

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

JAMES A. GRIFFITH
INTERIM 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
January 22, 2015

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 22ND day of January, 2015.

PRESENT:	Mayor	Terrill L. Hill
	Commissioner	Mary Lawson Brown
	Commissioner	Rufus Borom
	Commissioner	Justin Campbell
	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; Interim Police Chief James Griffith; Assistant Fire Chief Mark Lynady; Planning Director Thad Crowe; Airport Manager John Youell, and Main Street Manager Charles Rudd

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

INVOCATION – The Reverend Don Hanna, Pastor, St. James United Methodist Church of Palatka

PLEDGE OF ALLEGIANCE – Don Holmes

APPROVAL OF MINUTES – 01/08/15 – Commissioner Brown moved to adopt the minutes as read. Commissioner Norwood seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS

PROCLAMATION – March of Dimes Fundraising Days – January 20 thru April 11, 2015 - Linda Myers, 2015 March for Babies Chairperson, and Jamie Bartholomew, N. Fla. Executive Director, March of Dimes, were present to accept the Proclamation, which was read and presented by Mayor Hill. Mrs. Myers said the campaign is all about building strong healthy families by promoting the birth of healthy babies. Birth defects have a high cost to communities. Her goal is to raise \$139,000 through community fundraisers. Mrs. Bartholomew said fundraising kicked off on Tuesday, but the community has already raised over \$10,000. She thanked the Community for its support of this event, noting since 2002, Putnam County has raised over \$100,000 each year. March of Dimes is there for every baby, as research funded by March of Dimes has improved pre and post natal care to make sure babies are born and remain healthy.

STUDENT OF THE MONTH – January, 2015 – Commissioner Borom joined Mayor Hill in presenting certificates of award to the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

Angel Smock
Savannah Hodge
Kylee Holbrook
Joseph Trowell
Summer Bishop
Kaaliyah Roberts
La'Rodrae Graham
Addison Rowe
J'aujohnae McDonald
Lauren Futch
Shaeley Jenkins
Samuel Santana
Karina Ortiz-Lebron

Browning-Pearce Elementary
C. L. Overturf, Jr. 6th Grade Center
Children's Reading Center Charter School
E. H. Miller School
James A. Long Elementary School
Jenkins Middle School (December Honoree)
Kelley Smith Elementary School
Mellon Elementary School
Moseley Elementary School
Palatka High School
Peniel Baptist Academy
Putnam Academy of Arts & Sciences
Putnam EDGE High School

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

3. **CONSENT AGENDA**

- a. **Adopt Resolution No. 2015-11-04** awarding the construction bid for the Airport Hangar Construction Project to Scherer Construction of N. Fla, LLC in the amount of \$1,219,966.00
- b. **Adopt Resolution No. 2015-11-05 authorizing execution of Passero Associates WO #15-45R**, in an amount NTE \$120,000 for Construction Administration, Resident Engineering, Inspection & Quality Assurance Material Testing for the Hangar Construction Project at the Palatka Municipal Airport
- c. **Adopt Resolution No. 2015-11-06** authorizing the submittal of an application for Federal Aviation Administration (FAA) Grant for the Design, Environmental Review and Permitting of Airport Obstruction (Tree) Removal, and authorizing the City Manager and Clerk to execute and attest the final FAA Grant Agreement and all associated documents
- d. **Make Annual Golf Course Advisory Board Appointments:** Wilson Edwards and Jim Roach for PMGA; Joyce Oliver and Gen Alvers for PWGA for one year terms to expire January, 2016
- e. **Reappoint Kathy Griffin to the Community Redevelopment Agency as DPI Representative Member** for a four-year term to expire December 31, 2018

Mr. Czymbor stated Item 3(a) is being pulled for a presentation. Commissioner Brown moved to pass Items 3(b) through (e) on Consent as presented by staff. Commissioner Campbell seconded the motion, which passed unopposed.

- 3(a). **Adopt Resolution No. 2015-11-04** awarding the construction bid for the Airport Hangar Construction Project to Scherer Construction of N. Fla., LLC in the amount of \$1,219,966.00 – Andrew Holesko, Airport Engineer, said this is an award for four of six hangar improvement projects. They will continue to seek FDOT funding for the final two components that are not being awarded tonight. This is for construction of new hangars and improvements to existing hangars, for a total of 12 new and improved hangars at the Airport. There are 30 names currently waiting on hangars to come open. Commissioner Brown thanked Mr. Holesko and Passero Associates for the strides the airport has made since his firm has come on board as Airport Engineers. They are preparing the City to be able to take on jet traffic. The Fly-in is coming up on January 31. She'd like to recognize the Airport Advisory Board members at the February 12 meeting. Mr. Holesko said they expect this to be under construction within 30 days; this is a six to nine month project. Commissioner Norwood moved to adopt the Resolution as presented on Consent Agenda. Commissioner Brown seconded the motion, which passed unopposed.

4. **PRESENTATION/REPORT** regarding Advanced Plasma Arc Gasification to Energy (APAGE) Proposal to Putnam County BOCC – Garry McIntyre, President, APAGE, Inc. – Mr. McIntyre was not present for his presentation.

5. **CITIZEN REQUEST** for police ticketing practices & red light camera policy changes – Neil Letts, 160 Little Orange Lake Drive, Hawthorne, said the red light cameras are a step backwards for Palatka. He was ticketed for making a right turn at Palm & Crill. He has been making right turns on red lights since he was 15 years old; he is now 80 years old. Rolling stops are commonly done. He gave them a copy of the applicable statute concerning ticketing for right hand turns on red (filed). It states a Notice of Violation cannot be issued to drivers making a right hand turn in a “careful and prudent manner.” Larger cities will allow turns at 15 mph. He appealed his ticket but only tickets where people stopped completely on r/h turns were thrown out. This has created a situation where a crime is created where none exists. The cameras have nothing to do with safety. People can’t afford this kind of fine. He hasn’t killed or injured anyone in 60 plus years of driving. He urges the City to shut the cameras down. \$250 is a lot of money. This undermines the trust of good citizens.

Commissioner Norwood noted that, in Mr. Letts’ agenda request, he asks that the City revise its red light policy. He asked if officers review all red light camera infractions.

James Griffith, Police Chief, said they do. Commissioner Norwood asked if they should be ticketing individuals when they make a stop at the light and then turn right; Chief Griffith said it is not their policy to ticket those who stop before turning right on red. Commissioner Norwood said he knows of at least two people who came to a stop, but received and paid a ticket. Mayor Hill said the law states one has to use “prudent care” when turning right on red. “Prudent care” is subject to interpretation, but one doesn’t have to stop.

Mr. Letts said he did appeal his ticket but lost his appeal. When he was young you couldn’t turn right on red, period, but when he was 15 they changed the law to state you can turn after yielding to traffic that has the right of way. If the visibility is good, there is no reason to stop completely behind the line, which has no value. If you want to see traffic coming in both directions, you have to pull forward of the line. There should be no reason why you can’t make a safe right turn without stopping behind the line. Mayor Hill said the law states you have to use care when turning. He is not a proponent of red light cameras, but they do have to follow State law. They are examining this issue and have asked the City Attorney to look at the contract. Mayor Hill asked Chief Griffith to review the matter and get with the City Attorney.

Mr. Holmes said he has been asked to look at the contract with ATS to see if it’s possible to declare the contract void under contractual provisions without incurring a penalty. If they can’t do so, and they terminate the contract, they will owe the contractor a lot of money. He is not aware of a single municipality in the State who has declared their contract void and walked away from it. Many are talking about it. Flagler County is asking a court to declare its contract void. The downside is you would have to pay a penalty of about \$800,000, which the City doesn’t want to do. Mayor Hill asked Mr. Holmes to look at suspending ticketing for right turn on red.

Askew Vickers, 207 N. 18th Street, Palatka, said Chief Getchell said specifically during a meeting that the City wouldn’t have to pay a penalty for removing the cameras if they decided to have them removed. He asked if anyone recalls his statement. Mr. Holmes said this is moot; the contract states there is a cost of around \$800,000 to get out of the contract. Mayor Hill asked Mr. Letts to stay after the meeting to discuss the matter.

6. **RESOLUTION** authorizing the submittal of an application to the FDEP for the City’s Waste Water Treatment Plant upgrades project (bio-solids treatment system) to be included in the priority list for the Clean Water State Revolving Fund loan program – Adopt – the Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, REQUESTING THE INCLUSION OF CITY’S WASTE WATER IMPROVEMENT PROJECT ON THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND PRIORITY

LIST. Commissioner Norwood moved to adopt the Resolution as read. Commissioner Brown seconded the motion. There being no comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The Resolution was declared adopted.

7. **RESOLUTION** authorizing execution of a Letter of Understanding with the Palatka Housing Authority regarding the development and construction of single-family housing units on 923 and 913 Laurel Street plus two others lots in the City of Palatka, and reconsideration of certification of the PHA's Annual 5-year Plan FY 2015-2019 – Adopt – *(tabled during regular session on 1/8/15)* – **STAFF RECOMMENDATION TO CONTINUE TO FEBRUARY 12, 2015** – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF UNDERSTANDING WITH PALATKA HOUSING AUTHORITY REGARDING THE RECONSIDERATION OF THE CITY OF PALATKA'S EXECUTION OF THE AUTHORITY'S ANNUAL AND 5-YEAR PLAN FY 2015-19 TO CERTIFY ITS COMPLIANCE WITH THE CITY OF PALATKA'S ADOPTED COMPREHENSIVE PLAN, AND THE DEVELOPMENT OF SINGLE-FAMILY HOUSING UNITS AT 913 AND 923 LAUREL STREET PLUS TWO OTHER UNITS ON PROPERTY LOCATED WITHIN THE CITY OF PALATKA. Commissioner Norwood moved to continue the matter to February 12. Commissioner Brown seconded the motion.

John Nelson, PHA, 400 N. 15th Street, said the PHA has received two extensions to filing its Annual Plan based upon the Commission's action to scheduled workshop which did not occur and won't occur until the 26th of January. If they hold a Commission meeting on February 12th to discuss the results of the workshop, this will put the PHA in jeopardy of violating HUD requirements. He could probably go back to HUD and ask for another extension, but doesn't believe he should as the workshop did not occur last week. He asks that the City hold an emergency meeting following the workshop to take action on this matter. Mayor Hill asked Mr. Nelson to apply for a further extension. Mr. Nelson said the present extension is to February 6. He is not opposed to asking, but asks that the Commission consider holding an emergency meeting following the workshop.

Commissioner Norwood moved to amend his motion to continue the adoption of the Resolution until February 12th, unless further extension is not granted by HUD, in which case the matter should be considered at a special meeting to be called prior to February 6th to consider these matters. Commissioner Campbell seconded motion. There being no further comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The motion was considered amended and passed.

8. **RECONSIDERATION of Motion excluding Paragraph 7 from inclusion in execution of Palatka Housing Authority's Annual Forms: Determination of Exemption & Categorical Exclusion, 24CRF 58.34(a) and 58.35(b) on behalf of Palatka Housing Authority's Site Improvements FY 2015-2019 CFP AMP 11, 12 & 15, and certifying its consistency with the City's Comprehensive Plan – Commissioner James Norwood – *(Continued from January 8, 2015 meeting)* – **STAFF RECOMMENDATION TO CONTINUE TO FEBRUARY 12, 2015** – Commissioner Norwood moved to continue this matter to 12 February unless an extension to file the PHA's Annual Plan is not granted by HUD, and there is a need to call a special meeting to consider this matter prior to February 6th. Commissioner Campbell seconded the motion, which passed unopposed.**

PUBLIC HEARINGS

9. **ORDINANCE** – Planning Board Recommendation to amend Municipal Code Chapter 54, Article II, to amend membership, duties and responsibilities of the Palatka Planning Board – 1st Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 54, ARTICLE II OF THE PALATKA MUNICIPAL CODE TO REVISE MEMBERSHIP, ORGANIZATION, DUTIES, AND VARIOUS OBSOLETE AND OTHER RULES GOVERNING THE CITY PLANNING BOARD; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading as read. Commissioner Brown seconded the motion. Mayor Hill opened the floor for public comments; there were none.
- Thad Crowe, Planning Director, said the Planning Board felt it necessary to amend the Code to more accurately reflect the board's duties. Currently there are eight members on the Planning Board, so they are asking that the membership be reduced to eight. In order to reduce the membership to seven, they will do so by attrition. When a member drops off, they will bring a request to further amend the membership to seven. There being no further comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The Ordinance was declared passed on first reading.
10. **ORDINANCE** – Planning Board Recommendation to Rezone 110 Kay Larkin Drive from C-2 (Intensive Commercial) to R-3 (Multiple-Family Residential) – Southern Medical Associates, Inc., owner – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF PALATKA, FLORIDA BE AMENDED FROM C-2 (INTENSIVE COMMERCIAL) TO R-3 (RESIDENTIAL MULTI-FAMILY) FOR THE FOLLOWING PROPERTY: 110 KAY LARKIN DRIVE (SECTION 03, TOWNSHIP 10 SOUTH, RANGE 26 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the Ordinance as read. Commissioner Campbell seconded the motion. There being no public comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The Ordinance was declared adopted. Commissioner Brown said they need to remind people that as the Airport is growing, when they put apartments and housing in that area, people need to be reminded that there will be airport noise in that area. They cannot stop the Airport's growth or the City's progress.
11. **ORDINANCE** – Planning Board Recommendation to amend Zoning Code to allow for reduced parking space size for non-public parking – 2nd Reading, Adopt – The Clerk read an Ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REDUCING PARKING SPACE DIMENSIONS TO NINE FEET BY EIGHTEEN FEET FOR NON-PUBLIC PARKING; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. Commissioner Brown seconded the motion. There being no public comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Borom, Brown, Campbell, Norwood and Mayor Hill, yes; Nays, none. The Ordinance was declared adopted.
12. **DISCUSSION** – Commissioner Liaison & Representative appointments beginning January, 2015 – Commissioner Campbell asked that Former Commissioner Kitchens be asked to accept an appointment as member/Commission Liaison to the Tree Committee.

Allegra Kitchens, 1027 S. 13th Street (check this), said she was contacted by the Clerk and asked to put in her application for the Tree Committee, and has considered it. She stated she will accept that appointment. Commissioner Campbell moved to appoint Allegra Kitchens as

Member/Commission Liaison to the Palatka Tree Committee. Commissioner Brown seconded the motion, which passed unopposed.

Commissioner Brown moved to appoint Mayor Hill as the City Commission's representative to Downtown Palatka, Inc., and Commissioner Borom as SJRWMD Liaison. Commissioner Campbell seconded the motion, which passed unopposed.

13. CITY MANAGER & ADMINISTRATIVE REPORTS

Mr. Czymbor said at the January 8th Commission meeting, the Commission stated its interest in considering amending the Code to require smaller parking spaces throughout the City. Mr. Crowe will be bringing that back to the Commission in the form of an ordinance for first reading.

Mr. Czymbor said the Palatka Housing Authority workshop is scheduled for Monday at 5:30 p.m.; he has notified the County and other interested groups, who have stated their desire to attend and provide comments.

Mr. Czymbor said the Airport Fly-In has been moved to January 31st. Hopes everyone will attend.

John Youell, Airport Manager, distributed revised Fly-In posters and noted the decision to move the Fly-In to January 31st was made due to weather conditions. The rain expected for Friday and Saturday morning will turn the overflow parking into mud and the planes will not be able to fly in.

Mr. Youell noted they now have a classic aircraft, a 1929 tri-motor, the country's first commercial airliner, on display at the Airport. It has been restored and was brought here for the Fly-In. This airplane is a classic relic. As to prices for airplane rides during the Fly-In, those are listed on the flyer as \$75 for walk-ups for adults; and \$50 for children under 17. You can save \$5 by purchasing the tickets on-line. There is a bi-plane and helicopter also selling rides.

Assistant Fire Chief Mark Lynady said the 9th Annual Continental Fire Prevention Golf Tournament is scheduled for March 28th. Funds raised from this tournament purchases fire education supplies. They are looking for players and volunteers for the tournament.

Charles Rudd, Main Street Manger, said the Downtown Wine Stroll is scheduled for Saturday.

14. COMMISSIONER COMMENTS

Commissioner Norwood said there are a lot of projects currently on-going, like construction of the hotel and environmental center. He asked the City Manger to provide a brief summation as to the status of the projects at each meeting so the public will be informed and the Commission will know of any issues that should be addressed.

Commissioner Brown said the Pride of Palatka group will meet January 26 at 12:00 noon at the Police Department. They want to schedule a work-day on January 31.

Commissioner Brown said Representative Van Zant said he can meet with the Commission on January 29 at 9:00 a.m. Consensus for members to check calendars for availability.

She distributed an e-mail she received from the Florida League of Cities regarding state grants available and distributed that email (filed). As she finds more she will pass those along.

Mayor Hill said he met with the Florida Grape Growers Association, which had about 70 members come to Palatka to hold their annual conference. They came from as far away as Maine and New Jersey. Florida A&M brought in their horticultural department. This group is enthusiastic about coming back to Palatka for their 3rd conference.