

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
June 13, 2013

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 13th day of June, 2013.

PRESENT:

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

Also Present: City Manager Michael J. Czymbor; City Attorney Donald E. Holmes; City Clerk Betsy Jordan Driggers; Finance Director Matt Reynolds; Police Chief Gary Getchell; Fire Chief Mike Lambert; Planning Director Thad Crowe, Project Manager Jonathan Griffith

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

INVOCATION – Police Chief Gary Getchell

PLEDGE OF ALLEGIANCE – Thad Crowe, Planning Director

APPROVAL OF MINUTES – 5/23/13 regular meeting; 5/30/13 called meeting – Commissioner Norwood moved to adopt the minutes as read. Commissioner Leary seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS:

STUDENT OF THE MONTH – May, 2013 - Mayor Myers presented a certificate of award to Cade Hansford for academic excellence, leadership, citizenship and attendance at Jenkins Middle School.

Employee Recognition: Thad Crowe, Planning Director, Recipient, FPZA George W. Simons, Jr. Memorial Lifetime Achievement Award – Mayor Myers read a press release advising that the Florida Planning & Zoning Association presented its George W. Simons, Jr. Memorial lifetime achievement Award to Thad Crowe, Palatka Planning Director. This award has been given annually to urban planners, land use attorneys and citizen activists since 1977. Mr. Simons, a founder of FBZA, was a prolific planner whose far-sighted work in the preservation and inception of historic districts in many cities throughout Florida is evident today. Mr. Crowe was presented with this award by his peers at the FPZA. His nominator, NEFRPC, noted he has been involved

with shaping "smart growth" in various historic cities and towns throughout Florida, including new towns like Nocatee. Brian Teeple of NEFRPC, who nominated him for this award, said he "saw what could be" in developing numerous vision plans and land development regulations. Mayor Myers noted he, City Manager Czymbor and Mr. Griffith attended the award ceremony. He said Palatka is truly lucky to have a Planner of Mr. Crowe's caliber in Palatka. Commissioner Leary said he has known and worked with Mr. Crowe for many years, and he has the demeanor needed to be a Planning & Zoning Director. He's glad to have him in Palatka. Mr. Crowe said this is quite an honor, and if he can accomplish a fraction of what Mr. Simons accomplished he would be pleased with himself.

2. PUBLIC COMMENTS

Askew Vickers, 207 N. 18th Street, asked Mr. Czymbor the amount of the total budget. Mr. Czymbor said the total of all Funds is around \$20 million. Mr. Vickers asked as to the required reserve funds. Mr. Czymbor said a good rule is to keep 20% of your budget in reserve funds. The City doesn't have anywhere near that amount. Mr. Vickers asked who pays for police escorts during funeral processions. Commissioner Brown said this is a public service. Mr. Vickers said instead of using police officers, let the funeral homes pay for the service instead of using taxpayer dollars. He's seen funeral processions escorted by independent biker groups. This is something to consider.

Mr. Vickers said the City should not charge for water that is not fit for human consumption. The product is not worthy of the rates being charged. Mayor Myers said the problem is not with the water, it's with the infrastructure. That takes money to fix; they have been in a budget crunch for the past four years. They are slowly replacing infrastructure. Mr. Vickers said this is a better use of taxpayer funds.

3. CONSENT AGENDA:

- a. **Adopt Resolution No. 2013-9-123** authorizing execution of the renewal of FDOT Maintenance Contract #BDU19 for maintenance of right of way along SR15 (US17), SR 20 and SR100 eff. 7/29/13
- b. **Adopt Resolution 2013-9-124** authorizing execution of Florida Dept. of Corrections Work Squad Contract #WS836, effective 8/24/13
- c. **Adopt Resolution No. 2013-9-125** approving the selection of Coldwell Banker Commercial/Ben Bates, Inc. as sole respondent to Professional Real Estate Services RFP and authorizing the City Manager to begin contract negotiations for services
- d. **Adopt Resolution No. 2013-9-126** authorizing the execution of a Supplemental JPA with the FDOT for the design & construction of the Main Access Road Project at the Palatka Municipal Airport to add the purchase of a fuel truck to the project description and extend the contract time to 9/30/2013
- e. **Appoint Sandra M. Smith to Palatka Code Enforcement Board** as member with real estate experience for the remainder of a term expiring September, 2013 and for an additional 3-year term to expire September, 2016, per Staff recommendation
- f. **Introduce Form 8B, Memorandum of Voting Conflict** into the record filed by Commissioner Mary Lawson Brown on vote taken 5/30/13 (Agenda Item #3(c))
- g. **Designate Mary Lawson Brown as voting delegate** to the 2013 FLC Annual Conference in Orlando
- h. **Notice of Amendment to Meeting Calendar** – CRA meeting moved from 6/13/13 to 6/27/13; City Commission Pre-Budget Workshop moved from 6/13/13 to 2:00 p.m. on 6/27/13.

Commissioner Kitchens moved to pass all items on Consent as recommended. Commissioner Norwood seconded the motion, which passed unopposed.

Christy Sanford, 312 Dodge Street, asked as to Item 3(a), what "Maintenance" means. Mr. Czymbor said they maintain the State highway medians. They mow, pick up trash, and "weed-whack." This constitutes maintenance. Ms. Sanford said they just planted grass and it is growing all wild and there are weeds in it. Mr. Czymbor said this contract covers maintenance – just mowing, weed whacking and trash removal. They can discuss her concerns with FDOT representatives.

4. **RESOLUTION No. 2013-9-127** awarding the Agent of Record RFP and authorizing the City Manager to negotiate contracts for Agent of Record/Brokerage/Risk Management Services with Brown & Brown (Daytona Beach) for Property/Casualty Insurance and with Bates & Hewitt (Palatka) for Employee Benefits Insurance – Adopt – The Clerk read a Resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, SELECTING BATES & HEWITT (PALATKA) AS THE CITY'S AGENT OF RECORD (BROKER) FOR EMPLOYEE BENEFITS, AND BROWN & BROWN (DAYTONA BEACH) AS THE AGENT OF RECORD (BROKER) FOR PROPERTY AND CASUALTY INSURANCE, AND AUTHORIZING THE NEGOTIATION OF AN AGREEMENT WITH BATES & HEWITT (PALATKA) AND BROWN & BROWN (DAYTONA BEACH) TO PROVIDE BROKERAGE SERVICES. Commissioner Kitchens moved to adopt the Resolution as read. Commissioner Norwood seconded the motion. Commissioner Norwood said at the May 30th meeting Mr. Bates mentioned the wellness program consists of a blood screening. He asked if there is an incentive to get individuals out to exercise.

Ben Bates, 3400 Crill Avenue, said they can design a wellness program any way the City wants to design it. They will be looking at this as part of the new health care law, as it is now mandated. The City is able to charge an additional 50% premium for any person who uses tobacco products. They can also give incentives of up to 30% on wellness programs. They started the wellness program a few years ago. They were able to get blood draws completely funded. Wellness is how they control costs going forward. In order for a wellness program to work, it has to come from the top down. Management has to buy into it 100%.

Mr. Leary said several local governments have adopted policies that they will not hire smokers, and that any current smokers have to go through a smoking cessation program. He asked Mr. Bates if he's worked with other similar programs. Mr. Bates said he's not aware of the legality of hiring people because of their habits. It's a proven fact that tobacco creates health hazards. Mr. Czymbor said that is currently not addressed in City policy. Commissioner Leary said several cities have this policy in place. Mr. Holmes said he can research this. Commissioner Leary said they need to have a "no smoking" policy on any and all city property. They need to address wellness issues. Mr. Bates said G-P has taken that approach, and that includes synthetic cigarettes. The hospital has also instituted this program. Commissioner Norwood said the blood screening is just a first step. They need to develop a program that gets people active, which improves attendance and job performance.

Commissioner Brown said she attended a risk management workshop. The health care plan is changing the number of hours in the definition of "part time" for people they are required to insure. The League is putting a schedule together so that cities will know who they have to insure and who they do not. Mr. Bates said today they had a meeting with City staff regarding compliance in all areas of health care law, and that was one of the points covered.

Christy Sanford, 312 Dodge Street, said they do need a workshop for this type of thing. She sent the City of Gainesville's insurance plan to the former City Manager. That plan puts money back for wellness activities. It is very regulated and organized and targets general health and weight loss.

5. **PUBLIC HEARING** – 421 and 425 N. Palm Avenue - Planning Board Recommendation to annex, amend the Future Land Use Map and Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial) and rezone – City of Palatka B & Z on behalf of Ernest W. Matchett and Ernest Roughton, owners. Mayor Myers opened the public hearing.

ORDINANCE annexing 421 & 425 N. Palm Avenue – 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 421 AND 425 NORTH PALM AVENUE, LOCATED IN SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the Ordinance as read. Commissioner Leary seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE - 421 & 425 N. Palm Avenue - amending the Future Land Use Map and Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial) – 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 THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM PUTNAM COUNTY US (URBAN SERVICES) TO CITY COM (COMMERCIAL) FOR 421 AND 425 NORTH PALM AVENUE (SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the Ordinance as read. Commissioner Kitchens seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE rezoning 421 & 425 N. Palm Avenue from Putnam County IL (Industrial, Light) to City of Palatka C-2 (Intensive 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 PROPERTY LOCATED IN SECTION 1, TOWNSHIP 10 SOUTH, RANGE 26 EAST, INCLUDING 421 and 425 NORTH PALM AVENUE FROM PUTNAM COUNTY LI (LIGHT INDUSTRIAL) TO CITY C-2 (INTENSIVE COMMERCIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to adopt the Ordinance as read. Commissioner Kitchens seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

6. **PUBLIC HEARING** – 1095 SR 19 North - Planning Board Recommendation to annex, amend the Future Land Use Map and Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial), and rezone from Putnam County C2 (Light Commercial) to City of Palatka C-2 (Intensive Commercial) – Palatka B&Z on behalf of Donna Jaquith-Byrne, owner. Mayor Myers opened the public hearing.

ORDINANCE annexing 1095 SR 19 North – 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 1095 NORTH STATE ROAD 19, LOCATED IN SECTION 2,

TOWNSHIP 10 SOUTH, RANGE 26 EAST, PUBLIC RECORDS OF PUTNAM COUNTY, FLORIDA CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING AN EFFECTIVE DATE. Commissioner Leary moved to adopt the Ordinance as read. Commissioner Norwood seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE – 1095 SR 19 North - amending the Future Land Use Map & Future Land Use Element from Putnam County US (Urban Service) to City COM (Commercial) – 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 THE FOLLOWING PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE): FROM PUTNAM COUNTY US (URBAN SERVICES) TO CITY COM (COMMERCIAL) FOR 1095 NORTH STATE ROAD 19 (SECTION 2, TOWNSHIP 10 SOUTH, RANGE 26 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance as read. Commissioner Kitchens seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

ORDINANCE rezoning 1095 SR 19 North from Putnam County C2 (Light Commercial) to City of Palatka C-2 (Intensive 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 PROPERTY LOCATED IN SECTION 2, TOWNSHIP 10 SOUTH, RANGE 26 EAST, IDENTIFIED AS 1095 NORTH STATE ROAD 19 FROM PUTNAM COUNTY C-2 (COMMERCIAL LIGHT) TO CITY C-2 (INTENSIVE COMMERCIAL); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance as read. Commissioner Leary seconded the motion. There being no discussion and no comment, a roll-call vote was taken, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, Yes; Nays, none. The Ordinance was declared adopted.

7. **DISCUSSION** – Putnam County BOCC Revision to Public Schools Interlocal Agreement between Putnam County, Municipalities and Putnam Co. School District – Thad Crowe, Planning director, said this item is being initiated by Putnam County. They currently have a burdensome Interlocal Agreement between all the municipalities, the County and School District which requires a review of development proposals pertaining to the impact of development on schools. When development exceeds the capacity of the schools, this triggers a requirement for developers to pay a higher impact fee to pay for that development's impact on schools. They now have a declining enrollment. This is a burdensome requirement that is no longer necessary. The agreement itself would stay in place and provide a mechanism for the City's requirement to inform the school district of pending developments. This also requires a School Board representative to attend Planning Board meetings as a non-voting member, but this has not been happening. This agreement can be amended to render it less burdensome.

Commissioner Leary said he served as a planning consultant for several years and participated in the initiating and drafting of this Agreement as well as the Schools Concurrency Plan. Recently the Legislature deleted the State's requirement for school concurrency; this is now a decision of the local government. He does think it's prudent to keep an Interlocal Coordination Agreement in place, although perhaps not as sophisticated an agreement. He no longer represents the School District in a planning capacity. He concurs with Mr. Crowe and suggests they move forward with his recommendation. They can always amend it in the future if school enrollment increases.

Mr. Crowe said if the Commission is in general agreement, he will indicate to the County that the City is in general agreement with the pending amendment. There was general consent to move forward with amendments to the Interlocal Agreement.

8. CITY MANAGER & ADMINISTRATIVE REPORTS

Mr. Czymbor said they have a budget workshop scheduled for June 27 at 2 pm. He will be distributing information regarding past, present and future budget issues for the Commission's information and use.

Mr. Czymbor said a report is being compiled regarding the City's participation and involvement in the Blue Crab Festival, which will be provided to the Commission some time prior to the next meeting. He believes the Commission will be surprised at the City's actual involvement versus what the Festival is billed for.

Mr. Czymbor said Staff will be meeting with Georgia Pacific tomorrow regarding the Wetlands Educational Center. GP has retained their Fabricator and Educational Curriculum Consultant; tomorrow they meet with GP's consultants and the architect in order to move this project forward. He will distribute the agenda for that meeting in tomorrow's Commission Correspondence package.

Mr. Czymbor said at the June 27 meeting the Commission will hear two appeals on decisions made by the Planning Board concerning the St. Marks Episcopal Church.

9. COMMISSIONER COMMENTS

Commissioner Leary said during the last tropical storm they added another sunken boat to the Riverfront. Those boats that are out there are all just waiting to sink with the exception of one or two. They need to address this hazard and get a handle it.

Commissioner Norwood said when staff works on projects and puts in many hours in order to better the City, they need to make sure staff is working on the right thing. If Staff is reviewing current programs or RFPs, which takes a lot of time they need to be sure Staff gets the support and direction it needs. They need to determine up front whether or not they are working on the right thing. When they come back with some results, the Commission needs to be aware of those results early on as well as the reason for those results so Staff isn't spinning wheels doing work for naught. Staff as well as the Commission needs some feedback on different projects that may be controversial. They may have to make unpopular decisions; they need to give staff direction up front if at all possible. If they can communicate activities to the Commission, they either need to know the Commission supports this or does not support it. They don't want to look like they don't support staff. Mayor Myers said it is the City Manger's place to instruct staff, and they need to communicate with him.

10. ADJOURN – There being no further business to discuss, the meeting was adjourned at 6:45 p.m. upon a motion by Commissioner Kitchens.