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AUDREY WISE
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CITY MANAGER
JANE WEST, ESQ.
CITY ATTORNEY
KAREN HAYES, MMC
CITY CLERK



AGENDA
CHARTER REVIEW COMMITTEE MEETING
April 22, 2025 at 4:00 PM

- I. CALL TO ORDER**
- II. APPROVAL OF THE MINUTES**
 - a. March 24, 2025 minutes
- III. REPORTS**
 - a. Gas Authority follow up
- IV. REGULAR BUSINESS**
 - a. City Attorney Memos
- V. PUBLIC COMMENTS**
- VI. ADJOURN**

Persons with disabilities requiring accommodations in order to participate in this meeting should contact the City Clerk's Office at 386-329-0100 at least 24 hours in advance to request accommodations.

BOARD MEMBERS:
TERRILL HILL, CHAIR
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TERESA JACKSON
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LEIGH RION
MATT SHULER
AUDREY WISE
ANNIE SVETLIK, ALTERNATE



Marcia Carty, CPA CGFO
CITY MANAGER

JANE WEST, ESQ.
CITY ATTORNEY

Karen Hayes, MMC
CITY CLERK

CHARTER REVIEW COMMITTEE

Minutes, March 24, 2025

Roll Call

Terrill Hill, Tom Dolan, Allegra Kitchens, James Norwood, Tiffany Parker Flanders, Audrey Wise, Teresa Jackson, Annie Svetlik, and Matt Shuler were present. Jeremy Davis and Leigh Rion were absent. City Employees Present: City Attorney Jane West, and City Clerk Karen Hayes, MMC.

Approval of Minutes

Vote: James Norwood made a motion to approve the minutes from February 24, 2025. The motion was seconded by Allegra Kitchens and subsequently passed unanimously.

Chief Jason Shaw.

The committee held discussions on implementing background checks for city employees and elected officials, focusing on legal restrictions and potential benefits. They reviewed the distinctions between Level 1 and Level 2 background checks. Chief Shaw provided an explanation of the NCIC (National Crime Information Center) and the FCIC (Florida Crime Information Center) systems. The committee also requested input from HR Director Virginia Jones regarding the current process for conducting background checks on employees.

Vote: Allegra Kitchens moved to direct the council to draft a requirement for individuals seeking office in the City of Palatka to undergo a background check, with a recommendation to include this provision in the city charter. The motion was seconded by Tiffany Flanders and passed with a 6-1 vote, with Matt Schuler dissenting.

Mayor Pro Tempore

Tom Dolan made a motion to approve the selection of a vice mayor, to be chosen annually at the beginning of the fiscal year by a vote of the commission. The motion was seconded by Matt Schuler and passed unanimously.

Subpart B Article II Palatka Gas Authority Section 151-171

Brett Dennis and Jud Neufeld joined the meeting via Zoom. Brett Dennis provided a brief presentation on the history of the Palatka Gas Authority to the Charter Review Committee. During the discussion, the committee asked both presenters if there were any changes they would propose to the charter. Both affirmed that the charter is working well and expressed appreciation for the committee's work on its revisions.

Following this, the committee decided to adjourn and will resume discussions at the next meeting from where they left off.

Vote: Allegra Kitchens moved to review and digest the City Attorney memos and bring them back for further consideration at the next meeting. Matt Schuler seconded the motion, and it was passed unanimously.

Adjourn

Vote: Allegra Kitchens made a motion to adjourn the meeting. The motion was seconded by Matt Schuler and passed unanimously.



MEMORANDUM

TO: Palatka City Commission

FROM: Jane West, City Attorney

RE: Charter Review Scope

DATE: January 31, 2024

The following is a list of topics to be considered by the Charter Review Committee (CRC) per the request of the Mayor and Commissioners:

Preamble

Establish a preamble that identifies the source of authority for the charter (the Florida state constitution), and a declaration of the intent of the charter. The declaration of the intent of the charter comprises subjective statements (not enforceable by law) that underscore or illuminate the characteristics of a municipality, such as the values of the city, lofty goals, or even the —personality of the drafting commission. This is an opportunity to memorialize the unique regional characteristics of the City of Palatka, to establish the value of home rule, affirm the values of representative democracy, professional management, strong political leadership, public engagement, diversity and inclusiveness.

Article I. In General

Currently the Charter's first article provides some house-keeping references that abolish the previous city charter and establish legal boundaries. Guidance from the National Civic League recommends that a charter should begin by defining the scope of the city's powers. It should address the context in which such powers operate, including the effect of state law and the desirability of cooperation with other localities.

Section 1 – Powers of the City

Section 2 – Construction

Section 3 – Intergovernmental Relations

Article II. City Commission

Section 22 – This section establishes the residency requirements and requires each commissioner furnish a surety bond no less than \$5,000. The residency requirement should clarify how long a mayor

or city commissioner should reside in the city before being eligible to run for an election. The section is silent on commissioner salaries. The City may want to update this section to reflect the fact that the mayor and commissioners receive a salary.

Section 22 – References to judging of elections. The City of Palatka does not run elections, Putnam County Supervisor of Elections holds all of our municipal elections. The Charter should be updated to remove obsolete references and reflect current practice.

Section 24 – Regular meeting dates are obsolete, either update to reflect current practice or modify to provide commission discretion.

Section 26, This section should be updated to reflect gender neutral references. This is an issue throughout the Charter.

Article III. City Manager

Section 37, Removal. The City Commission has expressed a desire that the CRC not submit a recommendation that would revise this section of the Charter.

Section 39, Powers and duties of the city manager. A specific inquiry was made regarding the reporting of the City Clerk and the City Attorney. Currently, Section 39 of the City Charter establishes the powers and duties of the City Manager, as follows:

The city manager shall be the chief administrative officer of the city, responsible to the commission for the administration of all city affairs placed in the manager's charge by or under this Charter or ordinance. The city manager shall:

- (1) Appoint, and when necessary, suspend or remove the police chief, fire chief, finance director, city clerk and city attorney with the concurrence of a majority of the city commission;
- (2) Appoint, and when necessary, suspend or remove all other city employees, except as otherwise provided by law, this Charter or personnel rules adopted pursuant to this Charter or ordinance;
- (3) Direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this Charter or by law;
- (4) Attend all city commission meetings. The city manager shall have the right to take part in discussion but shall not vote;
- (5) See that all laws, provisions of this Charter and acts of the city commission, subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, are faithfully executed;
- (6) Prepare and submit the annual budget and capital program to the city commission;
- (7) Submit to the city commission and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year;

- (8) Make such other reports as the city commission may require concerning the operations of city departments, offices and agencies subject to the city manager's direction and supervision;
- (9) Keep the city commission fully advised as to the financial condition and future needs of the city;
- (10) Make recommendations to the city commission concerning the affairs of the city;
- (11) Provide staff support services for the mayor and commission members;
- (12) Perform such other duties as are specified in this Charter or may be required by the city commission; and
- (13) To act as a purchasing agent for the city. In the capacity of purchasing agent, he shall sell all property that has become unfit for use by the city or that has been declared surplus by the city commission. All such purchases and sales shall be made in conformity to such regulations as the city commission may from time to time prescribe.

Pursuant to the City Charter, the City Manager is responsible for hiring, firing, directing and supervising the administration of all departments, including the City Clerk in the Clerk's office and the City Attorney in the Legal Department. Sec. 39-1; Sec. 39-3.

Any changes to this portion of the City Charter will require a referendum to be placed on the ballot.

Article IV, Elections.

The articles on the City Commission and Elections fail to provide any guidance on who can run for office or any prohibitions. The City may want to consider adding sections that could include the following:

- Require that the commissioners be registered voters who have resided in the City for at least one year before they run for office.
- Grounds for removal – such as ceasing to be a registered voter residing in the City, convicted of a misdemeanor involving moral turpitude or any felony, absent from four consecutive regular city commission meetings.

Article V, Miscellaneous Provisions.

Additional options for consideration by the Charter Review Committee:

1. Propose an amendment to the Charter that authorizes the formation of a Charter Review Commission. These commissions are composed of citizens who periodically meet (for example, once every 10 years) to review the charter and submit recommended charter amendments for consideration by the City Commission to be placed on the ballot. (see St. Augustine Beach charter, recommended by the guidance from the National Civic League).
2. Propose an amendment to the Charter that authorizes the citizen initiative process, where 10% of the registered voters sign a petition to have a charter amendment placed on the ballot.
3. A financial impact statement – inclusion of a financial impact statement on the ballot would allow for voters to consider the estimated increase or decrease in any revenues or costs to local government resulting from the proposed amendment.

4. Allow for the sale of city-owned parks, waterfront property, or downtown property to only occur via referendum. (see Lake Worth charter).
5. Define the duties of City Clerk.
6. Building height limitations. (see St. Augustine Beach charter).
7. Commissioners to be elected to a designated district for more representative expectations by the constituents.
8. Evaluate the position of a Commission Vice-Chair or Vice-Mayor.
9. Powers of the Commission.
10. Operational structure of the City; prohibition against city commission interference with City operations (see DeLand charter) also in guidance from the National Civic League: **Interference with Administration.** Except for the purpose of inquiries, and investigations, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.
11. Clearly define city commission residency & qualification requirements.
12. Clarify the removal and suspension of the City Manager process.
13. Establish more detailed Historic Preservation and HPB requirements.
14. Public art component.
15. Detailed tree/landscaping policy and formally establish the Tree Committee
16. Provide a section on the role of public engagement in local government. (Guidance from the National Civic League: Public engagement will be more effective, equitable, and efficient if the city treats it as part of the normal governance process and civic infrastructure of the community as a whole. Public engagement is particularly important in long range planning and annual budgeting processes. For example, participatory budgeting (PB) is a type of engagement in which community members develop projects to improve the community, often in concert with city officials, and then vote on how to allocate public funds among those projects and ideas. Cities throughout the world have instituted annual PB processes. To ensure that public engagement is accessible and convenient, cities should “meet people where they are,” both geographically (holding meetings in many different locations) and digitally (using different information technology tools and platforms, including neighborhood and community networks).
1. Furthermore, if cities don’t collaborate with leaders and organizations outside government, leaders may misunderstand community preferences and perspectives.
2. Formally establish the recognition of the Kay Larkin Airport.*

*Additional information was requested by the Commission with respect to municipal airports. There are 843 airports in the State of Florida, the attached Excel spreadsheet identifies 65 airports throughout the state that are publicly owned together with the City population size, the number of runways, the average runway length, the acreage of the airport and other applicable data.