

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 March 11, 2010

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 11th day of March, 2010.

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 Matt Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Building & Zoning Administrator Debbie Banks; Airport Manager John Youell

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

INVOCATION - The Reverend Ben Tippet, Founding Pastor, Victory Christian Fellowship

PLEDGE OF ALLEGIANCE – Debbie Banks

APPROVAL OF MINUTES – 2/25/10 – Commissioner Myers moved to adopt the minutes as read. Commissioner Norwood seconded the motion, which passed unopposed.

PUBLIC RECOGNITION:

PROCLAMATION - Women's History Month – March, 2010 – Mayor Flagg read the proclamation endorsing March as Women's History Month and dedicated it to all the women in the community who provide leadership. He noted special presentations will be made at the March 25 meeting.

PROCLAMATION - Brain Awareness Week – March 15 through 21, 2010 – Members of the Palatka Pilot Club were present to accept the proclamation, which was read and issued by Mayor Flagg.

2. PUBLIC COMMENTS – There were none.

3. CONSENT AGENDA:

a. Appoint 2010 Golf Course Advisory Board (six members – club designees)

- 1 yr terms exp. 01/2011:
1. Buddy Beasley, PMGA President
 2. Greg Jungenburg, PMGA Club Designee
 3. Joy Langston, PWGA President
 4. Genevieve Alvers, PWGA Club Designee
 5. Ward Bair, PSGA Representative
 6. Chuck Horner, PSGA Representative

Commissioner Brown moved to adopt all items on consent as presented. Commissioner Kitchens seconded the motion, which passed unopposed.

4. RESOLUTION urging EPA not to adopt more stringent nutrient discharge

regulations in Florida – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, REGARDING THE POTENTIAL ADOPTION OF NUMERIC NUTRIENT CRITERIA BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; LITIGATION COMPELLING THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY TO ESTABLISH NUMERIC NUTRIENT CRITERIA; AND OPPOSING THE PROPOSED CONSENT DECREE BETWEEN THE PLAINTIFFS AND DEFENDANTS IN FEDERAL CASE NO. 4:08-CV-00324-RH-WCS, CURRENTLY BEING LITIGATED IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA. Commissioner Norwood moved to adopt the resolution as read. Commissioner Kitchens seconded the motion. Mayor Flagg said this is not an effort on the part of the city to circumvent appropriate regulations. If the EPA is doing research into these regulations, it would help if the regulatory agencies would synchronize their efforts. No one wants to harm the St. Johns River. Because this is a federal agency, they don't have local people they can hold responsible. DEP needs to piggy-back on this issue and keep this in balance. Commissioner Kitchens asked if this has come up in League business. Commissioner Norwood said the League is very much opposed to this as well due to the hardship this places on cities. Mayor Flagg said this poses a hardship and seems unreasonable. They all want what is better, but this is not the way to achieve that. Commissioner Norwood said they tightened the limits on TMDLs a few years ago, and these cities did everything possible to meet those limits. Now they are tightening them up further. It is to the point that cities will have to get out of the effluent disposal business. The State needs to regulate the state, and local government needs to be involved. They know the affect of nutrients on the River, but they have to look at the percent of contribution made to the problem. The City of Palatka contributes very little to this problem. Mayor Flagg said EPA needs to be fair. Commissioner Brown said one size does not fit all. There being no further discussion, a roll call vote was taken with the following results; Commissioners Norwood, Kitchens, Brown, Myers and Mayor Flagg; yes. Nays; none. The resolution was declared adopted. Mayor Flagg said this will be distributed to the State and Congressional delegation as well as the Governor.

5. ADMINISTRATIVE REPORTS

City Manager Boynton said they were expected to hold a pre-budget workshop this week. He cancelled that as there are several factors to consider. He would like to propose that meeting be postponed to March 25th at 4:00 p.m. to provide time to put together a 5-month evaluation and get an idea of property values. Also, the auditors are a little behind with their review. He believes the City will be in a better position to inform the Commission what they are looking at for the next budget cycle. This

meeting will be held at the Price Martin Center. Mayor Flagg said he hopes that the commissioners and department heads will go into this meeting with a sense of optimism and not denial; they have to do what they have to do to preserve the integrity of the budget process and allow the City Manager and Finance Director to present to them the various scenarios to allow the City to be as balanced as possible. They read reports about the serious nature of the economy. They need to be optimistic and determined and this will allow them to minimize adverse affects of the economy on the City.

Mr. Boynton said on March 25th Michael Redd & Associates will be coming back to do their presentation on the Riverfront planning and park renovation. They may try to move the program to move the video presentation prior to public recognition.

Mr. Boynton said Betsy Driggers and Karen Venables did a wonderful job on the Mayor's Reception at the Bronson House. It was a splendid event. By all reports the Azalea Festival was a huge success. He would like to thank the Chamber of Commerce and Main Street Board for their work on this. He's had good reviews on everything.

Mr. Boynton said the Senior Azalea Golf Tournament is in town this weekend hosted by the Palatka Golf Club. The top 100 senior amateur golfers will be playing in this community this weekend. This will be the place to be this weekend.

John Youell, Airport Manager, said a few meeting ago the Commission reduced the rental rates on the new T-hangars. Today six hangars have rented and he may have another rented by Monday. He thanked the Commission for taking this action.

6. COMMISSIONER COMMENTS

Commissioner Kitchens said she had a call from a citizen who said apparently Memorial Parkway is no longer a one-way street, and has requested the City stripe the road as this person was nearly involved in a head-on collision there. They need to let people know this is no longer a one-way street. Mr. Boynton said this was brought to his attention several weeks ago and he'd tried to get a contractor in here to take care of this. He will take care of it himself.

Commissioner Kitchens noted the memorandum they'd received on the bus benches (filed). She received many complaints on the haphazard placement of the benches. She hopes they will have this resolved by the next meeting.

Commissioner Brown said they need to make some tentative appointments with the State legislators so they will know the Commission will be at the Capitol for Legislative Action Day.

Commissioner Brown said Census letters will be coming out soon. It is very important for citizens to fill those out and mail them back. This determines how much money the City will receive from the State and how congressional and senatorial districts are drawn.

Commissioner Brown said she has invited the Regional Director of USDA to come to Palatka for a ½ day tour. She invites any other Commissioners to join her on March 30th at 10:00 a.m. at the Chamber. Mayor Flagg asked the Clerk to do a formal press release.

Commissioner Myers concurred on Mr. Boynton's comments on the Mayor's Reception and Azalea Festival and has had many comments on what a nice event it was. He said the City's workers that participated in the event had very positive attitudes, and he had many positive comments on that.

Commissioner Norwood said there is a lot of unsafe housing in the City. They enforce Codes based upon complaints, but people are not calling in on some houses that are unsafe. They have a responsibility to start some sort of process to have these deficits addressed. Once they are called in, he doesn't know whether they can actually expedite the process to get these houses in compliance, but these are unsafe conditions and it affects how people perceive the community. He asked as to the remedial process if homeowners do not comply.

Mr. Holmes said they cite the property owner with a notice of violation that gives them a time frame to address the problem. If they do not address it within that time frame, they are directed to appear before the Code Enforcement Board, who imposes a time frame to bring the property into compliance before a daily fine is put in place that will run until the property is brought up to Code. The property owner is given either 30 or 60 days to bring it into compliance before it even comes to the CE Board. If the violation will take a lot of money to correct, being as how money is tight in Putnam County, the Board tries to make exceptions for this and gives them more than 30 days to comply. Another is a nuisance abatement issue; if it is an unsafe property, the Code Enforcement Board directs him to file suit, which may take another 90 – 120 days to get to court. The court will give the property owner a certain length of time number of days to correct the violation, or the City we can spend its funds to correct the problem and take it back to court to get a judgment for reimbursement. Money is an issue on all fronts. The City pays around \$500.00 just to file the suit and serve the owners and advertise, aside from his fees. Then there is the cost of taking the property down. This runs an average of \$3,000 - \$5,000 even getting breaks from the County. Then they end up with a lien on the property, and can then foreclose on the property. These are not easy decisions for the Code Enforcement Board to make. People just don't have the money to fix these houses up. They have a case now involving two structures on one property; an older lady lives in one, but the other needs to be taken down. Proper probate wasn't done on the estate and she doesn't have clear title. It will take her four to five thousand dollars to buy her property back once the City takes down the structure. She doesn't have that kind of money.

Commissioner Brown said they have a responsibility to help people in this circumstance. At one time the City got CDBG money they coupled with SHIP money to fix up these houses. They need to come together to find ways to help people. There are forms that can be filled out to apply for these funds. People don't have the wherewithal to fix up these homes. They need to explore some of these avenues of getting grant funds for these properties. They need to try to start a volunteer program to help people upgrade their houses. There is a youth build program they put together and applied for a grant to implement it, but that hasn't come through yet. People are afraid of government.

Commissioner Norwood said the City doesn't want any more property to have to take care of. When you create an unsafe environment, and the condition of your property affects the entire neighborhood, something needs to be done. Sometimes the owner doesn't live in these houses and the owner is just not keeping the property up. The City is negligent in allowing this to continue. The City needs to compel people to

bring these houses up to standard. They need to set some type of priority on this. There may be grants available to address this. To just do nothing is not acceptable. Mr. Boynton said the Code Enforcement personnel identified about 16 properties a few months ago and the nuisance abatement process is about halfway through on those. It is not like nothing is being done. Commissioner Norwood said they have burned out houses from year-old fires that are still unaddressed. Children are out playing in and around these houses. Mayor Flagg said any issue related to the health, safety and welfare of the citizens is the Commission's responsibility. He asked if there is a way to expedite this process by sitting down with these property owners and find out if these owners will accept that they can't do anything about it, and will just relinquish these properties to the City for disposal. They need to workshop this and allow everyone to come together to find a way to deal with this. They need to have partners to address these issues. They need to identify the quadrants of the City that have trouble spots. This is everyone's issue.

Commissioner Brown said the City has no emergency housing to put these people into. They need to look at temporary housing for these people until their homes can be fixed up. Most people don't want to give up their property. Mr. Holmes said half these properties are "heirs" properties. When the original owner passed away it was never probated, and has been passed down through several generations. People in these houses can't give a title over to these houses because they have never been probated. There is no magic bullet. Commissioner Norwood said they need to workshop this and bring in partners to address this issue. Mayor Flagg said they need to know all the facts from Mr. Holmes as to what their options are. They need to mobilize neighborhoods. Commissioner Norwood said he knows the County is doing what it needs to do, but houses that have been burned out for over a year are an issue.

Commissioner Kitchens thanked Mr. Holmes for bringing up the title problems. The majority of these cases have title problems. A lending institution won't lend money on a property if you don't have title to it. Some of the titled owners died 100 years ago. This becomes a problem. Mayor Flagg said knowledge of power and education brings on authority. If they can put information out there that everyday citizens can understand that can empower citizens, this is helpful. The City Attorney can't wave a magic wand and solve the problems.

Mayor Flagg said he and his family are proud to be part of the City of Palatka family. The things they do each day enhances what he does. The Mayor's Reception was well attended, the weather was wonderful, and he appreciates the work done by Staff to make it a success.

- 7. ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:05 p.m. upon a motion by Commissioner Kitchens.