

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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

ELWIN C. "WOODY" BOYNTON, JR.
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

MINUTES CITY OF PALATKA October 8, 2009

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 8th day of October, 2009.

PRESENT: Mayor Karl N. Flagg
Commissioner Mary Lawson Brown
Commissioner Allegra Kitchens
Commissioner Vernon Myers, Jr.
Commissioner James Norwood, Jr.

Also Present: City Manager Elwin C. "Woody" Boynton, Jr.; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matthew Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Parks & Cemeteries Supt. Jeff Norton; Golf Pro Spanky Aaron

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

INVOCATION – The Reverend Dietrich Champagnie, Pastor, Twelve Tribes of Israel

PLEDGE OF ALLEGIANCE – Former Mayor Tim Smith & Former City Mgr. Allen Bush

APPROVAL OF MINUTES – 9-10-09 & 9-24-09 Meetings – Commissioner Myers moved to adopt the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION

PROCLAMATION – Domestic Violence Awareness Month – October, 2009 – Lee Conlee House Executive Director Beth O'Grady, and Board Chairperson Verna Roberts were present to accept the proclamation on behalf of the Board of Directors of the Lee Conlee House Domestic Violence Center, which was read and presented by Mayor Flagg. Directors Vernon Myers and Betsy Driggers were also on hand to accept.

PROCLAMATION – Breast Cancer Awareness Month – October, 2009 – Dr. Mary Koshi was present to accept the proclamation on behalf of the Putnam County Cancer Center. Mayor Flagg noted that October 16 is also National Mammography Day.

PRESENTATION – FLC 25 years of Service Award to Vice Mayor Mary Lawson Brown - John Ligon, Florida League of Cities, said he was present on behalf of the FLC Board of Trustees to present a Public Service Award to Vice Mayor Mary Lawson Brown in recognition of her 25 years of service as a member of the Palatka City Commission. He also read and

presented a Proclamation to Vice Mayor Brown honoring her for her unselfish commitment to municipal leadership and government, and recognizing her as one of Florida's finest public servants.

Vice Mayor Brown recognized her family, supporters and "A-Team" members, who were present, and thanked them for their support and encouragement. She noted her supporters Imella Cummings, Jacob White and Butch Prevatt, who are now deceased and could not be present, and were the first to ask her to run for public office.

Clint Snyder, #32 Villa Farms, Crill Avenue, said Vice Mayor Brown has been in public service for a great number of years. She follows the tradition set by her grandmother and grandfather, together with her father and mother, who all gave service to this community through the Mary Lawson Hospital for 40 years. They treated both white and black patients. E. W. Lawson Funeral Home, a business founded by her grandparents, has served the community since 1915, so service to her community runs in her family. They want to give her flowers tonight while she is living.

Former Mayor Tim Smith said Vice Mayor Brown is one of Florida's finest public servants, and she is his friend and a friend to everyone in this community. She has given of herself, and her family has had to share her with everyone. He related a story from a past Commission meeting from many years ago.

City Clerk Betsy Driggers said Vice Mayor Brown had taken her under her "wing" and took her around the Capital many a Spring during Legislative Session, and you really had to be in good shape to keep up with her. She is a real dynamo and a true friend.

Commissioner Kitchens said she was born in Vice Mayor Brown's grandmother's hospital and was overjoyed when she ran for office, and has always supported her. One thing she has learned is that you never say "no" to Mary Lawson Brown, and no one knows that like Congresswoman Brown. Vice Mayor Brown encouraged her to run for office.

Kenny Downs, 2020 Ashebrooke Lane, former City Commissioner, said over the years he has watched Vice Mayor Brown in service, and served with her on the Commission. He thanked her for what she has done for this City, noting she works tirelessly for the City of Palatka. They were both elected to the Commission on the same night.

Harriett Belton Pinkston, no address given, said she has known Vice Mayor Brown for some time. Her daughter Constance was born in her grandmother's hospital. She admires Vice Mayor Brown for her service.

Mayor Flagg said they are all honored to serve with the "City Mother" and thanked Vice Mayor Brown for her service.

2. **PUBLIC COMMENTS**

Christy Sanford, 312 Dodge Street, congratulated the City on the successful Riverfront Park charettes held recently by Michael Redd & Associates. She had asked Property Appraiser Tim Parker to gather some statistics for her regarding the South Historic District. She asked for verification on the number of households in the Historic District, as Commissioner Kitchens has mentioned several times that there are over 300 of them. Anyone can come to their meetings and participate in the TIF allocations. The people who live there are the ones closest to this subject. She distributed some statistics she received from the Property Appraiser's office and a map outlining the historic district showing 160 residences total.

Commissioner Kitchens said she received her information from the Property Appraiser, and she will be in touch with them tomorrow to let them know they gave her erroneous information.

Ms. Sanford asked the Commission to consider serving City water from the City's taps for these meetings instead of purchasing bottled water. She hopes they can use some beautiful ceramic jugs some artisan or craftsperson can make.

Daniel Ziem, 401 Olive Street, said he is still looking for an accounting for the \$50,000 contributed by the City to the Blue Crab Festival organizers. The City needs to ask for that money back. Mayor Flagg said they are allowing adequate time for the Blue Crab Festival to provide an adequate report. Mr. Boynton said they were going to have a presentation at a CRA meeting originally scheduled for tonight, but since that was the only item, that will be included in the Nov. 12 CRA meeting.

Mr. Ziem said he is tired of hearing sanitation trucks picking up yard trash between 5:05 am and 5:20 a.m. It is aggravating. When he is awoken, he should call the Commissioners and wake them.

Askew Vickers, 207 N. 18th Street, Palatka, congratulated Vice Mayor Brown on her award.

Mr. Vickers asked as to the City Attorney's opinion on the ordinance interpretation concerning fencing around the PHA projects, which he brought up at the 9/24/09 meeting. Mr. Holmes said he has not drawn any conclusions on the matter.

Mr. Vickers asked Mr. Boynton when he thought the City would be putting in the apron he inquired about on N. 16th Street, saying at the 9/24 meeting Mr. Boynton said the apron would be done when they were doing work in the area. This happened to him 45 years ago on another instance and it was several years before the matter was taken care of. Mr. Vickers said he spoke to Mr. Boynton about some work on Main Street, and Mr. Boynton told him he'd have the prison crew look into it. He said if the City can't get it cleaned up, he will, but never heard anything more about it. Also, 18th Street has not yet been paved. The apron has not been cut. There are all sorts of wild animals living back there; he sees foxes at night. Someone needs to address this.

Mr. Vickers spoke to Commissioner Norwood about the holding pond owned by his Church, saying when they do nothing about this situation, it sends the wrong message out to the public. They need to put a fence around the retention pond. It is a safety issue; someone may drown in the pond. Commissioner Norwood noted Mr. Vickers has spoken to the Commission about this subject on this on several occasions. He did ask the Board of Directors at Calvary Missionary Baptist Church to address the subject. The Board responded that Mr. Vickers can appear before the Church's Board of Directors on Nov. 2 at 6:00 p.m. at the Family Life Center. At that time the Board will be happy to discuss this matter with him.

Mr. Vickers told Mr. Boynton that at one time, James A Long loaned the City of Palatka money because the City was broke. He asked if the City is operating in the red or black. Mr. Boynton said the City meets its financial obligations without problems. Mr. Vickers asked whether or not they needed the money from red light infractions to balance the budget. Mr. Boynton said they do not; the budget is balanced.

3. **CONSENT AGENDA:**

- a. **Authorize expenditure of Law Enforcement Forfeiture Trust Funds in the amount of \$1,000** for use as a donation to Family and Behavioral Health Services, formerly Corner Drug Store, for the local youth shelter services

- b. **Appoint Elizabeth van Rensburg to the Code Enforcement Board** as repr. with engineering experience for the remainder of a three-year term to expire September, 2010 (sole applicant)
- c. **Authorize execution of contract with Ayres Associates in the amount of \$23,928.00** for Dunham Street Water Main Extension CDBG N14 Post Design/Construction Engineering Services, per City Manager's recommendation

Commissioner Brown moved to pass all items on the Consent Agenda as presented. Commissioner Kitchens seconded the motion, which passed unopposed. Mayor Flagg noted Mrs. Van Rensburg was present for her appointment.

- 4. **ORDINANCE** – 3895, 4001, 4003 and 4005 Reid Street – Planning Board Recommendation to Rezone from Putnam Co. Industrial to City of Palatka Industrial with a Planned Unit Development Overlay – Palatka Vest, LLC, applicant – 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 AS TO THAT CERTAIN PROPERTY IN SECTION 03, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY IL (LIGHT INDUSTRIAL) TO CITY M-1/PUD (INDUSTRIAL/PLANNED UNIT DEVELOPMENT); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on second reading for adoption. Commissioner Kitchens seconded the motion. There being no discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.
- 5. **ORDINANCE** amending the Municipal Code to amend the Palatka General Employees Retirement Plan Investment Policy – 1st Reading – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY AMENDING THE INVESTMENT POLICY STATEMENT OF THE CITY OF PALATKA GENERAL EMPLOYEES RETIREMENT PLAN; AMENDING SEC. 2-204, INVESTMENT PERFORMANCE OBJECTIVES; AMENDING SEC. 2-205, INVESTMENT GUIDELINES; 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. Commissioner Myers asked why the change was being made. Clerk Driggers said it was so the Plan administrator could invest in bonds with an investment grade lower than BBB but higher than C. There being no further discussion, a roll-call vote was taken, with the following results: Commissioners Brown, Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared passed on second reading.
- 6. **APPROVAL OF RFP FOR GOLF COURSE** – Continued from 9/24/09 – City Manager & City Attorney – Mr. Boynton said they have distributed the final version of the RFP to bring in a managerial firm (filed), and noted Mr. Holmes has made the changes requested at the 09/24 meeting. He noted the termination policy was changed from a “without cause” policy to a “with cause” policy, stating the City can terminate at any time, but only for cause, such as failure to satisfy the financial obligations, failure to satisfy maintenance obligations, failure to retain the public nature of the Golf Course, etc. Assuming they get some proposers and enter into negotiations and ultimately end up with a contract, that contract will contain specific details. They will only terminate the contract if the proposer breaches one of those covenants. They discussed providing some assurances to any party the City contracts with so that they can enjoy the fruits of their labors. This provides some assurance that the City will not take the course back once it starts being profitable.

Mr. Holmes said other changes were made to add a phrase regarding the process of negotiation with the highest ranking proposer first, and then going to the next highest proposer, etc., should the negotiations with the highest ranked proposer fail. They will move down the list until they reach satisfactory terms. Finally, they made changes regarding the City's thoughts as to how the financial arrangements between the City and the responsive proposers would work, and provided that the City contemplates a fixed fee-based lease, where the proposer provides a fixed fee to the City and the City would also share in profits should they do well. He said Commissioner Kitchens had some questions that caused him to review several other clauses. He believes this is a good document to be used to solicit proposals. The next question will be which proposal, if any, to accept. He noted a typo regarding Central time being changed to Eastern Standard time. Commissioner Myers moved to approve the RFP as presented and put it out for advertisement. Commissioner Norwood seconded the motion. A roll-call vote was requested and taken, with Commissioners Brown, Myers, Norwood and Mayor Flagg voting yes, and Commissioner Kitchens voting no in opposition. The motion was declared passed.

Mayor Flagg thanked Mr. Boynton and Mr. Holmes for their time and expertise. Commissioner Brown asked, should the Golf Course be leased out, if it will still be open to the public? Mayor Flagg said that is stipulated in the RFP. Commissioner Kitchens said she voted against approval because she believes this is not the time to send out the RFP, as the City has an opportunity to make a profit this year. She did not vote 'no' due to the veracity of the document; the City Attorney did an excellent job on its preparation.

7. ADMINISTRATIVE REPORTS

The Clerk noted the Ribbon Cutting ceremony for the Water Treatment Plant Improvements Project would be held on October 19, 2009 at 11:00 a.m.

Commissioner Myers commended City Clerk Betsy Driggers for the outstanding job she did in organizing the September NEFLC dinner meeting and tour, which the City hosted, saying he received a lot of positive comments on it.

City Manager Woody Boynton reported on the charettes held Tuesday Oct. 6, saying there were over 118 citizen inputs recorded; 90% were positive, 50 were new ideas, and at least 5 associations were represented. Michael Redd advises they expect to come back in about a month with a conceptual design. They are on schedule and should hear this report at the November meeting.

Mr. Boynton said on October 22, the night of the next Commission meeting, he'd like to hold a workshop to discuss some minor changes to the Special Events ordinance. Also, the business plan for the riverboat is now complete, so they need to sit around the table to discuss this openly and frankly, and be ready to present this in November. After discussion there was consensus to set the workshop at 4:00 p.m. on October 22.

Mayor Flagg said when they are recognizing the Students of the Month, those meetings need to be conducted in a building that will accommodate all those students and parents. For the rest of the school year he would like the Student of the month meeting, or any meeting wherein they anticipate a crowd, to be held at the Price Martin Center. Mr. Boynton said the ordinance that was passed on first reading tonight was already advertised to be read in regular chambers on second reading, but the November and December meetings can be held at the Price Martin Center.

Mr. Boynton said there are still a number of ongoing projects. There is a million-dollar water line project starting up on Dunham Street, there is \$1 million in Automated Read meters going in the ground now, they are progressing with the bowling alley project, adding a secondary access to the east side of the Larimer Arts Center, and the reuse project will be extended to the Babe Ruth Ball Fields and SJRWMD, which will give them 100% reuse into the foreseeable future. The Crill Ave. and Zeagler Dr. drainage projects will be completed over the next year. Over \$2 million in WWTP plant improvements will be completed over the next two years. Moseley Avenue and a portion of St. Johns Avenue will be milled and resurfaced later this year. Palatka is moving forward with its work load.

8. **COMMISSIONER COMMENTS**

Commissioner Norwood asked if they are going to repave Dunham Street after the line is replaced. Mr. Boynton said there will be a good patch but no overlay at this time.

Commissioner Brown said it is time for the NFRPC to take applications for their awards. She has asked the City Manager to apply for some of these awards, specifically for the Airport Improvements, the new water plant, and the reuse project, and a citizen nomination.

Commissioner Kitchens commented on several subjects discussed during the meeting. She said she drinks city water at home and that is all she drinks. Regarding Domestic Violence Awareness, she received a call this evening from a citizen asking about those services and referred them to the Lee Conlee House, and is pleased with the service they provide. Regarding Ms. Sanford's comments, when she gives the Commission figures and facts, she researches them carefully. She checked with two different sources. She asked for a count by parcel number, and was provided with a different figure. She will check with them regarding this tomorrow. She does not make this information up.

Clint Snyder, Conlee Mural Committee, said the members of the Commission should receive an invitation in the mail to attend the dedication of "High Times," the most recently completed mural at 7th & St Johns Avenue, which will be held on October 17 at 11:00 a.m. All are invited to attend.

Mayor Flagg proposed that the Commission request the City Manager and Attorney to draft a policy that would constitute a ban on texting from city-issued or private telephones while employees are operating city vehicles and/or equipment, in order to maintain the safety of the employees and public. Many people underestimate the distraction caused by texting. While there are statutes on the books that cover this, this needs to be done by the Commission. It will send a message to our insurance provider that the City is progressive in this area. Commissioner Kitchens concurred.

Mayor Flagg noted the Palatka Police Department has completed taping its first City Commission meeting, and congratulated Officers Lassiter and Reeves on their professionalism.

Commissioner Brown thanked the Commission and Staff for all the years they have worked together as a team. She hopes they can continue to make the City look good.

9. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:00 p.m. upon a motion by Commissioner Brown.