



City of Palm Coast

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Meeting Minutes City Council Workshop

Mayor Jon Netts
Vice Mayor Bill McGuire
Council Member Jason DeLorenzo
Council Member David Ferguson
Council Member William Lewis

Tuesday, May 28, 2013

9:00 AM

Council Conference Room

>Other matters of concern may be discussed as determined by City Council.

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A. Call to Order

Mayor Netts called the meeting to order at 9:00 a.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

Present: 4 - Mayor Netts, Council Member McGuire, Council Member Ferguson, and Council Member Lewis

Excused: 1 - Council Member DeLorenzo

D. PRESENTATIONS

1 [13-171](#) PRESENTATION FHBA/BAC COLOR FLEXIBILITY

Mr. Beau Falgout, Senior Planner, gave a brief overview of this item. Mr. Joe Roy of the Business Assistance Center gave a PowerPoint presentation (attached to these minutes). Mr. Louis Medeiros of the Home Builders Association was present for questions.

*Mayor Netts - When you say subdivisions do you mean homeowners' associations?
Mr. Roy - Yes; deed restrictions.*

VM McGuire - How many homes in Palm Coast would fall under the classification of a subdivision that does its own regulations? Mr. Falgout - Very few, typically the areas outside of the original ITT 40,000+/- platted lots, such as: Toscana, Hidden Lakes,

Grand Haven, Grand Landings. Mayor Netts added, Oaks and Covington.

CM Lewis - The objective is not to turn the City into a rainbow city is it? Mr. Roy - No, we are trying to stay within what the code defines today, but when you get into some of the colors, they are so close, to one eye it may look one way and to another eye it may look different. We're trying to get something pleasing to the eye; that supplements the code with some pre-approved colors.

VM McGuire suggested to construct a mechanism to educate; put the word out. He knows a lot of people do not know about the color code restrictions. Mayor Netts added, it would be nice to be able to go online and click on a website that has color choices to see (that fit within our code).

Attorney Reischmann - From a code enforcement standpoint, he thinks it would be helpful to get in touch with the large local retailers in the area also to inform them; from an enforcement standpoint, you're not going to have problems with the homeowners' associations; no need to regulate them.

VM McGuire suggested a welcome wagon that can supply this type of information (of what you can and can't do) along with the amenities of the City.

CM Ferguson - Is that the driver of this project? Mr. Roy - No, a lot of it comes from custom builders; for example colors were chosen; they come into the City (for permits) and colors may not be approved and delays the process.

CM Ferguson - Is that a builder coming in, and saying he can't work with the colors? Mr. Medeiros - We may select something that looks like what the City allows, but it may be a little off of the color codes.

CM Lewis - How are you going to get around use of a color wheel? Mr. Roy - I don't think we will get around the color wheel; we'll just add to the pre-approved colors.

Staff will come back to Council in August with proposed changes to the building code for color flexibility.

The Presentation was Received and Filed.

E. WRITTEN ITEMS

2 [13-134](#) **RESOLUTION 2013-XX APPROVING FLORIDA INLAND NAVIGATION DISTRICT WATERWAY CLEANUP GRANT FUNDING AGREEMENT**

Ms. Denise Bevan gave a brief overview of this item.

There were no questions from Council.

The Resolution was Continued.

Enactment No: R2013-52

3 [13-165](#) **RESOLUTION 2011-XX APPROVING PIGGYBACKING THE STATE OF FLORIDA CONTRACT #863-000-10-1 and the florida sheriff association contract #14/15-06-0131 WITH BOULEVARD TIRE CENTER to PURCHASE TIRES for the city's fleet**

Mr. Richard Adams, Public Works Director, was available for questions.

VM McGuire - Where is Boulevard Tire Center? Mr. Adams - Downtown Bunnell.

Mayor Netts - By piggybacking we're getting the best possible price? Mr. Adams - Yes, that is correct; Statewide bid and they award the bid to a number of locations throughout the whole State; the only one close to us is Bunnell - Boulevard Tire.

CM Lewis - Do we look at their prices and then look at home prices to get comparisons? Mr. Adams - No, we usually contract with the State bid; we're not talking about just typical tires; Boulevard Tire also supplies the big tires for the large trucks.

Mayor Netts - Let's make sure (through economic development) that our local vendors are aware of these State bids so they have the opportunity to participate.

VM McGuire - Does the State take the lead role; do we do any investigation into the State bid (prices)? Mr. Adams - The State does it all.

VM McGuire - Do we do any tire retreads? Mr. Adams - No.

VM McGuire - Is this a continuation of this contract? Mr. Adams - Yes, to get us through the rest of this year, and also next year.

VM McGuire - Did we also do business with these folks last year? Mr. Adams - Yes, we're very happy with Boulevard Tire; service and location is great; we've dealt with them for a number of years.

CM Lewis - Do these tires fall into a certain category of wearability? Mr. Adams - They have a lot of different brands, so we have a lot of flexibility; we base our selection on our history and what we know are good performing tires.

VM McGuire - Does all the City fleet use these tires? Mr. Adams - Yes.

The Resolution was Continued.

Enactment No: R2013-51

F. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Mayor Netts thanked everyone that participated in the Memorial Day Ceremony.

G. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Staff is working with ATS (American Traffic Solutions) in anticipation of the signature of the Governor of the red light camera legislation that passed, and if he signs it, Council will very soon be seeing an ordinance making slight revisions to the City code with regards to enforcement of red light camera law to reflect the changes that were made in Tallahassee. We are also looking at the contract to see if any changes need to be made. The Governor is going to have to sign something (the week of this meeting) or it will automatically pass (default). July 1 is enforcement; we have to pass an ordinance which has two readings.

VM McGuire - Does it cause any conflict with our ordinance as it is now? Attorney Reischmann - Just minor ones; for example our current ordinance provides for the process that appeals of citations/tickets go through the court system; this new law authorizes local government to bring it back to a special master or hearing officer (as it was before the Mark Wandall Act). Staff is already working on an RFQ-Request for

Qualifications for retention of a hearing officer.

Mayor Netts also mentioned the Judges were burdened with them as well as the Clerk of Court, and he described the changes that are being proposed (60 days instead of 30 days to pay or appeal; different driver affidavit will restart the clock for 60 days; and what he feels are huge court costs, which he objects to). Attorney Reischmann said our ordinance will not have the large increase in fees.

H. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Landon was not present at this meeting.

I. ADJOURNMENT

The meeting was adjourned at 9:31 a.m.

*Respectfully submitted,
Barbara Redline*

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MEETINGS CALENDAR AND AGENDA WORKSHEET

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ATTACHMENTS TO MINUTES