

**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**

February 24, 2011

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 24<sup>th</sup> day of February, 2011.

**PRESENT:**

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

Also Present: City Manager Elwin C. Boynton, Jr.; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matthew Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Building & Zoning Director Debbie Banks; Parks & Cemeteries Supt. Jeff Norton

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

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

**PLEDGE OF ALLEGIANCE** – Former County Commissioner Hermon Somers

**APPROVAL OF MINUTES** – 02/10/11 – Commissioner Norwood moved to approve the minutes as read. Commissioner Kitchens seconded the motion, which passed unopposed.

1. **PUBLIC RECOGNITION/PRESENTATIONS:**

**PROCLAMATION** - Azalea Days – March 3 – 6, 2011 – Sam Deputy, Angela Murtagh and Mary Kay Engleking, Downtown Palatka, Inc., Azalea Festival Organizers, were present to receive the proclamation. Mr. Deputy presented Azalea Festival Shirts and entry packages for the many activities to the members of the Commission and Staff. He is looking forward to the Commission's participation. They will be in the "black" and will not be borrowing further funds, and will be returning funds to the City to put towards a project in Downtown Palatka. Commissioner Brown said the congressional representatives will be home the 1<sup>st</sup> weekend in March, so he should extend invitations to them.

Ms. Murtagh said there's a bowling tournament, fishing, a pool tournament, a kayak poker run and other activities for the public to participate in.

Ms. Engleking invited members of the Commission to participate in the Parade on Saturday morning. She would like to invite the state and federal legislators to attend. Mary Wisham, a member of the Women's Major League baseball teams during WWII, will be the Parade Grand Marshal. Mayor Myers applauded the volunteer organizers' dedication to the community.

**BLACK HISTORY AND HERITAGE RECOGNITION** – Abram “Abe” Alexander, 2011 Recipient – Vice Mayor Brown and Commissioner Norwood joined Mayor Myers in presenting a plaque to Abram “Abe” Alexander in recognition of Black History Month 2011. Mayor Myers noted his many contributions to the community and biographical information. Mr. Alexander said they will hold an open house at Bethel AME Church on March 27, at 4 pm, and will provide tours of the Putnam County African American History museum. The speaker will be a judge from Daytona Beach who will identify roles of parents and students, and in-house weaknesses. Mr. Alexander said he builds and expands the ambitions of Bethel AME Church through his own wallet. One of the purposes is to identify African Americans who graduated from Putnam County schools and have gone forth in the world, and he'd like to bring them back home to share their experiences, as well as those who remained in the community, and identify their achievements. Two of those are members of the Palatka City Commission. Many young people who think they have obstacles to their dreams, need a vision and something to focus them. Through his museum the public will be able to see the contribution this community has made through its students who have gone out into the world. He is proud to see the odds that have been reversed. He established the NAACP in Palatka in 1972, during difficult days, but they were able to come together with common minds, and identified ways to remove obstacles with solutions to move forward. He will continue to spend time to reverse the odds for kids who need help furthering their education. He has served the community in accordance with his school motto, and will continue to do so.

**PLANNING DIRECTOR INTRODUCTION** – Mr. Boynton said the current planning director Debbie Banks announced her retirement. They are proud to announce that Thad Crowe joined the City's team, coming from Clay County and Daytona Beach. Mr. Crowe said he appreciates the opportunity to work here and has never been in a friendlier place. He looks forward to the challenges and opportunities of working with the citizens and staff.

**STUDENT OF THE MONTH** – February, 2011 – Commissioner Brown joined Mayor Myers in presenting certificates to the following students recognizing academic excellence, leadership, citizenship and attendance at their respective schools:

Alberto Jara	Beasley Middle School
Charlotte Walton	Browning Pearce Elementary School
Daija Shaw	Children's Reading Center Charter School
Erica Lauren Smith	E.H. Miller School
Cameryn Tucker	James A. Long Elementary School
Savannah Ross	Jenkins Middle School
Jacob Rodgers	Kelley Smith Elementary School
Luis Gomez	Mellon Elementary School
Dar'Nesha Leonard	Moseley Elementary School
Ira Robertson	Palatka High School
Elizabeth Evans	Peniel Baptist Academy

## 2. PUBLIC COMMENTS

Askew Vickers, 207 N. 18<sup>th</sup> Street, Palatka, said he's here to talk about complaints, concerns and comments of the people. Regarding tax abatement, he believes what Mr. Jutras said at a prior meeting made sense. They should repeal the tax they have now. They need to encourage people to build. Each commissioner should report once a month about the comments and complaints they've received, and bring those back to the Commission for discussion – just one

commissioner per month. Many things need to be addressed. People look to them to lead and do something about their complaints. Many cities suffer from lack of funds to pay their bills; it concerns him the City is overspending. Cutbacks are in order. He asked what the City has cut back from the payroll. He has a long list of things that need to be addressed.

ARLINGTON HOUSE REOPENING - Hermon Somers, 510 Old San Mateo Road, San Mateo, said he appeared at the County Commissioner's meeting on Tuesday to address a situation they have ignored that was previously bad and will be bad again. This is the Arlington House. Application has been made to reopen the Arlington House, which is on the road to being approved. The clients of the Arlington House deserve better living conditions and supervision than they've had in the past. It won't improve under this or the prior ownership; the bottom line is profit, and they have to watch their expenses to make a profit. When assignments are made on the first available bed, it will be impossible to control it. This is a tremendous drain on City and County resources. This business is a large user of both City and County services. It is not uncommon for residents of that area to have clients from the Arlington House to ring their doorbell early in the morning asking to use the phone or bathroom. Arlington house residents are not arrested for things anyone else would normally be arrested for. An altercation took place in the SJRSC library between a client and security guard, resulting in the client being tazed and arrested. Two days later, that same client was back in the library. During this time of budgetary constraints, government can't afford a waste of resources on something there will be no return on. Only 13% of these people are from Putnam County. Most are transferred from other counties to here. He asked the Putnam County Commissioners to draft a letter of opposition to this licensure, and asks that the City do the same. He will supply the City Clerk with the name and address of the person responsible for issuing those licenses. He'd like the Commission to take some action.

Commissioner Kitchens said she supports this letter. Businesses in the City suffer at the hands of these clients and the Palatka Police Dept. is overtaxed. She hopes the County, City and College can get this service moved to a better facility where the people won't be a threat to citizens and will be taken better care of. It's a terrible source of crime. Mr. Somers described the facility as uninhabitable, even with the improvements that were made. They need to act very quickly on this. He fought this hard when he was a County Commissioner. He was alerted to this by an article in the newspaper that application was made to reopen this facility. He inquired today as to the status of the application and if there was an opportunity for public appeal to turn this down. There is an opportunity to do so.

Commissioner Norwood asked if there is an alternative for these people who need care, and if that has been sought out. Mr. Somers said he was told there are other available facilities for these clients; only 13% of them are from Putnam County. Commissioner Norwood said they need to be sure there is an alternative place for these individuals to go. They need proper care and supervision. Commissioner Leary said he will be in Tallahassee Monday and will meet with the Secretary about denying this application. Zoning is the solution; this could be annexed and zoning changed to educational use so the College could purchase the property. Mr. Somers said the building needs to be demolished. Commissioner Brown said they don't mind taking care of people from Putnam County; other counties have the same responsibility to take care of their people. Putnam County has become a dumping ground for other communities. Mr. Somers said President Pickens is willing to take a lead role on this.

Police Chief Gary Getchell said there has been a group that has been working on this. He'd like to meet with each of them to bring them up to speed on this. Bottom line, this is moving forward and this will happen. It won't be called the Arlington House and is under a different owner. Senator Lynn has worked with them, but under the current laws, they have no out. It was closed down for County code violations, which are being corrected. They have passed an inspection. Once they correct the health care inspection they will be allowed to open.

SEWER OUTSIDE THE CITY LIMITS REQUEST - Ken Schwing, 1026 Elderberry Lane, said he owns a piece of property in the County, and tried to annex into the City but the property is not contiguous. They want to explore the possibility of changing the City ordinance to allow county residents to acquire sewer services if they are not inside the City Limits. Commissioner Kitchens inquired as to septic tank services; Mr. Schwing said the tank there does not work and there are constraints to replacing it because of adjoining property. They will have to install an above-ground septic system which will be too large. Commissioner Norwood asked if there is an application to fill out to put this request before the Commission.

Debbie Banks said Mr. Schwing is not allowed to apply for sewer service under the current ordinance as he is not contiguous and cannot annex. She said he is asking the Commission to amend the ordinance to allow him to apply. Mayor Myers said the Commission will have to look into this. Mr. Boynton said he is asking if the Commission is willing to put this on the agenda to discuss at the next meeting. He will put this on the next agenda.

**3. CONSENT AGENDA:**

- a. **Authorize execution of Contract Change Order #1 with Futch's Landscaping in the amount of \$4,350.00** for the WWTP Reuse System Ph IV to install an additional 6" tap and lines to form a continuous loop to allow for future expansion, per Engineer's/City Manager's Recommendation
- b. **Authorize Execution of Contract Change Order #2 (Final) with Carter Excavating, Inc. in the amount of \$4,497.00**, for a total contract amount of \$97,259.03, for Crill & Moseley Drainage Improvements to disconnect and reconnect power for the Stormwater Pump Station, per engineer's and City Manager's recommendation
- c. **Accept Sam Deputy's resignation from the Community Redevelopment Agency (CRA)** effective immediately and appoint Angela Murtagh, Downtown Palatka, Inc. President, to the CRA as an additional member for the remainder of a two-year term to expire 12/31/11:
- d. **Approve special request items for Class B Special Events Permit #11-15, ESPN Bass Master Elite Citrus Slam Tournament, March 16 – 20, 2011**, per staff recommendation:
  1. **Grant permission to serve alcohol** in 100 Block of Reid for the following dates and times:  
Thursday, 3/17 thru Saturday, 3/19 12:00 noon to 1:00 p.m. and 2:00 p.m. – 3:00 p.m.  
Sunday, 3/20 from 2:00 p.m. – 3:00 p.m.
  2. **Grant permission to exceed allowable noise levels** for the following dates and times:  
Thursday, 3/17 thru Saturday, 3/19 from 10:00 a.m. – 9:00 p.m.  
Sunday, 3/20 from 1:00 p.m. – 6:00 p.m.
  3. **Close boat ramp to public** from March 16 through March 20, 2011

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

**4. ADMINISTRATIVE REPORTS**

Mr. Boynton said over the past weekend they had a significant crash of the e-mail server system. No e-mails were lost, but many files have been jumbled around. As to e-mails received over the past several weeks, if people were expecting return calls or e-mails, if those emails were lost, they may not be in the right location so please bear with the City on retrieving them for action or answer.

Regarding continued increases in fuel prices, Mr. Boynton said they have increased nearly 75 cents a gallon over the last six months, which will impact the budget. They will monitor this. If they continue to spike, they may need to call a workshop to discuss how they address this budgetarily.

Mr. Boynton said by the end of the month they will begin the visioning/master plan RFQ process. He's been approached by Florida School of the Arts regarding a grant that will provide additional money for this. He will hold off the RFQ process for a month to see if they get the additional money, upwards of \$50,000 - \$75,000.

Mr. Boynton said the Downtown Riverfront Project will go out for bids by the end of next week. This will address renovating most of the parking lots from Memorial to 4<sup>th</sup> Street and reconstruction of existing green space.

Mr. Boynton said Public Works has begun engineering design on two drainage projects; one at St. Johns & 8<sup>th</sup> Street and one at St. Johns & 15<sup>th</sup> Street. He expects engineering to be completed by the end of April and they will then apply to FEMA for construction grants

Mr. Boynton said the WWTP project involves adding necessary filters and chlorine contact chambers; they should start construction by mid-March and anticipated construction time of 9 months. This will allow the City to treat and pump all of the wastewater to the golf course for use for irrigation throughout the City. This past week they completed the airport reuse project at the airport which will allow the disposal of upwards of 1 million gpd of treated waste water at the airport and green area, so between these two locations they can dispose of upwards of 2 million gpd of discharge wastewater, furthering the City's goal of removing all wastewater from the St. Johns River by the end of the year.

The Energy Grant has come in and the RFQ for administration and engineering should be in by the 1st of March. Engineering is underway for HVAC upgrade for all the buildings they discussed, and replacement of the downtown lights should be under construction by Mid-march.

Regarding Airport grants, with help of the airport engineers, Airport Manager Youell and citizens, they will have an equipment storage building and restroom at the fuel station, the design of Runway 9-27 will be paid for, the upgrade of the old terminal building to turn this into more office space or a restaurant will be underway, and additional security upgrades will be undertaken including installing a backup generator at the airport. This work, the cost of which is well over \$300,000, will be funded at 100% by FDOT.

Just prior to this meeting he was informed by Mr. Youell that the first Piaggio airplane flew into the airport. This is the hangar that was rented to paint these planes and they have this continual contract for a fixed number of years. He was told by the Airport Manger that by March they will have rented all available hangar space, including the new hangars.

Mr. Boynton said the City is in the midst of a major software upgrade to the entire system. Payroll upgrades will be completed next week and is the first department to undergo these upgrades. All employees have been great with these upgrades, including Mr. Reynolds.

Mr. Boynton said, regarding the landscaping plan for the Downtown Redevelopment Project, they had planned upgrades to Crill Avenue/SR20 as part of the overall downtown landscaping project, but due to advice from the urban forester, that portion was not done due to irrigation constraints, so there was money left over from the grant. They reallocated those plants to St. Johns Avenue between 2<sup>nd</sup> and 3<sup>rd</sup> Streets. That landscaping project will be completed the end of the weekend and the mulch will be completed by Wednesday. This was 100% grant funded for over 100 trees to be planted. By the time they have completed the various downtown, FDOT and other grant projects, they will have planted over 400 trees in the City during this fiscal year.

Mr. Boynton said the Commission should expect a lot of construction in the downtown and facilities over the next few months.

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Commissioner Norwood asked how taking the wastewater out of the River affects the City on TMDLs. Mr. Boynton said they are currently in compliance due to adjustments to the aeration that were made that affects the nitrogen and phosphorous. They are also in compliance with terms of the grant as it allows them to go to zero discharge. Everyone in Florida is worried about what EPA will do with the nutrient criteria. Because of zero discharge even if they are charging one third of their wastewater to the St. Johns River, they will be in compliance with this program. The airport and cemetery allows for wet-weather discharge because of their terrain. Even if the nutrient criteria make it through EPA and the State challenges this, this won't have a significant monetary affect on this community like it will for other communities. Commissioner Norwood said they've been working towards zero discharge for four years and he and the citizens should celebrate this once it's finished. Mr. Boynton said, according to Ayres Associates, the engineers on this project, this project will be the APWA submission on their behalf for 2012. They feel this is the largest "going green" program that nobody has heard of, as well as the most environmentally friendly project that's being undertaken in the State right now. Five years ago the WWTP had to do annual capacity reports because the City was under a mandate to build a new WWTP. In five years they've eliminated the need for additional capacity, increased capacity to 3.5 mgd, reduced capacity from 2.5 mgd to 1.5 mgd, and have achieved zero discharge. If they want to tell the whole story of where the City was five years ago vs. where it is now, this is a story that will carry a lot of weight moving forward.

Commissioner Brown said they sat down with the EPA director at the White House, and they are looking at making it where no one can discharge to the River. They said when they looked at it, it would only cost citizens \$70/yr/person. They had citizens there that looked at this who claimed it will cost \$1,000/person/month in their area. The vision they had years ago has put the City of Palatka in a much better spot than most are. They are looking at the repercussions these new regulations will have on small cities as well as larger cities. She commended Mr. Boynton and WWTP employees for holding Palatka ahead of the curve. Mayor Myers said Palatka will be the first city on the St. Johns to attain zero discharge. Commissioner Norwood said this project should be included in award applications when those programs come up.

Commissioner Leary said he's been participating in the TMDL process for the past 10 years; he doesn't believe the EPA lawsuit will be overturned. This will give the City two sources of eliminating discharge from the River; it will provide that cushion so they won't have to spend millions of dollars retrofitting the storm water system to stop that discharge there. This will save the City taxpayers millions of dollars.

Commissioner Kitchens said she asked the City Attorney if the City is bound by the Tree Ordinance to apply for permits to remove trees and she'd like him to repeat to the City what he told her. Mr. Holmes said the City has an ordinance that prohibits the cutting of protected trees without a permit. Protected trees, with some exceptions, are described as trees with a diameter of 8 inches or more. The way the ordinance is worded, it applies to any person, and doesn't except agents of the City of Palatka. It would appear that the City would have to apply to itself for a permit before it takes down a protected tree. Commissioner Kitchens said she'd had that question put to her by a citizen. Mr. Leary said that is a ridiculous regulation; 8 inches is a big sapling. The new planning director should look at other tree ordinances. Under most planning guidelines, 8" – 24" is a practical size. This is a private property rights issues that is onerous to the citizens. Commissioner Kitchens said the Tree Committee has been charged with drafting a new tree ordinance to bring to the City Commission. They can address this at that time. They are looking at ordinances from all over the United States.

The Clerk reminded the Commission of the Azalea Mayor's Reception to be held on Friday, March 4 from 6:00 to 8:00 p.m.

## 5. COMMISSIONER COMMENTS

Commissioner Brown said she missed the last meeting as she was in Washington DC to lobby as part of the FLC Federal Action Strike Team (FAST). They talk to congressional representatives and make them aware of their needs before they start cutting budgets and passing down mandates. On Monday she received a call from Congressman Mica's office. He invited her to lunch in the Capital and she was able to talk to him for around 1-1/2 hours there. She reported how they were progressing with the Airport and Downtown, and she took the City's wish list to him. She told him the YMCA was closing, and other youth facilities were struggling. His aid, Wiley Deck, was asked to look at what it would take to create a Girls and Boys Club, which may mesh with the PAL program. They also gave her a source for money for help with these programs now that grants are drying up. She also told him of her dream of a bringing a grocery store downtown, and he said he has some connections with Publix. She doesn't believe people should have to go to the edge of town for milk and bread.

Commissioner Brown said their group was the largest group that's ever gone up for this annual event. There are many new congress people there who have no idea of the impact of cuts they make on cities. CDBG is being looked at for cuts of 7 to 25%. They let them know that small cities have to compete for their money. She attended a reception that evening and she introduced Congressman Mica during that event. She met with Congresswoman Brown the next day. She gave her the City's wish list and spoke with her grants person. They will be looking for grants for the City. She received a list of cuts, which she distributed. She also gave her a calendar noting the days of when she will be in Florida, and she'd like to be sure she receives invitations to all of the City's events.

Commissioner Brown said last month she went to Welaka. They have a small excursion boat they use to take people to Lake George and the Springs for a tour.

Commissioner Brown said she learned from Mr. Boynton that the money for the water taxi has been released and the agreement is in. The refurbishment contract is in place. They should have water taxis by the end of this year. She thanked the Commission for standing with her on this. Mayor Myers thanked her for her representation.

Commissioner Leary said they got good information at the visioning session he and Commissioner Kitchens attended last Thursday. He looks forward to the results and reporting on that.

Regarding complaints, Commissioner Leary said he receives more complaints on the remaining buildings in the 100 Block than anything else. They really are an eyesore. Hopefully that will be resolved soon.

Mayor Myers said they are looking forward to the downtown streetscaping project beginning, and it's good news that the river taxis coming to fruition. A big Azalea Festival is coming up next weekend and he encourages all to attend the Mayor's Reception. He is personally looking forward to the kayak poker run on Saturday.

6. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 7:30 p.m. upon a motion by Commissioner Norwood, seconded by Commissioner Kitchens.