

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
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
April 24, 2014

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 24th day of April, 2014.

PRESENT: Mayor Vernon Myers
Commissioner Allegra Kitchens
Commissioner Phil Leary
Commissioner James Norwood, Jr.

ABSENT: Commissioner Mary Lawson Brown

Also Present: City Manager Michael J. Czymbor; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Planning Director Thad Crowe; Grants/Projects Manager Jonathan Griffith; Main Street Manager Charles Rudd;

CALL TO ORDER: Mayor Myers called the meeting to order at 6:00 p.m.

INVOCATION – The Reverend Kirby Kennedy, DO, Pastor, First Baptist Church of Palatka

PLEDGE OF ALLEGIANCE – Commissioner James Norwood

APPROVAL OF MINUTES – 4/10/14 – Commissioner Norwood moved to adopt the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. **PUBLIC RECOGNITION/PRESENTATIONS:**

PROCLAMATION: Civility Month – May, 2014 – Florida Bar Association – Garry Wood, President, Putnam County Bar Association, was present to accept the proclamation, which was read and issued by Mayor Myers. Mr. Wood said the Putnam Bar Association speaks frequently about the need for civility in courts and daily life. He encourages those of them who get involved in government, in law and in everyday life to treat others as they would want to be treated, and listen with an open mind.

PROCLAMATION: National Law Enforcement Week May 5 – 10 and Memorial Day (May 5) and Putnam Co. Law Enforcement Officers' Memorial Day – May 8 – Police Chief Gary Getchell was present to receive the proclamation, which was read and presented by Mayor Myers.

PRESENTATION: Palm Coast/Flagler Alumnae Chapter Delta Sigma Theta – Michaelyn Pitts, Social Action Chair for the Chapter, introduced the Chapter President, Ms. Thomas, and members of the organization. She said their chapter wanted to bring to the attention of the

residents of Palatka facts about their organization and what they do in the community. They were chartered on December 9, 1955 by 15 college women; their Chapter now covers St. Johns, Flagler and Putnam Counties with over 100 members. They confront the challenges faced by African Americans as well as all Americans. They mentor girls of all ages and have 20 Putnam County female students in their mentoring organization. They also have a program for boys 12 – 18 which has over 100 members. They also participate with the PAL. They promote homeownership and healthy financial living. They have two members trained by United Way to present workshops in the community. They will be participating in the American Cancer Center Relay for Life next week. They encourage voter aged citizens to vote and participate in early voting. They provide a vital public service in the community and invite participation and support from the Community.

STUDENT OF THE MONTH – April, 2014 – Commissioner Norwood joined Mayor Myers in presenting certificates of recognition to the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

| | |
|--------------------|--|
| Johnny Melwid | Browning-Pearce Elementary |
| Haiden Muse | C. L. Overturf, Jr. 6 th Grade Center |
| Elizabeth Soncrant | Children's Reading Center Charter School |
| Marian Webb | E. H. Miller School |
| Elissa Siverling | James A. Long Elementary School |
| Kacen Byrd | Jenkins Middle School (March Honoree) |
| Keslyn Hart | Jenkins Middle School (April Honoree) |
| Reginald Wiggins | Kelley Smith Elementary School |
| Sam Helms | Mellon Elementary School |
| Alazia Turner | Moseley Elementary School |
| Seth Parker | Palatka High School |
| John David Haring | Peniel Baptist Academy |
| Emmaline Shettel | Putnam Academy of Arts & Sciences |
| Rayeanne Streets | Putnam EDGE High School |

2. PUBLIC COMMENTS

Christy Sanford, 312 Dodge Street, invited the Commission to come to the En Plein Air Art Show at Hammock Hall which is scheduled for tomorrow beginning at 6:00 p.m.

Roberta Correa, 118 Dodge Street, said they are also holding the Historic Homes & Gardens Tour in the South Historic Neighborhood this weekend, which starts at Hammock Hall at 10:00 a.m. on Saturday.

3. CONSENT AGENDA:

- a. **Adopt Resolution 2014-10-66** amending the FY 2013-14 Budget through 3/31/2014
- b. **Adopt Resolution No. 2014-10-67** authorizing the execution of Passero Associates' Work Order #14045 in the amount of \$96,500.00 for architectural design services for hangar additions and building demolition at the Palatka Municipal Airport
- c. **Adopt Resolution No. 2014-10-68** authorizing the execution of a Staging Area Agreement with FPL for storm and disaster staging on the west end of abandoned Airport Runway 9-24 at the Palatka Municipal Airport/Industrial Park
- d. **Approve request items for Special Events Permit No. 14-32 – 25th Annual Wolfson Children's Hospital Bass Tournament – May 15 through 17, 2014; Brian Seay, Applicant**
 1. Grant permission to exceed allowable noise levels throughout the duration of the event
 2. Allow closure of the City Dock Boat Ramp May 16 at 5:00 p.m. through May 17 at 7:00 p.m.

Commissioner Kitchens moved to pass all items on Consent as recommended. Commissioner Norwood seconded the motion, which passed unopposed.

4. **PUTNAM BLUEWAYS & TRAILS ANNUAL REPORT** – Kevin Sharbaugh and Gaye Esperson – Ms. Esperson, 114 Riverview Drive, E. Palatka, said Putnam Blueways & Trails is a citizens' support organization created in 2012. They are partners with Putnam County Parks & Rec. They put together an annual report for the County, and they are now presenting this to the City at the request of Mayor Myers. A power-point presentation was shown. Ms. Esperson said they are promoting the use of outdoor trails for kayaking, paddling, walking and biking. They promote the use of non-motorized vehicles in an environmental manner. They are event driven, with four to six events each month that are free to the public. They do biking, hiking and padding events and served about 560 people this year. People from other counties attend their events and enjoy them. They have kayaking for beginners at Lake Stella. They held an annual meeting, a holiday party and have participated in parades. They provided support for the "First Day Bike Ride" hosted by the State, volunteered at the Iron Horse Foot Race, had a paddle at Rally for the Rivers. They had a booth and bike ride at Welaka Springs Festival, bike ride and poker paddle at Azalea Festival, and held the first Palatka Bike Festival last year. This will be an annual event. They bring people into Palatka via the East Coast Trail, which runs from Maine through Florida and co-sponsored the opening of the Palatka Trail. They have a web page, a Facebook page, mail-outs and brochures. They have membership cards and quarterly flyers. They have done many things to promote Putnam County and tourism. St. Johns County came to them to find out how to get people involved in a CSO.

Kevin Sharbaugh, President of the CSO, 114 Riverview Drive, E. Palatka, spoke about their plans for 2014, saying they will continue to plan events. They are going outside the County to sponsor events; one of those was Bike Florida event. They advertise all over to attract people to come to this community and spend money. They had 125 people who came here to run in the Iron Horse Race, and they brought their family members with them. The Palatka Bike Festival was held in conjunction with Bike Florida; this brought around 700 people into the community. They are hosting a state-wide event for kayakers in October. They will be organizing that event. They have been asked to be an "umbrella group" for the Bartram Trails. They have full moon and daytime kayak events, they have a bicycle event on weekends and a Tuesday night 'bike to eat' event. Many of their events are food-driven and support local businesses and restaurants. They are developing the idea of ecotourism in the community. As of this Saturday they are starting a monthly volunteer work day and will be working to clean and maintain the urban Trail with City staff. They plan to do this once a month on a volunteer basis. There is a need for this CSO because as the trails are built, they are owned by various entities, and there is no cohesive group that monitors the entire system to make sure things don't fall through the cracks. They need more people to get involved and help maintain their resources. He encouraged everyone to join them on one of their outings and in their organization.

Mayor Myers thanked them for all they do for the community. He said he asked them to come make this presentation as Palatka owns a portion of the Trail. Many of their events patronize Palatka restaurants. This is an ecotourism initiative. They need to take advantage of their Trails and Blueways.

5. **RESOLUTION** authorizing the submittal of a Community Contribution Tax Credit Application to the Florida Dept. of Economic Opportunity on behalf of the G-P Wetlands Education Center and certifying that the Project is consistent with local plans and regulations, including the Adopted Comprehensive Plan – Adopt - The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE SUBMISSION OF A COMMUNITY CONTRIBUTIONS TAX CREDIT APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY DIVISION OF STRATEGIC BUSINESS DEVELOPMENT ON BEHALF OF THE ST. JOHNS RIVER CENTER: ADVENTURES IN A WETLANDS ECOLOGY PROJECT, AND CERTIFYING THAT THE PROPOSED PROJECT IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS, INCLUDING THE CITY OF PALATKA ADOPTED COMPREHENSIVE PLAN. Commissioner Kitchens moved to pass the Resolution as read.

Commissioner Leary seconded the motion. Commissioner Norwood recused himself from discussion and voting citing his employment relationship with G-P, who is the sponsor of this Project. There being no discussion or comment, a roll-call vote was taken, with the following results: Commissioners Kitchens, Leary and Mayor Myers, yes; Nays, none. Commissioner Norwood – Recused. Commissioner Brown – Absent. The resolution was declared adopted by a vote of three in favor, none opposed, one recusal. Mayor Myers recognized the presence of Terry Hadaway of G-P Corporation.

PUBLIC HEARINGS:

6. **ORDINANCE** amending Chapter 30 of the Municipal code to establish regulations for vacant, blighted, unsecured or abandoned structures - First Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 30, ENVIRONMENT, BY CREATING AN ARTICLE ENTITLED “REGISTRATION OF VACANT, BLIGHTED, UNSECURED OR ABANDONED STRUCTURES;” ADDING PROVISIONS REQUIRING THE REGISTRATION OF VACANT AND ABANDONED STRUCTURES; PROVIDING FOR PURPOSE AND INTENT, DEFINITIONS, RESPONSIBILITIES OF OWNERS AND/OR MORTGAGEES; REGISTRATION AND FEES, PENALTIES, AND ENFORCEMENT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading. Commissioner Leary seconded the motion. Mr. Czymbor said based upon his direction the PD and Planner created this ordinance.

Gary Getchell, Police Chief, said there was a workshop held in 2012 at which the Planner was asked to research methods for regulating empty buildings. This is a Code Enforcement issue, which is now under the direction of the PD. This draft ordinance, which is the result of much time and research, initially pertained to the downtown or CRA areas, but they expanded it to include the entire city. Cities with this type of ordinance in place are trying to deal with their foreclosures, which are occurring at an alarming rate. As tax bases decrease, these houses are sold at a drastically reduced price, which affects surrounding property values. They found that there are 263 homes for sale in the City and 240 homes are in some state of foreclosure today. Homes in Palatka were selling for an average of \$75 to \$85 thousand in 2007. On September 13th the average selling price of a home not in foreclosure is \$62,000. Today the average sales price of a home not in foreclosure is around \$45,200. The market has collapsed and is not rebounding fast enough. The homestead exemption is \$50,000. Homes in foreclosure decrease in value by 22.46%; the average sale price is around \$35,000. This is attractive for investors to buy these up and turn them into rental properties. Banking institutions want revenue and sometimes they rent these houses out. They are no longer owner-occupied. Palatka’s housing stock, 1 in every 560 homes is in foreclosure. In Florida it’s 1 in 407. In all of Putnam County, it’s one in every 1,013 homes, so the City has a higher ratio of homes in foreclosure than other counties in Florida. They looked at cities similar in size and demographics that had similar ordinances. They found that centrally located cities have numbers similar to Palatka. Coastal cities have higher numbers in foreclosure.

Chief Getchell said this ordinance is meant to stabilize neighborhoods. Over 60 cities and counties throughout the State have these ordinances in place as a means to stabilize neighborhoods and property values as well as the tax base. They worked with Planning staff and the City Attorney. They did not apply this to all vacant properties, such as rental properties that were temporarily vacant. This only applies to blighted property, vacant and abandoned, and those that are a nuisance to the city and the neighborhood. The registration fee is triggered by foreclosure. This will require monthly inspections on those properties and the city would have information on who owns or is responsible for the property. They recommend that they put an RFP out to qualified companies to administer this program.

There are currently around 1,000 structures inside the City that are in some type of foreclosure status. This establishes a process of registering properties, stabilizing them financially, requiring adequate maintenance, and they will be able to follow the property through the foreclosure process. Cities that have implemented this have had much success with properties under foreclosure. Abandoned property that is not under foreclosure will run through the nuisance process. They need to decide how they want to administer this. Fees range from \$100 to \$200 in other communities. They recommend a fee of \$200. If they do use an outside company, they will probably do it on a 50/50 split. Cities are not getting rich on this, but it stabilizes neighborhoods and holds banks accountable.

Commissioner Leary said he's been working with City staff on this for several months. This works in other communities. He ran on a platform of neighborhood revitalization and stabilization. Neighborhoods have declined in the past three years; his neighborhood is an example. This is a good tool for their toolbox and a first step in reigning things in and getting their neighborhoods under control.

Commissioner Kitchens said when property sells on a foreclosure; that doesn't lower the valuation on the property. She speaks as an experienced deed worker. Sales from banks are not qualified sales. She has several issues with this ordinance. She is looking out for the citizens and homeowners. She believes this needs some work. Specifically, Page 2, under Section II, the intent paragraph, #5, she has no problem with that sentence except that it states "among property owners in the City" which means all the property owners could be assessed for the cost of abating one property. They either need to get rid of that part of the sentence or define it. She does not want to be assessed for service fees for vacant buildings. On page 4, under owner, they list "the holder of an unrecorded deed." This is not a legal document. The person who records the deed is the owner of the property. Also, a Lis Pendens, which triggers things, is just something that is filed in the court notifying pending litigation. This can be on file for a year or more before anything is done. They should use foreclosures filed as a trigger.

As to Vacant Structure Registration, Page 8, Section A, regarding registration of property, she asked how someone would know the second your property becomes blighted, and noted that the ordinance states that you have 48 hours to register the property after it becomes blighted. Chief Getchell said there has to be a time threshold. Other municipalities have the 48 hour time limit. It puts the pressure on the banks. Commissioner Kitchens noted, as to registration for vacant property, it states they register but don't pay the fee, but Section (f) on page 9 conflicts with that. It states that the owner of a vacant or blighted property shall register and pay the fee. On page 7 it says they don't, and on page 9 it says they do. She believes the word vacant was left in on page 9 where it shouldn't have been and that is an error.

Commissioner Kitchens said on page 10, 3rd paragraph down, regarding levying of collection of special assessment to fund the cost of work, it should be specified that it applies only to the property that has the code violation. Her final concern is that this document applies to residential homesteaded property. Vacant and abandoned property is apparent. If no one lives there the homestead has gone off the property. It also states this shall not apply to any property protected by the State. Minimum maintenance standards do not apply to homesteaded properties. This ordinance does not exempt homesteaded properties. If a property needs paint, it could be deemed blighted. She wants to make sure homesteaded properties are not subject to this ordinance. People living in substandard homes shouldn't be at risk of losing their property.

Commissioner Leary said he philosophically disagrees; just because you have a homestead exemption, you shouldn't be exempt from maintaining your property. This ordinance must be inclusive. They can't exempt people out; if you do that you may as well not have the ordinance. Commissioner Kitchen said this ordinance will penalize the poor. Commissioner Leary said the City Attorney has reviewed this ordinance. If homesteaded properties need help, churches,

Habitat for Humanity, and the SHIP program can provide help for new and revitalized homes. Putnam County's program a high priority program for SHIP funding.

Commissioner Norwood said if a house is vacant or abandoned, there is no homestead exemption. Commissioner Kitchens said this ordinance also applies to blighted properties. The way this is written they could put this assessment on tax bills, which is probably not legal. They need to protect homesteaded properties. Discussion ensued on putting standards in place to force owners of homesteaded properties to take care of their properties and keep them up to a certain standard, and resources available to help with upkeep of homesteaded properties.

Christy Sanford, 312 Dodge Street, spoke in favor of the intent of this ordinance, as slum lords and unnamed banks own "problem properties" in her neighborhood. She objects to fining people and having people pay registration fees. They need a way of notifying banks that their properties are in disrepair. She does not get the practicality of how this ordinance will make change.

Discussion ensued on how derelict property affects property values.

Commissioner Kitchens said she is totally opposed to hiring an outside company to administer this program. The legal owner of the property can be found through the property appraiser's office, which has the last known owner on record. Code Enforcement can administer this program. Commissioner Leary said there are companies that specialize in this type of work. They have one Code Enforcement officer for the entire City. It will free up staff to work on other more important things.

Chief Getchell said the Commission adopted a major corridor enhancement program. There are some residential structures that fall within that corridor; some are homesteaded and blighted. They have to have the tools to address the issues that need to be addressed. They will be coming forward with a series of ordinances. They take photos of structures of homesteaded properties that are blighted. They can do nothing about the complaints. People living next door to these properties can't sell their homes. They will be coming forward to discuss changing Palatka's ordinances to address homesteaded properties. These companies don't come to Palatka. They deal directly with the banks, which pays the fees on foreclosure properties. If they exempt homesteaded property from this process, when the property goes into foreclosure, they can't charge the bank or hold it accountable. He would yield the questions and their answers to the City Attorney, who is not present tonight. His department gets the complaints, emails and phone calls. They want to provide solutions to residents.

There being no further discussion or comment, a roll-call vote was taken on the motion to pass the Ordinance on first reading, with the following results: Commissioners Leary, Norwood, and Mayor Myers; Yes; Commissioner Kitchens, No; Commissioner Brown, Absent. The ordinance was declared passed on first reading by a vote of three in favor, one opposed.

Commissioner Kitchens asked if they can amend the ordinance at the second reading. The Clerk said they can make changes on second reading, which may mean that the Ordinance will need to go to a third reading for adoption, as the City Attorney states that the final reading of an ordinance, which is normally the second reading, should only be an "up or down" vote.

7. **ORDINANCE** amending Chapter 94, City of Palatka Zoning Code, Division 3, Article 3 to add building exterior standards on major city thoroughfares – Second Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES, DIV. III, ARTICLE 3, SUPPLEMENTAL DISTRICT REGULATIONS, TO ADD PROVISIONS FOR EXTERIOR BUILDING STANDARDS FOR NEW CONSTRUCTION ALONG MAJOR CITY THOROUGHFARES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE

DATE. Commissioner Norwood moved to adopt the Ordinance on second reading as read. Commissioner Leary seconded the motion. There being no comment or discussion, a roll call vote was taken, with the following results: Commissioners Leary, Norwood, and Mayor Myers; Yes; Commissioner Kitchens, No; Commissioner Brown, Absent. The ordinance was declared adopted on second reading by a vote of three in favor, opposed by Commissioner Kitchens.

8. CITY MANAGER & ADMINISTRATIVE REPORTS

Mr. Czymbor said they have officially begun the 2014-15 budget process.

Mr. Czymbor said a pre-construction meeting was held today with SHP on the construction of the Hampton Inn. They expect to commence construction following the Blue Crab Festival. They expect Mr. Diamond to close on the Riverfront Square property (the 100 Block) in the next 10 days.

Mr. Czymbor said he has established five committees whose objective is to move the City's five adopted Goals and Objectives forward.

Mr. Czymbor said FDOT has officially approved the last change order for the Water Taxi project.

Chief Lambert said today's PDN contains a letter to the Editor which he wrote regarding their ISO re-rating.

Charles Rudd reported on all the events scheduled for the upcoming weekend in the Downtown and Historic Districts.

9. COMMISSIONER COMMENTS

Commissioner Kitchens said she will never vote against private property or homeowner rights.

Commissioner Norwood asked when the wellness committee meets. Mr. Reynolds said they have not set a meeting date but he will notify him prior to the next meeting. Bates & Hewett will be bringing forth updated claims experience shortly.

Commissioner Norwood said an individual with an electric wheelchair called him to complain that he came into City Hall, but City Hall doors don't allow him to enter City Hall without help. The City needs electric doors. Also, he attended an event at the Larimer Arts Center, and the same situation exists there. It is not easily accessible by those in wheelchairs.

Mayor Myers invited all to come to the Riverfront this weekend to attend the various events. He is excited about the redevelopment on the city-owned Riverview lots.

Commissioner Norwood asked if the City can put together a brochure for individuals who are living in substandard homes that will list the resources available to them for housing rehabilitation.

10. ADJOURN – There being no further business to report, the meeting was adjourned at 7:40 p.m. upon a motion by Commissioner Kitchens.

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