

KARL N. FLAGG
MAYOR-COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER

ALLEGRA KITCHENS
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 CITY OF PALATKA May 8, 2008

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 8th 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., Asst. City Clerk Karen Venables, Police Chief Gary Getchell, Fire Marshall Mark Lynady, Planning Director Jim Lee, Parks/Cemetery Supervisor Jeff Norton, WTP Supervisor Melvin Register, Asst. Planner Debbie Banks

INVOCATION – Pastor Ben Tippett, Founding Pastor, Victory Christian Fellowship

PLEDGE OF ALLEGIANCE - Led by Marshall Fulghum

APPROVAL OF MINUTES – 4/17/08 Inaugural, 4/22/08 Workshop, and 4/28/08 Called Public Hearing - Commissioner Brown moved to approve the minutes as read. Commissioner Kitchens seconded the motion, which pass unopposed.

1. **PUBLIC RECOGNITION** – There was none.
2. **PUBLIC COMMENTS** - (Speakers limited to three minutes – no action taken on items)

Lynda Crabill, 609 S. 14th St., reminded everyone of the up coming Blue Crab Festival. She noted T-Shirts sales prices and locations and distributed that information.

Daniel Ziem, 401 Olive St., said he was disappointed about benches being removed from St. Johns Avenue. He would like them put back and would like to see even more.

3. **CONSENT AGENDA:**
 - a. **Authorize execution of Change Order #2 to Reuse System Extension Contract with Ayres Associates in the amount of \$290,240.97, for a total contract amount of \$1,112,984.28, primarily to increase the size of the reuse water main from 12 to 16 inches, per recommendation of Ayres Associates and City Manager.**

- b. **Award contract to Robert E. Taylor, AIA, for an amount not to exceed \$14,425** for consultation/architectural services for renovations to Palatka City Hall, per City Manager's recommendation.
- c. **Award "Piggy-backed" bid to contract for Emergency Fencing Repairs to Lowman's Fence** for emergency repairs/disaster preparedness, per contract awarded to Putnam County School Board – Parks & Cemeteries Supt.
- d. **Rescind Award of Cemeteries Burial Vault Supplier Bid to Florida Wilbert** and authorize resubmission of RFP for Cemetery Burial Vault Supply services – Parks & Cemeteries Supt.
- e. **Adopt changes to 2008 City Commission Calendar** per direction of City Commission at 4/22/08 City Commission meeting, as noted – City Clerk

Commissioner Brown noted she had a conflict in September with the 25th Commission meeting. Mayor Flagg stated the Commission Calendar would probably be modified again before that date, and the conflict will be noted. Commissioner Myers moved to approve all items on the Consent Agenda. Commissioner Kitchens seconded the motion, which passed unopposed.

Mayor Flagg recessed the regular 5-8-08 City Commission meeting in order to convene the Community Redevelopment Agency.

- * 4. **CONVENE COMMUNITY REDEVELOPMENT AGENCY** to discuss 4/22/08 Community Redevelopment Workshop and recommendations for CRA Plan Update. - Mayor Flagg called the 5-8-08 Palatka Community Redevelopment Agency meeting to order. Members present: Mayor Karl N. Flagg; Commissioners Mary Lawson Brown, Allegra Kitchens, Vernon Myers, James Norwood, Jr., Main Street Manager Harry Eaken and Downtown Palatka Inc. President Sam Deputy.

Mr. Boynton stated at the last CRA Workshop there was discussion of putting a task force together to amend the existing community redevelopment plan. His memo to the CRA Board recommends each Board Member select a person to serve on this task force, and that members representing the County, Chamber of Commerce and the CRA Board be appointed as well, and himself, for a total of 11 members. The task force will be asked to amend the 1984 Community Redevelopment Plan so that it can be continued for the next four or five years, which is the life of the CRA. He would also like further authorization to hire an outside consultant, someone who has done this before and who is versed in amending CRA plans. The money to hire this person should be appropriated from the appropriate TIF Funds. In his memo he's listed several items that should be topics of discussion to include in the amendment, which can be modified.

Mayor Flagg said in his opinion a 7-member group is large enough. They need qualified, impartial and progressive thinkers who will come together and get the job done. He would like the names submitted with a brief background regarding that person's history and what they would bring to the table, and select individuals who are qualified citizens who will step up and make this happen within the required 90 days. Commissioner Kitchens said she also questioned having 11 members, but noted the County, Chamber, CRA and Planning Dept. representatives, and said that would be sufficient. She has no problem with Mr. Boynton's recommendation or keeping it to 7 members. Mayor Flagg asked if the Planning Board person would be a consultant or part of the panel? Mr. Boynton said he/she would be more of a consultant/advisor and not a voting member. Commissioner Brown said she hopes they will move forward after this process is over, as they have studied this to death. This needs to be a committee of action. She's ready to move forward. This committee needs to know they will be an advisory committee and will bring recommendations back to the City Commission and citizens. Commissioner Kitchens noted this Task Force will be subject to Sunshine Laws.

Commissioner Myers stated there are two different proposals before the Commission. There is the original proposal and one from the Mayor for a committee of 7; he asked where the names will come from for the Commissioners to interview/choose from. Mayor Flagg noted he was not suggesting full-fledged interviews. The Commission would likely know these individuals; that is why he asked for a brief bio. Mr. Boynton stated the Chamber, County and he could be advisors to the task force and not be voting members. He will get the list of nominees together and will have it for the May 22 meeting. Commissioner Myers concurred on the 7-member committee, saying he believes a smaller committee will be more effective. Commissioner Norwood stated he had recommended seven members from the beginning because he was concerned about quorums. Mayor Flagg noted the task force would be empowered for 90 days.

Mr. Deputy stated he prefers the 11 member committee; he remembers the stakeholder meetings, where people from outside the downtown, but not inside the downtown, were invited. He wants downtown stakeholders involved in this. He is OK with a 7-member committee. He does feel a member of the CRA needs to be one of the members, and asked if the CRA will meet to choose the 7 members. Mayor Flagg said that is correct. Mr. Deputy noted time is of the essence, with the pending closing of several downtown businesses and 5 years left on this CRA. Commissioner Norwood stated 90 days is an aggressive timeline; this is an action plan. Mayor Flagg said they should select the CRA member tonight. Commissioner Norwood moved to appoint Sam Deputy as the CRA representative to the CRA Plan Citizens Advisory Task Force. Commissioner Brown seconded the motion. There being no further discussion a vote was taken, which passed for six in favor, one abstention by Commissioner Kitchens. Mayor Flagg said they should submit names to Mr. Boynton within a week so this committee can be in place and activated by June 1.

Commissioner Brown moved to recommend the City Manager retain a consultant to facilitate and oversee CRA Task Force. Mr. Deputy seconded the motion, which passed unopposed.

Mayor Flagg inquired as to RFP for a consultant. Mr. Boynton stated he has a very strong recommendation on a consultant from Carol Westmoreland. If the consultant fee falls below the range that necessitates an RFQ, they can move forward. There is a consulting fee match of \$15,000; he does not believe it will be that much, but if so, he can put out an RFP asking for a two-week turnaround for proposals. He is meeting with the person Carol Westmoreland has strongly recommended next week to discuss their interest in the project. Mayor Flagg stated the CRA should have her recommendation in writing as part of the City Commissions minutes. Per Commissioner Myers' question on the fee amount, Mr. Boynton stated under the ordinance you can hire a consultant for up to \$15,000 without going through the RFQ process. He has several plans that are similar to the Clermont Plan; they are concise and definitive. He believes they can do this within the 90-day time frame. Mayor Flagg stated even though they have this strong recommendation, if there are similar individuals who are in the business of facilitating, they should put this out for quotes to provide a "check and balance." Commissioner Brown stated technical assistance money is also available, and Mr. Boynton may have to call and speak with someone at the Department of Commerce regarding that.

Mr. Boynton asked for a point of clarification, and recapped that the CRA Board members are to submit their nominations to him by May 15, or one week from today, which he is to assemble. He asked if he is to wait until the Thursday meeting to hand them out or if the CRA will be asked to vote on the names, or if he is to assemble them prior to that meeting so they know what the tally is on the night of May 22? Mayor Flagg said there won't be a vote, but the members should rank the nominees prior to the meeting, and the results can be presented at the next meeting.

Mayor Flagg adjourned the 5-8-08 meeting of the Community Redevelopment Agency and returned to the City Commission's 5-8-08 Orders of the Day.

5. **BOOKSVILLE PRESENTATION: REQUEST FOR ACTION/ENDORSEMENT** of Booksville concept for Downtown Palatka – Marty Cummins - 125 Spring Lake Hills, Altamonte Springs, FL, stated he wanted to clarify certain items that were reported inaccurately in a Palatka Daily News article. He is not proposing and never would propose Palatka change its name to Booksville. Second, he would accept any investor that wanted to invest in this and it is not necessary for him to go to outside investors. One of the problems with getting investors for this concept is that it is not just a business concept, it's a community investment concept. One-third of the \$1.5 to \$2 million initial budget does not go directly to the businesses that are established, it goes to community things. It doesn't increase the profits of those businesses, so the investors have to be very patient for returns and are likely more interested in creating a community-wide brand that will make everything in the community work, not just the businesses. Money will go for billboards on I-95, festivals, consignment books, the UCF hospitality school branch that will be working with St. Johns Community College, the book inventory website, the business incubator to help train people for entry level positions and bring them up to managers and eventually owners as the Booksville core businesses are expanded beyond Palatka. This will fund the paddlewheel boat as a floating book shop and ferry to bring people here for overnight stays from as far south as Sanford and as far north as Jacksonville without asking for any money from the City for the boat's operation. Then there is the 18 months of free consultation from Harris Rosen, the premier resort developer in the Southeastern US. These are things that don't relate just to a business in downtown Palatka; they relate to developing the branding for Downtown. The resolution he is asking for is that some segment of Downtown Palatka be denominated Booksville of Palatka; the larger the Commission makes this domination, the better it is for all businesses because the businesses within that denomination will be allowed to use the Booksville brand name and related businesses for \$1.00 per year. This is much more than a business. Over the long term there will be a tremendous return to the investors, himself included, if the branding is successful. The Blue Crab Festival, which is an unprecedented marketing opportunity to start things rolling, is coming up soon. They will have a book sale to put the word out. He's also tentatively reserved space at the LA Book Expo to promote the Booksville Branding of Palatka.

Robert Svetlik, 511 N. 3rd St., said he was disappointed in tonight's public turnout. The negative attitude that Jody Delzell displayed in Saturday's Palatka Daily News article is indicative of the community's posture during the last 5-1/2 years. Like a lot of other newcomers, when he first moved here he found Palatka to be quaint, charming, with a lovely view of the river and lots of potential. One of his private thoughts was that he was amazed that this town was lying idle, slowly deteriorating, void of any spirit, falling by the wayside. People made comments like "we live in Palatka, we like Palatka just the way it is, I grew up here, my family lives here, we don't want to make any changes." This seems to be the prevalent attitude of many who live here. There is no creative thinking, no open mindedness, no looking at possibilities, and very few individuals are willing to take that step into the future. He attended the same meeting Mr. Delzell attended, and he heard a different story. He has read many of Mr. Delzell's tirades and believes he does a real good job of taking the wind out of a many a sail. If he desires to make a positive impression for the people of Palatka, he should step down from his position and let someone in there who has imagination, foresight and the courage to help lead this community towards a sustainable future. He wishes to see a more positive side of this new proposal by Mr. Cummins. The idea itself is fresh, alive with possibility and is a theme that can attract people from all over with a certain creative mindset. These people won't be just tourists. People who read books are more likely to view life in a positive way, be more open and engaging with other people. There are hurdles to jump over, legalities to consider and financing to be obtained, but that is no different from anything else this City has considered over the past 10 years. They've thrown thousands of dollars away to consultants only to find the concept thrown in the trashcan. The City has conceived these grandiose themes bringing in big money interests, and not one of these proposals considered the finances or livelihoods of the people sitting in this room and those who have a business

downtown. He was happy to see them all fail, because all these projects would push the residents out of the way and the downtown would be taken over by corporate giants with their greed for bottom line profits. This proposal is a grass roots effort taken on by the business people in this community who would be willing and able to finance a project that they would have a stake in. The City would retain its small town flavor and charm, and the community itself would benefit not only financially but also aesthetically and emotionally. Mr. Svetlik said we all strive to be part of the greater whole, and he believes this type of project could achieve that.

- a. **DOWNTOWN PALATKA** response to Booksville Presentation – Sam Deputy, President, Downtown Palatka, Inc., 917 Carr St., distributed the written recommendation from Downtown Palatka Inc. (filed), saying Mr. Cummins made his presentation to Downtown Palatka, Inc. on April 28. He presented a very detailed proposal, after which the group asked a variety of questions, which he answered sufficiently and to the point that everyone felt very comfortable with the concept. Downtown Palatka Inc. unanimously passed a motion that “Downtown Palatka Inc. endorses the concept of “Booksville of Downtown Palatka”, and encourages the City of Palatka Commission to help in any possible way the development of this opportunity for growth.” He noted two other cities were represented at this meeting, one from here in Putnam County. They were disappointed in Mr. Delzell’s Palatka Daily News article, so much so that the executive board met today to write a rebuttal letter to the editor regarding the misinformation and “mis-facts” stated by the columnist, and asking that the column be retracted and re-written. He wasn’t sure they were at the same meeting. Their membership did question the renaming of the City, which was a rumor they’d heard, and Mr. Cummins dispelled the rumor very quickly. Palatka already has various nicknames for various parts of the City. The renaming wasn’t an issue for Downtown Palatka Inc. because it would be Booksville of Downtown Palatka, which is the best of all worlds.

Commissioner Kitchens inquired as to how many merchants are members of Downtown Palatka Inc. Mr. Deputy stated there are about 35. Commissioner Kitchens asked of those 35 members how many actually raised their hands and voted in approval at that meeting. Mr. Deputy stated they voted by voice and there were no opposing votes when he asked if anyone opposed. Commissioner Kitchens stated she was told that the audience wasn’t allowed to ask questions about the matter of foreign investors. Mr. Deputy stated he did say that and he thought very strongly about that because other than descendents of Native Americans, all of their families came here on a boat. He has no problem with immigration and it’s not the purpose of the Downtown Palatka Inc. group to be the I.N.S. He stated his family has used this program very successfully to bring people over from Rhodesia, South Africa. It took 11 years, even though they were married to US citizens. They used this program as a salvation to bring good family members to the U.S. Downtown Palatka Inc. can’t say who can buy a building and who cannot buy a building, and that’s not the City Commission’s realm, either. The City Commission asked them to listen to Mr. Cummins presentation, which they did. Commissioner Kitchens stated she had concerns as to why freedom of speech was limited, and that the issue of foreign investors wasn’t allowed for discussion. Mr. Deputy stated he set that rule and takes responsibility for it. That is something they have no say over, but they would be glad take the investment from wherever it comes.

Commissioner Kitchens inquired as to how many of the books that will be put on consignment are going to be coming from Mr. Cummins’ private warehouse? Mr. Cummins stated he did not know the exact count, probably 15 – 20 percent. The main source of the books that will be distributed under consignment will be books that are donated and purchased from auctions. The Salvation Army has an auction. Commissioner Kitchens stated she has done some research on Mr. Rosen, who is indeed a very good businessman who presumably has said he is going to offer his assistance. Before she would want to commit to anything she would like to see a legal document with his signature saying that he commits to that, a document drawn up by the City Attorney and approved by his attorney. Mr. Cummins stated he doubted that he

would do that because that would be too insulting, and he is not asking for anything in return. He is offering his assistance; if you want it, take it. If you don't want it, reject it, but if he were to ask Mr. Rosen to sign a legal document drawn up by the City Attorney, he would probably withdraw the offer. Commissioner Kitchens stated she would like to hear Mr. Rosen's offer from him personally. Mr. Cummins stated that Mr. Rosen and Garritt Toohey have visited Palatka and are serious about this. Commissioner Kitchens asked Mr. Cummins if he intended to serve alcohol at his book festivals. Mr. Cummins stated it was not important to him and did not matter to him. If Downtown Palatka, Inc. wants that, that's fine, but he doesn't believe it adds anything to the Booksville concept; it is not important to the festival. Commissioner Kitchens stated she thinks Mr. Cummins has a good idea, but it is not a new idea. There are three other book towns in the United States with a fourth that recently closed in Pennsylvania. If the City decides that it wants to invest in this she suggests those book towns be contacted to determine how they did it and if it is helping them, what the pros and cons are, etc. She thinks they should proceed slowly. She understands why Mr. Cummins wants to test the concept at Blue Crab Festival, but it seems they are putting the cart before the horse. She doesn't think it's a bad idea. There are many of them in France, one in England, and one that has worked fairly well since 1996. There are different articles regarding book towns on the Internet -- one by a PhD who wrote that it doesn't draw that many tourists. She e-mailed a couple of merchants and learned the Commission does not have to give approval if they want to bring in foreign investors or local investors. Anything the merchants want to do with their buildings, whether sell, buy, put a business in, is a private enterprise between the businessman and Mr. Cummins. If it turns out to be a good project, and the merchants want a sign, she thinks the CRA would surely be willing to consider taking money from the TIF to pay for that sign. She would not like to see a sign on the clock tower and definitely not a lighted sign, which would be distracting to traffic coming over the bridge. Commissioner Kitchens read from Mr. Cummins' handout, which he passed out at the April 22 Commission Meeting, asking the Commission to approve the business plan and specifically, "Pass a resolution renaming downtown Palatka Booksville." Mr. Cummins stated he wanted to correct that by saying it was just how it was written, but that is not the case. Commissioner Kitchens stated she just read word for word what Mr. Cummins wrote. Palatka has many designations: Tree City, Gem City, Bass Capitol of the World and the Mural Committee plans to have Palatka designated as the Mural City of Northeast Florida. She has a problem with buying tents for his festival. If the City buys them for his festival, they will have to buy tents or other things for other festivals. She has no problem with endorsing the concept without financing any of it.

Mr. Cummins stated Archer City, Nevada and Minnesota are not Booktowns, but are probably businesses that call themselves Booktowns. He talked to Mr. McMurtry about it, who said he has not developed a real Booktown. He has many books in it from his own collection, but it is nothing like the scope of this. As for having the City pay for the sign and tents, he had indicated his recommendation was that TIF money be used for the sign and the tents. The tents would be owned by the TIF and could be used by anyone, not just for the Booksville festivals. Commissioner Kitchens stated she didn't like the concept of permanent tents due to windstorms, hurricanes, tornadoes, thunderstorms, nor'easters and other storms. Mr. Cummins stated these aren't permanent tents. Commissioner Kitchens said she objects to monthly festivals due to the related expense to the City. If the CRA wants to spend money on festivals and tents, that is up to them.

Mayor Flagg read a letter from Marshall Fulghum of the Blue Crab Festival Committee, which states that at their April 22nd meeting they voted to support the City of Palatka, Downtown Palatka, Inc. and Mr. Cummins with the Booksville project in Downtown Palatka. (Filed)

Commissioner Norwood said the Commission cannot micromanage businesses. Their responsibility is to protect the City, which has very little risk in this. The Commission should direct the City Manager to be sure the investment Mr. Cummins is talking of occurs before the City spends any taxpayer funds on signage or tents. He thinks it is a good project and will

serve to stimulate the Downtown's economy. They have been looking for something to get people downtown and help businesses to continue to survive, and this seems to be a golden opportunity to do so. This Commission has a responsibility to give the City Manager some direction to make sure the City is protected, even though there is very little risk to the City involved.

Mayor Flagg asked for the holistic definition of "endorsement." He said they've read the material they've been given, but there is no business plan, just a concept for which Mr. Cummins is seeking support. Just as important as the City's support is the support of the business district, and there should have been more than just the motion provided so the Commission could actually see the overwhelming support of Downtown.

Don Holmes, City Attorney, also asked for a clarification as to what an endorsement amounts to, and how it binds the City. If the endorsement is simply consent by the Commission, or means that they think the concept is one that they would be in favor of, that would be one thing. If the endorsement is later going to be used in some fashion as a lever or a means of enforcing a commitment from the City to any particular thing, whether it is an investment or branding or anything of that nature, it needs to be put on the table. Mr. Cummins is speaking of going to California and promoting the concept; he wants to make sure all the Commissioners, Mr. Cummins and the audience are aware of exactly what the Commission is being asked to do. He doubted Mr. Cummins was responsible for the titling of the agenda item, which reads "Request For Action/Endorsement of Booksville concept for Downtown Palatka", but that is his question to Mr. Cummins. Mr. Cummins stated he would not have objected to that agenda title. Mr. Holmes stated his question is, what is the practical effect of the endorsement in Mr. Cummins' eyes, and what is the City binding itself to?

Mr. Cummins stated "virtually nothing." He said first of all the business plan has been in existence, in his possession and ready to go for six months. He was counseled by many people in town not to enter into a full business plan because it would be too broad and too much, and will overwhelm people, so it is not that it doesn't exist. He is ready with a budget and time lines but that is for the investors to review so they can decide how much money they are going to put in. All he is asking for, and needs, in order to take the next step with the Blue Crab Festival and trip to LA, accompanied by someone from the City or Chamber, if they choose to attend, and to proceed with obtaining overseas funding for Phase I, is an authorization to use the name "Booksville of Downtown Palatka," limited to whatever section of Downtown the City Commission so chooses. The larger that section is the, the happier the Downtown Inc. people are going to be. If it is just the 200 – 300 Blocks, that is fine with him, but he thinks that would be unfair to the rest of the Downtown. All he is asking for is the authorization to use the name "Booksville of Downtown Palatka." The second request is the approval of a lighted Booksville sign either on the Clock Tower or in that general vicinity. He is not "locked into" that location, but believes it to be the most ideal and least expensive location. He would also like the Commission to endorse, or at least not object to, spending up to \$30,000 in TIF funds for the sign, which he was told is the maximum amount. Last, he asks that the Commission not object to, or make a recommendation to, spend up to \$50,000 in TIF funds for either tents for use by anyone with a City event, or an actual canopy cover for downtown. He has found a company in New Hampshire that did the original tent/canopy work for Sea World and they have a prefab system that costs a third of what he thought it was going to cost. They can canopy the first 50 feet of Downtown for \$50,000, if that is what Downtown wants. He believes everything he wants to do that is not applicable to the actual Booksville businesses should be approved by Downtown Palatka, Inc. Finally, he agrees that the City Manager should not be directed to use TIF money until he has the Phase I money in hand deposited into a Putnam County bank, which he estimates to be between \$1.5 and \$2 million, depending on the cost to acquire a building. He is asking for authorization to use the name Booksville of Downtown Palatka, the City to approve TIF funding, a lit sign in the vicinity of the clock tower or entrance to Downtown. This is something he could work out with the City

Manager later. He is open to alternative suggestions for the sign, so long as it is lit and can be seen from the crest of US 17. He asks that the commission recommend or not object to spending up to \$50,000 for tents or covers for Downtown, and all of that subject to the approval of Downtown Palatka, Inc. He is not asking for any City money specifically.

Christy Sanford, 312 Dodge St., stated for Mr. Cummins to be asking the Commission to talk about use of TIF funds without convening the CRA is not appropriate. Mayor Flagg stated the point of discussion is what is an endorsement of the Booksville concept means. These other things are directly and indirectly related, but an expenditure of TIF funds is not what is on the agenda. He asked specifically what the "endorsement" of the Booksville concept means to Mr. Cummins; it is just the idea without any other obligations. Talking about tents and festivals is premature and not what they are taking action on tonight.

Mr. Cummins stated if that is the case, then the request is limited to the Commission's authorizing the use of the name Booksville of Downtown Palatka, and whether or not the City would object to a sign being installed somewhere in the vicinity of or on the Clock Tower. Mayor Flagg inquired if Mr. Cummins was saying a sign was needed in 30 days. Mr. Cummins stated no, the sign wouldn't go up and wouldn't even be contracted to be constructed or designed until he has his budget's required funds in a Putnam County bank account. A Resolution could be as simple as stating that the City Commission endorses the Booksville of Downtown Palatka concept, which would be adequate for him at this point.

Mr. Holmes stated this seems to be a moving target; he thought he had received clarification on what Mr. Cummins was seeking when he said it was ultimately three things, that being the authorization to use the Booksville of Palatka name, the City's support for the sign in the vicinity of the clock tower, at a cost of \$30,000, as well as the City's agreement that they would recommend that TIF funds be used for the requested purchases, and the City's support for and recommendation that the tents would be purchased at a cost of up to \$50,000. That was the first answer to the request for clarification as to what "endorsement" meant. As conversation transpired, that went to designation of the City's authorization to use the Booksville of Palatka name and the City's permission to put the sign in the vicinity of the clock tower and now as he understands it, it just means the City is going to say they're in favor of the concept. He is confused at this point as to what Mr. Cummins is seeking, because he has given three answers.

Mr. Cummins stated he was simply trying to accommodate the citizen that just spoke, as well as accommodate the Mayor's request to make it as simple as possible. He ceded back from what he initially asked for, which, in a perfect world, he would like to get. He noted Mayor Flagg and Ms. Sanford seem to be uncomfortable with that, which he understands. He is not baiting and switching, but trying to accommodate the City Commission so they can all move forward. He is trying to amend his requests to accommodate the comments the members of the Commission and audience have made. He is willing to accept changes to his request, because Mayor Flagg asked him what he was willing to accept and would essentially need to order to go forward with this. He is just saying it can be as simple as receiving an endorsement of the Booksville of Downtown Palatka concept, or it could be authorization to use the name Booksville of Downtown Palatka, which would be fine with him. He doesn't want to offend anyone, just be accommodating.

Commissioner Myers clarified that the Commission approved a request from the Main Street Program to hire an architect to do the engineering on a new sign for the entrance on 3rd & Reid Streets. Commissioner Brown noted the waterfront is public property and the City is getting ready to try to entice somebody to take on the 100 Blocks of Reid & St. Johns Avenue, and asked if Mr. Cummins could advertise some or several of the business there without knowing what's going on in the next couple of blocks? She said she is not against Mr. Cummins bringing Booksville to Downtown Palatka to entice people to come here, but wants to be sure

they aren't locking themselves into paying for a sign and tent. There is the amphitheater to consider.

Mr. Holmes said he wanted to make this very clear in order to avoid anyone coming back to the Commission saying that, by the Commission endorsing Booksville, and in doing so induced them to go out and spend "x" amount of dollars on "x" things, and if the Commission is backing up on some of what the City said it would do for them, therefore the City has done them wrong. This is bad from a credibility perspective and could be bad from a legal perspective. He is not advocating or arguing against or in favor of any of the things Mr. Cummins is asking for, he simply wants to know what he's asking for by way of an endorsement. As he understands it, if what Mr. Cummins is asking for is whether or not the Commission is in favor of the concept of Booksville, then that is the item the Commission should debate, vote on, approve or disapprove. If that is what the bottom line is right now, that's fine, but things can seemingly change and turn around, maybe not on purpose or with intent. He is not trying to make accusations of anyone and does not have the background on any of this at this stage, but this clarification is as much for Mr. Cummings' protection as for the City Commission's. If the Commission is already ready and willing to say that they are willing to go with the sign on the clock tower, that's fine, but if they are not, and the project is endorsed tonight, and 3 or 4 months from now after they receive the Plan or the MOU from the Riverfront Developer they are negotiating with, and they don't think the lighted sign is the way to go, he does not want Mr. Cummins to feel like he has been misled by the Commission and was somehow damaged in the process. He just wanted to know if Mr. Cummins was asking the Commission if they were simply in favor of the concept of Booksville? If 3 or 4 months from now the Commission decides they don't want a sign on the Clock Tower is Mr. Cummins going to feel he was misled? Mr. Cummins stated the Clock Tower location was not mandatory, and is something that was suggested to him by other people in the community as a cost-effective place to put it. He is happy with it being anywhere that would be seen from the crest of Hwy 17, and that is all he really cares about. Mr. Holmes asked again if the Commission accepts Mr. Cummins' last definition of endorsement, and votes to endorse the concept of Booksville, and 3 or 4 months from now they decide they are not in favor of a sign that can be seen from the crest of the bridge that says "Booksville," is he going to feel like he's been misled? Mr. Cummins stated only if that is voted on tonight specifically. He is only trying to get to the next step and is trying to accommodate the Mayor's concerns. Mr. Holmes stated his premise was that the Commission accepts Mr. Cummings' last definition of endorsement, which was that they simply say they were in favor of the concept of Booksville. Mr. Cummins stated he was asking for guidance from the City Commission on what they are comfortable with for tonight. He is not here to make a hard demand saying he wants "A, B, C" specifically approved; he will accept whatever the City is comfortable with to get to the next step.

Commissioner Kitchens it is her understanding that Mr. Cummins is looking for authorization from the Commission to use the term "Booksville of Downtown Palatka." She is not comfortable with the term Booksville of Downtown Palatka. She did not think Mr. Cummins needed the Commission's permission to market this. If he wanted to say he is going to have a Booksville in Downtown Palatka, he doesn't need the Commission's permission to do that. She wanted to make sure the Commission was not authorizing anything that would be remotely construed as trying to change a portion of the name of the City of Palatka, which would require a change in the Charter. If Mr. Cummins wanted to say he was going to do a Booksville in Downtown Palatka, or "coming soon Booksville in Downtown Palatka," she has no problem with that. She doesn't see where it involves the Commission at this point.

Commissioner Myers said he believes the reason Mr. Cummins is asking for this endorsement is to aid him when he goes out to seek investors. Mr. Cummins responded that is precisely the reason. Commissioner Myers stated it is much easier to obtain an investor if Mr. Cummins can say he has the community behind him, has an endorsement from the City Commission and they are in favor of this project, which adds to the possibility that it will be a successful

endeavor. Nothing is going to happen until Mr. Cummins comes back with \$1.5 – 2 million invested. If the business is unsuccessful, Mr. Cummins is the loser because he intends to make a living out of the business, as he understands it. Mr. Cummings said partially; the City has vertically nothing at risk if the business fails except for a \$30,000 sign that says Booksville. There will remain a building that has been renovated that is probably in much better condition than when he began. Commissioner Myers stated the Downtown needs help; he is not sure this is going to work, but he believes it is worth a try. He does not see any obligation attached to this endorsement and it can be stated as such in the endorsement. Nothing is going to happen until Mr. Cummins gets his money, finds a building and negotiates a sale, at which time it will come back before this Commission. This is a stimulus to Downtown Palatka, which needs some stimulation. Mr. Cummins said evidence of community support is good, but support from the City Commission is better, because he asking investors to put money into the community and not just a business; at least 1/3 of the money will go to activities that will benefit the entire community. That's why he needs to have evidence that the community is behind it, and there is no better evidence than an endorsement of the idea from the City Commission. Commissioner Myers stated if he was an investor and Mr. Cummins was pitching him on it, he would want to know if the community was behind it or what sort of support he had before he would agree to invest.

Mayor Flagg said the Commission needs a revised written concept from Mr. Cummins that can be voted upon precisely, so everyone will know what they are endorsing. Commissioner Brown said the Commission could endorse Mr. Cummins without making a commitment to spend any money on signs or tents, so he can go out and find the funding to bring back to the Commission. Mr. Holmes stated the endorsement would be one that simply said you endorse the concept, but you are not making any commitment to commit to any funding.

Commissioner Myers moved to endorse the Booksville concept, but not make any commitment to any funding. Commissioner Norwood seconded the motion. There being no further discussion a roll call vote was taken with the following results: Commissioner Myers, Norwood, Brown, Kitchens and Mayor Flagg; yes. Nays; none. Motion carried.

* 6. **CONSTRUCTION/CAPITAL IMPROVEMENT PROJECT UPDATES:**

R.C. WILLIS WATER PLANT IMPROVEMENTS – Melvin Register, Superintendent, did a presentation on the R. C. Willis Water Plant Improvements from groundbreaking to present. He noted they are approximately at the halfway point of the contracted construction period, and noted the architect has designed the new building to architecturally resemble the City Hall building.

BOOKER PARK AND FRED GREEN PARK FRDAP GRANT IMPROVEMENTS – Jeff Norton, Parks & Cemeteries Supervisor, did a presentation on Booker Park and Fred Green Park improvements. The City had received a FRDAP Grant in the amount of \$180,000 for Booker Park improvements, which included new playground equipment, picnic tables, benches, electrical upgrades, BBQ grills, and other elements.

The City received a FRDAP Grant in the amount of \$50,000 for Fred Green Park improvements. Improvements included new playground equipment, picnic tables, benches, gazebo, volleyball court and new fencing. Commissioner Brown said she would like a copy of this report sent to the Senator who got the City started with this, and she would also like to have all of the Commissioners send a little thank you. Commissioner Brown would also like to see the City featured in a magazine put out by the Florida League of Cities. The City has done a great job of upgrading parks, and that should be showcased.

Mr. Norton said he would like to have the Commission set a date for the grand openings of each park; he would like a separate date for each park. Mayor Flagg said he would like to

have some type of historical information posed at each park concerning who each park was named after.

7. **RESOLUTION 8-35** authorizing submittal of a Florida Boating Improvement Fund Grant Application for improvements to the Palatka City Dock – Adopt - The Assistant Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE FISH AND WILDLIFE CONSERVATION COMMISSION, FLORIDA BOATING IMPROVEMENT FUND GRANT PROGRAM REQUESTING ASSISTANCE FOR ENGINEERING, SURVEYING AND PERMITTING OF THE CITY PIER BOAT LAUNCH AND DOCKING FACILITIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. Com
 missioner Brown moved to adopt Resolution No. 8-35 as read. Commissioner Kitchens seconded the motion. A roll call vote was taken with the following results: Commissioner Brown, Kitchens, Myers, Norwood and Mayor Flagg; yes. Nays, none. Resolution 8-35 was declared adopted.
8. **RESOLUTION 8-36** authorizing the Renewal of the Local Maintenance Agreement, Contract #BDE55, with FDOT for maintenance of the Right-of-Ways along SR15/Hwy17, SR100 and SR20 – Adopt - The Assistant Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST TO AN AGREEMENT FOR MAINTENANCE OF PORTIONS OF RIGHT OF WAY ALONG SR15, SR20 AND SR100 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION. Commissioner Norwood moved to adopt Resolution No. 8-36 as read. Commissioner Myers seconded the motion. A roll call vote was taken with the following results: Commissioner Myers, Norwood, Brown, Kitchens and Mayor Flagg; yes. Nays, none. Resolution 8-36 was declared adopted.
9. **ADMINISTRATIVE REPORTS**
 Palatka Golf Course Financial Plan Update – City Manager Woody Boynton said during the budget workshop there were concerns about the financial status of the golf course. At that time Spanky Aaron and Gina Williams were tasked to assemble a group of business people to work on a business plan. They are working diligently on it and have assembled the last ten years' worth of data. They have several spreadsheets and graphs and are looking at recurring costs. They are looking at why certain costs increased exponentially from year to year, what costs are necessary, what costs they can get away without, and personnel issues that they can do away with or expand upon. They are looking at different ways of marketing the clubhouse or marketing out the clubhouse. He advised they are still on line to have the business plan ready for presentation to the Commission during the budget workshop in July. They are moving forward and have a very good group of businesspersons working on it. They may even expand this to get a couple of different perspectives on it from the business community, but it is moving forward.
10. **COMMISSIONER COMMENTS**
 Commissioner Kitchens noted there was a noise variance request from Relay for Life from 5:00 on Friday afternoon until noontime on Saturday. The Commission approved a variance but said the noise had to cease at midnight and could resume the next morning. She received a call from a citizen who told her that at 7:00 a.m. she and her husband were awakened by a fire siren going off for five minutes, followed by a drum solo that lasted the rest of the morning. The City should have informed Relay for Life organizers that they were not given the hours they asked for. If this is still held in the same location next year they need to understand the exact hours of the variance as they are disturbing elderly sick people. This is a good project, but they don't need that amplified sound. Mayor Flagg noted he was sure the leadership that is there would comply so that what is a totally good project will remain that way.

Commissioner Brown stated she attended a regional meeting for municipalities and they discussed the same problems they discussed with the FLC representatives. One topic was the management of water and water resources. They are being told whatever they do with the Everglades should correct what is done in south Florida if those people stay on task. This would effect what our water management district does regarding our water supply. They also discussed what the Green Group is working on and she left that information with Mr. Boynton. They also discussed property tax.

Commissioner Norwood commended the Parks Dept. on the wonderful job they have done, saying the Parks are looking good. He also sent congratulations to Mayor Flagg on the Commission's behalf on his Service of Gratitude for 17 years of service as Pastor of Mt. Tabor Baptist Church, and thanked him for all the service he gives to the community.

Mayor Flagg read a letter of resignation form James P. Culbreth from the Code Enforcement Board (Filed). Ms. Banks stated his last meeting was last month. Mayor Flagg stated he would like an acknowledgement given to Mr. Culbreth.

Mayor Flagg noted tomorrow the St. Johns River Community College will celebrate a half-century of service to this community. He will be presenting a proclamation to them for their golden anniversary.

11. **ADJOURN** – There being no further discussion, the meeting was adjourned at 8:00 p.m. upon a motion by Commissioner Kitchens and 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