

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
August 7, 2014

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 7th day of August, 2014.

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

Also Present: City Manager Michael J. Czymbor; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Main Street Manager Charles Rudd

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

INVOCATION – The Reverend Wes Taylor, Pastor; Tabernacle Baptist Church of Palatka

PLEDGE OF ALLEGIANCE – Corky Diamond

APPROVAL OF MINUTES – 7/24/14 Budget Workshop; 7/24/14 Regular Meeting – Commissioner Brown moved to adopt the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS:

PUBLIC RECOGNITION – City-Wide Youth Movement – Stephanie Brinkley, a founding director of the Movement, said the group was formed in the early 1990's. She said Michael Vickers, one of the leaders present, was once one of the members of the group, as was Justin Campbell. They are a non-profit group that focuses on making the children of the community good community members. They believe if a young person is given the opportunity to be actively involved in the community, he/she becomes more appreciative and respectful of the community, and will return and invest in the community. The members learn about vital operations of Putnam County.

Various youth members spoke at the podium about their mission and activities. Mr. Vickers said the youth participate in various community projects. They meet Mondays at 5:30 at the Palatka Recreation Center. Mayor Myers congratulated the leaders and members and noted they are an inspiration to the Commission and community. Ms. Brinkley recognized Akivia Waters, their "in-

house" graphic designer; who designed their T-shirts. Commissioner Brown asked Ms. Brinkley to provide a photo of the group for publication in the FLC Florida Cities monthly magazine.

2. PUBLIC COMMENTS –

Askew Vickers, 207 N. 18th Street, said in the past he has commented on the need for infrastructure improvements and wasteful spending. Regarding the matter of his claim that a commissioner allegedly said he was being untruthful, Mayor Myers suggested he request a meeting with that commissioner.

Regarding the code enforcement ordinances that were adopted several weeks ago, Mr. Vickers distributed two photos, one a photo of what he described as a junkyard (not filed) that exists on N. 19th Street. Commissioner Leary noted that is a "grandfathered in" metal recycling facility. Mr. Vickers stated several developers have wanted to build here, but did not, because the infrastructure could not support the development, which has caused a loss of jobs.

Zenaria Ware (?), 506 N. 22nd Street, said her family does not feel safe in their community. There are too many fights and weapons on the street. Vice Mayor Brown asked her and her group to talk about the issue and come up with ideas on solutions. They can set up a meeting with the PD to discuss.

3. CONSENT AGENDA

- a. **Adopt Resolution No. 2014-10-100** amending the FY 2013/14 budget to allow the fire department to expend \$9,500.00 for the purchase of an off-lease Police Department Ford Expedition
- b. **Adopt Resolution No. 2014-10-101** authorizing the Code Enforcement fine levied against 119 Dodge Street in the amount of \$25,775 be reduced to \$10,000 and assessing cost of prosecution in the amount of \$191.62 provided the fine is paid within 30 days of this action, or the fine returns to \$25,775
- c. **Adopt Resolution No. 2014-10-102** authorizing the Code Enforcement fine levied against 1801 Carr Street in the amount of \$16,625 be reduced to \$625 and assessing cost of prosecution in the amount of \$50 provided the fine is paid within 30 days of this action, or the fine returns to \$16,625
- d. **Adopt Resolution No. 2014-10-103** declaring 215 Dodge Street to be surplus and directing the City Manager to dispose of surplus property in accordance with City administrative procedures
- e. **Adopt Resolution No. 2014-10-104** declaring six vehicles and one trailer to be surplus property and directing the City Manager to dispose of surplus property in accordance with City administrative procedures
- f. **Adopt Resolution No. 2014-10-105** awarding the bid in the amount of \$260,712.00 to Halifax Paving, Inc. for construction of the North Apron Expansion Project at the Palatka Municipal Airport, and authorizing the execution of Supplemental Agreement/WO No. 14-39R with Passero Associates in the amount of \$30,000 for resident engineering, inspection, material testing and review of record drawings for the North Apron Expansion Project
- g. **Adopt Resolution No. 2014-10-106** authorizing the issuance of a Special Events permit No. 14-13 for the 2nd Annual Gem City Shrimp Blast; setting forth provisions of the permit, granting permission to exceed allowable noise levels, authorizing the closure of certain streets to vehicular traffic during the event, and setting advance and other permit fees
- h. **Appoint the FY 2013 CDBG Citizens Advisory Task Force Members:** Maj. Larry Beaton (Retired); Wanda Brown, Ann Keys, Darcy Phillips and Kelly Redford, per staff recommendation (Item amended 8/5/14 to replace Jeff Rawls with Kelly Redford)
- i. **Amend the Arts Council Summer Concert Series Special Events Permit #14-34** to add a summer concert on August 16, grant permission to exceed allowable noise levels from 7:00

p.m. to 8:30 p.m. and waive the Class B Application Deadline – Arts Council of Greater Palatka/Denise Aiken, applicant

Commissioner Leary moved to adopt all items with the exception of Item 3(c). Commissioner Kitchens seconded the motion, which passed unopposed.

- c. **Adopt Resolution No. 2014-10-102** authorizing the Code Enforcement fine levied against 1801 Carr Street in the amount of \$16,625 be reduced to \$625 and assessing cost of prosecution in the amount of \$50 provided the fine is paid within 30 days of this action, or the fine returns to \$16,625 - Amber Crosby (? – did not submit a speaker card), 5404 Cypress Center Drive, Tampa FL 33611, appearing on behalf of Wells Fargo, requesting a release of the lien as her client has been cooperative and fixed the violation on May 20, the day he took possession of the property. She noted Florida Statutes 48.23, saying their Notice of Lis Pendens contains all the required information, and according to Section (d), any unrecorded lien on property is barred. The deed was recorded in 2011, approximately a year before the City's lien was recorded. They would like the lien to be released.

Mr. Holmes said a Lis Pendens serves notice to the world that a foreclosure action has been instituted. He has no reason to doubt the date chronology cited by Counsel. The Lis Pendens does not automatically void a lien, but it serves notice to the world that there is a prior lien of record. It also would mean that, in a foreclosure suit, you could name the holder of that subsequent lien as a defendant in a foreclosure suit, and that subsequent lien is subordinate. They could have done that. It may not have been on record when they filed their lawsuit. When you foreclose a lien of any kind, it is prudent practice and accepted before you go to final foreclosure, to do a check on the title to see if anything further has been filed before you go to final foreclosure. If they'd named the City they could have gotten an order to foreclose the City's lien. Whoever filed the foreclosure didn't do this; they didn't check the title before going to final hearing and didn't foreclose the City's lien. It is not automatically void; it is not void unless a court says it is void. They came before the Code Enforcement Board and stated their case. Nothing was said at that meeting that he has not stated tonight. The CE Board recommended a reduction of \$16,000 to \$625, but did not see fit to release it entirely. As a practical matter, he questions why Wells Fargo would send an attorney here to fight over \$625. It will cost them more to send an attorney in the original presentation, and today's presentation. It will cost them to get rid of the lien if the City doesn't release them. Legally they should be able to do it. It makes more dollar sense to call the City or him to try to work something out. Nothing new has been presented that wasn't presented to the Code Enforcement Board. The recommendation of the Board was to leave it at \$625 plus costs. The lien is voidable, but it is not void. It can be foreclosed now by reopening the case and serving the City, etc. It will cost a lot more than \$625 to do this. The City is not obligated to release the lien. Wells Fargo can foreclose it and get rid of it. If they are successful, the City will be obligated to release it.

Wells Fargo Counsel said she is here tonight because she was told that they had to attend this hearing, and that is why she is here. Had the City been named in the Foreclosure, they would have included this lien and foreclosed the City's interest out. They don't have to amend the complaint to include the City as it is clearly stated in FS 48.23(d) it states that any unrecorded lien at the time that the Lis Pendens is filed, unless the holder of the lien intervenes in the proceedings within 30 days of the notice, it will be barred. She provided a copy of the statute (filed). Mr. Holmes asked, if the lien is void as a matter of statute, why is she here? He said if it is barred, and is void as a matter of statute, there's no reason for her to be here. She said procedurally, they have to release it from public record. Mr. Holmes said if the lien is automatically barred, the lien is invalid. She said procedurally, the City has to release the lien. They can litigate that at a later time. Her client fixed the property the day

they took possession of it. The Pearce's owe the City this money, not her client. They couldn't legally go onto the property and fix it if they didn't own it.

Mr. Holmes said the Lis Pendens was filed August 30, 2010. They didn't foreclosure or take title until 4 years later. Ms. Croft said it was August, 2011. Mr. Holmes said the record states it was filed August 30, 2010 by their representative; either way, it took Wells Fargo 3 or 4 years to finish the foreclosure suit. They see a wealth of foreclosures filed, but not completed. They banks don't end up owning the property until it's convenient for them to put it in their name. In that interim, the property sits there in the name of the prior owner. In the interim, their Code Enforcement Board tries to enforce Code, but the prior owner doesn't care and the bank won't do anything about it, either. The length of time between when the Lis Pendens was filed, and the final judgment of foreclosure/certificate of title was granted, was several years. That might have played a role in the Board's decisions. Wells Fargo's counsel said many things preclude them from acting on a foreclosure. If the people being foreclosed upon would just vacate the property, they could foreclosure quickly but that doesn't happen.

Commissioner Leary noted this house is next door to him. A terminally ill young man lived there; he was ill for 2.5 years. He doesn't know if that is why the bank hesitated on the foreclosure. The property is now cleaned up and they are keeping it clean. Commissioner Kitchens said normally the Code Enforcement board will recommend the release of a lien if the property is brought into compliance. She does not see that \$625 is that big of an expense. The City incurred costs on the code violation. Commissioner Norwood moved to approve Consent Agenda Item 3(c) as noted. Commissioner Brown seconded the motion. Wells Fargo Counsel listed several factors that precluded immediate foreclosure on the property. The question was called and the motion passed unopposed.

4. **FIRST PUBLIC HEARING** – FFY 2013 Small Cities Community Development Block Grant Application – Fred Fox, Fred Fox & Associates, and Jonathan Griffith, Grants Manager – Mr. Fox distributed a sign in sheet for audience signatures. Mr. Fox said the application for the 2013 cycle was due March 12; the City filed two applications in the commercial development category. The neighborhood revitalization project scored very low. They are still working from figures provided in the 2000 census. The City's score was further reduced due to successful prior CDBG grant applications. The "community-wide needs" scores are to be reset for next year. In the Housing, Neighborhood and Commercial categories, if the application is not in by March 12, it is not qualified. In the economic development category, if DEO don't receive enough applications for the funds available, they continue the cycle until all the money is obligated. You have to have a private business partner in order to apply for this grant category. The last application the City submitted was for the bowling alley project. DEO still has \$8 million available. They are required to have another first public hearing for this FY cycle because they need more than the \$750,000 that was originally applied for; they want to increase it to \$1,049,970.00. This is for the water taxi terminal and ship's store location (the Terminal Building Project) at the riverfront, which includes a restaurant. This will create the equivalent of five full time jobs for the taxi and ship's store and 25 full time jobs for the restaurant. DEO mandates they do another public hearing due to the increased dollar amount. A slide was shown explaining the four CDB Grant categories available. They are Housing Rehabilitation, Commercial Revitalization, Neighborhood Revitalization and Economic Development. A slide was shown entitled FY 2013 Income Limits Documentation System/Income Limits Summary showing low, very low and extremely low income limits for Putnam County by number of people living in the home. Mr. Fox said in the Economic Development category, they consider household income, education and number of jobs created. Once a job(s) is created, they have to document that at least 51% of positions were filled by members of low to moderate income households prior to their being employed in the created job with no more than a high school education.

Mr. Fox said one purpose of this public hearing is to make sure there is no other business owner out there who wishes to partner with the City on an economic development grant during this grant cycle. The other is to gather public input and direction on how to move forward and in what grant category. The difference in the projects they are looking at now and the projects they have looked at in the past is Program Income. The State has changed the regulations; they have to use an appraiser to determine the rental value of the improvements made with grant funds, and the City has to collect money from the "tenants" and pay the money to the State. There is no waiver for that provision. The difference between this project and the ones they've done in the past is "program income." If the City receives this Grant, the City will have to pay "rent" to the state on the rental value of the improvements while it is occupied by tenants. The tenants have to pay that amount to DEO. There is no payout, like a mortgage. The "rent" is not due if the business closes and the improvements are not occupied. There is no waiver available. It is based upon 100% of the value of what a certified appraiser deems is the fair market rental value of only the improvements made through grant funds. The City is applying for a waiver from DEO for a waiver of the grant limit of \$750,000.

Mr. Fox showed a slide outlining steps taken in the CDBG application cycle. First public input is taken at an advertised public hearing, which is happening today. After the public input is taken, the CATF will hold a publicized meeting and make a recommendation, which will come back to the Commission. They will then come back to hold a second public hearing to go over the detail of the project, including the project. They will need to make a motion to authorize him to work with Staff to proceed with the application for the project. They normally hold the public housing workshop at the second public hearing meeting. They can't actually submit the application for more than \$750,000 until the approval of the waiver request is received to waive the limit of \$750,000 from DEO. The waiver went in last week. This is an economic development grant and does not bar the City from applying for grants in other categories next year. This project ranked 2nd in the first round; the project that was ranked 1st was funded. He believes the State wants to fund this project. It's a "points game" until March 12. A commercial grant is a two-year contract. As long as this grant is current they can apply for another ED grant next year. Draft rules are in the works for rule changes; one of those changes is that they were able to apply for neighborhood and commercial grants at the same time, and if both were fundable, they had to choose one or the other. Under the new rule, it states that if you are going to apply for a Commercial grant, you can't apply for a Neighborhood or Housing Grant, and you have to make a decision on what to apply for going in. They can apply for Housing and Neighborhood, but with Neighborhood grants being so competitive, you will have to have plans and specs going in.

Commissioner Kitchens said the CATF, when they last met, prioritized housing grants as the number one priority. Mr. Fox said a Housing grant, when scores reset, is fundable. The State is reducing funding in Economic Development and Neighborhood Revitalization categories in order to raise the funding percentage for Housing grants. Commissioner Leary noted HUD is way behind in their part in the "scores resetting" process, and suggested asking Commissioners to contact their congressional representatives to hurry the HUD process along. Commissioner Brown said they need to invite HUD representatives from Atlanta here to see if they can inspire them to pump some money into the community.

Mayor Myers opened the Public Comment portion of the Hearing. There being no one offering comments, the public hearing was closed.

Commissioner Leary moved to send a request to DEO to waive the grant limit of \$750,000. Commissioner Brown seconded the motion, which passed unopposed. Commissioner Leary moved to direct Staff to work with the consultant to develop a CDBG application for "the Terminal Project" in the Economic Development category. Commissioner Kitchens seconded the motion, which passed unopposed.

5. **DISCUSSION – FY 2015-2016 Budget** – Tim Parker, Putnam Co. Property Appraiser, 312 Oak Street, said Eddie Kurth from Cape Coral is the new Director of Real Property at his office. Taxable property values have increased in 2014. Activity based on sales tax collected has increased. Values in the South Historic District have increased more than 4% over the past two years. The total ad valorem increase is projected to be around 1% or a little less. Tonight he is requesting the Commission take action to adopt an ordinance granting an additional homestead tax exemption for those individuals who are over 65 years of age, have lived in their homes for over 25 years, with a home value of under \$250,000, with adjusted gross income of under \$27,944. There are 82 people in the City that would benefit from this exemption at this time. This will remove around \$13,000 from tax receipts. The ordinance needs to be adopted by December 1 and will apply to the FY 2015-16. Commissioner Leary moved to direct Staff to draw up an ordinance to adopt this homestead exemption. Commissioner Kitchens seconded the motion, which passed unopposed.
6. **BUSINESS INCUBATOR UPDATE** – Shirley Edwards and Vice Mayor Brown – Commissioner Brown said she received authorization from the Commission to move forward with research on bringing a business incubator to Palatka. She received information on a grant from Congresswoman Brown. Shirley Edwards has agreed to work on this grant application.

Shirley Edwards, 100 Elm Street, updated the Commission on the task given her to help bring a business incubator to Palatka. She read from a letter she distributed to the Commission (filed), which provided her update. Phase I is to prepare, or “get ready.” On July 14 she met with Jackie Perry, Executive Director of Beaver Street Enterprises, which uses the selected “model program. He has experience with this program in her former capacity as Assistant to the director of Fresh Ministries, the agency the Beaver Street Enterprise was “borne” from. She is requesting an advisory meeting between Ms. Perry and the Commission be scheduled after August 19th. They are actively recruiting potential partners and researching grants, and soliciting assistance from local grant writers. She is planning a luncheon/seminar facilitated by Ms. Perry entitled “Why Palatka Needs a Business Incubator” to solicit aid and introduce the concept to potential small business owners. Her target for this is late October. Commissioner Brown said she has solicited support from community and business leaders regarding putting a strong board together. She has kept the City Manager abreast of their activities. There was consensus schedule a workshop on the matter at 4:00 p.m. on September 11 prior to the CRA meeting.

7. **REVIEW OF CITY OF PALATKA FALSE ALARM ORDINANCE** – Annual Registration Fees - Gary Getchell, Police Chief, said Captain Matt Newcomb is responsible for the False Alarm program. They were asked to take a look at statutory changes to false alarm regulations and the City's program. A Power Point presentation was shown regarding statistics and successes of the City's program. Following this, a discussion on possible options will be held.

Chief Getchell said many communities have false alarm programs. In 2001 they found that false alarms was their #2 call for service, which has a response time of 20 minutes or more, requiring 2 or more officers per call. Nineteen percent of their service was false alarms, which equated to a cost of \$93,000 to do nothing but respond to false alarms. The #1 call for service in 2001 was nuisance 911 calls, and still is today. They looked at what they could do to free up police personnel to do community policing and other things. The false alarms are also considered a “nuisance call.” They brought this to the Commission, and according to the direction they received, they spent the next 18 months educating the community on the impact false alarms had on the Force. They found there was no change in the numbers, in spite of their massive public education process. They put together a focus group of community members and alarm companies, and brought forth an ordinance, which was put in place. In 2011 they brought forth

Captain Newcomb said the numbers for this presentation were generated from calendar year 2013 for alarms for both registered and unregistered residential and commercial calls. There has been a steady decrease in calls for service from 2003 – 2013, or since the program was initiated. As to why they require initial registration of the system and yearly re-registration, he said there are many new owners and absentee owners in town. Tenants and owners change from year to year. There are various alarm monitoring companies that offer different programs and response types. People change alarm providers from year to year. Sometimes there are new key-holders, and sometimes there are new systems. The registration/re-registration fee in Palatka is \$25 per year. A slide was shown showing comparative surrounding counties/cities and fees charged. Captain Newcomb said out of 3,993 residences within their jurisdiction, in 2013 there were 277 registered residential accounts and 183 false alarms that came from non registered account holders. Commercially, there were 305 registered alarms and 75 false alarms from non-registered systems. This totals to 582 registered alarm systems, and 258 false alarm activations by non-registered alarm systems. Sixty of the registered residential alarm systems had false alarm activations. 114 of the commercial registered alarm systems had false alarm activations. A slide entitled Registered Residential and Commercial Accounts showed revenue generated by fees for residential systems in 2013 was \$6,925, and \$7,625 for commercial. The fees collected go into the General Fund. In the 2004 alarm ordinance, registrations were required to pay \$25.00 initially. If there were no false alarms, you could re-register with no fee. They found that if there is no fee associated with the registration, they forget to register, and if there is a false alarm without being registered, it's a \$100 fee. People receive a letter 60 days prior to the expiration of the year. People are notified that if they do not reregister and have a false alarm, they will be charged \$100. Registered alarm holders are allowed 3 free activations without a fine.

Commissioner Brown asked if PD personnel can call alarm holders to ask if they still have their alarm. Chief Getchell said they subcontracted the alarm program to a 3rd party service provider in order to save money. They don't know when someone sells a property; if there is an alarm activation and they respond, the system is not registered. Sometimes even the alarm company doesn't have the information on a new owner. The purpose of the re-registration is to keep up with the property and alarm system. People won't re-register if there is no recurring cost. They can suggest a waiver or rebate of fees for compliance upon request. Discussion ensued regarding an automatic rebate for those who keep their registration current. A slide was shown on revenue loss for rebates of re-registration fees on accounts with no false alarms for the year based upon 2013 figures.

Chief Getchell presented concepts on modifications to the program. He said recently Commissioner Leary provided them with a statute they were unfamiliar with. The statute apparently dictates they go back to issuing stickers, and there is a cost associated with purchasing and issuing stickers. There is a cost to everything they do. If fees are waived, the City will have to absorb those costs. The program has earned the City a \$56,000 savings per year. On the end side, if people don't re-register, they get a \$100 fine. They have a 10 day grace period on that fine; if people come in and bring their account current, they will waive that fine. Only one re-registration reminder notice goes out per year. There is quite a turnover of people in houses and businesses. The alarm company sends the notice to the last known person and/or address they had on record. It either comes back as undeliverable, or it is delivered to the new resident but is addressed to the former resident or owner and not opened. They pay 19% of the revenues generated by the program to PMAM for servicing the program.

Chief Getchell said there are a lot of people that don't pay their alarm registration, don't register their alarm system, refuse to register, and don't pay their fines, which accumulate and get turned over to collection. Commissioner Brown asked if someone in his department can absorb the

duty of administering this program? Chief Getchell said since 2008 he's lost four officers and five civilian personnel. They outsourced it because he doesn't have the personnel. Commissioner Leary said if they do that they will have to raise the fees to pay for the personnel.

Chief Getchell said they can do away with the false alarm program if you force the alarm companies and owners of alarms to verify that a crime is occurring, and only respond to verified crimes. This means alarm owners and system providers will have to change out their current system to a more expensive system. There is audio and visual technology available to determine if a crime is being committed. State statute requires the alarm company to call the keyholder of record before they call for service. He doesn't know if this happens. There is usually a significant delay in time from activation to a dispatch. They experienced a 14 minute delay several nights ago; the delay was at the alarm company level. They could drop the registration fee. They will follow whatever policy the Commission sets. Chief Getchell was asked by consensus to present a list of options at a future meeting. Options for changes to reduce or eliminate registration fees were discussed. There was consensus to allow fines for non-compliance to stand.

8. **RESOLUTION** approving the execution of a "Modification of Covenants and Restrictions" to the recorded warranty deed conveying city-owned property at 100 Memorial Drive to SHP Hospitality, LLC - Adopt – *Item Tabled on July 24, 2014* – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE EXECUTION OF A 'CORRECTIVE' WARRANTY DEED AND MODIFICATION OF COVENANTS AND RESTRICTIONS CONTAINED IN THAT CERTAIN WARRANTY DEED GRANTING AND CONVEYING THE PROPERTY DESCRIBED AS "AREA 3" IN CITY OF PALATKA RFP 13-002, MORE COMMONLY KNOWN AS THE FORMER FRANK GEORGE APARTMENTS SITE, 100 MEMORIAL DRIVE, TO SHP HOSPITALITY, LLC, AS RECORDED IN OR BOOK 1374, PAGES 1977 THROUGH 1983, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA, AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE RECORDING OF THE 'CORRECTIVE' DEED AND MODIFICATION OF DEED COVENANTS AND RESTRICTIONS. Commissioner Leary moved to adopt the resolution as read. Commissioner Norwood seconded the motion. Mr. Holmes said all changes have been made and are included in the Agenda item distributed (filed). The end result is a more understandable, logical and efficient deed. The legal description changes came about due to the loan process; there has to be an insurance policy on the loan. They pared 19 pages of documents down to three or four pages. This is a \$3.5 million loan. There being no further discussion and no comment, a roll-call vote was taken, with the followings results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.
9. **RESOLUTION** awarding the construction bid for the Southern Airport General Aviation Improvements project to Hercules Fence Company in the amount of \$55,235.00 per the results of a Request for Proposals – Adopt – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AWARDED A BID TO HERCULES FENCE COMPANY IN THE AMOUNT OF \$55,325.00 FOR THE SOUTHERN AIRPORT GENERAL AVIATION FENCING RELOCATION PROJECT. Commissioner Brown moved to adopt the Resolution as read. Commissioner Kitchens seconded the motion. There being no discussion or comment, a roll-call vote was taken, with the followings results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

PUBLIC HEARINGS

10. **DRAFT ORDINANCE** repealing the Public School Facilities Element of the Comprehensive Plan – *Planning Board Recommendation to Transmit Draft Ordinance to state agencies for review* –

Clerk read the ordinance. The Clerk read a draft ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REPEALING THE PUBLIC SCHOOLS FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN PLANNING AS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE. Mayor Myers opened the Public Hearing. There being no public comment offered, Mayor Myers closed the public hearing. Commissioner Leary moved to transmit the draft ordinance as read to state agencies for review. Commissioner Brown seconded the motion, which passed unopposed.

11. **ORDINANCE** amending Zoning Code Section 94-141 (e)(6) to allow home occupations with staff approval after notice of surrounding property owners within 150 feet, and Planning Board review if opposition is expressed or staff's decision is appealed – 1st Reading – The Clerk read an Ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ALLOWING HOME OCCUPATION APPROVAL BY STAFF WITH NOTICE PROVIDED FOR SURROUNDING PROPERTY OWNERS AND APPEAL OF STAFF DECISION TO PLANNING BOARD; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading as read. Commissioner Leary seconded the motion. There being no comment or discussion, a roll-call vote was taken, with the followings results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

12. **CITY MANAGER & ADMINISTRATIVE REPORTS**

Mr. Czymbor said a USDA check presentation ceremony will be held on August 19 at 10:00 a.m. at the golf course. USDA officials will be on hand to present a check to the City for the restaurant facility improvements grant.

Mr. Czymbor said he has submitted the proposed annual budget. They've held two workshops on this and will probably need to hold another budget workshop in August. He proposes they meet the week of August 18th. Notice will be sent when the date and time are set. Commissioner Norwood asked to include budget workshops when setting the Annual Commission Calendar.

Jonathan Griffith said the Southern Riverfront Improvement project is moving forward as scheduled. They will start seeing more landward activity next week.

13. **COMMISSIONER COMMENTS**

Commissioner Brown said they will hold their Palatka Pride volunteer force organizational meeting at the Price Martin Community Center on August 18th at 6:00 p.m. There are flyers and letters going out around the community.

Commissioner Norwood said he'd like the City to put more emphasis on its parks. The Riverfront Park improvements made two to three years ago need attention. All parks need to be mowed, edged and weeded. Commissioner Leary suggested recruiting volunteers. He noted the shrimping going on at the docks is creating a mess and is not what the docks were designed and built for. This is creating a hazard. Mayor Myers said some shrimpers are irresponsible and most are not even residents of the City. This may be alleviated once the dock master program is in place. Discussion ensued on signage and enforcement of approved shrimping locations.

14. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 8:18 p.m. upon a motion 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