

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 TOWN HALL MEETING

June 7, 2016 – Price Martin Center, 220 N. 11th Street; 6:00 p.m.
June 8, 2016 – Palatka Golf Club, 1715 Moseley Avenue, 6:00 p.m.

Proceedings of a Town Hall Meeting of the City of Palatka, Florida, held on the 7th and 8th days of June, 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

CALL TO ORDER & Reading of Workshop Meeting Call – Mayor Hill called the Town Hall Meeting to order and read the following meeting call, dated June 1, 2016:

TO COMMISSIONERS: **MARY LAWSON BROWN, RUFUS BOROM,
JUSTIN CAMPBELL AND JAMES NORWOOD, Jr.:**

You are hereby notified that Town Hall Meetings hosted by the Palatka City Commission are called to be held on the following dates, times and places:

- Tuesday, June 7, 2016 at Price Martin Center, 220 N. 11th Street, Palatka, to commence at 6:00 p.m. The purpose of this meeting is to take input from churches and the public on Palatka Municipal Code, Chapter 10, Alcoholic Beverages
- Wednesday, June 8, 2016 at Palatka Golf Club, 1715 Moseley Avenue, Palatka, to commence at 6:00 p.m. The purpose of this meeting is to take input from businesses and the public on Palatka Municipal Code, Chapter 10, Alcoholic Beverages.

Please govern yourselves accordingly.

/s/ Terrill L. Hill
Terrill L. Hill, MAYOR

The following Commissioners acknowledged receipt of the foregoing Notice of called Town Hall Meetings on the 1st day of June, 2016.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Justin Campbell
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

/s/ Rufus Borom
COMMISSIONER

INVOCATION & PLEDGE OF ALLEGIANCE – The Reverend Ed Phillips

1. **PUBLIC COMMENT** (topics other than alcohol hours of sale) – There was none
2. **INTRODUCTION OF TOPIC/Public Comment and Commission Comment** – Hours of Alcohol Sales and Consumption - Mayor Hill said they were here to take input on expanding hours of sales and consumption of alcoholic beverages. Restaurants may want to serve mimosas or Bloody Marys during brunch service.

A PowerPoint slide was shown regarding the current Palatka Municipal Code Sec. 10-4, concerning hours of permitted alcohol sales for on and off-premises consumption, which Mayor Hill read out loud. Sales for both on and off premises consumption begin at 7:00 a.m. and cease at 2:00 a.m. Monday through Saturday and on Sunday sales begin at 1:00 p.m. and cease at midnight. The next slide, outlining the County alcoholic beverage code, was read. They allow sales for on-premises consumption beginning at noon on Sunday, which is one hour earlier than the City's allowance allows.

The next slide, showing the City's Code concerning hours of sales for on and off premises consumption prior to February 2005, was read.

Data provided by the Police Department was discussed concerning alcohol-related calls for service and DUIs on Sunday mornings versus all other mornings of the week, and comparisons made were made between calls for service in 2010 versus present.

Allegra Kitchens, 1027 S. 12th Street, provided a history behind the adoption of the 2005 alcoholic beverage ordinance, and noted numerous workshops were held and much public comment was taken. The ordinance was not about churches, but churches spoke to the changes. Discussion has been held since then regarding changes that were proposed by a downtown merchant. The PD did a study which showed the change would cost the Police Department over \$10,000. As for special events like festivals and tournaments, there have been no problems with suspension of the ordinance on an as needed basis. Hours of service at downtown bars and restaurants would impact parking for downtown churches. Calls for service on Sunday mornings are down. She would not be opposed to amending the ordinance to allow alcohol sales at noon on Sunday, which coincides with the County's hours of service.

Commissioner Campbell said he would like to have a proposal or recommendation come before the Commission that people can speak for or against. Mayor Hill said these forums are designed to allow people to speak to the topic in general. There exists a totally different culture now, compared to 2003. The 2005 change wasn't about people coming in from out of town. It was about competition between the City and County on who was being hired for security details. There was no significant drop in activity or calls for service from before the change to after.

Chief Shaw said they looked at calls for service on Sundays from 7 am to 1 pm. from 2010 to present. At other days/times there was a significant drop in calls for service. Reasons for the drop in calls for service were discussed. Mayor Hill said they need to figure out ways to make the city attractive to new business, including restaurants. Restaurants want to be able to sell alcoholic beverages during brunch hours. Chief Shaw said they addressed calls for service on Sunday mornings, which went from 44 calls to 7 in the years compared.

Commissioner Campbell reiterated his desire to address a proposed ordinance. Mayor Hill said they should look at allowing sales and consumption to begin at 7:00 a.m. on Sundays. Chief Shaw noted the County doesn't allow serving until noon. Mayor Hill said they need to provide people an opportunity to sell alcohol for consumption on Sunday mornings. People have that option in surrounding counties. People leave Palatka and go to other counties for that opportunity. They need to create opportunities and advantages for merchants in Putnam County. They can't anticipate problems every time they make a progressive change.

Ms. Kitchens asked if they could restrict Sunday morning sales to restaurants and not bars. Don Holmes, City Attorney, said prior to 2005 they did allow restaurants to serve beer and wine outside of normal hours. Grocery stores could be allowed to sell beer and wine at different times than an establishment that is primarily alcohol sales.

Ms. Kitchens requested a manpower study be done on the cost for city services should the ordinance be changed. They should look at other cities that are cutting back on allowed hours of sales. Mayor Hill said they are only talking about expanding hours on Sunday mornings. Other cities are talking about cutting hours back on "after hour" establishments, those that stay open after 2 am. Those cities are not looking at cutting back sales on Sunday mornings.

Commissioner Brown said when some of these changes were made, they had a police chief that was against any sort of alcoholic beverage consumption, and he wanted to close down certain establishments. Mayor Hill said they have expanded areas of consumption at special events and festivals and although they anticipated a lot of problems, there weren't a lot of problems. This is due to the culture.

Rev. Ed Phillips, 109 Karen Ct., said if this was just about changing Sunday morning sales from 1:00 p.m. to noon, he would not be addressing the topic. When people want to draw a relationship between 7 am Monday morning compared to 7 am Sunday morning, he wants to remind them that 7 am Monday through Friday, most people are at work. Other people work graveyard shift and they are asleep at 7 am. He is also hearing they may want to start consumption on Sunday mornings at 7 am.

Calls for service from 2010 to 2016 were discussed for the time period of 7:00 a.m. to 2:00 p.m. across all days of the week. It was noted that on Sundays only 2 were in the Sunday morning time frame. They are spread evenly across the week except for 7 am to 2 pm on Sundays. Rev. Phillips said he believes they should make no changes to the ordinance. Discussion ensued regarding how long it will take to amend the ordinance should Sunday hours be changed, if it is shown that the change is not working. Rev. Phillips stated they are losing the battle in getting across to young people that there are hazards to drinking.

Commissioner Campbell said he'd like to get to a point where they can address this topic with the citizens. Mayor Hill said he believes the low turn-out means the public does not find this to be a hot topic of interest. Commissioner Brown said leading up to the 2005 ordinance they had meetings full of people. People apparently aren't as concerned with these changes. She wants to hear input. This Commission has held many extra meetings to take public input.

Commissioner Norwood said businesses came forward and spoke about issues they were having with people drinking at bars after hours and the damage they were causing downtown. They heard from the hospital about emergency room trauma due to accidents involving alcohol after 2 am.

Mayor Hill said City merchants are constantly losing sales to businesses in the county because there are fewer restrictions there. Any restrictions the government places on the public need to be related to the health, safety and welfare of the people. He believes the City's code legislates morality. Commissioner Norwood noted Mr. Spells, who spoke to this matter at an April meeting, said they need to be fair and not give advantages to businesses inside or outside the city. He has no problem with aligning with the County's ordinance. It is less confusing. From an economic development standpoint, the Golf Course cannot sell alcoholic beverages before 1 pm on Sunday, and they stated they have lost revenue because of it. He'd like to hear from that type of business to determine what affect the City's ordinance has on profitability. Mayor Hill said these meetings are intended to take input from the people. He hopes to see more people attend tomorrow night; giving citizens the opportunity to provide input was the reason for holding more than one meeting to take input.

Ms. Kitchens said people believe they are being ignored when they speak. The majority of business at local restaurants on Sundays comes from church members. Alcohol service may offend church members. She would not mind mirroring the County's ordinance.

Commissioner Borom noted they are only talking about alcohol sales on Sundays. Church members dine at restaurants from Monday through Saturday, also.

Discussion ensued regarding service of alcohol at restaurants, and whether uniform hours of service are beneficial to public safety officials.

3. **RECESS** – There being no further discussion, the Town Hall Meeting was recessed by consensus at 6:55 p.m., to be reconvened on June 8th at 6:00 p.m. at the Palatka Golf Club, 1715 Moseley Avenue, Palatka.
4. **RECONVENE:** Mayor Hill reconvened the Town Hall at 6:00 p.m. at Palatka Golf Club, 1715 Moseley Avenue, Palatka. Commissioner Campbell provided the invocation and Commissioner Borom led the Pledge of Allegiance.

OVERVIEW – Mayor Hill narrated a PowerPoint presentation on the City's and County's current alcoholic beverages ordinances. As to the county's ordinance, they only regulate on-premises consumption. They do not regulate off-premises consumption. The City's ordinance regulates hours for both on-premises and off-premises consumption.

Mayor Hill narrated a slide showing on and off-premises consumption regulations in the City prior to February, 2005. There was no restriction on alcohol sales for off-premises consumption. Establishments licensed as restaurants with a capacity to seat at least 75 people could serve beer and wine at any time of the day or night. The hours of on-premises consumption matched the County's hours of on-premises consumption with the exception of hours for restaurants that seated 75 or more, who could serve beer & wine without restriction as to hours.

Mayor Hill said he brought this conversation forward because a different climate exists now than in 2004. People leave Putnam County to go elsewhere to have alcoholic beverages with brunch on Sunday morning. With the shift in development of the riverfront area, it seems natural to be sure restaurants and service establishments will have the option to serve on alcoholic beverages

on Sunday mornings. He has concerns as to whether or not they were legislating morality when these restrictions were put in place because they mainly affected Sunday sales.

Mayor Hill opened the floor for public comment.

Jeff Emerson, 1007 S. 17th Street, Palatka, said he's been before other commissions pertaining to the alcohol ordinance. They are not doing the job they should do with people who have problems with alcohol. Alcoholism is an addiction and is worse than drugs because it is common. They have to do their best to get people away from their addictions. They need to cut hours rather than extend them.

Discussion ensued regarding Mr. Emerson's questions concerning the genesis of this conversation. Mayor Hill said they are here today because they believe it is time to have this conversation. They are here to gather facts and information and gauge the input from the community. That is the purpose of holding this Town Hall Meeting. Mr. Emerson said he is opposed to any alcohol sales. There was a time when there were many more bars in Palatka and the Commission gradually cut down the number through legislation. Discussion was held concerning hours of alcohol sales on Sunday versus other days of the week.

Andy Hertz, 145 Brittany Lane, Palm Coast, said he is the general manager of Palatka Golf Club. Sunday is their worst day for food and beverage sales because they cannot sell alcoholic beverages before 1:00 p.m. They have lost several events due to no alcohol sales on Sunday. This cost Palatka not only tournament revenue but also revenues for hotels, gas stations, and other tourist-related sales. Having drinks at the golf course during golf is just part of the experience. They used to attract tournaments and players from all over the world. He has been in the golf business all over the country, and this is the first golf course he's seen that is not allowed to sell alcohol on Sunday morning. It's hurting business for them. This affects both his food sales and rounds of golf. On Sunday they don't do 1/3 of the sales they do on other days of the week because the customers leave here and go somewhere else to play.

Ms. Kitchens said in her opinion, drinking on Sunday morning is not a morality issue. The report given by Chief Shaw indicted that from 2010 to 2016 there was a decrease from 44 alcohol-related calls to zero on Sundays from 7 am to 1 pm. Every time the City Commission has been asked to suspend the alcohol ordinance for a Sunday morning event like a tournament or festival, the Commission has done it. The police chief did say a month or so ago that the ordinance "wasn't broken." There are no restaurants in the City that seat 75 or more people. She has no objection to copying the County's ordinance. If someone wants to go out of town to drink, they can. This comes up about every two years, when a new commission comes in.

Commissioner Borom asked for a copy of the Police Chief's report so he doesn't have to continuously try to recall what stats the police chief quoted.

Chief Shaw said they went from 44 calls in 2010 to less than five on Sundays in 2015 between the hours of 7 am to 1 p.m. He does not have the stats on calls from 2005 and before. There were 44 calls in 2010 and less than 5 in 2015. Mayor Hill noted there were 44 calls for service on Sunday morning in 2010, six years after the ordinance was passed. A large number of night clubs have closed during that time period. The only one he knows of that is still open is Vick's Supper Club. They can't say that all those alcohol related calls are based upon the ordinance. Chief Shaw said Sunday morning restrictions don't affect the alcohol establishments because they are closed at those times. The types of calls they get are due to vagrants or other disturbances. The calls were not addressing alcohol establishments. Mayor Hill said the biggest concern in 2004 was with the "after hours" activity. Cutting sales off at 2 am strengthens the ability to reduce DUIs and other unlawful alcohol-related activity. The greatest success came

from cutting off service at 2 am. No one wants to extend late-night hours. They are only talking about consumption in local restaurants and the golf course.

It was noted that alcohol is being purchased in the County before noon on Sunday. Mayor Hill said the County only prohibits consumption on-premises before noon. The County doesn't prohibit sales for off-premises consumption. If they mirror the county's ordinance, this would allow sales of alcoholic beverages for off-premises consumption before 1 pm on Sunday. The current restriction puts merchants in the City at a disadvantage. The city needs to make itself more appealing than the County for new business and merchants. They can't continue to put merchants at a disadvantage. That is not fair. The Golf Course is losing revenue to the Lucky Way which is two blocks away. They need to level the playing field. Commissioner Norwood said it appears that the County is following their ordinance. They just don't allow on-premises consumption before noon on Sunday.

Chip Laibl, P.O. Box 420, Bostwick, Putnam Co. Commissioner, said this is about being competitive. They need to become the community people want to move to. Appleby's and other restaurant franchises don't come here because of this law. People don't sit around at bars anymore. Family pubs are the new normal; people drink responsibly at those establishments. They will not grow if they hamper corporations, who then won't come here and provide jobs and entertainment. In the past they had problems in parking lots at 4:30 am; the 2005 ordinance dealt with that. He encourages them to go back and look at sales from the Golf Course prior to 2005 and after 2005. This golf course's chances of survival get better when they allow alcohol sales on Sunday mornings. People of all religions come here to play golf. He did not even realize the County had an alcoholic beverage ordinance. They don't enforce it. If it hampers a corporation's decision to come here, he will rally to change the ordinance. They want the growth.

Roberta Correa, Emmett Street, said as a business person they need to keep their economic options open to compete. Some people celebrate the Sabbath on Saturday. Sunday shouldn't be different than any other day of the week. This City shouldn't be different than any other city

Commissioner Campbell asked as to the follow up to these conversations, and said they need to propose an ordinance to have further conversations. Commissioner Brown said she came to listen. As to why people aren't here, many of them don't like to stand up at a microphone and be recorded for television; they come to her house, call her on the phone, stop her in the grocery store and on the street. She hears far more input outside of these meetings.

Mayor Hill said people make choices. They can choose how to serve and how to worship. The business world is dictated by dollars and cents, not morality. They have to put the City in a position to function and prosper without undue restrictions. They held these meetings to fact-find and have dialogue in the community. Government is based upon the separation of church and state. This is about moving Palatka forward, and creating opportunities for tourism and recreation. Closing Palatka off to the world has landed Palatka at the bottom of all the lists. They need to move into the 21st century and look at this issue from an economic development standpoint. They can't hold the golf course responsible for people's choices. They want people to come into Palatka and open businesses. They have good people here. They have an opportunity to change the culture. He would like to see Palatka allow consumption in restaurants on Sunday morning. Amending the ordinance gives them a chance to compete and create an edge for Palatka's merchants. He will bring that proposal forward if no one else will.

ADJOURN – the Town Hall meeting was adjourned at 6:55 p.m. by Commission Consensus.

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