels. Mayor Flagg noted the citizens will still receive their address from the City when they come in and request one. Commissioner Myers moved to adopt Consent Agenda Item 3(b), the 911 Addressing Interlocal Agreement with Putnam County BOCC. Commissioner Kitchens seconded the motion, which passed unopposed.

Item 3(c) - Authorize donation of Parcel # 12-10-26-0520-0010-0050, MB 2, P22, Lots 5, 6, 7, 8, 9 and 10, Becks S/D of Hussons Addition, to Palatka Housing Authority for Affordable Housing Program (three houses proposed), per recommendation of City Manager – authorize donation of property – Commissioner Kitchens said although the memorandum said the deed has been researched and there are no restrictions, they cannot be certain of that unless a title search has been done. Mr. Boynton said they will have a title search done prior to the transfer. Commissioner Brown said the Commission has stated they'd like to have City employees have first chance at these homes, as the City is donating the lots. Mayor Flagg said Mr. Boynton will take that up with Mr. Nelson. Commissioner Kitchens said the legal description in the Property Appraiser's office shows it is a playground, and this donation probably needs to be advertised in the legal ads.

Jim Lee, Planning Director, said it is not listed as a park in the Comp Plan, but is included in the list of the vacant open spaces. Donation of this lot doesn't upset the level of service. When they get past the current issues with the Comp Plan, they will amend that table. This is a procedural issue. It will not show up in a title search. Mayor Flagg asked if Commissioner Kitchens wants to add a condition related to requiring a title search, which is handled by PHA? She responded yes.

John Nelson, PHA Executive Director, said they will perform a title search prior to the closing. Commissioner Kitchens moved to require the PHA conduct a title search of the parcels prior to closing as a condition of the donation. Commissioner Brown seconded the motion, which passed unopposed. Commissioner Myers moved to donate parcel #12-10-26-0520-0010-0050, MB 2, Lots 5, 6, 7, 8, 9 and 10, Becks S/D of Husson's Addition, to Palatka Housing Authority for the affordable Housing Program. Commissioner Kitchens seconded the motion, which passed unopposed.

4. **2008 CDBG PROGRAM FAIR HOUSING WORKSHOP** – David Fox, Fred Fox Enterprises, Inc., 26 Spanish Street, St. Augustine, FL - Mr. Fox read the provisions of the Fair Housing Ordinance #83-31 of the City of Palatka, adopted on 12/8/83, and its various subsequent revisions. He noted the ordinance states that it is the City's policy to eliminate discrimination in housing based upon age, race, religion, ancestry, sex, place of birth, handicap, familial status or national origin. There is also a provision for citizens complaints. If an individual feels they have been discriminated against they have 45 days to bring a complaint to the City, and the City has 60 days to investigate the complaint and forward it to the State Attorney's office, if they find cause.

Mayor Flagg asked Mr. Fox to elaborate on enforcement issues. Mr. Fox said this ordinance provides an avenue for a complaint. From the time of the event, an individual has 45 days to file a complaint. The city then investigates the complaint, sends it through its system to the State Attorney's office, and the State Attorney decides whether or not to prosecute. The Commission is the investigative arm of the process. Mayor Flagg said they need to appoint someone to be in charge of taking the complaint and seeing it through. It doesn't sound practical to put these complaints on the City Commission agenda. Mr. Fox said they would receive the complaint and decide whether to forward it to the State's Attorney's office. Mayor Flagg asked what the State Attorney would then do with the complaint? They need a more specific procedure.

Mr. Holmes said that paragraph in the summary that states the City will investigate all local ordinances and practices to see that lending institutions, realtors, apartment complexes, etc. are complying with State and Federal laws seems excessive. That is a lot of work. He asked what basis the State Attorney will prosecute under? Mr. Fox said he will contact the State Attorney's office and inquire. Mayor Flagg asked who the compliance officer is in the City of Palatka, and stated it is not the Mayor. Commissioner Brown said she thought these complaints were reported to the State.

Mayor Flagg asked why the City has this ordinance in place. Mr. Fox said when applying for CDBG grants, having this ordinance gives you 5 extra points, and holding the workshop gives you 5 extra points. There have been no complaints in the 15 years he has worked as the City's grants administrator. Mr. Holmes said he has no problem with this being a complaint-driven process, which they can get through. He is concerned about the portion that appears to be self-executing, where it says even if there is no complaint, they have to go out and investigate realtors, institutions, apartment complexes, etc to be sure they comply with all federal housing laws. Mr. Fox said this is a standard DCA ordinance. Mr. Holmes said he sees no provision in the ordinance that states this has to be done.

Randy Braddy, 614 River Street, said realtors and brokers are often shopped by "customers" who are not real customers, but are there to determine how you handle a particular transaction. This ordinance opens a "can of worms" for the City.

Mayor Flagg said the Workshop Package is of poor quality, and he never wants to have something like this given to him again. It is not acceptable. Mr. Fox said he will see that the package is upgraded. Mayor Flagg said there should be a form to file a complaint on. This needs to be agendaed for a future meeting. This package does not speak well of the City of Palatka. This workshop is not over. These ordinances need to be reevaluated as to where they stand.

PRESENTATION – Old Water Works Improvements – Dr. Shann Purinton, WAVE Coordinator, and Jim Townsend, Keep Putnam Beautiful – Mr. Townsend said their organization has partnered with the Old Water Works Committee to make improvements to the Old Water Works. He presented a history of the Old Water Works from 1886 to present. No class of public improvements contributes more to the public welfare of populous communities than those that produce an abundant supply of water. He narrated a slide show of historic photos showing the Old Water Works building and site in various states of advancement throughout the years, and a list of people/businesses/entities that have made donations over the years for the site's renovation. They have held teaching workshops in the newly renovated facility. Since March 2007 he has donated ½ day per week to work at cleaning up, maintaining and improving the water works. They've had some security

problems, but have made a lot of progress since then. They've installed a bathroom, gathered donated furniture, painted over graffiti, installed picnic tables on the patio area, and are working on securing grants for more improvements. This property can be used for other community activities. They are working on putting in hiking trails throughout the woods.

The purpose of the Water Works Environmental Education Center is environmental education with a focus on the St. Johns River, to provide a cultural and natural history museum, and to provide nature trails, both on-site and in conjunction with the Greenways system. He spoke of Mrs. Clark's kindergarten class' visit; the class walked over from Moseley Elementary School and returned on buses after lunch. There is a fire hydrant on the grounds with a patent date of 1885, which is even older than the building. Currently the Water Works Committee has 20 – 25 members, 6 – 8 sub-committees and a 7-person advisory group that reports on needs to the City Manager or Commission. Some of the identified needs are permanent restrooms, parking/transportation improvements, additional exhibits/displays, onsite trails and signs. They'd like to show off alternative forms of energy, like solar panels or a wind turbine, and xeriscape. There is an alligator 'mascot' nicknamed W.W. that hides out in the tanks. There are fish and turtles in the tanks, and he lives off those. They hope someday to capture him and turn him loose in a water body. Commissioner Brown noted when she tries to take visitors to the Water Works, the gate is always locked. Mr. Townsend said he has a key, and will be glad to unlock it with a little notice. He'd like to have an office out there. Commissioner Brown said the Old Water Works looks great. Mr. Townsend said it has been a rewarding team effort.

Hosea Ortega, SJRWMD, Wave Director, said the importance of the facility is to show not only the historical aspect, but it gives the District an alternative location for education on things like the aquifer and water conservation. They would like to do more with this facility and expand this operation to more of a public arena. This area is perfect for a park and great for educational and health aspects through the ravines and Trails. They will be doing much more with this facility.

Mr. Townsend invited the Commission to come have lunch at the facility. Mayor Flagg asked him to set it up and invite the corporate sponsors.

5. **RESOLUTION 8-37** authorizing submittal of an Urban Forestry Grant Application to fund the Citizen Forester Program – Adopt – the Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY. Commissioner Norwood moved to adopt the resolution as read. Commission 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 8-37 was declared adopted.
6. **RESOLUTION 8-38** recognizing Putnam County Emergency Order No. 2008-1 and adopting an emergency order regarding open burning – the Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, DECLARING AN EMERGENCY ORDER REGARDING OPEN BURNING DURING THE 2008 FOREST AND BRUSH FIRE DECLARED EMERGENCY - Adopt – Commissioner Norwood moved to adopt the resolution as read. Commission 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. Resolution 8-38 was declared adopted.

7. **CRA PLAN REVISION CITIZENS TASK FORCE:** Mr. Boynton said as a result of the CRA meeting on May 8, a 7-member task force was commissioned with one member being Sam Deputy. He was directed to take nominations for the other six members, and then distribute a ballot to the CRA members to rank the nominees, which has been done. This Task Force will report to the CRA. The resolution he has introduced will create the task force and the next item will appoint the members of the task force.
- a. **RESOLUTION 8-39** to create the Community Redevelopment Area Plan Task Force and setting forth membership and sunset - Adopt - The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ACREATING THE COMMUNITY REDEVELOPMENT AREA PLAN CITIZENS ADVISORY TASK FORCE; SETTING FORTH THE MEMBERSHIP AND DCOMPOSITION OF THE TASK FORCE; SETTING FORTH MEETING REQUIREMENTS; SETTING FORTH THE DUTIES OF THE TASK FORCE; SETTING FORTH PROVISIONS FOR EXPIRATION OF AUTHORIZATION. Commissioner Norwood moved to adopt the resolution as read. Commissioner Myers seconded the motion. Mr. Boynton said each item included in the resolution was at the direction of and was duly voted upon by the CRA at the last meeting. There being no further discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. Resolution 8-39 was declared adopted.
 - b. **Adopt Slate of CRA Task Force Members** – Mr. Boynton said the names were provided to each of the seven members of the Task Force. They put the balloted numbers on the spread sheet and ranked them accordingly. The members are Sam Deputy, John Hodge, Rev. Bob Scott, Ruth Burk, George DeLoach, Joseph Perry, and Angela Murtagh. The Task Force will hold their first meeting in the first week of June or thereabouts, and will have 90 days to complete their task. He will be contacting each individual member to be certain they are still willing to serve, and will set up the schedule accordingly. Commissioner Myers moved to appoint the slate of members as elected and stated. Commissioner Brown seconded the motion, which passed unopposed.
8. **ADMINISTRATIVE REPORTS**
 Battalion Chief Randy Porter informed the Commission that on Tues, May 27th the Palatka Fire Dept. and Local Elks Club will host the “Brotherhood Ride” which is coming through Palatka. This is a group of public safety employees who are riding bikes from Bonita Springs to Charleston, SC to honor the 9 firefighters that lost their lives there in a recent tragedy. All nine perished at one time; this was the largest group of firefighters to perish in a single incident since 9/11. They will meet for a media session and dinner at the Elks Club, and they will stay at the National Guard Armory. They will have breakfast at the Elks Club and depart for Charleston the morning of the 28th. They are hoping to collect donations along the way. Those that are interested in donating can contact the Fire Dept. for that information. He invited the members of the Commission to join them for dinner. The bikers will be arriving around 3:00 – 3:30 p.m.
9. **COMMISSIONER COMMENTS – there were none.**
10. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:50 p.m. upon a motion by Commissioner Kitchens.