

VERNON MYERS
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

PHIL LEARY
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



MICHAEL J. CZYMBOR
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

September 26, 2013

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 26th day of September, 2013.

PRESENT:

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

ABSENT: Commissioner Mary Lawson Brown

Also Present: City Manager Michael J. Czymbor; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Police Chief Gary Getchell; Fire Chief Mike Lambert; Planning Director Thad Crowe, Fire Marshal Mark Lynady Grants/Projects Manager Jonathan Griffith and Main Street Manager Charles Rudd

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

INVOCATION – The Reverend Ted Stackpole, Pastor, First Assembly of God

PLEDGE OF ALLEGIANCE - Led by Mayor Myers

APPROVAL OF MINUTES – 8/29/13 Joint Gas Authority Board Workshop & 9/12/13 Regular meetings – Commissioner Norwood moved to approve the minutes as read. Commissioner Leary seconded the motion, which passed unopposed.

Mayor Myers recognized the presence of Superintendent of Schools Phyllis Criswell in the audience.

1. PUBLIC RECOGNITION/PRESENTATIONS:

PROCLAMATION – Fire Prevention Week – October 6 – 12, 2013 – Fire Chief Mike Lambert and Fire Marshal Mark Lynady were present to receive the proclamation, which was read and presented by Mayor Myers. Fire Marshal Lynady said they practice fire prevention all year. They conduct tours of the Station for students and the public. He reminded everyone it is important to check smoke detectors all year.

STUDENT OF THE MONTH – Commissioner Norwood joined Mayor Myers in presenting certificates of achievements to the following students for academic excellence, leadership, citizenship and attendance at their respective schools:

Taylor Massey	Browning Pearce Elementary School
Hayden Bergen	C.L. Overturf, Jr. 6 th Grade Center
Karah Harrington	Children's Reading Center Charter School
Imani Wilson	E. H. Miller School
Ke'Maria Hunter	James A. Long Elementary School
Trevyr Massey	Jenkins Middle School
Kimberly Dukes	Kelley Smith Elementary School
Shauntalise McLeod	Mellon Elementary School
Kamari Betts	Moseley Elementary School
Forrest Cone	Palatka High School
Shirley Bush	Peniel Baptist Academy
Judith Bryan	Putnam Academy of Arts & Sciences
Denae Wells	Putnam EDGE High School

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

3. **CONSENT AGENDA:**

- a. **Adopt Resolution No. 2013-9-162** authorizing the execution of the victims of crime Act (VOCA) grant in the amount of \$37,715 for FY 2013/2014
- b. **Adopt Resolution No. 2013-9-163** authorizing the submission of the Riverfront Park Phase I application for the Florida Recreation Development Assistance Program (FRDAP) to the Florida Department of Environmental Protection in the amount of \$200,000 for federal fiscal year 2014-2015
- c. **Adopt Resolution No. 2013-9-164** authorizing the submission of the Riverfront Park Phase II application for the Florida Recreation Development Assistance Program (FRDAP) to the Florida Department of Environmental Protection in the amount of \$200,000 for federal fiscal year 2014-2015
- d. **Adopt Resolution No. 2013-9-165** which authorizes and approves a change order to the Agreement between Poseidone, LLC of Tavares, FL and the City of Palatka, FL for the completion of the refurbishment/renovation of two riverboats and authorizes the City Manager to execute the change order on behalf of the City
- e. **Adopt Resolution No. 2013-9-166** authorizing the execution of a Department of Economic Opportunity Grant for the development of a Comprehensive Economic Diversification Action Plan
- f. **Adopt Resolution No. 2013-9-167** authorizing the execution of the Scope of Work Agreement with Urbanomics to develop and comprehensive Economic Diversification Action Plan
- g. **Authorize renewal of Palatka Daily News Advertising Contract** effective October 1, 2013
- h. **Grant special request items for Special Events Permit #13-38 – Survivorship Celebration Fall Festival, October 12, 2013; 10:00 a.m. – 2:00 p.m.**
 1. Grant permission to exceed allowable noise levels during event
 2. Allow closure of a portion of Zeagler Drive from 9:00 a.m. to 3:00 p.m.
- i. **Grant special request items for Special Events Permit #13-10 – Artoberfest, October 12, 2013, 9:00 a.m. – 6:00 p.m. – Keep Putnam Beautiful, applicant**
 1. Grant permission to exceed allowable noise levels during event
 2. Allow serving of alcohol in the Riverfront Park in restricted area
 3. Allow closure of Memorial Parkway from Reid Street to South 2nd street and St. Johns Avenue from memorial Parkway to 2nd Street from 8:00 a.m. to 7:00 p.m.
 4. Allow closure of the City Boat Ramp at dusk Friday, October 11, 2 013 through 7:00 p.m. Saturday, October 12, 2 013 for helicopter landing in the Boat Ramp parking lot

- j. **Grant permission to allow public consumption of alcohol** and open containers along St. Johns Avenue between the 200 and 1,000 Blocks for Special Events permit #13042 – Palatka Main Street Beer Stroll, October 18, 2013, 6:00 p.m. to 9:00 p.m.
- k. **Adopt Resolution No. 2013-9-170** accepting a proposal from Civic Plus to develop and maintain an interactive website for the City of Palatka and authorizing the City Manager to execute an Agreement for services with Icon Enterprises, Inc. d/b/a CivicPlus for a three-year period beginning FY 2013-14 with an option to renew for FY 2016-17 for a total price of \$33,939.00

Items b, c, g and j were pulled for discussion. Commissioner Leary moved to adopt all other items on the Consent Agenda as presented. Commissioner Kitchens seconded the motion, which passed unopposed.

- 3g. Authorize renewal of Palatka Daily News Advertising Contract** effective October 1, 2013 – Mr. Leary said he knows there are statutory requirements for this advertising, but he'd like to see an RFP done next year. Commissioner Leary moved to approve the item as recommended. Commissioner Kitchens seconded the motion, which passed unopposed.

- 3j. Grant permission to allow public consumption of alcohol** and open containers along St. Johns Avenue between the 200 and 1,000 Blocks for Special Events permit #13042 – Palatka Main Street Beer Stroll, October 18, 2013, 6:00 p.m. to 9:00 p.m. – Commissioner Norwood asked if there has been a stroll of this nature in the past. Mayor Myers said there have been wine strolls along St. Johns Avenue which were a huge success with citizens and merchants. Commissioner Norwood moved to approve the item as recommended. Commissioner Leary seconded the motion, which passed unopposed.

- 3b. Adopt Resolution No. 2013-9-163** authorizing the submission of the Riverfront Park Phase I application for the Florida Recreation Development Assistance Program (FRDAP) to the Florida Department of Environmental Protection in the amount of \$200,000 for federal fiscal year 2014-2015 – Per the request, Jonathan Griffith, projects Manager, provided a PowerPoint presentation on the grant. The primary part of this project is the nature-based playground. There will also be a kayak launch and picnic pavilions. They took input from the First Presbyterian Church. Commissioner Kitchens asked as to the location of the created wetland. Mr. Griffith said it was around 150 feet from the playground.

Mr. Griffith provided a site plan which depicted the improvements, together with photos of typical nature-based playground components. These are non-traditional features. One feature was a water runnel, which is ADA accessible; a child in a wheelchair can access and play in this area.

Regarding wood versus other materials, Mr. Griffith said nothing lasts forever, but they hope the life to be around 30 years. Maintenance will be kept in mind.

- 3c Adopt Resolution No. 2013-9-164** authorizing the submission of the Riverfront Park Phase II application for the Florida Recreation Development Assistance Program (FRDAP) to the Florida Department of Environmental Protection in the amount of \$200,000 for federal fiscal year 2014-2015 – Mr. Griffith said the primary feature of this is the splash pad. Supporting elements are additional picnic pavilions, exercise trails, kayak launch and site amenities. They don't have a final location for the splash park; in the application they just have to specify the boundary of the park. They will bring a location to the commission upon award of the Grant. Options are the original location at the terminus of St. Johns Avenue, or closer to the playground, or next to the GP center. Commissioner Kitchens noted the drawing is outdated;

Mr. Griffith agreed, and said he took a drawing he had on file and updated it as he did not have a lot of notice on the request for this presentation.

Commissioner Leary moved to approve Consent Agenda items (b) and (c). Commissioner Kitchens seconded them motion, which passed unopposed.

3k. Adopt Resolution No. 2013-9-170 accepting a proposal from Civic Plus to develop and maintain an interactive website for the City of Palatka and authorizing the City Manager to execute an Agreement for services with Icon Enterprises, Inc. d/b/a CivicPlus for a three-year period beginning FY 2013-14 with an option to renew for FY 2016-17 for a total price of \$33,939.00 – Commissioner Kitchens moved to reconsider the vote on Consent Agenda Item 3(k). Commissioner Norwood seconded the motion, which passed unopposed. Discussion commenced regarding pending minor changes to the contract, which were distributed (filed). Commissioner Leary moved to adopt the resolution contingent upon the approval of the contract and amendments by the City Attorney and City Manager. Commissioner Norwood seconded the motion, which passed unopposed.

4. SECOND PUBLIC HEARING – Trim Calendar FY 2013-14 – Final Budget and Millage Rate for 2013/14 budget Year – 9.1749 mills proposed.

RESOLUTION No. 2013-9-168 adopting the final millage rate levy for FY 2013-2014 – The Clerk read a resolution entitled A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALATKA, PUTNAM COUNTY, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES FOR OPERATING EXPENSES FOR THE CITY OF PALATKA, PUTNAM COUNTY FOR FISCAL YEAR 2013-2014; AND PROVIDING FOR AN EFFECTIVE DATE. The Mayor read the Truth in Millage statement into the record noting as required by Chapter 200.065 (4)(d) stating that the Palatka City Commission is the taxing authority levying the property tax, and that the proposed operating millage rate is 9.1749 mills per \$1,000 of assessed value, which is an increase of -0.73% over the rolled back rate of \$9.2428 mills.

Mayor Myers opened the public hearing. There being no comment, Mayor Myers closed the public hearing. Commissioner Leary moved to adopt Resolution No. 2013-9-168 adopting the final millage rate levy for FY 2013-14 at 9.1749 mills per \$1,000 of assessed value. Commissioner Norwood seconded the motion. There being no further discussion or comment, a roll-call vote was taken with the following results: Commissioners Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

RESOLUTION No. 2013-9-169 adopting the budget for FY 2013-2014 – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALATKA, FLORIDA ADOPTING THE FINAL BUDGET FOR THE 2013-2014 FISCAL YEAR, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the resolution as read. Commissioner Leary seconded the motion. As noted in the Agenda Package, the proposed budgets have been on file in the Clerk's office for public viewing.

Commissioner Norwood asked if changes to the fee schedule will affect the budget. Mr. Czymbor said it will. This budget is based upon the proposed fee schedule as amended.

Mayor Myers opened the floor for public comment.

The Reverend Karl Flagg, 1700 Oak Street, Palatka, said his issue is related to Item 9, an ordinance amending Appendix A, Fee Schedule, but if adoption of the Budget under this item locks down Item 9, he needs to deal with that now. Discussion ensued regarding moving Item 9

to the Front of the Orders of the Day. Commissioner Leary noted the Finance Director's comment that if Item 9 is amended tonight, they can go back and amend the budget next month. There being no further discussion or comment, the question was called, and a roll-call vote was taken, which yielded the following results: Commissioners Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

PUBLIC HEARINGS:

5. **DRAFT ORDINANCE** – Comprehensive Plan Capital Improvement Element text amendment amending the Capital Improvement Plan to identify, update and include public facility improvements needed to accommodate future growth – *Planning Board Recommendation to transmit draft ordinance to State Agencies for review* – The Clerk read a DRAFT ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CITY OF PALATKA'S CAPITAL IMPROVEMENT PLAN TO UPDATE, IDENTIFY AND INCLUDE PUBLIC FACILITY IMPROVEMENTS NEEDED TO ACCOMMODATE FUTURE GROWTH AND REDEVELOPMENT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Leary moved to transmit the draft ordinance to state agencies for review. Commissioner Norwood seconded the motion, which passed unopposed.

6. **ORDINANCE** amending the General Employees Pension Plan to raise the retirement age to 55, amending membership requirements to increase the amount of hours worked annually, and deleting the automatic 75% post retirement survivor benefit – 1st Reading – Item tabled on September 12, 2013 to a time certain of September 26, 2013 – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING THE CODE OF ORDINANCES OF THE CITY OF PALATKA, FLORIDA, BY AMENDING Ch 2, DIV 4, THE CITY OF PALATKA GENERAL EMPLOYEES RETIREMENT PLAN; AMENDING SECTION 2-163(a), MEMBERSHIP, TO REVISE THE REQUIRED NUMBER OF HOURS WORKED; AMENDING SECTION 2-168 (b), NORMAL RETIREMENT CONDITIONS, BENEFIT GROUP GENERAL TO RAISE THE NORMAL RETIREMENT AGE TO 55 FOR MEMBERS WHO HAVE NOT ATTAINED AGE 50 BY SEPTEMBER 30, 2014; TO DELETE SECTION 2-172, POST-RETIREMENT SURVIVOR PENSION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to pass the ordinance on first reading as read. Commissioner Leary seconded the motion and noted if someone is in the Plan and they have already reached Age 50 they can still retire. Mayor Myers opened the public hearing.

Melvin Register, 2210 St. Johns Avenue, WTP Superintendent and General Employees' representative to the General Employees' Pension Board, said as representative of the employees, he is not happy about any decrease in benefits. He understands the city has a fiscal responsibility. He's thankful that other options were not chosen to further reduce benefits. He believes the new provision will give those who are turning 50 during the next year ample time to make a decision to retire in the future. He believes changes like this are not necessary as there are ways to fund the pension plan. Employees have worked hard over the last five years and everything has gone up except pay. Many people don't get to retire at age 50, but that's what these employees have worked for. He is not happy with raising the age of retirement, but he's happier with this wording. Commissioner Leary said he's worked in government and understands both sides. He has a fiduciary responsibility as a member of the Fire Pension Board. He's not convinced that they are out of this recession. There is still caution about spending. He is for the employees 110% and they will do all they can to show their appreciation; however, they are limited. Commissioner Kitchens concurred with the economic situation; she does not like the fact that the employees they currently have can't retire at age 50. She was on the FRS, they can retire at 30 years no matter what age they are. For existing employees she believes they should keep it at age 50. It's not fair to existing employees; they are the City's most valuable asset. Mayor Myers said government pensions are a big item; he sits on the

Police Pension Board and they have a responsibility to make fiduciarily-responsible decisions. He also believes that when they make a bargain with employees they need to keep those bargains. Commissioner Norwood said he chairs the General Employees Pension Fund and this was a difficult decision. When you look at providing the level of service to citizens versus balancing the budget, they had to have some compromise. This was the compromise.

There being no further discussion or comment, the question was called and a roll-call vote was taken, which yielded the following results: Commissioners Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

7. **ORDINANCE** amending Chapter 94, Zoning Code, to allow sandwich signs for special events in the Downtown Zoning District – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, REVISING STANDARDS FOR TEMPORARY SIGNS FOR SPECIAL EVENTS HELD WITHIN THE DOWNTOWN BUSINESS AND DOWNTOWN RIVERFRONT ZONING DISTRICTS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance on 2nd reading as read. Commissioner Leary seconded the motion. There being no comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

8. **ORDINANCE** amending Chapter 78, Taxation, Article II, Electricity and Gas Tax, to provide for a flat rate of taxation for sales of electricity and cooking and heating gas – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF PALATKA BY REVISING SECTION 78-31, TAXATION, ARTICLE II, ELECTRICITY AND GAS TAX, TO ESTABLISH A CONSISTENT PERCENTAGE OF TAX ON SALES OF ELECTRICITY AND COOKING & HEATING GAS IN THE CITY OF PALATKA; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Leary moved to adopt the ordinance on 2nd reading as read. Commissioner Kitchens seconded the motion. There being no comment or discussion, a roll-call vote was taken, which yielded the following results: Commissioners Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Resolution was declared adopted.

9. **ORDINANCE** amending Appendix "A," Fee Schedule of the Code of Ordinances – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING APPENDIX A (FEE SCHEDULE) OF THE MUNICIPAL CODE OF THE CITY OF PALATKA AS IT PERTAINS TO FEES AND OTHER CHARGES RELATING TO: BUILDING PERMIT AND INSPECTION FEES; CEMETERY LOTS AND SERVICES; PARKS AND RECREATION SPECIAL PERMITS, COMMUNITY CENTER RENTALS AND SPECIAL EVENTS; SIGNS; SOLID WASTE FEES FOR GARBAGE CONTAINER DEPOSITS AND COLLECTION RATES; SEPTIC DUMPING CHARGES; SUBDIVISION PLATS; WATER & SEWER UTILITY LATE PAYMENT FEES, DEPOSITS & MISCELLANEOUS FEES; WATER RATES GENERALLY, BOTH INSIDE AND OUTSIDE THE CITY LIMITS; SEWER RATES GENERALLY, BOTH INSIDE AND OUTSIDE THE CITY LIMITS; AND ZONING ACTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1, 2013. Commissioner Norwood moved to adopt the ordinance on 2nd Reading. Commissioner Leary seconded the motion. Mayor Myers opened the floor for public comment.

The Rev. Karl Flagg, 1700 Oak Street, Palatka; owner, Serenity Chapel, said he struggled with the difficulties of having such a broad spectrum of fees under one heading. It is not clearly communicated to the citizens when you have such a broad spectrum of fees without an itemization. He knows the difficulty of sitting as a legislator in this. There cannot be a random

setting of fees. Fee increases are based upon the cost of doing business. He met with Clerk, Finance Director and City Manager regarding the new cemetery fees. He had no idea of the broad spectrum of this fee. In two days they will be raising the cost of burying a loved one by more than 40 percent. The cost of burying a loved one on Sunday is going up over 60%. He cannot believe the cost has gone up this much for grieving families. If the methodology was based upon comparing rates to other cemeteries, he believes this to be flawed. For this Commission to set these fees for the cemetery in the midst of utility and other fee increases, and the community is not aware that this kind of increase will happen, they will be under grief when dealing with the local funeral homes. It would have been easier with an effective date of January 1 so that people would purchase pre-need spaces under the current rate. This is not equitable. Jobs in Putnam County are scarce and paychecks haven't risen anywhere near this. These numbers have not been justified to him. He hopes the Commission will immediately go back and review this rate structure. This is a shock to his fellow colleagues. They are representatives to the grieving families.

Commissioner Leary said there are other cemeteries in the County that people can utilize. He asked how those rates compare. Rev. Flagg said the funeral homes did not know the rates were going up. Commissioner Leary said the Overturfs were very aware that the rates were going up and they only asked that we take better care of the cemeteries. They stated to him it seemed reasonable as the City hadn't raised rates in some 15 years. They as Commissioners have a fiduciary responsibility to the taxpayers as well as the City. The amounts are not that much, although the percentages look steep. They can re-evaluate these increases at a future date. The funeral homes he spoke with didn't have a problem with the increase as long as the quality of care and services went up. Rev. Flagg said the City is increasing the rate from \$950 to \$1400 for a Monday through Friday service. If they are going to set rates based upon a poll of surrounding funeral homes, they need to look at percentage of earnings related to families' ability to pay. The formula used to set the fees was distorted. Commissioner Leary said Palatka is in the top 3% of millage rates state-wide. That's a huge negative for people considering moving here. The only way to get that down is to implement user fees, whether good or bad for business.

Commissioner Kitchens said just putting all these fees into one ordinance was inexcusable. She can't help but think it was deliberate as she believes the City tried to hide the water rate increase in it. She agrees it's hurting the citizens. They used the same faulty reasoning of comparing water rates in other areas to Palatka rates. She's going to vote no because she doesn't agree with three items in this ordinance.

Mr. Czymbor said they spoke about these rate increases on several occasions. The reasoning for the comprehensive ordinance is that in the Municipal Code of Ordinances, all fees are included in a fee schedule. Most communities have a code of ordinances where they have one fee schedule. They aren't hiding fees. This is standard. This allows you not to have to adopt several ordinances for fees. This is so you have one source for fees. They spoke about this during several budget workshops. They went methodically through budgets and spoke about the necessity of each increase. Increases and decreases have an impact on the development of a budget. They need to meet the minimal cost to provide goods and service to consumers. The costs have gone up for fuel, employee benefits, etc. They did meet with Rev. Flagg and took a lot of his suggestions to heart. They accepted his suggestion to make Saturday fees the same as Monday through Friday. They accommodated his recommendation. He specifically recommended they allow Sunday services at an increased fee, and even recommended the fee. They haven't raised any fees since 2007. The cost to provide ongoing services has to match the revenue they take in. On April 29 they sent out a letter to all funeral directors. They had a meeting with them. They went through the proposed fee schedules changes, operational changes, and all directors attended that meeting except Rev. Flagg. Mr. Norton did meet with Rev. Flagg and reviewed the agenda they went through and had held several meetings with Rev.

Flagg to accommodate him. Commissioner Kitchens said they should have voted separately on many of these fees. If there is no separate vote they have to take it all or none. This puts them in a difficult position. She is not happy with the water increases or the cemetery increases. She's always voted no on the utility rate increases. She's heard many times they have the lowest water rates in the State but they are a very poor community. Maybe the other funeral directors didn't care, but the people paying this bill do care. These fees need to be voted upon separately.

Commissioner Leary said Mr. Reynolds explained the balances in each enterprise fund during each budget workshop. They can't continue to put the burden on ad valorem taxpayers. These are user fees. Every other community addresses their fees in one document.

Commissioner Norwood asked Rev. Flagg if he recommended the Sunday fee schedule. He said no; he said in lieu of prohibiting Sunday burials, he suggested the City should put a surcharge that should be higher than the current fee. He did not give them a number. He understands fiduciary responsibility. He is offended when apples and oranges are compared. He addresses this Commission as a citizen and not as a County Commissioner. Citizens cannot afford these increases.

Commissioner Norwood asked if they are looking at amending Saturday fees to be in-line with Monday through Friday fees, and asked what they are doing with Sunday. Mr. Czymbor said the fee for Sunday is \$1,000. Mr. Flagg said the fee total is \$1750; the cost of the lot does not change; the cost is in opening, closing and set-up. The cost was \$550, but is now \$1,000. Mayor Flagg said the trade off for not allowing the citizens to have a Sunday interment was raising the fee. On first reading the Ordinance stated there was no Sunday interment at all. There being no further discussion, the question was called and a roll-call vote was taken, which yielded the following results: Commissioners Leary, Norwood and Mayer Myers, Yes; Commissioner Kitchens, No. The Ordinance was declared adopted on second reading by a vote of three in favor, opposed by Commissioner Kitchens.

10. **REQUEST TO LOCATE FM ANTENNA ON RADIO TOWER** at Palatka Fire Department – Alex Sharp, President, Downtown Palatka, Inc. – *item tabled on September 12, 2013 to a time certain of September 26, 2013* - Mr. Sharp said DPI wishes to withdraw the request to locate an FM radio antenna on the City's Fire Station Tower. They can locate it on the roof of a building. They would like to draw up an agreement with the City to allow the City to use the radio station during emergencies and the like. He will draft up a letter and sign it as President of Downtown Palatka, Inc.

11. **CITY MANAGER & ADMINISTRATIVE REPORTS**

Mr. Czymbor said running a multi-million dollar corporation takes a lot of courage and intestinal fortitude. He appreciates the opportunity to serve the City and the willingness of the commission to have these exchanges. They are looking out for the best interest of the citizens in setting these fees.

REPORT - Schedule of proposed Riverfront Park Improvements – Jonathan Griffith – Mr. Czymbor said this is being given for the purpose of providing formal information on where these projects are at. Mr. Griffith provided an overview of dates for the projects. They are prepared to go to bid on the storm water component of the dock expansion and construction. They project October through early December for bidding, and expect completion of Phase I construction by mid-February. February 14th is the tentative start date on construction of the new Hampton Inn. The Elite Series Bas tournament is scheduled for March 14. April 14 they expect to bid out phase II Construction and in June 2014 they hope to commence construction.

Rudd Jones, project engineer, said as to Phase I improvements, there are certain elements that have to be completed in that time frame to accommodate the hotel. The retention pond was permitted to serve portions of the park and the Hampton Inn. There are certain elements of the bulk head that need to be constructed so the pond can be constructed. They are working with the marine contractor to include their components of construction in the bid documents. They would like to include boat ramp improvements in that contract, also. They have a short length of time to construct. They need a little more time than what's allowable in that time slot, so they will move the boat ramp and other park improvements into Phase II. Discussion ensued regarding borings and use for organic materials (muck). Discussion ensued regarding construction schedules and scheduling around annual events. Mr. Rudd said the marine contractor said it may take around five months to do the boat ramp. Survey work has been underway and is nearing completion. They hope to put the Invitation to Bid out in late October. Mr. Griffith said the Commission has approved the layout and design; whoever is qualified to bid will be brought back to the Commission for approval. Mr. Jones said he's negotiating with DNR to add elements to his contract so they can bid those under one contract. Mr. Czymbor said it is incumbent upon staff to be sure a pre-bid meeting is held to be sure any bidder understands the work to be bid upon.

Mr. Griffith said there are two unknowns; they don't know if they are going to get the OGT grant yet; it is not likely they will receive that funding. Also they are working with FPL to put all utilities underground and the estimate for that work is around \$300,000, which is higher than they'd like. Their fall-back position is constructing the restrooms under the FWC grant. They can do other landscaping and site amenities. It covers the boating improvement facilities.

Commissioner Kitchens asked when they are going to advertising the closing of Short Laurel Street. Mr. Czymbor said technically the City does not have to vacate that portion of the roadway as the City will still be using it for a public purpose. The City does not want to vacate it and is not legally required to do so. That is going to be his recommendation.

DISCUSSION - Amphitheater repair/replacement options – Jonathan Griffith said this is an update on the condition of the amphitheater dock. He hasn't had a chance to get underneath the dock due to weather conditions. He showed photos of the dock taken at very low tide, saying there is some settling in one area of concern. There are six pilings that have been eaten away at. They've consulted with three marine contractors who have provided a wide range of quotes from \$7,000 to \$35,000 to jack it up or replace pilings. They know they need to replace at least six pilings. The structure is 35 years old. Property deeds don't refer to submerged lands. The first alternative is to patch it; repair it and replace the six pilings. The second alternative is to repair the entire dock and get 10 to 15 years of additional service. They can expect more re-occurring maintenance if they choose either of these alternatives. The third alternative is to file an application with the State, confirm title to submerged lands, and bulkhead a stage area for the amphitheater. They do know there was a former structure over this area. The fourth alternative is to remove the amphitheater dock and bulkhead it. They won't have as large of a stage. They can't have the large events there that they used to have as the stage can't bear that amount of weight.

Commissioner Leary said they need to look at the liability issue. There may be some merit in reducing the size of the Amphitheater. The State can compromise with the City. Mayor Myers noted they are only exploring and identifying options at this point, and asked that those options be brought before the Commission as expeditiously as possible. Mr. Holmes asked if they have assessments as to the current stability of the dock. Mr. Griffith said they've made attempts to fence the dock off; they've posted signs stating there is no trespassing on this dock. They have to go there repeatedly and replace the gate and reinforce the blockage. Commissioner Norwood said they need to do an immediate assessment so they will not be guessing as to the integrity of the dock. They need to do their due diligence. Mayor Myers said they are keeping the public off

the dock at this time. Commissioner Norwood said they need to know the cost of each of these options. Mr. Holmes said they need to move fairly quickly on this. Even with no trespassing signs up, they will not escape liability if someone is hurt. Mr. Griffith said they can get proposals and move forward with a cost estimate. Mr. Czymbor said they will obtain a cost analysis on these options based upon the structural analysis.

Charles Rudd stated the annual Occupation of Palatka will take place this weekend. The 4th Saturday cruise-in is scheduled for Saturday night.

12. COMMISSIONER COMMENTS

Commissioner Kitchens said the yellow caution light at Palm & Crill is only three seconds. They have a red light camera there. She timed it herself. The yellow light at Westover & Crill held for four seconds, as did the one at Moseley and Crill. The citizen that called her and alerted her to this almost had a wreck slamming on breaks at the intersection of Crill & Palm. She understands FDOT controls these timers. Three seconds is much too short for a caution light.

Gary Getchell, Police Chief, said they will contact Summerville Electric and have them check that. He distributed information a few weeks ago regarding FDOT's intent to increase the time of yellow light duration at the intersection.

Commissioner Kitchens said the City's wheelchair ramp is out of date. The slope is too steep to navigate. The ramp should be checked to be sure it is ADA compliant. Mr. Daniel Ziem can no longer attend commission meetings as he can't navigate the slope.

Commissioner Leary said the golf course is on track to increase rounds to over 1,000 rounds this year. They continue to work on the kitchen upgrades/restaurant grant; this is a priority for USDA and he feels confident they will receive that grant. Two big tournaments are coming up next month. Hogs are still a problem.

Commissioner Norwood said, on issues that affect the entire community, such as issues with churches and fees, he wants to make sure that if they are dealing with issues that affect a vast amount of the community, they should workshop those issues so everyone understands the intent of what they are doing to so as to alleviate confusion in the community.

Mayor Myers said they are running a business; revenues must exceed expenses. Expenses have gone up and revenue has decreased over the past four and five years. Government has done a great job in maintaining services while not terminating positions. They've just increased salaries for the first time in five years. This was all vetted in several budget workshops. The cost of providing services has gone up. They have to be fiscally responsible. The budget process was a good one. They have a workable budget, although not a perfect one. He's in favor of user fees. They cannot continue to raise ad valorem taxes. Palatka's and Putnam County's taxes are among the highest in the state. They have to make decisions that benefit the vast majority of the citizens.

Commissioner Kitchens said next year they need to have at least one budget hearing in the evening which will give more people the opportunity to attend.

13. **ADJOURN** – There being no further business to discuss, the meeting was adjourned at 8:15 upon a motion by Commissioner Leary.