

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
January 9, 2014

Proceedings of a regular meeting of the City Commission of the City of Palatka, Florida, held on the 9TH day of January, 2014.

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

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, Grants/Projects Manager Jonathan Griffith; Main Street Manager Charles Rudd, and Golf Course Manager Andy Hartz

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

INVOCATION – The Reverend Ken Johnson, Executive Director; Rodeheaver Boys Ranch

PLEDGE OF ALLEGIANCE – Judd Neufeld

APPROVAL OF MINUTES – 12/12/13 Regular & 12/30/13 Called Meetings – Commissioner Norwood moved to approve the minutes as read. Commissioner Leary seconded the motion, which passed unopposed.

1. PUBLIC RECOGNITION/PRESENTATIONS:

PUBLIC SERVICE RECOGNITION – Donors contributing to the purchase of two K-9 Units: Mayor Myers presented plaques showing appreciate to the following donors recognizing their generous donations towards the purchase of two K-9 Units for the Palatka Police Department. Mayor Myers noted some donors were recognized at the December 30th meeting, when the new K-9, Wilson, was introduced.

- Georgia Pacific – Palatka Mill – Accepted by Gary Frost. Mr. Frost said he is a dog lover and would like to be introduced to Wilson. G-P was so glad to proudly provide the donation to allow the City to acquire these new K-9 officers. He looks forward to meeting Wilson.
- Ayres Associates – Accepted by David Kemp, Jacksonville office, who said this is a way to thank the City for being supportive to their firm. They are always glad to help the City.
- Passero Associates, LLC – Accepted by Andrew Holesko, Vice President, on behalf of Passero Associates
- Bobby Weed Golf Design, Inc. – accepted by Andy Hartz, Manager, on behalf of BWGD

Chief Getchell said Wilson is a full-blooded German shepherd from Germany. The handler actually has to learn German as part of his training. In the past, they've had dogs from Poland, in which case the handler had to learn Polish.

EAGLE SCOUT RECOGNITION: Brandon Lloyd Rogers, Troop 342, and Cody West Randolph, Troop 492, were present to accept a City Proclamation and Certificate of Recognition from the St. Augustine Chapter of Sons of the Revolution, which were read and presented by Mayor Myers. Eric Wayne Cole, Troop 337; Elijah Jesse Raphael Helmic, Troop 337; Gage Alen King, Troop 247; and Jackson McClellan Tilton, Troop 248 were recognized in absentia. Mr. George Crawford, BSA Eagle Scout Coordinator, was also present and introduced.

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

3. **CONSENT AGENDA:**

- a. **Appoint 2014 Commission Representatives and Liaisons as listed**
- b. **Reappoint Joe Pickens to the Palatka Planning Board** for a three-year term to expire December, 2016 (incumbent)
- c. **Reappoint Michael Gagnon to the Code Enforcement Board** as member with contractor experience for a three-year term to expire September, 2016 (incumbent)
- d. **Grant permission to exceed allowable noise levels for Special Events Permit #14-04** – Martin Luther King Jr. Day Celebration, January 20, 2014 from 10:00 a.m. to 4:00p.m. to allow amplified sound in Booker Park – African American Cultural Arts Council, Applicant
- e. **Approve request items to Special Events Permit #14-05** – Palatka Main Street 4th Saturday Downtown Cruise In – January 25, February 22 and March 22, 2014 from 6:00 p.m. to 9:00 p.m. – Palatka main Street, Inc./Charles Rudd, Applicant
 1. Grant permission to exceed allowable noise levels throughout the duration of the event;
 2. Allow closure of the 600, 700 and 800 blocks of St. Johns Avenue for the duration of the event.
- f. **Approve Request Items for Special Events Permit #14-06** – Palatka Main Street 3rd Friday Downtown Street Party – January 17, February 21 and March 21, 2014 from 6:00 p.m. to 10:00 p.m. – Palatka Main Street, Inc/Charles Rudd, Applicant
- g. **Grant permission to allow public consumption of alcoholic beverages in open containers** along St. Johns Avenue between the 200 and 1000 blocks for Special Events Permit #14-07 – Palatka Main Street Winter Wine Stroll, January 25, 2014, from 5:00 p.m. to 9:00 p.m. – Palatka Main Street, Inc./Charles Rudd, Applicant

Mr. Czymbor said on January 17 there are three events happening concurrently. One of them is the River Reflections event which includes an electronic projection done by the Florida School of the Arts. There is significant set-up involved. Should the event be rained out, it will be held on January 18. Commissioner Brown moved to approve all items on Consent as presented. Commissioner Norwood seconded the motion, which passed unopposed.

4. **REQUEST** for City Participation in the North Florida Continuum of Care 2014 "Point in Time" (PIT) Survey and for City of Palatka representation at Alachua County Coalition for the Homeless & Hungry meetings – Angie Pye, Executive Director, 330 Washington Street, Starke, Florida, Representative/Member Agency, Alachua County Coalition for the Homeless & Hungry, said she is here today on behalf of the Alachua County Homeless & Hungry Coalition to speak about the "Point in Time" survey scheduled for January 29th. A group of volunteers will go into the community to get a count of homeless in Putnam County on that date. They know the count is much higher than they had anticipated. Until this year they had participated at a minimum level. Last year around 700 children were counted as "homeless." A few hundred more were in shelters and sought services from the Heart of Putnam and Soup Kitchens. They will go out into Palatka and E. Palatka to get a count. They know of several "tent cities" around Putnam County. Funding for homeless and hungry has been cut back and the County continually gets a reduction

in funding due to the under-counting of the homeless. This past week, due to the cold weather, they had great concern for the homeless; they had 10 to 12 hour stretches of below freezing temperatures with no shelter for these individuals. They will continue after the count as a sub-committee to determine how to address this issue in Putnam County. There is funding for housing for veterans, but many of the surrounding counties get that funding. She is looking for support from the Commission for the count and for participation in finding resources for the homeless. There is a need for these services. They need to bring the focus in for the churches and social workers, so they can come together and begin taking action.

Commissioner Leary said 700 homeless children seems quite high when there are only around 10,000 in the entire school system. Ms. Pye said if they are homeless they aren't necessarily living in a tent, but they don't have a home. They move from family member to friend and live in shelters. The funding she is referring to is federal. The overall homeless numbers here show very low and that's why the County doesn't get a lot of funding. As to why churches don't open their doors, she believes there is a lack of understanding and awareness of the need for shelter for the homeless. That is why they want to come together and answer these questions. There was a question as to whether or not Heart of Putnam could allow people to sleep there, so they need to address these issues with the City before the need arises again. Mr. Czymbor said Mrs. Pye has met with Chief Getchell, who has expressed an interest in working with her group. The Planning Director has stated said they can open Heart of Putnam for shelter during emergencies to allow people to sleep there overnight.

Mayor Myers asked what resources she expects from the City. She said involvement from Chief Getchell and his officers, and they want to be sure they can seamlessly go through the processes in order to provide "cold night" shelter, and cut through the red tape.

Commissioner Kitchens inquired as to the number of homeless adults. Mrs. Pye said they estimate there are around 1,200 including children. Commissioner Kitchens said the newspaper reported the Heart of Putnam was not allowed to let people sleep there. She believes there should be a way to allow churches and the Center to open for this purpose during an emergency situation. Mayor Myers said the Planner will be looking at this. Mayor Myers asked if participation in the survey will result in additional resources coming into Putnam County. She said maybe not this year or next, but eventually that is the end goal. Commissioner Brown said many times homeless/vagrant people are afraid to speak to the police. Ms. Pye said police and sheriff's office have agreed to provide plain clothed officers. They will begin in the City Limits in the morning and will move from there to the "tent cities" which are out in the County. Mayor Myers agreed this is an issue in the community and noted there are many causes. Commissioner Leary said they have a responsibility to try to help with this issue; they have a significantly higher number of homeless based upon socio-economic conditions in the County. He suggested setting up a committee or task force to address this issue and make this a priority issue for 2014. Commissioner Brown suggested they speak to Brother Charlie Rabun about the past efforts in Palatka to provide a shelter for the County's homeless. At the suggestion of Commissioner Kitchens, there was consensus to direct the City Manager to set up a meeting of the principals.

5. **REQUEST** to amend Article II, Subpart B of the City of Palatka Charter to amend two sections of the ordinance creating the Palatka Gas Authority, which was adopted by the electorate in 1959 – Palatka Gas Authority, Requestor – Judd Neufeld, 204 Nellie Drive, PGA Board Chairman, spoke on behalf of the Palatka Gas Authority Board. He introduced members of the Board in attendance. He said the Authority wishes to withdraw the request to amend the City Charter. For 31 years they have effectively and efficiently operated the Gas Authority under their Operating Policy, a copy of which he distributed, saying this has allowed the City, the City Commission and Gas Authority to work together to maintain low rates and prosper together. Rather than change the Charter, they are asking the Commission to adopt the policy they have been working under. They want to preserve their working relationship and ability to work to

improve the system. Commissioner Norwood moved to approve withdrawal of the Gas Authority's Request to amend the Charter. Commissioner Kitchens seconded the motion, which passed unopposed. Commissioner Norwood moved to table the request to approve the PGA Operating Policy put before them tonight. Commissioner Kitchens seconded the motion, which passed unopposed.

Mayor Myers thanked them for their competent public service and business sense.

6. **RESOLUTION No. 2014-10-31** adopting procedures for public input at City of Palatka commission and board meetings - Adopt - The Clerk read a resolution entitled A RESOLUTION OF THE CITY OF PALATKA, FLORIDA, ADOPTING A PROCEDURE TO COMPLY WITH FLORIDA STATUTES SECTION 286.0114 REGARDING PUBLIC INPUT AT COMMISSION AND BOARD MEETINGS. She said the during the 2013 Legislative Session a law was passed requiring cities, counties and other governing agencies to formally adopt policies allowing and setting parameters for public input at open meetings of governmental commissions and boards. The Resolution before them puts the policy they have been following in writing. Mr. Czymbor said the Clerk distributed a couple of recommended changes requested by a commission; the recommendation is to adopt the resolution with the changes to Section 3 as amended (filed). Commissioner Norwood moved to table consideration of the resolution, stating the changes were handed to him at the last minute. Commissioner Kitchens seconded the motion. Commissioner Leary said he is prepared to consider the changes tonight; the revisions are minor and go without saying; however, he has no objection to them. He likes the policy and noted this is part of the open government legislation passed during the last session; they will see more of this in the coming session. He has no problem voting on this tonight. There being no further discussion, the question was called and the motion passed unopposed.

PUBLIC HEARINGS:

7. **ORDINANCE – 2410 Tommy Avenue – Planning Board Recommendation to Annex and Rezone from Putnam County -1A (Residential, Single Family) to City R-1A – Vincent V. & Gloria J. Thompson, owners**

ANNEXATION ORDINANCE – 1st Reading – 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 2410 TOMMY AVENUE, LOCATED IN SECTION 13, 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 Norwood moved to pass the ordinance on first reading as read. Commissioner Brown seconded the motion. There being no discussion or 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 passed on first reading.

REZONING ORDINANCE – 1st Reading – 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 FROM PUTNAM COUNTY R-1A (RESIDENTIAL SINGLE-FAMILY) TO CITY R-1A (SINGLE-FAMILY RESIDENTIAL) FOR THE FOLLOWING PROPERTY: 2410 TOMMY AVENUE (SECTION 13, TOWNSHIP 10 SOUTH, RANGE 26 EAST); PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Brown moved to pass the ordinance on first reading as read. Commissioner Kitchens seconded the motion. There being no discussion or 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 passed on first reading.

8. **ORDINANCE – 1400 N. SR 19 – Planning Board Recommendation to Annex and Rezone from Putnam County AG (Agricultural) to City M-1 (Light Industrial) – Marc Spalding, owner**

ANNEXATION ORDINANCE – 1st Reading – 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 1400 NORTH STATE ROAD 19, LOCATED IN SECTION 37, TOWNSHIP 9 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 pass the ordinance on first reading as read. Commissioner Kitchens seconded the motion. There being no discussion or 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 passed on first reading.

REZONING ORDINANCE – 1st Reading – 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 FROM PUTNAM COUNTY AG (AGRICULTURE) TO CITY M-1 (LIGHT INDUSTRIAL) FOR THE FOLLOWING PROPERTY: 1400 NORTH STATE ROAD 19 (SECTION 37, TOWNSHIP 9 SOUTH, RANGE 26 EAST); 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. There being no discussion or 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 passed on first reading.

9. **ORDINANCE 14-01** extending the 2008 Economic Recovery and Incentive Program, which suspended the collection of Impact Fees, for a period not to exceed four (4) months – 2nd Reading, Adopt – The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CITY OF PALATKA ORDINANCE NO. 08-20, THE CITY OF PALATKA 2008 ECONOMIC RECOVERY AND INCENTIVE PROGRAM; PROVIDING FOR AN EXTENSION OF THE SUSPENSION OF COLLECTION OF THE CITY'S PARKS AND RECREATION FACILITIES IMPACT FEES, FIRE RESCUE IMPACT FEES, ROAD IMPACT FEES AND LAW ENFORCEMENT IMPACT FEES FOR A PERIOD NOT TO EXCEED FOUR MONTHS OR MAY 31, 2014; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. Commissioner Kitchens moved to adopt the ordinance on second reading as read. Commissioner Leary seconded the motion. There being no discussion or 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 passed on first reading.
10. **ORDINANCE 14-02** restating and amending Chapter 50 (Parks), Article III of the Municipal Code pertaining to Special Events – Adopt on Single Reading per the legislative authority granted under FS 166.041(b). The Clerk read an ordinance entitled AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING CHAPTER 50 OF THE MUNICIPAL CODE OF THE CITY OF PALATKA BY RESTATING ARTICLE III, SPECIAL EVENTS, IN ITS ENTIRETY; AMENDING GENERAL PROVISIONS, DEFINITIONS; AMENDING APPLICATION PROCESSES, ISSUANCE AND FEES; AMENDING SPECIAL EVENT TERMS AND CONDITIONS; ADDING A SUBSECTION ON PARADES; AND AMENDING THE SPECIAL EVENT SCHEDULE OF FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. Commissioner Norwood moved to adopt the ordinance on single reading on an emergency basis as agendaed. Commissioner Leary seconded the motion. Commissioner Kitchens said she's spoken to Mr. Czymbor regarding several issues. On page 1 of the draft they've dropped the definition of

Charitable Organizations, which should be retained. Mr. Crowe said they struck it as they really don't think it's relevant; there is no distinction between for profit and not-for-profit applicants. Mr. Holmes said if it does not refer to anything in the ordinance it should be struck.

Commissioner Kitchens referenced the fishing tournaments provision, saying the passage stating the tournaments may commence one hour before sunrise is fine; however, the passage stating event preparation may commence the day before should be dropped. The BASS tournament needs four or five days to set up. There is no event preparation specified on other events. They need to drop "and event preparation can commence the day before." Mr. Crowe said he understands the concern. They want to be careful with leaving an open-ended situation where any event would monopolize the park while setting up. He agrees with Commissioner Kitchens' comments. He agreed to 3 days instead of 1 day. The Chamber had no problem with this. Commissioner Kitchens said this is acceptable.

Commissioner Kitchens said on the list on page 4, which lists 30 categories of special events ending on page 5, under sporting events, regarding high school football/baseball games. She has no problem with having the school board having to ask the Commission to close streets for an ongoing event, but they don't necessarily need to charge a school a fee to hold an event in their own stadium. She doesn't believe any other school in the State has to pay such a fee. Mr. Crowe said one fee is an application fee, which is the fee Commissioner Kitchens is referring to; they do not have to pay an application fee. They do need to collect fees for Police Services. They will insert a waiver clause for the fee.

Commissioner Kitchens said they put a time limit on applying for permits for these events due to difficulty with people coming at the last minute. They added a clause on the application allowing the special events coordinator to waive the time limit to make application. She noted Mr. Holmes has put together some good wording on this, which needs to be added. She does not want to see any time limits waived. Mr. Crowe said the ordinance already gives the special events coordinator the ability to grant Class B and C permits and waive the deadlines. They were uncomfortable with those parameters. This language has been taken out and the waiver clause has been added. Commissioner Leary said they need that flexibility. Mr. Holmes said he was asked if the "generic" waiver language passed muster. His response is that he sees no criteria to make the decision; with no criteria you open yourself up to accusations of being arbitrary and capricious when you say yes to one and no for another. You need articulate-able standards. If there is a particular circumstance in which a waiver could be considered, that could be discussed. The time frames were put in to give departments relief from last-minute requests. If departmental or police services won't be required, that is acceptable criteria and easily applied. Absent that, he doesn't know when they will waive deadlines or not. Mr. Crowe said he has no problem with a 'bare bones' time frame, or if they just say "when no city services are required the time frame may be waived." Commissioner Norwood moved to amend section 50.201, #3, last paragraph on page 6, to strike the entire paragraph. Commissioner Leary seconded the motion, which passed unopposed.

Mr. Holmes said under definitions, Page 4, the added line states the following activities "may" be special events, along with events determined by the Special Events Coordinator; he asked how would he know when his event is a special event if the Code says it "may" be a special event? Mr. Crowe said the threshold is clearly defined. Class A is defined on Page 2, for instance, bass tournaments. Commissioner Kitchens said if an applicant is serving alcohol on public property, it is a special event because they have to come to the Commission for permission to allow this; people have to come to the commission to obtain permission to do certain things. They should substitute "shall" for "may", as they are special events. Mr. Holmes said if the criteria for what sets out special events are listed under the classifications, why do they need the list on Page 4? If it needs the criteria under Class A, why do they need to list activities on a separate page? Mr. Crowe said they are trying to be comprehensive; the real "trigger" is under the Classification. Mr.

Crowe said to clarify they can add language to make it more certain that "if attendance levels are triggered and variances are required" that makes it a special event. Commissioner Leary said it doesn't hurt to have this listed in both places in order to clarify something is a special event, and it hurts nothing to have the additional list. Discussion ensued.

Chief Getchell said the problem they've had in the past is they got into basic definitions, but it doesn't provide adequate direction to the organizer or to staff when something falls outside the listed events. This provides clarification. Mr. Holmes said they could say "the following activities are examples but not deemed to be inclusive of what constitutes a special event." Commissioner Norwood moved to amend the last sentence of the paragraph on page 4 to include the language as stated by Mr. Holmes. The motion was seconded by Commissioner Leary and passed unopposed.

Commissioner Kitchens said on Page 10, under what used to be "d", but is under Class A, the wording has been added which says "special events associated with holidays are exempt from special event fees." This could be construed as Blue Crab, which is held on Memorial Day. "Special event" needs to be "parade." Commissioner Leary moved to strike the word "special event" in paragraph 2D and substitute with "parade." Mr. Crowe said there is an application fee, and fees associated with City Services. The parade is one part, and the activity fee is another part. Other fees can be considerable. Discussion ensued. Commissioner Leary withdrew his motion, saying if staff is comfortable with the language, and understands what the Commission is trying to articulate, that is fine. Mr. Crowe said they identified five events as being meaningful to the community. They tied them to federal holidays to make them more relevant. This is intended to apply to an event that is in observance of the national holiday. Commissioner Brown said they need to allow certain things in the community that are of special meaning to the community. Martin Luther King Day is one of them. Fees for use of City parks in association with these events should be waived on behalf of the citizens. Commissioner Norwood moved to amend to add "in observance of" federal holidays. The motion was seconded by Commissioner Kitchens and passed unopposed.

Commissioner Kitchens said, regarding page 11, under Performance Bond, it states the special events coordinator shall assess the need for a performance bond. On page 17, under Garbage pickup ("C"), it says the applicant shall be jointly responsible for trash pickup. Then further down it says if the City has to do it the cost shall be subtracted from the Performance Bond. Commissioner Norwood moved to amend the passage to insert "or paid in full by applicant if there is no performance bond." Commissioner Kitchens seconded the motion, which passed unopposed.

Commissioner Kitchens said under public transportation, they have marked out "applicant shall pay for all broken barricades and missing cones." This should be left in the ordinance, and they should include "or paid in full if paid by the applicant." Mr. Crowe said the performance bond covers everything; facilities, equipment, barricades and cones. The committee will assess the need for a performance bond and if there is a great potential for damage, they will assess a performance bond or deposit. Discussion ensued.

Commissioner Kitchens said under Page 25, exhibit B, special events fee schedule, in looking at the price they charge festivals per hour, this is about 60% of the City's cost. She was told by a prior city manager this is so that non-profits can hold events in the Community. If they are letting a for-profit group hold a festival that only benefits the for-profit group, they should charge them the full amount.

Commissioner Norwood moved to adopt the ordinance as amended on a single reading, per the legislative authority granted under FS 166.041(b) to adopt ordinances on an emergency basis. Commissioner Leary seconded the motion. Commissioner Kitchens said on Page 13 under 50-

223 it previously said the Commission may grant special permission for sale of beer and wine on public property. They are changing "beer and wine" to "alcoholic beverages" which includes hard liquor. Her concern is not about confining hard liquor to a tented area. When they do the beer & wine strolls, they go 10 blocks. They have been no problem. She's concerned that if someone is sipping hard liquor, they will be tipsier. Mayor Myers said in all cases it's the amount of consumption that matters.

Mayor Myers opened the floor for public comment.

Shirley Edwards, 2100 Elm Street, said as to Martin Luther King Day last year, they were told late about the police fees. Chief Getchell told her they will not be charged police or park fees if this is passé and thanked them for their consideration. They are selling tickets for the MLK Day Breakfast; if they are interested they can contact her. The breakfast is at the Family Life Center.

There being no further discussion, a roll-call vote was taken on the motion to adopt the Ordinance as amended, which yielded the following results: Commissioners Brown, Kitchens, Leary, Norwood and Mayor Myers, yes; Nays, none. The ordinance was declared adopted on a single reading, per the legislative authority granted under FS 166.041(b).

Mayor Myers said federal holidays like Martin Luther King Day are very important to the citizens and they all support those activities.

11. **DISCUSSION** for direction/action – Amphitheater Repair & Demolition Options – Jonathan Griffith, Project Manager, said Logan Diving did a structural investigation of the Amphitheater in November. The information on that survey is in the package. Sixteen pilings were 65% or more wasted and thirty-six pilings were 30 to 60 percent wasted. The loss was minimal on the cross-bracings; it is mainly to the pilings. After inspection, Staff consulted with Logan Diving's engineer as to four or five options on demolition and options for a new stage. The repair of this facility will cost around \$180 - \$200 thousand. To demolish, the cost is between \$15 to \$60 thousand. There is additional cost for landward ADA modifications and a fence, should they decide to repair/replace the stage/dock. They consulted with stakeholders and event organizers. They did receive some responses from the general public. They are asking for direction from the Commission. They don't have the funds to pursue the repair of the facility; if they do, it will remain fenced off until the next fiscal year. They would have to take funds from another project to replace the facility. They do have funds to demolish the facility and make alterations. He suggests they determine a location for a temporary stage. This provides greater flexibility to allow you to accommodate from 40 to 800 people. This is Staff's recommendation.

Discussion ensued regarding options. Commissioner Brown asked how noise will impact the citizens when the staging area is moved further south. Mr. Griffith said there will be minimal impact if the area is moved. Commissioner Brown asked how this will impact the appearance of the park during the BASS tournament. Mr. Czymbor said if the Commission authorizes the demolition, they can have that done prior to the BASS tournament. The Chamber will help facilitate this. Commissioner Kitchens said she spoke to Mrs. Jones at the Chamber, who has someone who will donate vinyl fencing to erect a temporary barrier to the impaired part of the Amphitheater. If they send this out for an RFP, that will take time, and the BASS tournament starts setting up in early March. There have been no public workshops held on this. Veterans' groups were not approached, nor was the Putnam Ministerial Association. She would like to see the amphitheater repaired and rebuilt in the same location. The citizens don't want a pavilion blocking their view, but she doesn't object to it being built in the current Amphitheater location. Moving it 800 feet south will impact the citizens. The concession stand is now being built where the Michael Redd plan shows the grassy seating area. The central area, across from the Church, is where they were going to move the playground. She suggested they table this and hold a public workshop on the options.

Commissioner Leary said there are two issues. One is the demolition of a structure they can't now use. This can easily be demolished in a week. The location of the event area and what they do after that is up for debate. This does warrant public input. He supports going ahead with the demolition so they don't have to block it off or put up fencing, and later they can decide what to put where. This is a significant liability.

Commissioner Norwood asked why this was important enough to amend the Agenda to get this on the agenda for tonight. They have deadlines set for the Agenda. Mr. Griffith said they need to act now to get an RFP out to bring this back to the February 13th meeting. He was not comfortable in putting this through without consulting with the Finance Director and City Manager on the cost factor. Commissioner Norwood said in the future the Commission needs to agree to amend the agenda before it is amended.

Commissioner Norwood asked if the labor force is trained to do this work, and asked if the insurance will cover them if they do the work. Mr. Griffith said they can include this as a deductive alternative in the bid. They'd have to determine if they can remove the decking and stringing and that it wouldn't be considered specialized work. Commissioner Kitchens concurred with Commissioner Leary and said they would need assurance that the demolition work would be completed prior to the BASS tournament, and then hold a public workshop after the demolition is complete.

Mayor Myers said the BASS people use the area north of the amphitheater. He is in favor of going ahead of the demolition. Funds will be the driving force behind their choices. They need to get the unsightly portion out of the way. Palatka wasn't awarded the BASS tournament until 2 – 3 months ago and that's what prompted the emergency nature of this item. Commissioner Leary moved to direct staff to move forward with Option 2a, demolition of the dock structure. Commissioner Norwood seconded the motion.

Marcia Lane, 210 E. Forest Park Drive, said this was put on the Agenda at the last minute, Tuesday afternoon late, and Wednesday morning it was amended. By going with an option of tearing down the existing structure, you remove the option of rebuilding it. This was built for the people of Palatka, not just fishermen coming from out of town. The entire Light the Riverfront this year was over much quicker than usual because no one could perform on the stage. They've watched the amphitheater disappear bit by bit over the years. Covering it would be wonderful, but it's cost prohibitive. She asked them to delay any vote until a public workshop can be held. They need a say in the demolition of the Amphitheater.

Norm Jutras, 412 Mulholland Drive, Palatka, said, regarding the Butler Act, it allows reconstruction for dockage or related facilities constructed prior to 1974. Commissioner Leary said there has been dockage there since the 1800's. Mr. Jutras said the pilings have to remain while applying for the Butler Act. They already have something there; if they demolish it they won't get it back. They need to protect the Community's assets.

Commissioner Leary said he's somewhat of an expert on the Butler Act; he permitted the Gator Landing docking facilities under the Butler Act. The City absolutely qualifies for this and maybe can go out even further. They won't have any problem with replacing this facility. Commissioner Kitchens said they have maps and photographs showing prior existing docks going back to the 1800's. She agrees that once this is demolished, it's gone, and this concerns her. If they could just get rid of the bad part, and not the entire amphitheater, that would be better. Mr. Griffith said they are only removing the dock, not the structure or the berm. Demolition of the dock would require putting in additional sidewalk and bulkhead so you could use that area. They have confirmed that there was a general store located in the footprint of the amphitheater and they

have documentation of that. To clarify, the motion includes pulling up the pilings and wooden structure. All the wood will come up. This does not create a problem with the Butler Act.

There being no further discussion or comment, the motion on the floor to direct staff to move forward with Option 2a, demolition of the amphitheater dock structure, was voted upon and passed unopposed.

Agenda Item 4, Homeless & Hungry Coalition/Point in Time Survey Requests, revisited - Dawn Perry, 2370 Westover Drive, said as to the issue of churches not opening their doors to the homeless, permitting is of concern, but many times homeless people don't come to the churches. When a pastor finds someone in need, he/she personally puts them up in a hotel, whether with personal funds or with benevolence funds available through the church. People in this community are important to them whether they have a home here or not. Sometimes pastors work together and pay expenses out of their pockets to make sure someone has a place to stay. As to homeless children, she knows this is true. They come in contact with homeless all the time.

Commissioner Leary said there are two issues regarding shelter for the homeless; one is the long-term solution and the other is for temporary shelter during weather emergency events.

12. CITY MANAGER & ADMINISTRATIVE REPORTS

Mr. Czymbor said Staff is reviewing progress on the five 2013 City Priorities and Goals and will be reviewing those at the next meeting, as well as report on those at the next meeting, and begin the process to develop 2014 priorities.

Mr. Rudd invited all to River Reflections on the riverfront.

The Clerk reminded all that Arbor Day will be celebrated on January 17th at 10:00 a.m. at the Women's Club Clubhouse.

13. COMMISSIONER COMMENTS

Commissioner Brown said they had a very good meeting with the State Secretary of Transportation.

Commissioner Leary said he's had comments regarding the slipperiness of the boardwalk under the bridge from a bike rider. Mr. Griffith said they have pressure washed the area. They have not posted this area as a "bike lane" connection. They have purchased some nonskid material and when weather permits will be installing it.

Commissioner Norwood said they have not done a review on the City Manager since he began employment here, and that needs to be scheduled. Mayor Meyers asked Mr. Czymbor to distribute those materials for review.

Mayor Myers said they held a meeting with the Secretary of the FDOT. Many City and County officials as well as constitutional officers were there. They were very supportive. They took them on a tour of the Community. He appreciates the positive relationship they have with the FDOT. Commissioner Brown noted they congratulated the City and County on their positive working relationship.

14. ADJOURN – There being no further business to discuss, the meeting was adjourned at 8:15 p.m. upon a motion by Commissioner Kitchens.