

**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**  
October 9, 2014

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 9<sup>th</sup> day of October, 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; and Fire Chief Mike Lambert

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

**INVOCATION** – The Reverend Eddie Parcher, Associate Pastor; First Baptist Church of Palatka

**PLEDGE OF ALLEGIANCE** – Finance Director Matt Reynolds

**APPROVAL OF MINUTES** – 9/25/14 Regular Meeting – Commissioner Norwood moved to adopt the minutes as read. Commissioner Leary seconded the motion, which passed unopposed.

**APPROVAL OF MINUTES** - 9/25/14 Workshop – Commissioner Kitchens moved to adopt the minutes as read. Commissioner Brown seconded the motion, which passed unopposed.

**PUBLIC RECOGNITION/PRESENTATIONS:**

**PROCLAMATION** – Red Ribbon Week – October 23 through 31, 2014 – Beverly Baird and Kaitlyn Miller, instructors at Palatka High School, as well as students Angelique Brown and Chris McKay, members of PHS Key Club, were present to receive the Proclamation, which was read and presented by Mayor Myers. Mr. McKay and Ms. Brown spoke about Red Ribbon Week, its origins and purpose, as well as local events. Mrs. Miller said there will be a Red Ribbon Carnival at PHS on October 31. Mrs. Baird encouraged local businesses to make donations to the carnival and invited the public to come out and participate, and make the carnival a success.

2. **PUBLIC COMMENTS** – There were none.

3. **CONSENT AGENDA**

- a. **Adopt Resolution No. 2014-10-123** authorizing the City Manager and City Clerk to execute and attest a Joint Participation Agreement with Florida Department of Transportation for design and construction of T-Hangars and bulk hangars, drainage, permitting, surveying, testing, project management and inspections at the Palatka Municipal Airport (100% REDI funding)
- b. **Adopt Resolution No. 2014-10-124** urging the US Congress to adopt a proposed bill to provide amounts from the recent settlement between the Department of Justice and Bank of America for assistance for Florida cities under the Neighborhood Stabilization Program
- c. **Adopt Resolution No. 2014-10-125** authorizing the execution of an agreement between the City of Palatka and Grace Fellowship (Church) authorizing the use of parking facilities at Shaw Buck Park for church overflow parking in exchange for lawn maintenance services
- d. **Set Halloween Trick or Treat Date and Time** for Friday, October 31, 2014 from 6:00 p.m. to 8:00 p.m.
- e. **Introduce Form 8B, Memorandum of Voting Conflict** into the record filed by Commissioner James Norwood, Jr. for votes taken September 11, 2014 (Agenda Item 7) and September 25 (Agenda Item 6)

Commissioner Leary moved to approve all items on the Consent Agenda as proposed. Commissioner Norwood seconded the motion, which passed unopposed.

4. **REQUEST** for Police ticketing practices and Red Light Camera policy changes – Neil Letts – There was no action taken on the request as Mr. Letts was not present.

**PUBLIC HEARINGS**

5. **ORDINANCE** establishing regulations for illegal drug manufacturing sites – 1<sup>st</sup> Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 18, ARTICLE X OF THE CODE OF ORDINANCES TO ESTABLISH REGULATIONS FOR THE DECONTAMINATION OF ILLEGAL DRUG MANUFACTURING SITES; CREATING DEFINITIONS, PROVISIONS FOR THE DETERMINATION OF PROPERTY AS BEING UNSAFE BECAUSE OF USE AS AN ILLEGAL DRUG MANUFACTURING SITE; ESTABLISHING PROCEDURES FOR OWNERS OF SUCH PROPERTIES; PROCEDURES FOR ASSESSMENT, DECONTAMINATION, SAMPLING AND TESTING; PROVIDING FOR THE DISPOSAL OF UNSAFE CONTENTS; PROVIDING FOR THE DESTRUCTION OF UNSAFE PROPERTIES, REQUIRING DISCLOSURE OF THE SALE OR TRANSFER OF SUCH PROPERTIES; SETTING FORTH REGULATIONS FOR LICENSING AND REGULATION OF DRUG LABORATORY DECONTAMINATION CONTRACTORS, INCLUDING PROVISIONS FOR THE DENIAL, SUSPENSION AND REVOCATION OF DRUG LABORATORY DECONTAMINATION CONTRACTOR LICENSES; PROVIDING FOR THE ASSESSMENT OF FINES AND FEES; AND AMENDING APPENDIX "A", FEE SCHEDULE OF THE CODE OF ORDINANCES TO INSERT FINES AND FEES PERTAINING TO THIS SECTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading as read. Commissioner Kitchens seconded the motion.

Police Chief Gary Getchell spoke of the history of seizure of properties where Meth Labs were discovered in the City of Palatka. These were on-site labs; not mobile labs located in cars. Methamphetamine is a schedule 2 controlled substance and more potent than amphetamines. You can make Meth with chemicals purchased from local pharmacies and anyone can produce it. The "cooking" of these chemicals can be very dangerous and creates contamination of properties where it is "cooked." This ordinance holds the property owner accountable in cleaning

up the by-products of cooking these hazardous chemicals, which "impregnate" the environment and provides regulations for clean-up. It gives the building inspector the power to inspect these properties after the initial clean-up, and gives the Inspector the power to condemn a property until it is cleaned up by a licensed clean-up contractor. They used Jacksonville's ordinance as a model, but it has been modified to fit the community. They looked at ordinances from six other communities when crafting this ordinance. The cost of clean-up is borne by the owner. The cost for chemical removal can run into the tens of thousands. Most of the cost of chemical removal is borne by the DEA. The City has an astronomical liability if that cost is shifted to local government.

Following discussion regarding cost of clean-up, health and safety considerations, and exposure levels, a roll-call vote on the motion was taken, with the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared passed on first reading.

6. **ORDINANCE** establishing local regulations for the manufacture and sale of synthetic drugs – 1<sup>st</sup> Reading - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROHIBITING THE POSSESSION, SALE, OR MANUFACTURE OF SYNTHETIC DRUGS; PROVIDING A STATEMENT OF INTENT; PROVIDING FOR A TITLE; DEFINITIONS; DETERMINATION OF A PRODUCT WHICH CONSTITUTES A SYNTHETIC DRUG; PROHIBITED ACTS; LABORATORY ANALYSIS; ENFORCEMENT AND PENALTIES; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY, CODIFICATION, AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to pass the ordinance on first reading as read. Commissioner Leary seconded the motion.

Police Chief Gary Getchell said they were asked by FDLE to bring this and the preceding ordinance to the Commission, as this ties up "loopholes." These drugs are illegal, but manufacturers can change one chemical and it skirts the Statute. This ordinance ties up the loopholes. These are produced as "legal" substitutes for marijuana, heroin, ecstasy and amphetamines, among other illegal street drugs. Under most circumstances the statute would apply. Many "storefronts" sell these "under the counter." They deal with these as Code violations. He hopes for voluntary compliance in the City. In the absence of this legislation, due to packaging, a minor or anyone could conceivably go in and buy these drugs. Commissioner Norwood noted the Florida League of Cities is pushing for passage of local ordinances dealing with synthetic drugs and meth contaminated properties. It was noted that Pam Bondi, Florida's Attorney General, is actively working to rid Florida of these synthetic drugs.

There being no further discussion, a roll-call vote on the motion was taken, with the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared passed on first reading.

7. **CITY MANAGER & ADMINISTRATIVE REPORTS**

Mr. Czymbor said last night the City received notice of award of a Commercial Development CDBG Grant for Phase III of Southern Riverfront Improvements in the amount of \$750,000.

Mr. Czymbor said he, Mayor Myers and Mr. Griffith will appear Tuesday before the County Commission to make a formal request for the County to participate in the Southern Riverfront Improvements for the boat ramp. They will be taking the request for fishing improvement funds and Parks & Rec funds.

Mr. Czymbor said he attended the Lunch & Learn session today on the Business Incubator, which was very well attended, and met Ms. Jackie Perry. They hope to build on that success.

Chief Getchell said the PD's Citizens Firearms Training Program is scheduled for October 24 (evening classroom instruction) and October 25 with training at the Gun Range.

**8. COMMISSIONER COMMENTS**

Commissioner Leary said he spoke with Governor Scott last week and discussed economic development in Putnam County with him, and asked for help with Enterprise Zoning and funds for start-up businesses. He spoke with him about working to get the Shands Bridge raised in order to attract marine construction to the area.

**9. ADJOURN –** There being no further business to discuss, the meeting was adjourned at 6:42 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