

ROBERTA M. CORREA
MAYOR - COMMISSIONER

TAMMIE McCASKILL
COMMISSIONER

JUSTIN R. CAMPBELL
COMMISSIONER

WILL JONES
COMMISSIONER

RUFUS J. BOROM
COMMISSIONER

MARCIA G. CARTY, CPA, CGFO
INTERIM CITY MANAGER
FINANCE DIRECTOR

JANE WEST, ESQ.
CITY ATTORNEY

SUNNI L. KRANTZ, CMC
CITY CLERK

JASON L. SHAW, SR
CHIEF, POLICE DEPT.

CHRIS TAYLOR
CHIEF, FIRE DEPT



MINUTES CITY OF PALATKA October 14, 2024

The minutes of the proceedings of a special called meeting of the Palatka City Commission held on Monday, October 14, 2024 at 6:00 PM at City Hall, 201 N. 2nd St., Palatka, FL 32177.

- 1) CALL TO ORDER called to Order at 6:35 PM immediately following the Community Redevelopment Agency meeting.

- a) Special Called Meeting Notice

The notice was read by the Clerk.

- b) Roll Call

Present:

Commissioner Tammie McCaskill

Commissioner Justin Campbell

Commissioner Will Jones

Commissioner Rufus Borom

Mayor Roberta Correa

Also Present: Marcia Carty, Interim City Manager/Finance Director; Jane West, City Attorney; Sunni Krantz, City Clerk; Virginia Jones, HR Manager; Joe Verrecchio, Public Works Operations Manager; Peter Willott, Public Information Officer; Eddie Cutwright, Community Affairs Director; Lorenzo Aghemo, Planning Director; Chris Taylor, Fire Chief; Jason Shaw, Police Chief; Matt Newcomb, Assistant Police Chief; Yul McNair, Airport Manager; Allegra Kitchens, former City Commissioner; Alonzo Mulberry, City Chaplain (via telecommunications technology) Annie Davis, Tim Jefferson, Alice Cooper, Allen Sheffield

- 2) PUBLIC RECOGNITION/PRESENTATIONS

- a) PROCLAMATION - Domestic Violence Awareness Month - October, 2024 - Lee Conlee House & Palatka Police Department

Motion to approve by Commissioner McCaskill. Seconded by Commissioner Borom. The Motion Passed unanimously.

The Proclamation was accepted by Catherine Blevins, Police Department Victims Advocate, Lori Slaven, Lee Conlee House Executive Director and Commissioner Justin Campbell.

- b) PROCLAMATION - recognizing Emanuel United Methodist Church's 150th Anniversary

Motion to approve by Commissioner McCaskill. Seconded by Commissioner Borom. The Motion Passed unanimously.

The Proclamation was accepted by Cynthia Asia and members of Emmanuel United Methodist Church. Ms. Asia invited the community to their anniversary celebration on Sunday at 4:00 PM.

3) CITY MANAGER AND ADMINISTRATIVE REPORTS

a) PRESENTATION - Legal Department and Agenda Request procedure

Ms. West advised a couple of clarifying changes have been made to the agenda request form, to ensure it is clear that the agenda request process is in the discretion of the City Manager. Commissioner Campbell asked that there be a level of communication with the City Manager so the Commission is aware of who wants to come before them. Ms. Carty concurred that if someone fills out the form, the Commission will be notified and of the actions the City Manager takes to resolve the issue.

Ms. West spoke regarding the litigation arm of the legal department. Efforts have been made for the department to act more in the fashion of a law firm. She spoke regarding several blight to bright issues, nuisance abatement, and foreclosures that have been resolved or ongoing, including Johns Metals. Commissioner Borom expressed the need to bring litigation to the Commission's attention and the need to work on improving insurance risk ratings.

b) UPDATE - Hurricane Helene aftermath

Ms. Carty advised that Community Affairs and Planning Departments both went out to the community following Hurricane Helene to assess damages. There was some flooding on Reid Street and a leak at one City facility. Also, the dock was damaged and the City will be pursuing an insurance claim. Commissioner Campbell asked for a way to notify citizens regarding roads that regularly are prone to flooding during storms.

c) UPDATE - Team Building

Ms. Carty advised all of the directors are working together. There is a City of Palatka Team Building Club, which consists of Ms. West, Ms. Jones, and Mr. Bruneau. Ms. Jones advised City Staff will be hosting a cleanup and sponsor an employee luncheon at the Jenkins facility. In December, City Staff will assist with Jingle Jam. In January, there will be a chili cook-off with prizes and trophies.

Commission discussion commenced. Commissioner Borom recommended the Club have a member from each department. Commissioner Campbell advised a few employees have contacted him regarding the City's leadership program, which the City has held in past years. He asked that each Commissioner be able to identify someone that would benefit from the course.

4) PUBLIC COMMENTS

a) **Public Comments** - (Speakers limited to three minutes - no action taken on items)

The floor was opened to public comment. Upon hearing no requests to comment, the floor was closed to public comment.

b) **Commission and Staff Response**

5) **CONSENT AGENDA Motion to approve the consent agenda by Commissioner Campbell. Seconded by Commissioner McCaskill. The Motion Passed unanimously.**

a) **ADOPT RESOLUTION 2024-R-179 authorizing execution of Change Order #1 with Kent Brothers, Inc. for the Moseley Avenue to Railroad tracks project in the amount of \$143,352.62 for changes due to unforeseen conditions and reconciliation of unused quantities and quantity overruns. (100% grant funded).**

- b) ADOPT RESOLUTION 2024-R-193 authorizing execution of Supplement No. 1 to Hanson Professional Services Scope and Fee Agreement of the Florida Commerce CDBG COVID Sidewalk project in an amount not to exceed \$23,187.57 (100% grant funded).
- c) ADOPT RESOLUTION 2024-R-186 authorizing the execution of Amendment No. 1 to LPA0602 Palatka Water Main Replacement via Florida Department of Environmental Protection (FDEP) to increase the grant total award to \$10,500,000 (100% grant)
- d) ADOPT RESOLUTION 2024-R-207 authorizing the execution of Work Order 24-69R with Passero Associates in the amount of \$34,800 for Construction Administration of the Airport Obstruction and Tree Removal contract with Precision Development Group LLC (100% FDOT grant funded)
- e) ADOPT RESOLUTION 2024-R-205 of the City Commission of the City of Palatka, Florida, authorizing the Mayor or the Palatka Police Department to execute an agreement for the acceptance of the 75/25% funded COPS grant in the amount of \$500,000 to be utilized to obtain four Law Enforcement Officers positions and equipment
- f) ADOPT RESOLUTION 2024-R-208 awarding RFP 2024-21 Holiday Decorating & Light Display Services to Miller Lights, Inc. in an amount not to exceed \$29,133.57 (budgeted in FY '24-25)
- g) ADOPT RESOLUTION 2024-R-200 granting a special events permit to Brian Stahl for 2024 Xtreme Bass Series Championship to be held on November 1st - 2nd
- h) ADOPT RESOLUTION 2024-R-204 granting a special events permit to The Community Affairs Department for Leaves and Laughter Fall Block Party to be held at Jenkins Community Center on November 9th
- i) ADOPT RESOLUTION 2024-R-201 granting a special events permit to Veterans of Foreign War Post 33 for Veterans's Day Parade and Ceremony to be held November 11th
- j) ADOPT RESOLUTION 2024-R-203 granting a special events permit to the Rotary Club of Palatka for the Palatka Craft Beer Festival 2024 to be held on November 23rd
- k) ADOPT RESOLUTION 2024-R-202 granting a special events permit to Blue Crab Productions for Artist Event to be held on November 30th
- l) ADOPT RESOLUTION 2024-R-211 granting a special events permit to Community Affairs / Commissioner Jones for Break the Silence, Stop the violence Event to be held on October 19, 2024

6) REGULAR BUSINESS

- a) Recess for 10 minutes at 7:30 PM.

A recess occurred later in the meeting: 9:30 PM - 9:41 PM.

- b) DISCUSSION/DIRECTION: City Manager Search

Ms. Jones asked for input from the Commission on the outline provided in the agenda packet. In highlight of the outline, she advised during October a brochure will be created with the Commission's input. Phase II, would call for the Human Resources Department to place ads on the position, and a Community Advisory Group would be formed to involve the community. Phase III in January, would be the applicant screening process. Later, the Commission would create a short list of candidates. In Phase IV, there will be interviews and meet and greets with the candidates.

Commission discussion commenced, Commissioner Campbell recommended that in addition to the referenced individuals, have a meet and greet in a location large enough to be completely open to all citizens of Palatka. Commissioner McCaskill asked what an out-of-house process would look like. Commissioner Borom advised in the past he liked the search firm process. He asked that if we have a citizens' committee, that each commissioner appoint a committee member. Mayor Correa spoke in favor of beginning the process in-house. Commissioner Borom spoke of the need for the City Manager to be fully informed. General consensus of the Commission was to have the City Manager Search as an item on future agendas.

Commissioner McCaskill recommended former Mayor Hill as a 6-month interim City Manager while the search proceeds for a City Manager. Commissioner Campbell expressed concern that is not an agenda item today, and in response Commissioner McCaskill asked it be on the agenda at the next meeting. Commissioner Jones expressed the need that the Interim City Manager not desire the full-time role of City Manager. Commissioner Campbell expressed this conversation is premature and spoke of the need to start the process. Commissioner Jones asked will the Interim City Manager be eligible to apply.

Commissioner Borom spoke regarding the need to audit items that are remnants from various positions.

The floor was opened to public comment.

Ms. Allegra Kitchens 1027 S 12th St., spoke in support of keeping Ms. Carty in place.

Hearing no further requests to comment, the floor was closed to public comment.

Motion to move forward with vetted process and add to next agenda the Interim question by Commissioner Campbell. Seconded by Commissioner McCaskill. The Motion Passed unanimously.

- c) ADOPT RESOLUTION 2024-R-209 incorporating a policy regarding the acceptable use of City-owned IT equipment into the City's e-mail and internet policy (Appendix 19 of the Personnel Policy)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PALATKA INCORPORATING THE PROPOSED INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY TO APPENDIX 19 OF THE PERSONNEL POLICY, AND PROVIDING FOR SCRIVENER'S ERRORS

Ms. Jones advised the present policy is vague. Implementation of the proposed changes to the policy adds a layer of protection for the City and Staff. Commissioner Jones asked if a certain incident caused need for this policy. To which, Ms. Jones replied in the negative.

Motion to approve by Commissioner McCaskill. Seconded by Commissioner Borom. The Motion Passed unanimously.

- d) DISCUSSION/DIRECTION - 2021 Lead and Copper Rule Implementation

Ms. Carty advised there has been a change in the Lead and Copper Rule in 2021. Guidance from the EPA was provided to municipalities to implement maintaining the inventory to ensure lead was not going through any of the pipes. Ms. Carty advised this should have been done over the past 2 - 3 years. The deadline is October 16, 2024. Ms. Carty advised we must be diligent to meet this deadline.

Brian McCann, Reclamation Facility Superintendent, advised the Environmental Protection Agency (EPA) and the

Florida Department of Environmental Protection (FDEP) require that any houses built prior 1989 be verified individually and look at the connections on both the utility side and customer side and document with a picture whether there is lead. When this is done, a spreadsheet with several other questions must be submitted to FDEP. If this is not done, the estimated fines would be \$1,000 per day. We would also be required to inform every household (especially those with children) that they must be tested for lead.

Ms. Carty will submit the initial water service line report to the Florida Rural Water Association (FRWA). We have about 5,500 connections (and some have multiple so it might be 6,100). Preliminary, we have 1,050 meters that will not need to be tested because they are newer than the 1989 date. The remaining number is the amount that will need to be dug up. The report and a lead service line replacement plan must be submitted. Ms. Carty advised the City will contract with the vetted contractors so that we can get in a position where it is possible penalties will be waived. The entire State of Florida is facing this problem. The earliest we can contract is the end of this month. Ms. Carty advised we have to dig up the meters and start the process now, so she asked for approval to bring in 6 - 8 temporary employees that will work under Mr. McCann and Mr. McCamey. Ms. Carty spoke regarding the worksheet/report is very large and the project is very intricate. One more report on November 16th will be due that shows how many meters we worked at between now and October 16th. Ms. Carty advised she is asking for the okay to hire the temporary employees and to bring back a contract to the next meeting to hire a contractor. Ms. Carty advised there are grant opportunities.

Commission discussion commenced. Ms. Carty advised if we submit the report required by October 16th, we will submit the plan. If we did not, we would be fined.

Julie Guimond with Sensible Water Solutions appeared via telecommunications. Her firm is one of those that have submitted a quote for services. She advised that the lead letter on November 16th has to go out to the unknown connection types. She advised the issue will not go away, as we will be required to keep this for 12 years. She advised the October 16th deadline has not occurred, so litigation has not arisen. She does not foresee litigation, because if the City does have lead, it will put together a plan to get rid of it. The City tests for lead monthly or quarterly, so the City is familiar with lead and copper, the City just does not have experience actually looking at the pipes themselves. She spoke regarding the benefit of having the report once it is completed as it gives the City a lot of information regarding the pipes to use in the future.

Commission discussion regarding the need to inform the media. Ms. Guimond spoke regarding the need to inform the public that people are checking their pipes. Commissioner Borom suggested providing contractors with logos for their vehicles so the citizens know they are working for the City. Commissioner Campbell suggested using the Police Department's sign that we will be in the area checking pipes. Mr. McCann suggested visible clothing.

Ms. West advised there was a case against the EPA that is currently in abeyance. Ms. West advised her legal opinion is to fully comply with the requirements so we do not have any penalties for noncompliance.

General consensus of the Commission was that whatever the Interim Manager needs to complete this to do it. Commissioner Borom suggested being able to use infrastructure funding from ARPA.

Motion to come into compliance and that the Interim Manager use ARPA infrastructure funds to ensure the City comes back into compliance and to use the money when it comes available by Commissioner Borom. Seconded by Commissioner Campbell. The Motion Passed unanimously.

e) DISCUSSION - alleged violation of City code Section 78.166 - requester: Tavarence Clark
Tavarence Clark advised the Commission the City transferred ownership of his business.

Ms. Carty advised she met with Mr. Clark. She has provided some new dates to the chronology of events. As of September 30, 2022, Mr. Clark did not get a chance to renew his business tax receipt (BTR). The events

surrounding Mr. Clark happened on June 26, 2023. At that moment, he did not have a BTR and a lease had expired. On May 1, they did a lease with another individual. He had 2 concerns-one was that he had lost revenue-earning capability (he owned the machines and did not get an opportunity to pull the machines out) and the other concern, he contacted the Police to go into the facility with him. He walked in and pulled out what he felt were his funds. She advised the BTR was not renewed from October 1, 2022 - September 30, 2023 by Mr. Clark. The City of Palatka does not have the authority or right to transfer a business. All we do is provide a license to operate at the premise. Someone ticked the wrong box on the application for the new BTR for transfer of ownership. If it is a transfer, our code tells us specifically what we are to do in a transfer of ownership. However, Mr. Clark did not renew his LLC and the Planning Department at the time, could not locate any documents to evidence his ownership. Ms. Carty continued Mr. Clark needs legal advice, particularly for the equipment, which is a situation between him and whomever used his equipment. She does feel the City should assist with searching for legal services and we could assist him with the charges that he is facing, perhaps write a document that would clarify what happened on that date. Maybe with that document, the State Attorney would consider lowering the charges filed against Mr. Clark from a felony to a misdemeanor.

Mr. Clark advised he paid a BTR in June and did have one in October 2022. Ms. Carty advised she will look again but did not see a BTR then. He spoke of a time he met with Mayor Correa and Assistant Chief Newcomb.

Assistant Chief Newcomb advised the Mayor the business had never closed. Mayor Correa advised during the meeting, Mr. Clark did not have any documentation that could substantiate what he was claiming. Assistant Chief Newcomb spoke regarding the meeting that was held. He spoke with the property owner who had advised Mr. Clark was renting month to month and that another person owned the equipment. He advised there were leases that were never signed by Mr. Clark.

Mr. Clark advised he had an LLC and a BTR and he was the only owner of the business and the equipment. He asked how the City transferred ownership of his business.

The Mayor responded the City does not transfer businesses.

Ms. West advised we can make a referral to legal aid (which has been done). However, in terms of providing information to the State Attorney's office, we can provide the chronology, however, in her legal opinion, that should be all that is provided.

Commissioner Jones expressed he sees discrepancies. The BTR had a check in the wrong box as a transfer of ownership. Second, there were discrepancies in how much Mr. Clark was charged for in comparison to him being charged \$3,000 - \$4,000 when someone else in the same place was charged \$300. He advised Mr. Clark called the Police Department to go in with him. The officer on site made a judgment call in a civil matter. He expressed understanding that when you have ownership of something in a place you were leasing, you would want it back. Commissioner Jones expressed this is a cluster, and because we know somethings were not right, we can

Mr. Clark advised the internet cafe on site now is being ran illegally.

In response to Commissioner Jones' concerns, Chief Shaw advised we understand the issues with the BTR with the City. However, he advised the criminal case had no gray areas. The Police Department responded to a civil issue. Mr. Clark went to the back of the establishment and took money and on the camera left the premises. He explained there is no discrepancy on behalf of the Police Department because when he went into the property, it was in an established building with the locks being changed, so he could not access the building. He advised Mr. Clark wrote a letter on how to close his business afterward.

Commissioner Borom expressed the amount charged is based upon the number of machines on the site. Ms. Carty advised subsequently, in November 22, 2023 the new tenant was charged \$3,225 for the machines.

Commissioner Campbell expressed on the administrative side, we owe Mr. Clark something as the City made mistakes. We do not have anything to do with the arrest. Ms. West responded Staff has provided him with the contact information for legal aid and we can provide the chronology to the State Attorney's office. She advised the only mistake was a check mark on the BTR application, which was done by Mr. Naresh (the new applicant).

Commissioner McCaskill advised the Commission is not making a recommendation or vote at this time.

7) PUBLIC HEARINGS

- a) ADOPT ORDINANCE 2024-12 establishing a ban on Internet Cafe's within the City limits of Palatka (second reading)

The following Ordinance was presented for second reading and adoption: ORDINANCE NO. 2024-12 AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, CREATING MUNICIPAL CODE CHAPTER 59, SECTION 59-1 THROUGH 59-6, REVISING MUNICIPAL CODE CHAPTER 94 SECTION 94-209, BANNING INTERNET CAFES AND OTHER UNLAWFUL SIMULATED GAMBLING DEVICES FOR COMMERCIAL, PROMOTIONAL OR PECUNIARY GAIN OR LOSS, PROVIDING FOR EXEMPTIONS, ENFORCEMENT AND PENALTIES, PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SCRIVNER'S ERRORS.

The floor was opened to public hearing.

Crystal Rockwell, Hawthorne, FL - spoke regarding the simulation game machines in gas machines, such as gas stations.

The Mayor responded the proposed Ordinance encompasses these machines also.

Tavarence Clark - asked why a BTR was expunged and how does an internet cafe run for a year and a half that has not been issued by the State of Florida.

Hearing no further requests to comment, the floor was closed to public hearing.

Motion to approve by Commissioner Campbell. Seconded by Commissioner Borom. The Motion Passed unanimously.

- b) ORDINANCES 2024-13, 11, 14 land use changes 6201 St. Johns Ave and parcel on McLaury Drive - applicant Roberts Land and Timber Company PB Case 24-10 (adoption)

Mr. Aghemo advised that there are two parcels subject to this application, one of which is in the City and one is not. This is an enclave, and Florida Statutes require us to eliminate enclaves. By annexing this property we reduce an enclave.

Commissioner Jones asked whether the City boundaries can be squared off. Mr. Aghemo spoke regarding an ISPA which is an interlocal boundary agreement that would need coordination with the County. Commissioners Campbell and Borom expressed we need consistency in the City Manager and Planning Director positions prior to further communication with the County on this. Commissioner Borom indicated without that stability it is difficult to get this completed with the County. Commissioner Campbell asked if we can invite the County to discuss this matter.

- i) ORDINANCE 2024-13 amending the official zoning map 6201 St. Johns Ave. parcel: 10-10-26-0000-0060, from Commercial Neighborhood (C-1) to Residential Multifamily (R-3) with a Planned Unit Development Overlay (adoption)

The following Ordinance was presented for second reading and adoption: ORDINANCE NO. 2024-13 AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA PROVIDING THE OFFICIAL ZONING MAP OF THE CITY OF

PALATKA, FLORIDA BE AMENDED FROM COMMERCIAL NEIGHBORHOOD (C-1A) TO CITY OF PALATKA MULTI-FAMILY RESIDENTIAL (R-3) WITH A PLANNED UNIT DEVELOPMENT OVERLAY FOR THE FOLLOWING PROPERTY LOCATED AT 6201 ST. JOHNS AVENUE, PALATKA, FL 32177, PARCEL NO.: 10-10-26-0000-0130-0060, PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

The floor was opened to public comment, and hearing none, the floor was closed to public comment

Motion to approve by Commissioner Campbell. Seconded by Commissioner Jones. The Motion Passed unanimously.

- II) Annexing, Amending the Future Land Use Map, and Rezoning Parcel: 10-10-26-0000-1030-0010 on McLaury Drive
- A) ORDINANCE 2024-11 annexation of the above-referenced parcel (25.23.+/- acres) into the city limits; amending the Future Land Use Map from Putnam County Urban Service to Palatka Residential Medium Density (adoption)

The following Ordinance was presented for second reading and adoption: AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA ANNEXING INTO THE CORPORATE LIMITS OF THE CITY OF PALATKA, FLORIDA CERTAIN ADJACENT TERRITORY IDENTIFIED AS PARCEL 10-10-26-0000-0130-0010, LOCATED AT MCLAURY DRIVE, PALATKA 32177, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA, AND AMENDING THE FUTURE LAND USE MAP WITH RESPECT TO SAID PARCEL OF LAND FROM PUTNAM COUNTY URBAN SERVICE (US) TO CITY OF PALATKA RESIDENTIAL MEDIUM DENSITY, PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

The floor was opened to public hearing. Upon hearing nothing further, the floor was closed to public hearing.

Motion to approve by Commissioner Campbell. Seconded by Commissioner McCaskill. The Motion Passed unanimously.

- B) ORDINANCE 2024-14 amending the official zoning map of the above referenced parcel from Putnam County Residential Single Family (R-1) to City of Palatka Multifamily (R-3) with a Planned Unit Development (PUD) Overlay (adoption)

The following ordinance was presented for second reading and adoption: ORDINANCE NO. 2024-14 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 RESIDENTIAL SINGLE FAMILY (R-1) TO CITY OF PALATKA MULTI-FAMILY RESIDENTIAL (R-3) WITH A PLANNED UNIT DEVELOPMENT OVERLAY FOR THE FOLLOWING PROPERTY LOCATED AT MCLAURY DRIVE, PALATKA, FL 32177, PARCEL NO.: 10-10-26-0000-0130-0010, PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

The applicant, represented by Shelene Estes St. Johns, advised they need to go through a Development Review. She anticipates this will move forward as fast as the City and County can both review. She estimated second quarter of 2025.

The floor was opened to public hearing. Upon hearing nothing further, the floor was closed to public hearing.

Motion to approve by Commissioner McCaskill. Seconded by Commissioner Campbell. The Motion Passed unanimously.

- c) Amending Future Land Use Map and Rezoning Parcel: 09-10-26-0213-0000-0010; 09-10-26-0231-0000-0020; and 09-1-26-0231-0000-0030 located on Kelly Smith School Road - first reading

- I) ADOPT ORDINANCE 2024-07 amending the future land use map of 09-10-26-0231-0000-0010; 09-

10-0231-0000-0020 and 09-1-26-0231-0000-0030 from the City of Palatka Commercial (COM) to City of Palatka Residential Low (RL) - first reading

II) ORDINANCE 20240-08 amending the zoning map of 09-10-26-0213-0000-0010;C; 09-10-26-0213-0000-0020; 09-10-26-0213-0000-0030 from City of Palatka General Commercial (C-1) to Residential Single Family (R-1) - first reading

The following Ordinance was presented: 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 50 ACRES IN SIZE) FROM CITY OF PALATKA COMMERCIAL (COM) TO CITY OF PALATKA RESIDENTIAL LOW (RL) FOR THE FOLLOWING PROPERTY LOCATED ON KELLEY SMITH SCHOOL ROAD, PALATKA, FL 32177, PARCEL NOS.: 09-10-26-0213- 0000-0010, 09-10-26-0213-0000-0020, AND 09-10-26-0213-0000-0030, CONTIGUOUS TO THE BOUNDARIES OF THE CITY OF PALATKA; AND PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Aghemo advised this is a small-scale future land use map request and rezoning request. The Clerk advised this is a first reading and Mr. Aghemo explained this has been before the Commission many times.

The floor was opened to public hearing. Upon hearing nothing further, the floor was closed to public hearing.

Commissioner Borom advised the Commission's request is to keep it off the agenda until the investigation into a former employee is completed.

The applicant, represented by Patrick Kerchowski, Esq. of Jacksonville, FL - advised the individual who no longer works for the City is no longer interested in this property. The application is complete and is ripe to be voted on. He has a client who wants to develop the property. His client requested him to get a vote today.

Ms. West advised she has provided an attorney-client privileged memorandum to the Commission prior to the meeting on this matter.

Commissioner Campbell advised that from an administrative perspective he wants to make sure that it does not get pushed through.

Clerk's note: No vote occurred.

8) APPEAL

a) Appeal of Historic Preservation Board Case 24-21 426 Kirby Street

Ms. West advised the Commission that the Historic Preservation Board denied this request to demolish the structure at 426 Kirby St., Palatka, FL 32177. Mr. Sheffield filed an appeal. The Commission now sits in a quasi-judicial capacity. The Commission can affirm the decision or overturn the decision. The Commission is no longer able to remand the matter back to the Historic Preservation Board due to the Ordinance that went into effect on the first of this month.

The appellant, Allen Sheffield, Palatka, FL - addressed the Commission. He feels the Historic Preservation Board (HPB) did not fully consider the Secretary of the Interior's Guidelines on Historic Preservation before us. The Board has rules in how to make a decision on the case. In the criteria for the HPB decisions, 1) making sure we are in conformance with the Secretary of Interior Standards by considering the historic significance of the property 2), consider the existing physical condition of the property, and 3) consider the economic and technical feasibility of each project. He spoke regarding the need to balance the interest of the City and preserving the integrity of the structure. He advised the structure does not have significant architectural significance. They were not able to remove anything until they had permission to do so, and when they removed slats they saw the

horrific situation underneath (that would cost \$90,000). He spoke regarding the price of wood tripling. They looked at costs of reconstruction, versus renovation. He had asked the Historic Preservation Board what historic architecture are we trying to save. This structure was built between 1892 - 1897. He felt the board members' comments were speaking from a preservation perspective versus applying the standards. He advised it took a year and a half to get through City processes. The property sat for 14 years prior to the Sheffield's purchasing the property. He spoke regarding the difficulty of securing bids from contractors due to not knowing what they would find.

Time was allotted for ex parte communication. Hearing none, the City presented its side.

Ms. West advised the City has no evidence that would show the removal of the structure would somehow be detrimental to the historic/architectural character of the City. The City concurs with the appellant.

The floor was opened to public comment:

Annie Davis, Palatka, FL - the adjacent property owner, advised the structure is a health hazard. She advised she is not a proponent of tearing down historical structures, however there is nothing left to restore.

Hearing no further requests to comment, the floor was closed to public comment.

Commission deliberation commenced. Mayor Correa concurred and spoke regarding the need of the HPB to follow the Secretary of the Interior's guidelines. Commissioner Jones spoke regarding the need for the Board members to speak with legal prior to making decisions.

Motion to overturn the decision of the Historic Preservation Board by Commissioner Campbell. Seconded by Commissioner Borom. The Motion Passed unanimously.

9) COMMISSIONER COMMENTS Nothing further.

10) ADJOURN **Motion to adjourn at 10:02 PM by Commissioner Campbell.**

NOTICES: PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.