



City of Palm Coast

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Meeting Minutes City Council Workshop

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

Tuesday, March 25, 2014

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

Records Coordinator Barbara Redline called the roll.

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

Excused: 1 - Council Member Lewis

D. PRESENTATIONS

- 1 [14-87](#) RESOLUTION 2014-XX SUPPORTING LEGISLATION THAT RESTORES HOME RULE TO LOCAL GOVERNMENT RELATING TO THE REGULATION AND ZONING OF SHORT TERM VACATION RENTALS

Attachments: [Resolution-Short Term Rentals Regulations](#)
[Resolution City of Flagler Beach Short Term Rentals](#)

Mayor Netts gave a brief overview of this item. Flagler County Commissioners Frank Meeker and Charlie Ericksen spoke about the short term vacation rental issues in

Ocean Hammock and gave handouts (attached to these minutes).

CM McGuire asked if this was the same presentation Mr. Meeker made in Tallahassee, which Mr. Meeker confirmed.

Mr. Meeker stated during the low market times, after the bubble burst and homes were readily available at a lower price, and in 2011 legislature preempted local governments' ability to do anything, unless you already had a rule on the books, concerning short term vacation rentals in a single-family neighborhood. In Flagler, now the sanctity of a single-family neighborhood is being torn apart by short term vacation rentals with weekly turnover 365 days out of the year they're having 12-16 people, with 6-8 cars in a two-lane residential street; there is no room for off-street parking, etc. Residents are complaining there is not enough room on the street to get emergency vehicles and/or fire trucks in and out with all the cars parked in the streets, etc., and asked him what is he going to do about it. Further research indicated that we were estopped from doing anything; they received an Attorney General's Opinion that they are estopped from doing anything about it. Mr. Meeker also told of the utility usage of capacity, etc. They have started working with their legislature and people came out of the woodwork and contacted Senator John Thrasher and Representative Hutson, our newly elected House Member, an earful on this; they both filed companion bills at the same time. Commissioners Meeker and Ericksen and County Attorney Al Hadeed have been going to House Members lobbying all around. He mentioned how it's similar to home occupations and how they have to fit in with the surrounding neighborhood. These type of operations do not fit in with the single-family character of the neighborhood. We are finding that the lobbyists for the short term vacation rental industry are spending a lot of time (and probably money) convincing these guys this is a private property rights issue and not paying any attention to the private property rights of the people that were there first. Think of how difficult it would be to sell your house if you were next door to one of these; also impacts realtors. Mr. Ericksen added this is one example of a place, called Atlantis Beach House (9,000 sq.ft. home featuring 11 bedrooms, 10 baths and sleeps 24) and garbage that accumulates that waits out at the curb for pick and utility and lack of parking, etc. They are advertising up north for these facilities; a bus meets them at Daytona airport and picks them up and brings them here while serving beverages. There are now 20-30 of these permitted in this particular area; difficult situation to overcome. They are basically mini hotels that are next to single-family houses; not typical bed and breakfast houses with managers on site. When the complaints go out here, they go out to whoever set up the contract; typically they are owned by investors out of State. These areas are not zoned for that; legislature has turned long range, land use planning, land use regulations and zoning codes right on its head.

Mayor Netts - Do these people pay bed tax? Mr. Meeker - Yes, if we know about them; we had to do a public records request (to the Department of Professional Regulation) to find out how many there were.

Mayor Netts - When you build a house you either pay an impact fee or a contribution in aid of construction fee; what do these folks pay? Mr. Meeker - The same as a typical 2.2 single-family home.

CM McGuire - What is your next move? Mr. Meeker - It has gone through second reading in the Senate; we expect this week it will have its third and final reading in the Senate; in the House there is one more committee meeting (Mr. Ericksen thinks it may be Ways and Means). Messrs. Meeker and Ericksen will be up lobbying them next week to get it through the last committee meeting through the House. Then two chambers will reconcile, and we are counting on strong leadership from our elected representatives to get something that makes sense for constituents and the people of

Flagler County.

Mayor Netts stated the problem he sees is legislation preempting land use regulations; he would like Council to do a letter or resolution in support because we could very well be next.

VM DeLorenzo - Can the homeowners' associations (HOA) control this? Mr. Meeker - Some can, it depends on the HOA but some areas do not have HOAs.

VM DeLorenzo - The majority of where this is happening, they could solve the problem if the community wanted to but they don't have the votes to do it, is that it? Mr. Meeker - He thinks they have taken some steps but he is not speaking on behalf of the property owners association of Oceans Hammock, but he knows there are some issues there; they are trying to regulate these literally businesses within single-family areas. The County is extremely hamstrung on our ability to do anything and we are just trying to get control back with local governments so we can take a look at some of these things. Even noise is an issue with these things. He asked Attorney Reischmann if he ever heard the term family friendly; is there a term of legality that defines something that is family friendly? Attorney Reischmann - There are Federal fair housing regulations as well as some State regulations that place limitations on local governments as well as homeowners' associations on prohibitions against how you define family for purposes of zoning, deed restrictions and covenants. So from the standpoint of local governments coming in and creating onerous regulations on what is a single-family and what is not a single-family, that is always legally problematic, etc.

Mr. Meeker suggested the City look at their land development regulations and see what the definition of family is, because the County's definition of family is very broad.

Mayor Netts - Are there jurisdictions that had ordinances in place before this preemption? Mr. Meeker - Yes.

Mayor Netts - What are the nature of those regulations? Mr. Meeker - Some of them flat banned them; some have very strict limitations on them but need help from the revenue they bring in for tourism and want to go back and try to change their laws to encourage more of them and can't because of the preemption. Mr. Ericksen and some want to get even tougher on them and can't it is a whole different story. Mr. Meeker named a lot of other cities that are interested in the outcome of this now.

Mayor Netts stated the issue to him is, local government ought to make local decisions that is what provides for diversity in our communities. Mr. Meeker - The members of these committees that have local government experience agree.

VM DeLorenzo - Supports this for bringing the control back home, but these are extreme cases; he has rented small beach cottages and they are great. Mr. Meeker stated that is different, small scale, here people are buying their million dollar retirement home for peace and quiet and the animal frat house moves in right next door to them; 24 people in a house is not conducive to a single-family residence.

CM Ferguson - Do we have a history of that in Palm Coast and how does this apply to condominiums? Mr. Meeker - If you don't have an ordinance, it doesn't matter what you want to do.

VM DeLorenzo - We have parking limitations. Mr. Meeker - The condo association could probably address it on their own, but the "C" section doesn't have a property owners' association (in his area). Is a property owners' association a form of local

government? Attorney Reischmann - For many legal reasons it is not; it depends on your definition of local government; in some respects they govern land use, their officials are elected by their members so it could be construed in a very broad sense a representative government.

CM McGuire - What might the Hammock (or County) have done to prevent this type of thing from happening? Mr. Meeker - If we saw it coming we would probably require some type of registration to know where these homes are.

Mayor Netts strongly suggests Council support their effort to restore home rule in this case; he knows Flagler Beach has passed a resolution of support.

CM McGuire - What should other municipalities do? Mr. Meeker - You are preempted. Mr. Ericksen - Our goal is to get this bill through the House and Senate.

Mayor Netts - Suppose you are able to get this law repealed; you need to be prepared for what comes next. Meeker suggested to look at what Brevard County did.

Mr. Meeker suggested that they have staff look at the short term legislation that is currently in affect in Brevard County, it is his understanding it is very fair to both sides and reasonable form of regulation but it is key to understand what the 2011 legislation did, it: 1) preempted local government from doing anything and 2) said it was okay for commercial entities operating mini hotels in single-family neighborhoods.

Attorney Reischmann - As far as types of legislation that could potentially be considered or adopted if the preemption was to be removed he would suggest the starting point is to look at land development regulations (Land Development Code) and agree on definition of short term rentals and provide an appropriate place for those either as a permitted use or conditional use or special exception or something like that and then like local governments do with those types of properties you create real world limitations or requirements (sufficient on site parking, allow certain sites, maximum number of people in the residence, etc.).

Mayor Netts spoke of ingress and egress (more than one) from a property and the dangers of numerous guests in a home and evacuation in an emergency.

Mr. Meeker spoke of places in Ocean Hammock where they were converting interior rooms into dormitories without windows with only one way to get in and out of a room. We also saw pictures of where the parking was all on the grass, easements and along the road and emergency vehicles wouldn't be able to get close enough to the building.

Mayor Netts - What size lots are these buildings on? Mr. Meeker wasn't sure, maybe 1/3-1/2 acre.

Mr. Landon - If legislation passes, what are you going to do with this huge mansion with 24 seats in the dining room? Mr. Meeker - No official opinion in the County right now; he thinks with property rights they are vested. Attorney Reischmann stated if you have short term rental regulations then you are making the proper limitations on their use before they are created (that's keeping the horse in the barn); what you are talking about is the horse is already running around outside the barn. He is sure there are land use regulations in the County that can be used here and enforced by Code Enforcement, police, etc.

Mr. Landon - If you want to have impact on this you, need to take action at the next business meeting (4/1/2014). We can put it on the agenda and get public input and attach the County's draft resolution to the item.

Council was fine with that.

CM McGuire - Flagler Beach's resolution is that the same as this? Mr. Meeker thinks Flagler Beach's resolution is the County's model.

The Presentation was Received and Filed.

2 [14-100](#)

PRESENTATION OF THE 2013 ANNUAL PROGRESS REPORT

Attachments: [Annual Progress Report](#)
 [Brochure](#)

Mr. Landon gave a brief overview of this item. Ms. Denise Bevan, Senior Planner, gave a PowerPoint presentation (attached to these minutes).

Mr. Landon spoke of the "Peek at the 1st Quarter 2014" progress reports (attached to these minutes).

Mayor Netts - One of the things he is most proud of from 2000 to today is we have always been able to keep our eye on the long range goal. Congratulations to all!

The Presentation was Received and Filed.

3 [14-79](#)

PRESENTATION ON THE REVISED 10-YEAR CAPITAL IMPROVEMENT PROGRAM

Attachments: [Infrastructure 10 year projection FY15 Budget 3-20-14](#)

Mr. Landon gave a brief overview of this item. Mr. Carl Cote, Construction Manager, presented the worksheets attached to this agenda item. Mr. Chris Quinn, Finance Director, was present for questions.

CM McGuire - What percent of the capital budget is going to be used for bridges? Mr. Cote - This is showing the projects more than the funding and the outlay of when they are going to happen. Mr. Quinn - The current fiscal year is in excess of \$35 mil.; grants have a major impact on the capital funded projects. Mr. Landon - About 10% or \$3.5 mil. for bridges.

VM DeLorenzo - Do we have any local dollars in that (Old Kings Road Extension project)? Mr. Landon - All Florida Department of Transportation (FDOT) dollars.

VM DeLorenzo - That is all for construction, the design is done? Mr. Cote - Construction is just beginning, under way.

CM McGuire - We feel comfortable that we can have this project complete before the Matanzas Woods/I-95 interchange opens so that we don't run a risk of highway traffic dumping in front of the Matanzas High School? Mr. Landon - The goal has always been to do it concurrently and right now we are meeting that goal. If it is going to be after, it will be shortly after versus years after. It could very likely open before the interchange. This is one that we have the agreement to have the County manage this with the interchange so it is all kind of one project.

CM Ferguson - So even though they are FDOT funded they are included in the capital plan because we pay and then get reimbursed, is that the reason? Mr. Landon - Yes.

CM Ferguson asked about the Old Kings Road Widening design this year and next year but construction not until 6-10 years. Mr. Landon - That is the one project that we were unsuccessful getting FDOT to advance; we are very complimentary of what they are doing in Palm Coast; having it designed and on the shelf, typically will advance funding for construction so we will continue to work that each year.

CM Ferguson - The design funds are reimbursable by FDOT also? Mr. Landon - Yes. Mayor Netts - In FDOT's point of view, if they already spent money on design they can't very well abandon the project. Mr. Quinn - In addition to planning purposes for the grant projects, we need them in here for our cashflow planning because we need to expend the funds first; helps for planning when we need the funds.

VM DeLorenzo - If it is a million dollars, that could save us money in the future because we can use that mitigation bank to offset other projects that we do which would save us; for land, etc.? Mr. Cote - Correct, future savings without having to buy the credits.

Mayor Netts - Where does the \$600,000 the County Engineer saved factor in? Mr. Landon - It doesn't, because that was on the interchange and the interchange flows strictly through the County so we don't have it in our documents whatsoever; it is tied into this wetland mitigation because we purchased that for right of way purposes, flood plain, wetlands, etc.

CM Ferguson - Palm Harbor Extension wetland mitigation is a separate charge - \$315,000, which FDOT reimburses? Messrs. Cote and Landon - No.

CM Ferguson - That is the money from the impact fee? Mr. Landon - Right.

CM Ferguson - We bought land for that specific purpose also? Mr. Cote - This is an option on this project we had the Tallaksen piece which is across the canal from our location where we are working with the St. Johns River Water Management District and Army Corps to possible do some enhancements on that property to get credits to offset some of the wetland impacts; we are doing our cost analysis and weighing our options. Mr. Landon - Almost all projects you are going to have design costs, wetland mitigation, a lot of times we have to purchase right-of-way; then construction and construction engineering & inspection; those are the categories that you may have on any one project.

CM Ferguson asked when you have that already expended (for wetland mitigation land), then there won't be an additional charge when the project or future project starts? Mr. Cote - Correct.

VM DeLorenzo - Is there a budget way to swap these two - move Lakeview path/sidewalk forward and switch Palm Coast Pkwy. (Pine Lakes Pkwy. to St. Joe Plaza) for fiscal year 2016? CM McGuire - You can cross Palm Coast Pkwy. to pick up the multi-use path on the northern side and follow it to the library, etc.

CM McGuire - Matanzas Woods path and amenities, he thought it was a County project? Mr. Landon - That is a FDOT funded project, managed by the County.

CM McGuire - When it is done, those of us that ride on the path up the Palm Coast Pkwy. to US1 and down the path to Matanzas Woods; we can continue down to the

"B" section? Mr. Landon - Yes, correct or another option is you can cut it in half by using the shell trail that goes between the schools.

CM Ferguson - In support of the residents of the Matanzas Woods "L" section, he believes that would be wise to move it forward based on their community input to him for the past 18 months.

Mr. Landon stated from what he is hearing, they will switch the two - Lakeview Blvd. path to fiscal year 2016 and Palm Coast Pkwy. from Pine Lakes Pkwy. to St. Joe Plaza to fiscal year 2017 for budget time.

CM McGuire - You don't have to deal with FPL (Sesame to US1 path)? Mr. Landon - As far as we know, we don't have to deal with them.

VM DeLorenzo - On Sesame it's on the west side (park side - no power poles except for the transmission line), right? Mr. Cote - Yes.

CM McGuire - Beautification Projects-Palm Coast Pkwy-Bridgehaven to US1, that is done isn't it; on budget? Mr. Cote - Yes, that is this year's budget; it is done, he believes the sign renovation just put us a hair over budget.

CM McGuire - We did that with our own folks? Mr. Cote - Correct.

CM Ferguson - You can spend \$1 mil. in six months on street resurfacing? Mr. Quinn - Yes, we used to do \$2.5-\$4 mil. dollars a year resurfacing over the course of the summer.

CM McGuire - Can a study or analysis be capitalized? Mr. Quinn - It can be if it is part of a future capital project; they can all be part of the capital asset; we can use the capital projects fund but it doesn't necessarily mean it will become a fixed asset.

CM Ferguson - How much did we spend in fiscal year 2013 on the same set (transportation projects - total expenditures). Mr. Quinn - No where near this amount of money because we did not have that many projects; in the current fiscal year 2014 we reinstated a lot of capital projects. Mr. Cote - Design of Palm Coast Pkwy. 6-laning, Bulldog Drive and Pine Lakes.

CM Ferguson - So after fiscal year 2015 it will be more typical expenditures? Mr. Cote - Yes. Mr. Quinn - Grants really throw annual averages out of whack.

Mayor Netts - Sports lighting (Holland Park improvements - phase 3) - is that replacing or new? Mr. Cote - Both, replacing all existing, new energy efficient, more light sensitive, remote control and adding sports lighting to all activity areas. Mr. Landon stated that Ms. Luanne Santangelo, Parks and Recreation Director, suggested to him that there are a lot of neighbors up against those fields and currently it is not used in that fashion; with lighted fields, etc.

CM McGuire - Is the dog park getting renovated? Mr. Landon - Next year. Mr. Cote - Late spring going out to bid; starting construction in the summer replacing the main restroom building (ADA-Americans with Disabilities Act compliant).

Mayor Netts suggested looking at wick drains rather than just using sand (Indian Trails Sports Complex-field drainage); FIND is using on some of their drains and he explained the process. Messrs. Landon and Cote thought the process they are proposing sounds similar. Mr. Cote will check into it.

CM McGuire - Nothing in here for the tennis center or golf course, are we doing anything? Mr. Quinn stated those are in the separate operational budgets for maintenance, not capital improvements.

CM McGuire - Where do the numbers come from (Recreation Page 10-Other Projects Not in 10 Year Plan), swags? Mr. Cote - Some of these come from the park master plan, they allocated certain dollar amounts to some of those facilities. Mr. Landon - They tie into our impact fees, so none of them are swags.

CM McGuire - You are going to replace the fire station (#22) for \$250,000? Mr. Cote - That is design.

Mayor Netts - Is that a depot for alternative fuels or is that a secondary fuel depot? Mr. Landon - It could be either one.

CM McGuire - None of the fleet uses alternative fuel? Mr. Landon - Right, but we are talking beyond the 10-year horizon here.

CM Ferguson - City Hall community spaces is spread over four years (\$500,000x3 and then \$687,000); is that based on revenues from the CRA (Community Redevelopment Agency)? Mr. Quinn - Yes, revenue projected. Mr. Cote - Part of it could be phased; when we get through the design and allocate what each phase will cost we will readjust this.

CM Ferguson asked about the Bridge Club; he hasn't heard anything in several months. Mr. Landon - That is coming to Council at the next workshop with a letter of intent, etc.

The Presentation was Received and Filed.

E. WRITTEN ITEMS

- 4 [14-104](#) RESOLUTION 2014-XX APPROVING A ONE-YEAR PRICE AGREEMENT WITH HARRIS CULVERT, INC. TO PURCHASE VARIOUS TYPES OF DRAINAGE PIPES

Attachments: [Resolution-Harris Culvert Price Agreement for Pipe](#)
[Contract Summary - Harris Culvert](#)
[Bid Opening Tab](#)
[Intent to Award](#)

No Council comments.

The Resolution was Continued.

- 5 [14-107](#) RESOLUTION 2014-XX AUTHORIZING LOW LEVEL FLIGHTS IN CONNECTION WITH OPERATIONS OF THE EAST FLAGLER MOSQUITO CONTROL DISTRICT

Attachments: [Resolution-East Flagler Mosquito Control Low Flying Authorization](#)
[East Flagler Mosquito Control Authorization Request](#)

No Council comments.

The Resolution was Continued.

- 6 [14-80](#) RESOLUTION 2014-XX APPROVING THE SECOND AMENDMENT TO THE GRANT AGREEMENT FOR THE PALM COAST HISTORICAL SOCIETY

Attachments: [Resolution-Grant Award 2nd Amendment](#)
[Historical Society Second Amendment](#)

Mr. Landon gave a brief overview of this item.

No Council comments.

The Resolution was Continued.

- 7 [14-99](#) RESOLUTION 2014-XX APPROVING THE PARTIAL RELEASE OF DECLARATION OF RESTRICTIONS FOR FUTURE WELL SITES AND RELEASE OF OPTION TO PURCHASE WELL SITE

Attachments: [Resolution-Partial Release LW-27](#)
[LW-27 Palm Coast Land Partial Release](#)

Mr. Landon gave a brief overview of this item.

No Council comments.

The Resolution was Continued.

- 8 [14-106](#) RESOLUTION 2014-XX APPROVING THE PURCHASE OF A 2015 MACK TRUCK PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT #13-11-0904 WITH NEXTRAN TRUCK CENTER OF JACKSONVILLE

Attachments: [Resolution-Purchase Water Truck-Nextran](#)
[Engagement Letter - Nextran Jacksonville](#)
[Sheriff Contract and Spec for Water Truck](#)
[Quote - 2015 Mack Truck](#)

Mr. Landon gave a brief overview of this item. Mr. Tony Capela, Street Superintendent, was available for questions.

Mayor Netts - So, this is within budget? Mr. Landon - Yes.

CM McGuire - Will this truck be fitted with natural gas like Waste Pro? Mr. Landon - These types of trucks do not have natural gas.

VM DeLorenzo - Last one we had, was what? Mr. Capela - International.

VM DeLorenzo - Didn't last as long? Mr. Capela - No.

CM Ferguson - What percent of medians do we need these trucks for? Mayor Netts - Also swales. Mr. Capela - Yes, mainly swales; sometimes fire departments ask for it.

CM McGuire - We will do maintenance on this truck? Mr. Capela - Yes, to a certain

extent.

CM McGuire - Maintenance on fire trucks (in-house)? Mr. Capela - No, they are completely different.

The Resolution was Continued.

Public Participation

In accordance with Section 286.0114 Florida Statutes, any member of the public interested in speaking on any proposition agendaed or that Council discusses or considers during this workshop, will be afforded the opportunity to speak during public participation at the next City Council Business Meeting. Contact the City Clerk's office for the meeting date, time, and location at 386-986-3713 or cityclerk@palmcoastgov.com

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

CM Ferguson asked about the Supervisor of Elections (SOE) and would like to know if we think we have the sources of differences of agreement before the next meeting. Mr. Landon - What you will see next week is a comparison (completed by City Clerk Virginia Smith) of the SOE's latest interlocal agreement proposal, to the interlocals for Flagler Beach and Bunnell along with our current proposal; showing what the differences are.

Mr. Landon stated the SOE's proposed language about the City having to be responsible for any concerns of the 2011 election charter revisions is fine, our responsibility; otherwise the interlocals should be consistent. It is probably best just to focus on what the differences are.

CM McGuire wondering if we should meet in executive session because everything with regards to this election is up in the air, nothing is resolved; time is running out; should we meet to see if we are of one mind? Attorney Reischmann - No, executive session is only for pending litigation. Mr. Landon explained that is why the Mayor called for the special business meeting. Next business meeting (4/1/14), Council will need to make a decision, hopefully, the SOE will be there and we can work this out and move forward.

CM McGuire - What if we can't decide? Mr. Landon - The unthinkable is we have to run the election. Mayor Netts - Now what we are looking for is an agreement similar to Bunnell and Flagler Beach.

Mr. Landon - We will present something similar, as stated above, with a paragraph regarding our responsibility for the 2011 election charter revisions.

CM Ferguson - Is there a reason to consider the fact that this election will be in tandem with State and other County things as opposed to templates of Flagler Beach and Bunnell being stand alone elections? Mr. Landon - Yes, but we will try to keep as consistent as possible.

Mayor Netts - Question from a resident concerned about striping on Old Kings Road, and specifically the end of the island striping by Celico Way; what is the status of this striping? Mr. Capela will take a look at it. Mayor Netts said residents say if they are coming out of Celico Way/Kings Way (heading north) it is hard to see the end of the island curb. Also, the green line is gone but when are they striping it? Mr. Capela - We are waiting on the contractor.

Mayor Netts - Apparently, there is some activity on the part of the Board of Education closing some portions of adult education programs, closing a building, etc., could you find out? CM McGuire said the Board of Education is building a budget for this fiscal year and they are considering what their options are for a lot of their facilities and programs and this is one of them. Mr. Landon - The adult education program has that technology component; some of that is being moved into the schools and the other is the community recreational type programs; as a result of budgets, School District administration is looking at each one of those; if they are draining the education programs they may discontinue. Mr. Landon suggested that maybe we could look at offering those under the recreational programs; of course it would have to make financial sense to us too.

Mayor Netts said residents told him they are going to close the building on Corporate Drive; they are going to relocate whatever was there over to A1A and the programs of A1A community education center are going to be disbanded; that is the gossip out there. Mr. Landon - They have already moved some of the programs into the schools as part of their education program and not a stand alone facility.

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

City Attorney William Reischmann spoke preemption and local rule - he wanted Council to be aware of other matters going on in Tallahassee, there is a bill going before the House and Senate that would preempt the regulation of knives and weapons. It would impose a penalty on cities and city leaders for failing to repeal any rules or ordinances that conflict with this preemption of common pocket knives and weapons. There is another bill in the Senate that provides for any local government their agendas have to include a specific description of any matter that can be considered, otherwise you can't talk about it; only exceptions would be public health safety and welfare and then only by super majority vote.

Mr. Landon explained that in some other states if it isn't on the agenda sometimes you can't even discuss it and you cannot take action (this proposed bill is prohibiting taking action).

Attorney Reischmann reported there are two bills going forward in Tallahassee regarding red light cameras; one of which would prohibit local governments from operating red light cameras and the other to eliminate any revenue from red light cameras going to local governments.

Attorney Reischmann also reported we have an oral argument on an appeal of a Code Enforcement Board decision from some time ago. The oral argument will be 4/2/14; it has to do with a pool on a lot without any structure on it (house had burned down).

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

Mr. Landon did not have any comments.

I. ADJOURNMENT

The meeting was adjourned at 11:46 a.m.

Respectfully submitted,
Barbara Redline

[14-108](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

Attachments: [City Calendar](#)
[Agenda Worksheet](#)

[14-114](#)

ATTACHMENTS TO MINUTES

Attachments: [2-City Council Presentation 2013 Progress Report](#)
[2-2014 Progress Report Q1 - Final](#)
[2-Year To Date Budget](#)
[3-Infrastructure 10-Year Projection](#)