

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**  
**Price-Martin Community Center**  
December 10, 2009

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 10<sup>th</sup> day of December, 2009 at the Price-Martin Community Center.

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

**ABSENT:** Commissioner Mary Lawson Brown

**Also present:** City Manager Elwin C. Boynton, Jr.; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Battalion Chief Randy Porter; Building & Zoning Administrator Debbie Banks; Parks Superintendent Jeff Norton; Airport Manager John Youell

**CALL TO ORDER:** -- Mayor Flagg called the meeting to order at 6:00 p.m. and read the following call, dated November 25, 2009:

TO MESSRS: MARY LAWSON BROWN, ALLEGRA KITCHENS, VERNON MYERS AND JAMES NORWOOD:

You are hereby notified that the place of the regular December 10, 2009 meeting of the Palatka City Commission is hereby revised and called to be held at the alternate meeting place of the City Commission, the Price-Martin Community Center, 220 N. 11<sup>th</sup> Street, Palatka, to commence at 6:00 p.m. on Thursday, December 10, 2009.

*/s/ Karl N. Flagg*

Karl N. Flagg, MAYOR

The following commissioners acknowledged receipt of a copy of the foregoing notice of a revised meeting place on the 25<sup>th</sup> day of November, 2009.

*/s/ Mary Lawson Brown*

COMMISSIONER

*/s/ Allegra Kitchens*

COMMISSIONER

*/s/ Vernon Myers*

COMMISSIONER

*/s/ James Norwood, Jr.*

COMMISSIONER

**INVOCATION** - The Reverend Jason Carter, Youth Ministries, Victory Christian Fellowship

**PLEDGE OF ALLEGIANCE** – Dr. Jeri Melosh

**APPROVAL OF MINUTES** – 11/12/09 – Commissioner Kitchens moved to approve the minutes as read. Commissioner Norwood seconded the motion, which passed unopposed.

1. **PUBLIC RECOGNITION**

**EMPLOYEE RETIREMENT – Jeffrey Spencer** – Line Locator, Water & Sewer Dist. – 12 yrs. Mayor Flagg noted that Mr. Spencer could not be present tonight due to health reasons, and asked everyone to keep him in their prayers. He and the City Manager will make the presentation at a later date.

<b>POLICE DEPARTMENT</b>	Officer of the Year:	Ofc. Todd Bryant
<b>EMPLOYEE RECOGNITION:</b>	Detective of the Year:	Det. Mike Kelly
	Employee of the Year:	Cathy Anderson

Chief Getchell said the Police Departments recognize employees on a quarterly basis and annually they celebrate those that stand out over and above the call of duty. These employees were recently recognized at their annual Christmas Banquet. Cathy Anderson is the administrative assistant to the Chief of Police and was nominated by her peers. Mike Kelly, Detective of the Year, was nominated by his peers. He works in the Drug Unit and Prosecution Detail in Vice. He has made an enormous amount of drug arrests. Officer Todd Bryant is the Officer of the Year and received the Medal of Honor and Purple Heart for injuries he sustained when he was stabbed in the cheek while trying to take an assailant into custody, who had stabbed an 8-yr old child multiple times. The assailant tried to kill him while he was trying to save the life of the child. Chief Getchell presented Officer Kelly with the Medal of Honor. Mayor Flagg thanked these employees for giving of themselves to protect the public safety.

**STUDENT OF THE MONTH – December, 2009** – Commissioner Myers and Superintendent of Schools Tom Townsend joined Mayor Flagg in presenting certificates of achievement to the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

Brandon “Alex” Busey Jr.	Beasley Middle School
Gage Winkler	Children’s Reading Center Charter School
Xavior Lowe	E.H. Miller School
Kayla Booth	James A. Long Elementary School
Alyssa Curtis	Jenkins Middle School
Peyton Kalaczynski	Kelley Smith Elementary School
Kenneth Landis	Mellon Elementary School
Kenneth Neely	Moseley Elementary School
Billy Sampson	Palatka High School
Emily Lands	Peniel Baptist Academy

Mayor Flagg asked for and received consensus to amend the Orders of the Day to move Agenda Item Numbers 7 and 9 to the Front of the Orders.

7. **PUBLIC HEARING** – 3310 Crill Avenue – Planning Board Recommendation to Annex, Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Service to City of Palatka High Density Residential, and Rezone from Putnam Co. R-1 (Single-Family Residential) to City of Palatka R-3 (Multi-Family Residential) – Palatka Housing Authority, applicant; John Nelson, Executive Director, Agent

- a. Annexation Ordinance – Adopt
- b. Land Use Amendment Ordinance – with Land Use Agreement - Adopt
- c. Rezoning Ordinance – 1<sup>st</sup> Reading

Mayor Flagg read a memorandum into the record from John Nelson, Executive Director, PHA, withdrawing this item from the Agenda. Mr. Holmes said the process as to his application has been concluded and cannot be brought back to the City Commission at a later date unless it is resubmitted as a new application to the Planning Commission, for referral to the City Commission.

9. **PUBLIC HEARING - ORDINANCE** - Planning Board Case #PB 09 - 27 - Request to close Viking Street between 4<sup>th</sup> Manor and 5<sup>th</sup> Manor - Kenneth Downs, Applicant – Planning Board Recommendation to Deny – 1<sup>st</sup> Reading

Mayor Flagg read an e-mail sent by the Applicant, Kenny Downs, to the City Clerk asking that this item be removed from the Agenda. Mr. Holmes said by removing this item from the agenda, Mr. Downs is terminating this application for a street closing. He can resubmit an application to the Planning Board for referral to the City Commission at a later date if he so desires, but this is the end of this particular case.

Mayor Flagg noted this is the end of these cases. The commission will not be hearing any discussion on either of these two items.

2. **PUBLIC COMMENTS**

Lynda Little Crabill, 609 S. 14<sup>th</sup> Street, re-invited the Commission and audience to Light the Riverfront on Dec. 13<sup>th</sup> at 5:00 p.m. It was rescheduled due to inclement weather.

3. **CONSENT AGENDA:**

- a. **Issue permit to exceed noise levels established by Chapter 30, Palatka Code of Ordinances, to Steamboat Willies** for December 25 and December 31, 2009
- b. **Declare as Surplus Parks Department Equipment** as listed for Disposition by Parks Supt.
- c. **Authorize execution of contract in the amount of \$8,000 with LAN Associates** for bid administration for River Street Stormwater Project, per City Manager
- d. **Accept and authorize execution of FDEP Grant Award in the amount of \$150,000** for River Street Stormwater Project
- e. **Authorize City Manager and City Attorney to negotiate a contract with Martin SE** for Bus Stop Bench/Shelter Advertising
- f. **Reappoint Earl Wallace, Ezekiel Johnson, and Skip Harwell to the Palatka Planning Board** for 3-year terms to expire December 31, 2012 (sole applicants)
- g. **Concur on reappointment of Sgt. Scott Reinhold to Palatka Police Officers' Pension Board** for a 2-year term to expire December 31, 2011, per results of PD Pension Board Rep. Election 11/17/09
- h. **Appoint Citizens Advisory Task Force for CDBG 2009-10** Community Development Block Grant Application Cycle per staff recommendation: Larry Beaton, Richard Peralon, Marjorie Tooley Shanks, Ken Venables, James Williams, and Commissioner Allegra Kitchens, Liaison
- i. **Concur on Mayoral Appointment of Christine Bolden as Resident Representative to the Palatka Housing Authority Board** for a partial term to expire 4/15/2011
- j. **Accept resignation of Clem Saccareccia from Palatka Planning Board**
- k. **Adopt City Commission Meeting Calendar** for January 1, 2010 through June 30, 2010
- l. **Amend permit to exceed noise levels established by Chapter 30, Palatka Code of Ordinances to Pilot Club** of Palatka for Annual Light the Riverfront Event at the Palatka

Riverfront Park to revise the date from 12/5/09 to Sunday, Dec. 13 from 5:00 p.m. to 8:00 p.m., per Special Events Coordinator (rain date)

Commissioner Kitchens asked to pull Items 3(c) and 3(d) from the consent Agenda for discussion. Commissioner Myers noted, under Item (f), Mr. Johnson's application states he is applying for reappointment to the Building & Zoning Board. The Clerk noted he is applying for reappointment to the Planning Board. There is no "Building & Zoning" Board.

Christy Sanford asked for discussion on Item (h), Appointment of CATF.

Commissioner Myers moved to approve Consent Agenda Items 3 a, b, e, f, g, i, j, k, and l as presented. Commissioner Kitchens seconded the motion, which passed unopposed.

- 3(c). Authorize execution of contract in the amount of \$8,000 with LAN Associates** for bid administration for River Street Stormwater Project, per City Manager - Commissioner Kitchens says she does not believe this is in the best interest of the City of Palatka. She has spoken with Mr. Holmes about this, and he will be making corrections to it so that it will be acceptable. Mr. Holmes said, as to the liability agreement in the package, he recommends the following: 1) the last sentence of paragraph 1, which begins with "Moreover, LAN shall..." will read as follows: "Moreover, LAN shall indemnify and hold harmless from all claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against the client by reason of any negligent omissions or negligent act of LAN, its agents or employees, or subcontractors in connection with its services under this AGREEMENT."

Mr. Holmes said he would substitute Paragraph (b) with the following: "Any claim for liability against LAN for damages resulting from the existence of hazardous substances at the "work site" unless said damages are the result of LAN'S negligence, or unless LAN, through the exercise of reasonable diligence, should have been aware of the existence of said contamination. "Work site" shall be defined for purposes of this paragraph as the location where the work which is the subject of LAN's professional services as defined in the AGREEMENT is to be performed."

Commissioner Kitchens said she has the 23 page contamination report from DEP and wanted to be sure the city doesn't get sued for anything that may happen on that site. She concurs with Mr. Holmes' wording. Commissioner Kitchens moved to approve Consent Agenda Item 3(c) incorporating the amends provided by Mr. Holmes. Commissioner Norwood seconded the motion, which passed unopposed.

- 3(d). Accept and authorize execution of FDEP Grant Award in the amount of \$150,000** for River Street Stormwater Project - Commissioner Kitchens said she read Mr. Boynton's memo, which states it is not expected that any money will be contributed by the City, but there will be a long-term maintenance expense. Mr. Boynton advises that is \$35,000. Commissioner Kitchens said the Contract Agreement states that the Grantee is responsible for providing \$35,000 in-kind or cash matching, and she asked Mr. Boynton to allay public fear as to what the cost to the city will be. Mr. Boynton said they proposed this project over 3 years ago and is part of the City's TMDL requirement to reduce phosphorus loading to the River. This will supplement a grant the City received a few years ago. This will replace the storm water pipe that runs from Kirby to River Street and relocate it so that it runs parallel to Kirby and then southerly to the River Street connection. The City is also installing a storm water baffle box to remove the nutrients from the storm water. They received bids on this yesterday and it will come in under \$175,000 for construction, and will be under the \$275,000 for the project. This funding amount is nominal and can be funded. \$125,000 is available

from SJRWMD; another \$50,000 is coming from Norm Jutras. Another \$35,000 in monetary and in-kind funds will be appropriated by the City for long-term monitoring, and some will be moved into construction.

Commissioner Kitchens moved to approve Consent Agenda Item 3(d). Commissioner Myers seconded the motion, which passed unopposed.

- 3(h). Appoint Citizens Advisory Task Force for CDBG 2009-10** Community Development Block Grant Application Cycle per staff recommendation: Larry Beaton, Richard Peralon, Marjorie Tooley Shanks, Ken Venables, James Williams, and Commissioner Allegra Kitchens, Liaison - Christy Sanford asked as to the role of the Task Force and how one gets on the Task Force. Fred Fox, Grant Administrator, said there is a public hearing tonight on the CDBG grant process. DCA requires a citizens' task force for this application process, mandated to meet at least once. Once the Commission decides on the project they will present that to the citizens' group and those comments will come back to the commission for possible amendment to the application. They also convene as part of the selection process for administration or engineering. On certain CDBG contract amendments, if a public hearing is triggered, they will meet on that issue. Commissioner Kitchens said in addition, this group oversees the project and makes sure it is proceeding as planned. Mr. Fox said they also advise their neighbors as to what is coming. The Clerk stated that if the members are willing to be reappointed, they are generally reappointed for each grant cycle as they usually only meet once or twice a year as needed. When an opening comes up it is advertised to the public. Commissioner Norwood moved to approve Consent Agenda Item 3(h). Commissioner Kitchens seconded the motion, which passed unopposed.

- 4. PUBLIC HEARINGS – Community Development Block Grant: CDBG APPLICATION PREPARATION 2009-10 CYCLE – 1<sup>ST</sup> PUBLIC HEARING** – Fred Fox, Grants Administrator, said this is the first of two public hearings. The City is currently finishing the Dunham Street Water Line Project and that should wrap up next month. The purpose of this hearing is to take input on the next year's application process. There are four categories of grants. The cycle has been delayed the last couple of years for rule development. This cycle will begin April, 2010; there was no cycle for 2009. The rule revision will be completed before they open the cycle. They are currently operating under the current rule, which states there are four categories of grants. Of the CDBG grant funds available, 40% goes to neighborhood revitalization such as water and sewer line replacement, community center upgrades, public infrastructure and building improvements with the exception of City Halls and Police Departments. The Housing category receives 20% of the funding; this is rehabbing or replacing homes occupied by low income families. Then there is Commercial Revitalization, such as downtown streetscape or parking lot projects, which receives 10% of the pot. The 4<sup>th</sup> category is economic development such as the bowling alley project; this is 30% of the pot. This application process opens up each year. A business must co-apply with the City. In each category the maximum amount the City can apply for is \$750,000, and that amount is based upon the number of low-income people in the area based upon the census. They've received funding on two neighborhood applications since 2003. If they are aggressive they can be competitive and pick up all 100 points. He asked if the Commission wished to discuss application for a neighborhood development grant.

Mr. Boynton said with the 2009 cycle being delayed to February 2010, they are in a position to apply for back-to-back cycles. There are two or three projects he'd like to propose. One is a community center upgrade for the Prince-Martin, Larimer, Train Depot and ADA compliance for City Hall. The Price-Martin/Train Depot complex is the hub for Rails to Trails. There are problems with the roof and kitchen. The Larimer needs the proper HVAC. City

Hall has handicapped access in the rear, but needs access in the front, also. Instead of moving forward with an infrastructure project such as the water line replacement, he believes they need to put money into their buildings. This is the #1 priority. The 2<sup>nd</sup> priority is to go with another water line replacement around Eagle Street south. They have to stay within the low-to-moderate income areas. It would be hard to do this in the historic districts. The other possibility is putting sewer into the Stilwell Avenue area off St. Johns Avenue. They have to get below \$9,000 per family on that area and were unable to do so. Infrastructure replacement is always doable, but he recommends putting the funds into public buildings through a neighborhood revitalization grant. Mr. Fox noted the Price Martin Center building was built by a CDBG grant. Mr. Boynton said they can apply for an economic development grant once the bowling alley is complete.

Commissioner Myers said he is in favor of focusing on neighborhood revitalization concerning upgrading these buildings. Commissioner Kitchens concurred. Commissioner Norwood concurred.

Christy Sanford, 312 Dodge Street, concurred on this proposal and said she wanted to better understand the allocations. Mr. Fox said the State allocates 40% of the "pot" of money to economic development projects. They have to apply for one of those four categories. Ms. Sanford asked if there is a chance to fund housing. Mayor Flagg said when they really start looking at the inventory, the upscale housing is where the deficit is. For those individuals in public housing, there is no vacancy in housing that would be "the next step up." Instead of trying to fix the bottom end, they need to fix the top end, which will create more of a balance. Ms. Sanford said perhaps they could address neighborhood revitalization through additional use of TIF Funds. Mayor Flagg said this is tied to the income level of individuals. He is hoping they can deal with this through infill, where infrastructure already exists. Mr. Fox said the CDBG housing program is currently taking people currently living in a home and rehabbing that home. It is not for replacement housing. It is similar to private developers who come to the City to assist with their programs.

Commissioner Norwood said the City should do an assessment on low income housing and consider this during the next cycle, so that they can make an intelligent decision. Commissioner Kitchens said in years past the City had a CDBG to rehabilitate houses. Mr. Fox said those were CDBG grants; they were working under HUD in a "hold harmless" program. This meant the project was funded in three-year chunks; they could use the money for multiple activities. The State then took over the program and allowed applications in several categories. The State then revised the rule and went to the system in place now. Those grants are still available. If you address a house, you have to bring it to current code, which is now much stricter since Hurricane Andrew. Wind Load is a major factor. Mr. Boynton said you may have to renovate a home from top to bottom, and not just address a single issue, such as only plumbing or only a roof. 25% of this is taxpayer funds. That is why they have concentrated on infrastructure improvement. They have to understand that this type of program requires a complete rehabilitation of these homes, and they have to be cautious. Code Enforcement started a process of identifying 15 – 20 homes that needed to be torn down. They are halfway through that process. Dilapidated structures are starting to go away. If anyone has a dire need that is on that level, they need to be addressed through the SHIP program. Mr. Fox said the weatherization program addresses minor repairs. This is also not a full rehab. They can spend around \$5,000 per house.

Mr. Fox said Under NSP 1, the State allocated funds to certain coastal counties and HUD allocated funds to larger counties to address foreclosures. There is also money available to non-profits for weatherization. Florida is getting weatherization money. A portion of that money may funnel down to Putnam County, but Putnam County was not in the allocation.

Mr. Boynton said people can talk to Karen Venables, the Assistant City Clerk, for information on the SHIP program. There was consensus that neighborhood revitalization is the primary focus.

**COMMUNITY DEVELOPMENT BLOCK GRANT – FAIR HOUSING WORKSHOP** – Mr. Fox noted he was passing around a sign-up sheet for this. They will do this workshop now and another workshop for real estate people prior to the application submittals. The City adopted a fair housing ordinance on December 8, 1983, which was subsequently amended to follow HUD rulings. If someone is working in the Real estate business and is selling or renting homes, and if someone feels they were denied the right to housing due to one of the listed reasons, they can file a complaint with the Clerk and the City would have 60 days to investigate the complaint and decide whether or not to send the complaint to the State Attorney's office. The ordinance has contact information for the State and Federal levels. There is a complaint package included, provided someone wants to also file a complaint there. This applies only to those rental agents who deal with more than three units. Mr. Fox distributed support literature (filed).

5. **RESOLUTION** requesting a waiver in SJRWMD permit fees for F/Y 2009-10 – Adopt - The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, REQUESTING A WAIVER IN PERMIT FEES FROM ST. JOHNS RIVER WATER MANAGEMENT DISTRICT. Commissioner Norwood moved to adopt the resolution as read. Commissioner Myers seconded the motion. A roll call vote was taken with the following results; Commissioner Norwood, Myers, Kitchens and Mayor Flagg, yes; Nays, none. The resolution was declared adopted.
6. **PUBLIC HEARING** – Ordinance 09-59 amending the City of Palatka Comprehensive Plan's Capital Improvement Element to adopt the Financially Feasible Five-year Schedule of Capital Improvements – Adopt – Mayor Flagg opened the public hearing. The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CITY OF PALATKA COMPREHENSIVE PLAN'S CAPITAL IMPROVEMENT ELEMENT TO ADOPT THE FINANCIALLY FEASIBLE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (FY 2009/10-2013/14) AS REQUIRED BY SECTION 163.3177(3)(b)(1), FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN; SETTING FORTH THE PURPOSE AND INTENT OF THE AMENDMENT; IDENTIFYING PLAN ELEMENTS AND SUB-ELEMENTS TO BE AMENDED; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to pass the ordinance on first reading for adoption. Commissioner Norwood seconded the motion. There being no discussion, a roll-call vote was taken, with the following results: Commissioners Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.
8. **PUBLIC HEARING** – Parcel of Land off St. Johns Avenue (portion of Putnam Co. Business Park) – Planning Board Recommendation to Annex and Amend the Future Land Use Map and Future Land Use Element from Putnam County Urban Reserve to City of Palatka Industrial – Putnam County Board of County Commissioners, Applicant - Mayor Flagg opened the public hearing and acknowledged the presence of Mr. Hammonds with Putnam County Planning & Zoning Department.

**ANNEXATION ORDINANCE** – Adopt - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IN SECTION 09, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM

COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Myers moved to adopt the ordinance as read. Commissioner Norwood seconded the motion. A roll call vote was taken, with the following results: Commissioner Myers, Norwood, Kitchens and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.

**LAND USE AMENDMENT ORDINANCE** – Adopt - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 9, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE TO CITY INDUSTRIAL, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance as read. Commissioner Myers seconded the motion. A roll call vote was taken, with the following results: Commissioner Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.

10. **ORDINANCE** rezoning 5015 Crill Avenue from Putnam Co. C-1 (Commercial) and AG (Agricultural) to City of Palatka C-2 (Intensive Commercial) – Jacob Spells, applicant – 2<sup>nd</sup> 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 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY C-1 (COMMERCIAL) AND AG (AGRICULTURAL) TO CITY C-2 (INTENSIVE COMMERCIAL); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. Commissioner Kitchens seconded the motion. A roll call vote was taken, with the following results: Commissioner Norwood, Kitchens, Myers and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.
11. **ORDINANCE** rezoning 6677 & 6679 Crill Avenue Putnam County Agricultural (AG) to City of Palatka Commercial Neighborhood (C-1A) – Rural Health Care, Inc., applicant; Juli Holmes, Agent – 2<sup>nd</sup> 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 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY AG (AGRICULTURE) TO CITY C1-A (COMMERCIAL NEIGHBORHOOD); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Myers moved to adopt the ordinance as read. Commissioner Kitchens seconded the motion. A roll call vote was taken with the following results: Commissioner Myers, Kitchens, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.
12. **ORDINANCE** rezoning 6681 Crill Avenue from Putnam Co. R-1A (Single Family Residential) and AG (Agricultural) to City of Palatka C-1A (Commercial Neighborhood) – Beck/Sloan Properties, Inc., applicant – 2<sup>nd</sup> 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 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST; FROM COUNTY R1-A (SINGLE-FAMILY RESIDENTIAL) TO CITY C1-A (COMMERCIAL NEIGHBORHOOD); REPEALING ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance as read. Commissioner Myers seconded the motion. A roll call vote was taken with the

following results: Commissioner Kitchens, Myers, Norwood and Mayor Flagg, yes; Nays, none. The ordinance was declared adopted.

13. **ACCEPT CRA RECOMMENDATIONS** as follows:
1. **Adopt/Approve Main Street Building Improvement Grant Program**, per CRA recommendation 12/10/09
  2. **Adopt/Approve CRA Annual Plan**, per CRA recommendation 12/10/09
  3. **Accept recommendation to reallocate South Historic Neighborhood Association funds**, per CRA Recommendation 12/10/09

Ken Venables, 2002 Cherry Lane, Palatka, said regarding the Main Street Building Program, he anticipates the typical applicant is not someone who is used to dealing with grant applications. It is critical that there be as few ambiguities as possible. Referring to Page 3, circle #6, under the heading "the following are ineligible for the grant program." This seems to state work done by an unlicensed contractor is ineligible which presumably means that all work has to be done by a licensed contractor. Not all laws, codes or ordinances require certain work to be done by a licensed contractor. He asked them to clean up the language so that someone doesn't have to go out and hire a licensed contractor when law, code or ordinance doesn't require it. Some of this work could be done by someone who is paid \$8.00 per hour as opposed to a license contractor.

Mr. Venables said, regarding disapproval by the evaluation committee and the appeals process, he likens the appeal process to a grievance procedure. There should be timelines here; it should not be open ended. There should be time lines put in place for the window of appeal and response to the appellant by the respective boards. Mayor Flagg asked the Clerk to highlight these comments and pass them along to the Committee. Commissioner Norwood moved the aforementioned CRA Board recommendations # 1, 2 and 3 under agenda item #13 be accepted and approved. Commissioner Kitchens seconded the motion, which passed unopposed.

14. **DISCUSSION – City Involvement in 2010 Blue Crab Festival** – Jeff Norton and Woody Boynton – Mr. Boynton said Mr. Fulgham has previously advised he did not know if the festival would continue to 2010. He did not think it would under the current management structure. He feels that the City should play a greater role in organizing and managing the Festival. He asked Mr. Norton and Debbie Banks to evaluate the roles. Mr. Norton has made a recommendation, which is included in their packets. The City believes it can take this on. This will be time-consuming. It is a festival that defines the City during Memorial weekend. He would like approval to come back in January with a full-fledged proposal to do this. This would include a budget. There are many issues associated with this. This is a good use of money. They believe they can put together the necessary volunteer program and contact the vendors. They do not want to make a statement that the Blue Crab Festival won't occur in 2010 without looking at all avenues. He supports Mr. Norton's recommendation to allow the City the opportunity to put together a proposal.

Jeff Norton, Parks & Cemeteries Supt., recognized the Blue Crab Committees of the past. He believes the City can manage it and keep it going. The special events committee can put together a proposal for January.

Lynda Crabill, 609 S. 14<sup>th</sup> Street, said she has been a member of the Blue Crab Committee since 2001 and hopes the City will find a way to continue with this well-known festival. She is the T-shirt chairman. She finds that the Committee took on such a formidable way of handling this. Each person did their part throughout the year. She generally starts on T-shirts in October. This is December. It can be done. Vendors are usually notified immediately

after the prior festival. They like to know by January. The design of the festival will have to change with the development of the 100 block.

Christy Sanford said there was gossip going on regarding purchases being made from outside the City. They need to patronize local business. They also need to find out what other communities are doing to find sponsors.

Mayor Flagg said the issue is not with competency, but of time. Any recommendation has to be able to address the individuals who are leading these groups. This is a community based effort. It will require prioritizing time and talents. The City is in the business of providing service to its citizens and they do not want to compromise this.

Commissioner Kitchens said she understands that plans for the next festival begin as soon as the festival is over. These volunteers put in hundreds of volunteer hours. They donate their proceeds to charity. These people have been involved for many years and put in the sweat hours. This is a tremendous amount of work. The City can't afford to pay overtime. She doesn't want any city employee to feel pressured to do this. Blue Crab has established vendors due to a trust relationship. The 100 Block could be an issue. She said she'd like to know the actual cost to put this festival on from the Blue Crab Festival. She'd also like to know the man hours involved and how many people it takes to put this festival on. She doesn't believe the City wants to charge itself fees.

Mayor Flagg said he doesn't want to tie anyone's hands. They need to determine if they have the commitment from present volunteers. That is equity in the program. It cannot be 100% employees of the City of Palatka.

Commissioner Myers said he concurs with Mr. Norton and Mr. Boynton's memorandums. Over the years this festival has grown. It creates a tremendous amount of goodwill and showcases the City. They've only recently suffered financial setbacks due to the economy and weather. He agrees that city services should not be compromised. This could revitalize their volunteer efforts. He supports this recommendation to comprehensively evaluate the situation.

Commissioner Norwood said this festival provides economic stimulation for the City for both large and small businesses especially in Downtown. Before they can commit to this, they need to know what they are getting into, and concurred with Commissioner Kitchens. They shouldn't get into overtime situations with this Festival. They don't mandate volunteerism.

Mayor Flagg said the Commission supports this festival and wants it to continue, but they need balance in time, cost and labor. He has full confidence in the City Manger and his staff. Mr. Boynton said he will bring a presentation before the Commission in January.

#### 15. **ADMINISTRATIVE REPORTS**

Mr. Boynton said the Christmas parade was a wonderful affair. Citizens were lined up from 2<sup>nd</sup> Street all the way to 11<sup>th</sup> Street. Sam Deputy did a wonderful job.

Mr. Boynton said he's had no complaints on levels of service regarding employees' job performance. City employees "bring it" every day in spite of not having had raises for two years. He believes 2009 is the year that started the momentum that will carry the City into the future.

16. **COMMISSIONER COMMENTS**

Commissioner Norwood thanked the citizens for allowing him to serve. He thanked staff for the services they provide to the City of Palatka and Putnam County.

Commissioner Myers said it's been a very rewarding year for him and he believes the Commission has made a lot of progress.

Commissioner Kitchens concurred saying the City has done remarkably well in spite of the economy. She wished all the citizens and staff a Merry Christmas and Happy New Year.

Mayor Flagg wished everyone a Merry Christmas and a prosperous New Year. He looks forward to a great 2010.

17. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 8:05 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