

TERRILL L. HILL
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



CITY of *Palatka* FLORIDA

Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

TERRY K. SUGGS
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

JASON L. SHAW, SR.
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

MINUTES CITY OF PALATKA February 11, 2016

Proceedings of a Regular meeting of the City Commission of the City of Palatka, Florida, held on the 11th day of February, 2016.

PRESENT:

Mayor	Terrill L. Hill
Commissioner	Mary Lawson Brown
Commissioner	Rufus Borom
Commissioner	Justin Campbell
Commissioner	James Norwood, Jr.

Also Present: City Manager Terry Suggs; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Police Chief Jason Shaw; Fire Chief Mike Lambert; Planning Director Thad Crowe; Airport Manager John Youell, Grants Administrator Jonathan Griffith

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

INVOCATION & PLEDGE OF ALLEGIANCE - The Reverend Chad Perry, Pastor; The River Community Church

APPROVAL OF MINUTES – 1/28/16 – Commissioner Campbell moved to adopt the minutes as read. Commissioner Borom seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS

GAS AUTHORITY BOARD RETIREMENT: Brother Charlie Rabun, 27 yrs – Andrew Rabun was present to accept the Plaque on behalf of his father, which was presented by Mayor Hill. Mr. Rabun said his father is battling double lung cancer and is home-bound. He thanked the City and Gas Authority for the opportunity to serve and further the mission of the Gas Authority. Don Kitner, PGA Executive Director, said he's worked with Brother Charlie for 5 yrs, and will miss his leadership, spirituality and guidance. Commissioner Brown said Rev. Charlie worked with them on The Caring Center Board and was very active in keeping that going. It lasted for more than 10 years. He was always volunteering selflessly. There was no other homeless shelter in the County. Mayor Hill expressed thanks for all he's done for his community & prayers for the family.

1. Accept Resignation of Charles Rabun effective immediately, with regrets – Commissioner Campbell moved to accept the resignation with regrets. Commissioner Borom seconded the motion, which passed unopposed.

PROCLAMATION – Clean Sweep Month – February, 2016 – Yvonne Parrish, Board of Directors, Keep Putnam Beautiful, was present to accept the Proclamation, which was read and presented by Mayor Hill. Mrs. Parrish said they have partnered with Palatka Pride on clean ups

and last year had 3,500 volunteers who picked up 16,000 lbs of trash. If anyone is interested in cleaning up their road, KPB can provide grabbers and bags. If interested contact Marcia Marinello at KPB and she can coordinate that and can aid in rallying volunteers. They are starting two new community gardens, have donated trees for Hank Bryan Park and help with sanitation at festivals. They are happy to partner in this endeavor. Mayor Hill invited the community to Palatka Pride's next clean up on St. Johns Avenue from Riverfront to Zeagler Drivel next Saturday morning. Last year they had around 500 volunteers for this.

PROCLAMATION – Rotary Has Heart Day – Feb. 14, 2016 – Bob Taylor, Dianne Taylor, Wayne McClain, Mary Garcia & Sharon Buck were present on behalf of Rotary Club of Palatka to accept the Proclamation, which was read and presented by Mayor Hill. Mr. Taylor acknowledged that there are five other rotary clubs in the area, all of which are all participating in the Rotary Has Heart program. One of their highlight programs this year is a food drive which goes to benefit the needy in Putnam County. Their motto is "Service Above Self." On February 23rd Rotary will be 110 years old.

HEALTHY WEIGHT COMMUNITY CHAMPIONSHIP – Mary Garcia, Putnam County Health Department, said the City is one of five municipalities in Putnam County to be recognized as one of 80 communities in Florida named as Healthy Weight Community Champion in recognition of creating a healthier environment in the City of Palatka. She presented a certificate from the State Surgeon General to Mayor Hill, who thanked the Health Department for all they do in the Community. This started with last year's Walk with the Mayor.

FIRE DEPARTMENT PERSONNEL:

Promotion: Chief Mike Lambert introduced Firefighter Darren Denmark, who was promoted to Engineer in January.

New Hires: Chief Lambert introduced new firefighters Austin Davis, Matt Pope, Kenneth Reed. New Firefighter David Young was unable to attend. Their families were in attendance.

Mayor Hill said their department volunteers in several capacities; they work with Palatka Pride and recently did some renovation work at Shaw Buck Park.

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

3. **CONSENT AGENDA**

- a. **Adopt Resolution No. 2016-12-08** authorizing the execution of FEMA 1785-43R Grant Agreement Modification to amend the Phase II project budget to \$455,784 (\$341,838.00 Federal share, \$113,946.00 City share) - Oak/St. Johns Ave/700 Block
- b. **Adopt Resolution No. 2016-12-09** authorizing an application for the 2015 Federal Home Loan Bank of Atlanta Competitive Affordable Housing Program
- c. **Adopt resolution 2016-12-10** authorizing the submission of a USDA Community Facilities Grant Application for the acquisition of an Engine/Pumper fire truck
- d. **Adopt Resolution No. 2016-12-11** authorizing the issuance of Special Events Permit No. 16-15 for the 70th Annual Azalea Festival, setting forth provisions of the permit, authorizing the closure of certain streets to vehicular traffic during Festival events, granting permission to exceed allowable noise levels, and setting permit and other fees.
- e. **Adopt Resolution No. 2016-12-12** authorizing the issuance of Special Events Permit No. 16-14 for the 2016 Blue Crab Festival; setting forth provisions of the permit, granting permission to serve/consume alcohol on public right-of-way and exceed allowable noise levels; authorize the closure of certain streets to vehicular traffic during the Festival events; and set permit fees

Commissioner Borom asked to pull Item 3(c) for discussion. Commissioner Norwood moved to approve all other items on the Consent Agenda as recommended. Commissioner Campbell seconded the motion, which passed unopposed.

- 3c. **Adopt resolution 2016-12-10** authorizing the submission of a USDA Community Facilities Grant application for the acquisition of an Engine/Pumper fire truck – Chief Lambert said this is the same grant they applied for three years ago. They need to replace a truck that is 20 years old from the Kay Larkin Station. It is imperative they replace the truck. He has applied for a 95% grant but the likelihood they will be for this approved is slim. They can qualify for the USDA grant and finance it down the road. Commissioner Borom noted this is not budgeted. The match required is \$180,000. Chief Lambert said they will budget the funds for next year. Mr. Reynolds said once they've been notified of an award they can put it in the budget. They have five years to take advantage of this grant. They can plan it into future budgets. Commissioner Brown moved to authorize submission of a USDA grant for a Fire Engine/Pumper Truck as requested. Commissioner Campbell seconded the motion, which passed unopposed.

PUBLIC HEARINGS:

4. **ORDINANCE** amending Subpart B, Article II of City of Palatka Charter, Related Laws governing Palatka Gas Authority – 1st Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING PROVISIONS OF ARTICLE II OF THE CITY OF PALATKA CHARTER RELATING TO THE PALATKA GAS AUTHORITY; ALLOWING RECORD OWNERS OF PROPERTY WITHIN THE CITY TO SERVE AS AUTHORITY BOARD MEMBERS; ALLOWING THE BOARD TO DETERMINE THE SALARY OF THE MANAGER SUBJECT TO THE CITY COMMISSION'S POWER TO OVERRIDE; ESTABLISHING PROCEDURES BY WHICH THE AUTHORITY SHALL ACCOUNT FOR AND TRANSFER REVENUES COLLECTED WHICH ARE NOT GENERATED BY THE AUTHORITY'S OPERATION; PROVIDING FOR THE MONTHLY TRANSFER TO THE CITY OF A PORTION OF GROSS REVENUES COLLECTED BY THE AUTHORITY AND GENERATED BY ITS OPERATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading as read. Commissioner Borom seconded the motion. 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.
5. **FAIR HOUSING WORKSHOP** - CDBG C-04 FY 2013 Cycle Quarterly Requirement - Service Area #1 (City of Palatka) – Fred Fox, Fred Fox Enterprises, facilitated the workshop, noting this is part of the quarterly requirement for the Riverfront Park Improvements CDBG Grant. He distributed a sign-in sheet, and asked all city employees to identify themselves and their title/department. He announced that if anyone would like a hard copy of the Power Point presentation, he will provide it.

Mr. Fox said The Federal Fair Housing Act was adopted in 1968, and amended in 1988 and 1995 to address familial status and those over 55 years of age as additional protected classifications. This Act prohibits discrimination based upon race/color, national origin, religion sex, familial status and disability. HUD enforces the Fair Housing Act, which prohibits discrimination and intimidation of people in their homes, apartments and condos, and applies to nearly all housing transactions. Owner-occupied buildings with no more than less than 4 units are exempt. As to sale of housing prohibitions, no one may refuse to sell or rent housing or falsely deny that housing is available for inspection, sale or rent, or try to persuade homeowners to sell or rent dwellings based on race, color religion, sex, disability, familial status or national origin. Housing protection for families with children was described. It is unlawful to discriminate against persons in which one or more minor children live in the household or who live with a

parent or custodian. This also extends to pregnant women or those in the process of securing legal custody of a minor child, including adoption. There is additional protection for those with physical or mental disability or chronic illness or other disability for which a housing provider may not prohibit changes to the dwelling to accommodate the dweller as long as the dweller agrees to restore the property when it is vacated. This does not apply to someone who currently uses illegal drugs. The Fair Housing Act specifically exempts senior housing facilities or senior communities from the familial provision. A facility must prove that its housing is provided under a state or federal program that has been specifically designed to assist the elderly, those 65 or older, or those 55 or older. This doesn't exempt housing discrimination charges based on the other classes.

Mr. Fox said if anyone thinks their rights have been violated, a person can submit a written complaint to HUD with details, including a description of the violation and dates of violation(s). Local ordinances include steps that can be taken as well as time limits for submission of complaints and responses. The complaint can be submitted to HUD Southeast Regional Office/Atlanta Regional Office by mail or email at the addresses provided in the PowerPoint (filed). Mr. Fox said he will provide that information in writing on request. It can also be found in tonight's Agenda Package online. When a complaint is filed, HUD will notify the complainant that the complaint has been filed, and will notify the alleged violator of the complaint. They will investigate the complaint, which should be completed within 100 days of filing. Fair housing conciliation is required to offer a voluntary resolution through a Conciliation Agreement. After a complaint is investigated, HUD will prepare a final Investigative Report, and if reasonable cause exists that the complaint is valid, HUD will issue that determination with charges. Respondents can have the case heard by an administrative law judge or can ask for a civil trial in court. Civil and administrative Hearing parameters were described as noted in the handout (filed).

Mr. Fox said the City of Palatka has a local Fair Housing Ordinance, which was adopted 1983, which was amended 1985 to replace the category "physical handicap" with "handicap" and again in 1990 to add the Familial Status category. Complaints must be submitted in writing to the City, which will investigate it within 30 days. If the complaint is found to be valid, it will be forwarded to the State Attorney. The Clerk has copies of the Ordinance, which is posted in the Lobby. He has copies and will distribute them upon request.

Mr. Fox said they are required to do a "fair housing activity" every quarter while the City has an open CDBG grant; they do a different activity every quarter. In addition to public workshops they hand out materials at festivals and pass out fair housing coloring books at the library.

This concluded the Fair Housing workshop.

6. **REQUEST** to amend Contract for Purchase and Sale between City of Palatka and Riverfront Development Group, LLC - Joseph C. "Corky" Diamond, Manager – Michael Woodward, Esquire, appeared on behalf of Riverfront Development Group, saying after the last Commission meeting, Mr. Diamond came to him saying he had not done a good job during his presentation at the 1/28 meeting. He has requested his help in re-engaging with the City in a more productive fashion. His role is not to pick a fight, but to prevent one. They were not able to re-engage productively with the City after several meetings with Mr. Suggs and Mr. Holmes. They have had serious discussions to find a way forward. Mr. Suggs and Mr. Holmes are tough negotiators who are protecting the taxpayers, while recognizing the value of exploring alternative solutions. Yesterday he put a proposal into writing, which is still in draft form and in review. They requested this be put on tonight's agenda when they anticipated they would have something in time for review at the meeting. They cannot ask or expect the Commission to act on a fairly complex document without having had sufficient time to review it. He suggested instead this matter be rescheduled to a time certain to give the Commission the opportunity to review the document and discuss it with Mr.

Holmes. He asked the Commission to either schedule a special meeting to take action on this, or bring it to the February 25th meeting.

Commissioner Campbell moved to table this matter to a time certain of February 25, 2016. Commissioner Norwood seconded the motion, which passed unopposed.

7. CITY MANAGER & ADMINISTRATIVE REPORTS

Jonathan Griffith, Grants & Projects, said the Golf Course RFP was published on the website today. The City received water taxi #2 yesterday.

Airport Manager John Youell narrated a PowerPoint video on the January 30th Airport Fly-In, which was created by Steve Kight. He thanked everyone for their support and acknowledged efforts by City employees, Commission, AAB members and Airport Staff. Mr. Youell noted a 92 year old fighter pilot flew in and made some passes during the event. They estimate there were between 3,500 – 4,000 attendees. Every year it gets larger.

Mr. Suggs reported the following:

- They did take delivery on the 2nd water taxi; there is testing yet to be completed. Once that's completed they will notify the Commission.
- At the 1/28 meeting he was asked to look at the entry road to Crystal Cove S/D. He has done some very preliminary math on the cost of resurfacing, and estimates this to be in the \$35 – 40 thousand range. Once they get more information on cost they will bring this back.
- He is in the process of filling vacancies for Human Resource and Public Works Director. They are scheduling interviews in the next 10 days.
- They are still working on Fire Assessment Fees, and have collected \$700,000 to date. They Budgeted \$780,000 in collections. Another round of notices will be mailed out shortly.

8. COMMISSIONER COMMENTS

Commissioner Norwood regrets he will not be able to attend next Saturday's Pride of Putnam Clean up, as he will be out of town.

Commissioner Brown said most of them went to Tallahassee for Legislative Action Day with Mr. Suggs, where they were able to do a lot of networking on behalf of the City. They thanked legislators for the work they've done on behalf of Palatka, and asked for other things.

Commissioner Campbell thanked all those who stepped up and came out for Career Day at Moseley Elementary.

Mayor Hill said he went to Tallahassee this week to sit on the Black Mayor's Panel, which was an awesome event. He learned that drastically different communities have similar issues to Palatka, and came away with a lot of innovative ideas. Many people are familiar with Palatka and are interested in lending a helping hand. There was a lot of representation from South Florida.

9. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:00 p.m. by Mayor Hill.

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