

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



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

BETSY JORDAN DRIGGERS
CITY CLERK

MATTHEW D. REYNOLDS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT

DONALD E. HOLMES
CITY ATTORNEY

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

MINUTES

CITY OF PALATKA

May 24, 2012

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 24th day of May, 2012.

PRESENT:

Mayor	Vernon Myers
Commissioner	Mary Lawson Brown
Commissioner	Allegra Kitchens
Commissioner	James Norwood, Jr.

ABSENT: Commissioner Phil Leary

Also Present: City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Planning Director Thad Crowe, Police Chief Gary Getchell; Fire Chief Mike Lambert; Water Treatment Plant Supt. Melvin Register, Wastewater Treatment Plant Supt. Platt Drew, Main Street Manager Charles Rudd, and Parks & Cemeteries Supervisor Jeff Norton

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

INVOCATION – The Reverend Ken Johnson, Pastor; Biggers Memorial Chapel, Rodeheaver Boys Ranch

PLEDGE OF ALLEGIANCE – Commissioner James Norwood, Jr.

ACKNOWLEDGEMENT - Mayor Myers recognized the presence of former Mayor Karl N. Flagg

APPROVAL OF MINUTES – 5/10/12 – Commissioner Norwood moved to approve the minutes as read. Commissioner Brown seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS:

PPD EMPLOYEE RECOGNITION: Det. Brad Forsythe, Crime Stoppers "Officer of the Year" – Chief Getchell said Office Forsythe was named Officer of the Year by Crime Stoppers, Inc. in Daytona Beach, which represents a multi-county area. He received a plaque and a working 40-caliber Smith & Wesson firearm. Chief Getchell read the nomination essay, which came from the PPD. He said Det. Forsythe has had several notable investigations and made a significant positive impact in Palatka and Putnam County. His investigation of a criminal drug ring resulted in the arrest of 18 people. He initiated an investigation of an alleged "pill mill" which resulted in the arrest of a physician involved in the clinic and the clinic was shut down. He has always

displayed a positive attitude and never been disciplined. He was officer of the Year 2006 and his Unit was named Unit of the Year 2011. In 2007 he received a meritorious award for drug arrests.

Commissioner Brown asked information on this award be sent to the Florida League of Cities for their Quality Cities magazine.

STUDENT OF THE MONTH – May, 2012 – Mayor Myers & Vice Mayor Brown presented certificates for academic excellence, leadership, citizenship and attendance to the following students at their respective schools:

Skyler Stackpole	Beasley Middle School
Sophie Tilton	Browning Pearce Elementary School
Alexandra Apostolos	Children's Reading Center Charter School
Jacob Bryan	E.H. Miller School
Morgan Register	James A. Long Elementary School
Brittany Roman	Jenkins Middle School
Abby Symonds	Kelley Smith Elementary School
Kianna Anchetta	Mellon Elementary School
Tyler Sweat	Moseley Elementary School
Tedra Cooper	Palatka High School
Missy Moody	Peniel Baptist Academy

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

3. **CONSENT AGENDA:**

- a. **Authorize execution of Change Order #5 to Masci Corp. contract in the amount of \$7,399.15**, for a new total contract amount of \$1,018,908.20 to amend the scope of work to core into the tank for a higher elevation, per Project Engineer/WWTP Superintendent's recommendation.
- b. **Authorize execution of Polling Location Agreement with the Supervisor of Elections** for use of the Price-Martin Center as a polling location for the 2012 Primary and General Elections, per Staff recommendation.
- c. **Authorize nomination of WWTP Reuse Project Phases I, II, III & IV** for FLC Municipal Achievement Awards in the Environmental Stewardship category
- d. **Authorize nomination of Vice Mayor Mary Lawson Brown** for Florida League of Cities "E. Harris Drew Municipal Lifetime Achievement Award."
- e. **Designate Mary Lawson Brown as voting delegate** to the 2012 FLC Annual Conf. Aug. 23 – 25, 2012
- f. **Amend the Summer Meeting Calendar** to schedule a Pre-Budget workshop on 6/14/12 @ 2:00 p.m.
- g. **Grant permission to exceed noise levels established by Chapter 30, Palatka Code of Ordinances** to John Lyon, Steamboat Willie's from 10:00 p.m. until 1:00 a.m. on Friday, May 25, and Saturday, May 26, 2012 (Memorial Day Weekend) for live outside entertainment, per Police Chief's recommendation

Commissioner Kitchens asked to pull consent item (g) for discussion. Commissioner Norwood moved to approve Consent items (a) through (f) as presented. Commissioner Kitchens seconded the motion, which pass unopposed.

- 3(g). **Grant permission to exceed noise levels established by Chapter 30, Palatka Code of Ordinances** to John Lyon, Steamboat Willie's from 10:00 p.m. until 1:00 a.m. on Friday, May 25, and Saturday, May 26, 2012 (Memorial Day Weekend) for live outside entertainment, per Police Chief's recommendation - Commissioner Kitchens said Blue Crab's permit to exceed noise levels ends at midnight, and Mr. Lyon is extending his to 1:00 a.m. Mayor Myers said he normally

requests a variance to 1:00 a.m. Commissioner Brown moved to approve Consent item 3(g). Commissioner Norwood seconded the motion, which passed unopposed.

4. **REQUEST** to approve location of Pawnbroker at 3705 Crill Avenue – Terry Hancock, applicant – Commissioner Norwood moved to approve as requested. Commissioner Brown seconded the motion. Commissioner Brown asked why they have to approve this. Mr. Holmes said the Code states that the Commission has to approve the location. The applicant has the appropriate zoning designation and there is no criteria given for approval. Commissioner Brown asked if this is something they need to clean up, if it's not necessary. There being no further discussion, the motion passed unopposed.
5. **PUBLIC HEARING** – 3205 & 3209 Crill Avenue and 1108 S. Palm Avenue - Planning Board Recommendation to annex, amend the Future Land Use Map on 3205 & 3209 Crill Avenue from County Commercial to City of Palatka Commercial and on 1108 S. Palm Ave. from County Urban Reserve to City of Palatka Residential, Low Density, and rezone 3205 & 3209 Crill Avenue from Putnam County C-2 (Commercial, Light) to City of Palatka C-2 (Intensive Commercial) and rezone 1108 S. Palm Avenue from Putnam County R-1A (Residential, Single Family) to City of Palatka C-1A (Neighborhood Commercial) – Donald E. Holmes, J. Dale Hewitt Life Estate and Richard Richter, owners; Guy Parola, Agent/Applicant – Mayor Myers opened the public hearing. Mr. Holmes recused himself as an owner of record on the property, and left the dais.

ORDINANCE annexing 3205 & 3209 Crill Ave. & 1108 S. Palm Ave – 2nd Reading, 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 IDENTIFIED AS 3205 CRILL AVENUE, 3209 CRILL AVENUE, AND 1108 SOUTH PALM AVENUE, LOCATED IN SECTION 11, 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.

ORDINANCE – 3205 & 3209 Crill Ave. & 1108 S. Palm Ave. – amending the Future Land Use Map on 3205 & 3209 Crill Avenue from County Commercial to City of Palatka Commercial and on 1108 S. Palm Ave. from County Urban Reserve to City of Palatka Residential, Low Density – Adopt - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO THREE PARCELS OF LAND (LESS THAN 10 ACRES IN SIZE) IDENTIFIED AS 3205 CRILL AVENUE, 3209 CRILL AVENUE, AND 1108 SOUTH PALM AVENUE FROM PUTNAM COUNTY CR (COMMERCIAL) TO COM (COMMERCIAL) FOR 3205 CRILL AVENUE, FROM PUTNAM COUNTY UR (URBAN RESERVE) TO COM (COMMERCIAL) FOR 3209 CRILL AVENUE, AND FROM PUTNAM COUNTY CR (COMMERCIAL) TO COM (COMMERCIAL) FOR 1108 SOUTH PALM AVENUE, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE rezoning 3205 & 3209 Crill Ave. & 1108 S. Palm Ave – to rezone 3205 & 3209 Crill Avenue from Putnam County C-2 (Commercial, Light) to City of Palatka C-2 (Intensive Commercial) and rezone 1108 S. Palm Avenue from Putnam County R-1A (Residential, Single Family) to City of Palatka C-1A (Neighborhood Commercial) - 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 PROPERTIES LOCATED IN SECTION 11, TOWNSHIP 10 SOUTH, RANGE 26 EAST, LOCATED AT 3205 AND 3209 CRILL AVENUE AND 1108 SOUTH PALM AVENUE, FROM PUTNAM COUNTY C-2 (COMMERCIAL, LIGHT) TO CITY OF PALATKA C-2 (INTENSIVE COMMERCIAL) FOR 3205 AND 3209 CRILL AVENUE, AND FROM PUTNAM COUNTY R-1A (RESIDENTIAL SINGLE FAMILY) TO CITY OF PALATKA C-1A

(NEIGHBORHOOD COMMERCIAL) FOR 1108 SOUTH PALM AVENUE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Commissioner Norwood moved to pass and adopt all three ordinances as read. Commissioner Brown seconded the motion. There being no public comment, a roll call vote was taken with the following results: Commissioners Brown, Kitchens, Norwood and Mayor Myers; yes. Nays; none. The Ordinances were declared adopted.

6. **PUBLIC HEARING/ORDINANCE** to revise the Comprehensive Plan Future Land Use Element to allow colleges in the Public Buildings land use category – City of Palatka, Applicant – Adopt - The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED TO AMEND POLICY A.1.9.3, TO ALLOW FOR COLLEGES AND UNIVERSITIES IN THE PUBLIC BUILDINGS AND FACILITIES FUTURE LAND USE MAP CATEGORY, PROVIDING FOR SEVERABILITY 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: Commissioners Brown, Kitchens, Norwood, and Mayor Myers; yes. Nays; none. The Ordinance was declared adopted
7. **ORDINANCE** amending the Palatka Code of Ordinances to revise Section 2-250.185(b), Police Officer Benefit Group Pension Amount Formula, per Actuarial Evaluation Recommendation – 2nd 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 REVISING SECTION 2-250.185(b), POLICE OFFICER BENEFIT GROUP PENSION AMOUNT FORMULA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance as read. Commissioner Norwood seconded the motion. A roll call vote was taken with the following results: Commissioners Brown, Kitchens, Norwood and Mayor Myers; yes. Nays; none. The Ordinance was declared adopted.
8. **REQUEST TO PLANT WILDFLOWERS IN MEDIANS** – US Hwy 17/SR100 from the RR tracks to the “Y” – Ramicah Watkins, Executive Director, Keep Putnam Beautiful, 205 Higgins Street, Palatka, said this came out of conversations she had with FDOT regarding beautification. The City maintains these medians. The FDOT has concurred on this but said KPB needs approval from the City to do this. This planting will go in the medians beginning in front of the Chamber to where Highways 100 and 17 split. There will need to be some initial irrigation to get the seeds germinated and started. These are drought resistant, heat-loving flowers so they won’t require much attention. Mayor Myers said he likes the flowers he sees on roadsides in other states. He asked if this will have a weedy look to it. Ms. Watkins said the City maintains these and can mow them down if they start to look bad at its discretion. Commissioner Kitchens noted Mr. Griffith suggested this project done on Hwy 19 instead of Hwy 17, and she’d like Hwy 19 included in this request. Ms. Watkins said this comes from mitigation money and it’s not a large pot of money; they could plant fall flowers along Hwy 19. Commissioner Brown said she is on the road a lot and this really picks up the scenery. She thinks as long as they look good they should do this. Commissioner Brown moved to approve the request to plant wildflowers in the medians of US Hwy 17/SR100 from the railroad tracks to the “Y”. Commissioner Kitchens seconded the motion.

Mayor Myers said this is a welcomed enhancement to the Commission and is worth a try. Commissioner Norwood said as long as it is low maintenance, he agrees with this, but agrees if they begin to look bad, they should come out. Mayor Myers noted Jonathan Griffith will be the one who will determine if they begin to look bad. There being no further discussion, there was a call on the question, and the motion passed unopposed.

9. ADMINISTRATIVE REPORTS

CITY MANAGER SELECTION UPDATE - - Mayor Myers summarized, saying the Commission adopted a process on April 26 based upon a memorandum written by former City Manager Boynton. Applications were received until noon on May 11, 2012. All applications were reviewed by Mr. Boynton and Paul Sharon, a "range rider" for the FLC who does this all over Florida. A list containing the top 15 semifinalists was submitted today. This list is available in the Clerk's Office for review. In addition to those 15, each Commissioner can add a name to the list. If they don't want to, they don't have to. The semifinalists, which may number up to 20 candidates, will be interviewed by a citizens committee, one each appointed by each Commissioner, and it will include the City Attorney and the members of the Commission, or a total of 11 people. Interviews will tentatively be conducted during the week of June 11, 2012. After this, applicants will be reduced to 5 remaining applicants. Those will be tentatively interviewed during the week of June 25, 2012. Full background checks will be performed on all finalists. Tonight they will appoint the Committee.

APPOINTMENT OF CITY MANAGER SELECTION/ INTERVIEW COMMITTEE MEMBERS – Karl N. Flagg (nominated by Commissioner Norwood), Tim Smith (nominated by Mayor Myers), Allen Bush (nominated by Commissioner Brown), Art Leary (nominated by Commissioner Leary), and Ed Hedstrom (nominated by Commissioner Kitchens).

Christy Sanford, 312 Dodge Street, said she doesn't think Mr. Boynton could have foreseen the composition of the citizens' panel. She protests as it is not representative of the City of Palatka. Most are not city residents and are not paying taxes. None are women. The selection of a brother by a commissioner is inappropriate. This is not personal but a matter of procedure. There is zero representation for those most active in the revitalization of the City, or Downtown Palatka, the South and North historic districts. These are the past leaders of Palatka, and not future-looking. She is concerned that they won't know the kind of questions that need to be asked. She asked if it is appropriate to suggest questions that can be asked. Mayor Myers said she can suggest questions. Ms. Sanford said these people don't know about current events in Palatka. She also said background checks won't reveal things she's found out about these candidates. She did her own background check and e-mailed the results to them. She hopes they will look at this. The Florida League of Cities may have a different standard. She doesn't want them to get stuck with someone else's problem. Commissioner Kitchens thanked her for the list and said she will be doing her own checking against the list of the top 15. Her questions will be directly about those issues. Commissioner Brown said she's happy to listen to her concerns any time.

Robert Svetlik, 511 N. 3rd Street, Palatka, said he's opposed to the manner of the selection committee process. There are no women selected to review applications. This looks like an aristocracy of good old boys. This is the 21st century and they need fresh ideas put into the mix. It's proper to demand an equal representation of women. These people have been around for 30 years and have destroyed the character of this town. They need fresh minds and fresh demands. The decision makers have made questionable decisions about the revitalization of downtown. He'd like to see a city manager hired who understands the people of this town and not some large corporation who is only interested in profits. The Commission should take the matter up with the residents in a town hall fashion and rethink the current selection process.

Commissioner Kitchens moved to appoint the citizens committee as nominated. Commissioner Norwood seconded the motion. Mayor Myers said these people are former Mayors and administrators who wrote the book on the Better Place Plan and one was in office when it was passed. Allen Bush is the former City Manager and knows the operations of the City. Ed Hedstrom was a highly respected City Attorney and Circuit Judge. Tim Smith is a former Mayor and former resident and property owner in the South Historic District and lived there for years. He

is currently the Clerk of Courts and is well aware of this City and has the knowledge of what's involved in running it, and with current events.

Mr. Svetlik said he objects to having Mr. Bush on this panel. He thinks the town deteriorated in the 30 years Mr. Bush was City Manager. Many historic buildings were destroyed and vacant lots created under his watch. Commissioner Brown said there are two women on this committee; she and Commissioner Kitchens are on this committee. She is a liberated woman and speaks her mind. They need balance on this committee. Mr. Bush understands city finance issues and they need his expertise, as they don't want to go bankrupt. Formers Mayors Smith and Flagg are used to dealing with people. There are statutes and laws and rules on the books that need to be adhered to. Commissioner Kitchens said she is a supporter of equal rights and does not pick people based upon gender, but instead picks them based upon qualifications. She chose Ed Hedstrom based upon his qualifications. He is highly qualified to sit on this committee. All these people are Palatka natives with the exception of Mr. Bush. All these people have paid their share of taxes and pay sales tax in this town. This is a good committee and will help choose the best committee possible. There being no further discussion, the question was called and the motion passed unopposed.

REPORTS:

Thad Crowe, Planning Director, said he and the Police Chief have put together a nuisance ordinance draft. He is going to propose a workshop date of Sept. 13, 2012 at 4:00 p.m.

Mayor Myers said they have vendors coming in from out of town and that not taxpayers, but they compete with local businesses. He's asked Mr. Crowe to look into whether or not there is anything they can do to legally favor local vendors. They'd like to preserve and protect local businessmen.

Mayor Myers complimented Mr. Rudd on the Downtown street party held this past Friday. The format is better and attendance keeps getting better. He urges everyone to support these events. Mr. Rudd said the 4th Saturday Cruise-in is scheduled for this Saturday.

Commissioner Kitchens said the streets were blocked off again prior to 5 pm. There was almost a wreck at St. Johns and 4th due to the street closing. The barricades are not supposed to be up before 5 p.m. because the County offices are still open. They were up at 4:35 p.m. when she came through. Later that evening she received a phone call from one of the citizens who had tried to turn left onto 3rd Street from Reid, and couldn't turn off Reid Street as the barricades were up only 8 feet off Reid Street, and there was no advance notice on them. She was hysterical as she was stuck blocking traffic on Reid Street while trying to turn off onto 3rd Street. A car behind her stopped and let her back into traffic.

Charles Rudd, Main Street Manager, said his request in January was to close streets from 4:00 p.m. to midnight, and that request was approved. They used cones this month; there were no barricades available. He does not cone the outgoing lanes and they do not close 4th Street anymore. The stage comes in at 4:00 p.m. and it takes 2 hrs to set that up. They need those two hours. They need to create a safe place for pedestrians. Both blocks were cleared out by 4:30 p.m.. Commissioner Kitchens said when they block the 300 block, they block customers of the tax collector. She asked if they barricade the courthouse parking lot; Mr. Rudd said they do not, and they don't close 3rd street until almost 6 pm. They close it slowly so people can get out. He met with the Tax Collector in the Planning stages of this event. He has not heard that there have been any problems. Employee parking is outside of the area. Mayor Myers said it will take cooperation and education and they need to get it working smoothly. He asked her to talk to Mr. Griffith, who can coordinate that.

10. COMMISSIONER COMMENTS

Mayor Myers said he received correspondence from an organization called Freedom from Religion, Inc. objecting to prayer being part of the commission meetings. Commissioner Kitchens said she is familiar with this organization. Mayor Myers said he asked the City Clerk to contact the League regarding this, and they are going to send information to the Commission on this. They will have Mr. Holmes review it. This organization alleges prayer in public meetings is a violation of the First Amendment.

Commissioner Norwood said he's looking forward to a great Blue Crab Festival, and noted the City is visitor-ready.

Commissioner Brown said she attended a League workshop that took in 11 states. People from the National League of Cities brought them information. A Congressperson representing Rogers, Arkansas, a small town, was there. Arkansas has grown 50% in the 10 years, since their last census. Walmart was a factor, but the reason Rogers, Arkansas grew is because they aggressively went after Dillard's Department store, and they have established a regional office there now. They have plenty of land mass. The town aggressively went after them. Palatka did a public-private partnership on the water taxis and that worked. They need to put together a package to entice someone to bring in a grocery store. They can do this one building at a time. They can leverage money from several sources, and put a plan together, and not wait on someone else to give them a plan. They need to be more aggressive on how they plan to revitalize the area.

Commissioner Brown said two weeks ago she saw that Dollar General is getting ready to put a grocery store component in their stores. She contacted the regional representative and he has promised to get back with them. They have a store on 9th Street which they can expand and this will create jobs. She has to go to Hwy 19 to get eggs and bread.

Commissioner Brown said at this League workshop, they emphasized holding on to small businesses that are already in place. They need to help them expand. They need to get a grant to put in a business incubator to help people start up or keep their business in place.

Commissioner Brown said the congressperson from Arkansas, who spoke at the League conference, said people buying on-line are putting small businesses out of business. When you purchase on the Internet, you pay no taxes, and this puts nothing back into the community.

Commissioner Brown said they have a lot of meetings, but she'd like them to invite people to come talk to them about putting something together to attract business. People who live here have relatives in other places, or know people in other places. She'd like to hold a workshop on this. Mayor Myers suggested they hold a workshop after the League's annual Conference.

Mayor Myers said they are looking forward to a wonderful Blue Crab Festival. The Wolfson's Tournament packed restaurants and was a large event. These events are good for Palatka and Putnam County. They highlight the St. Johns River.

11. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:15 p.m. upon a motion by Commissioner Brown.