



City of Palm Coast

Palm Coast
Community Center
305 Palm Coast Pkwy., NE
Palm Coast, FL 32137
palmcoastgov.com

Meeting Minutes

City Council

Mayor Jon Netts
Vice Mayor Bill McGuire
Council Member Jason DeLorenzo
Council Member Steven Nobile
Council Member Heidi Shipley

Tuesday, May 19, 2015

9:00 AM

Palm Coast Community Center

AMENDED AGENDA

City Staff

Jim Landon, City Manager

William Reischmann, City Attorney

Virginia A. Smith, City Clerk

>Public comment on issues on the agenda or public participation shall be limited to 3 minutes for each speaker.

>If any person decides to appeal a decision made by the City Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

>The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

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

>If you wish to obtain more information regarding City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

>In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at 386-986-3713 at least 48 hours prior to the meeting.

>City Council Meetings are televised on Brighthouse Networks Channel 199.

>All cell phones are to remain OFF while City Council is in session.

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, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile
Excused: 1 - Council Member Shipley

Approval of Minutes

- 1 [15-208](#) MINUTES OF THE CITY COUNCIL'S:
 A. May 5, 2015 City Council Business
 B. May 12, 2015 City Council Workshop

Attachments: [May 5, 2015 Business Meeting](#)
 [May 12, 2015 Workshop](#)

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Minutes be Approved as presented. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

PRESENTATIONS**Proclamations and Presentations**

- 2 [15-206](#) PROCLAMATION RECOGNIZING MAY AS "CIVILITY MONTH"

Attachments: [Proclamation Civility Month](#)

CM DeLorenzo presented this Proclamation to Attorney Reischmann.

The Proclamation was Received and Filed.

- 3 [15-207](#) THE PALM COAST HISTORICAL SOCIETY'S PRESENTATION OF
 THE 2015 VISITORS PAMPHLET

Former Council Member Venne of the Palm Coast Historical Society presented a visitor's guide to Council, which is attached to these minutes.

The Presentation was Received and Filed.

- 4 [15-211](#) PRESENTATION ON THE RESIDENT BRAND CAMPAIGN -
 MAKING OUR FUTURE TOGETHER

Ms. Cindi Lane presented a PowerPoint presentation, which is attached to these minutes.

The Presentation was Received and Filed.

- 5 [15-186](#) PRESENTATION - OVERVIEW OF FUND ACCOUNTING

Mr. Chris Quinn presented a PowerPoint presentation, which is attached to these minutes.

VM McGuire-The GASB is that state or federal? Ans: Mr. Quinn-It is neither; it is a board that covers all governmental accounting across the country. It is not a federal agency.

VM McGuire-What is the end of the fiscal year? Ans: Mr. Quinn-September 30, 2015.

The Presentation was Received and Filed.

ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS

Order of Business for Public Hearings (Council may make inquiries at any stage):

Open Hearing
 Staff Presentation
 Applicant Presentation (if applicable)
 Council Questions of Applicant (if applicable)
 Public Comments/ Presentations
 Rebuttal by Applicant (if applicable)
 Close Hearing
 Council Discussion
 Council Action

Resolutions

- 6** [15-201](#) RESOLUTION 2015-XX APPROVING THE BINDING LOT RESCISSION AGREEMENT FOR LOTS 47 AND 48 OF SECTION 8, BLOCK 1, PALM COAST

Attachments: [Resolution to Rescind Binding Lot Agreement](#)
 [Rescinding Agreement 6 Cole Place](#)
 [Surveys Lots 47 and 48](#)
 [6 Cole Place Location Map](#)
 [6 Cole Place Future Land Use Map](#)
 [6 Cole Place Zoning Map](#)

Ms. Bentley provided a PowerPoint presentation, which is attached to these minutes.

CM Nobile-Is this the infamous swimming pool lot? Ans: Mr. Landon-Yes.

CM Nobile-Did the original owner request it to be 3 lots? Ans: Mr. Landon-He requested, staff provided him with the procedures to rescind, he did not choose to go through that process.

Public Comments:

There were no comments.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-49

- 7** [15-192](#) RESOLUTION 2015-XX APPROVING A LAND DONATION

AGREEMENT WITH LRA HAMMOCK BEACH, LLC, ASSOCIATED WITH THE PALM HARBOR PARKWAY EXTENSION PROJECT

Attachments: [Resolution Land Donation from LRA Hammock Beach LLC](#)
[LRA Hammock Land Donation Agreement](#)
[Exhibit A](#)

Mr. Landon gave a brief overview to this item. Mr. Cote presented a PowerPoint presentation, which is attached to these minutes. This presentation will cover items 7-12.

CM Nobile-At Palm Coast Parkway and Old Kings Road, the turn lanes to go north, is that the stop area for that? Will that be reduced back? Ans: Mr. Cote-There is certain criteria for the lights, it will be reduced slightly, I will double check that for you.

VM McGuire-A construction contract was approved last night at the Board of County Commissioners, but the County did not hire an engineer yet, will that affect our projects? Ans: Mr. Cote-Believes that (contract) was for CEI services so no they are on target.

CM Nobile-Is that supposed to be done by next school year? Ans: Mr. Cote-It is a 6 month project. Mr. Landon-The interchange will not be done before the beginning of the next school year.

VM McGuire-Is the DOT funding in the bank, is it a sure thing? Ans: Mr. Cote-Yes, the agreement is with the County and DOT.

VM McGuire-So we only need \$50K? Ans: Mr. Cote-Correct and it is in the budget as \$150K, so yes we have the dollars now.

VM McGuire-The savings to the City, will the City have to hire any more employees for public works? Ans: Mr. Cote-No additional workers to be hired, it would be scheduled as part of our construction crew.

CM Nobile-Looking at page 84, is that what we are looking at here? If we change the bid on the landscaper does that change the low bidder? Ans: Mr. Landon-No, it would not.

VM McGuire-Are all these projects funded? Ans: Mr. Landon-Yes.

*Public Comments:
 There were no public comments.*

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-50

Attachments: [Resolution - Right-of-Way Maps](#)
[Exhibit A - Palm Harbor Pkwy Realignment](#)
[Forest Grove Dr Right of Way Map](#)

There were no public comments.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-51

9 [15-194](#)

RESOLUTION 2015-XX APPROVING CONSTRUCTION CONTRACT WITH HUBBARD CONSTRUCTION COMPANY AND CITY EXPENSES FOR THE PALM HARBOR EXTENSION PROJECT

Attachments: [Resolution-Palm Harbor Construction Contract - Hubbard Agreement Form - Redlined Version](#)
[Bid Results](#)

Public Comments:

Steve Carr-Florida Park Drive is being used as an extension.

Vince Ligori-Palm Coast Parkway construction-Westbound there is a rise in the grade, and the I95 intersection is hazardous; there is a dead turn adjacent to Bealls on Palm Coast Parkway. (Mayor Netts stated we will address under proper item)

Responses to Public Comments:

Construction traffic on Florida Park Drive-We will look into this.

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-52

10 [15-195](#)

RESOLUTION 2015-XX APPROVING THE AGREEMENT TO ASSIGN MITIGATION CREDIT WITH LRA HAMMOCK BEACH, LLC, AND THE SALES AND RESERVATION AGREEMENT BETWEEN WILSON GREEN, LLC, AND LRA HAMMOCK BEACH, LLC, IN CONNECTION WITH THE PALM HARBOR PARKWAY EXTENSION PROJECT

Attachments: [Resolution-Wetland Mitigation Agreements](#)
[Agreement to Assign Mitigation Credit Redline COPC 5-19-15](#)
[Sales and Reservation Agrmt Assignment to City](#)
[Uniform Mitigation Assessment Calculation](#)
[Environmental Mitigation Summary](#)
[Final Mitigation Map](#)

There were no public comments.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-53

11 [15-196](#)

RESOLUTION 2015-XX APPROVING A CHANGE ORDER WITH LRA HAMMOCK BEACH, LLC, RELATED TO THE PALM HARBOR PARKWAY EXTENSION PHASE 2 PROJECT

Attachments: [Resolution - Change Order](#)
[Change Order Form 04](#)

There were no public comments.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-54

12 [15-197](#)

RESOLUTION 2015-XX APPROVING AN AGREEMENT WITH FPL TO RELOCATE EXISTING STREET LIGHTS AND TO PROVIDE NEW STREET LIGHTS ASSOCIATED WITH THE PALM HARBOR PARKWAY EXTENSION PROJECT

Attachments: [Resolution FPL Street Light Agreement](#)
[Premium Light Agreement](#)

Mayor Netts-The LED lighting is something that I have been a proponent of for quite a few years. The life expectancy of the bulb is longer, the cost of the electricity is significantly lower, it is my suspicion in the coming years, you will see your utility companies, gradually converting to LED's. If for no other reason it can extend the life of their electric producing plants. The interesting thing is that in Carl's presentation, it is a little misleading in that the pay back is slightly over 7 years, but once you pass the 7 year mark you are no longer in pay back you are essentially in money savings

(profit) because the life expectancy of those lights are longer than 7 years and once they are up, FPL assumes the responsibilities of the lights, so after 7 years we are home free and saving the City considerable money.

There were no public comments.

A motion was made by Council Member DeLorenzo, and seconded by Council Member Nobile, that the Resolution be Adopted. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-55

13 [15-151](#)

**RESOLUTION 2015-XX APPROVING FISCAL YEAR 2015-2016
CITY COUNCIL PRIORITIES**

Attachments: [Resolution Council Priorities](#)

Mr. Landon provided a brief overview to this item. Ms. Bevan provided a PowerPoint presentation, which is attached to these minutes.

Mayor Netts-If we adopt these today, this is not the end of the process, as you can imagine all these items have budgetary impact. So, if we say to staff, yes we want to promote infill development within the original CLUP, staff will come back and say here is a way in which we can accomplish this and here is what it is going to cost. As we move further in the budget process, we will decide wait a minute the cost benefit ratio, is there or isn't there, so we may or may not include these in the final budget. It is something we would like to accomplish but always a question of whether you can do it within your budget or if it is so important and you don't want to take away from some other project, you may have to raise taxes; something that nobody likes to hear about. So these, even if they are adopted today, it doesn't necessarily mean they are going to happen.

CM Nobile-I am a little disappointed in that there is nothing up there charging the City Manager and staff to become proactive in Economic Development from the standpoint of not waiting for companies to come to us, but for us to try and go out and grow our community. Over the last 13 years our Citizen's Survey has indicated that either number 1 or number 2 concern or items that they would like to see the City work on is jobs and economic growth. Over the last 13 years we have been rated as far as economic growth in the 30 percentile and jobs in favorability of work about in the 6 to 7 percent range, so two indications that are very much wanted by the people of Palm Coast and two items that are not, they are just not being addressed, but like the Mayor said it is not the end of it. I want the people to know I am trying to get this done. I will take this up with the budget later. I am disappointed that we could not take that in some form and get it in there.

Ms. Bevan-Thank you so much Councilman Nobile for bringing up that point, I should have put a little more emphasis on it in the earlier part of the presentation. Over the course of the past two workshops we identified certain points of topics as existing, so on the last workshop that was one of the existing points of interest and the steps taken from this point forward is to fine tune what we are already doing and actually blend in those comments. CM Nobile-The thing is that none of the strategies have changed. The strategies really do not reflect.... Mayor Netts-The strategies are not producing your desired.... CM Nobile-Not only are they not producing but they are not

directed at...they are not producing the results, I would like to see growth but I am looking at the Citizen's Survey as items that are number 1 and number 2 over the last 13 years and we are at the bottom of performance. I would like to see us proactively saying ok what we are doing is not working, and I think it ultimately comes down to the dollars when we decide we are going to do this, do we want to put the money into it, but I would still like to see some form of charge to the staff to come up with something there. The fight is not over. Mr. Landon-There is no fight, if I could piggyback on what Denise said, there are things that we are doing that are proactive, and some of those are headed to City Council here shortly in the next couple of meetings. There are still other things we need to be doing. As we talked about during the whole process, we are continuing to try to grow the proactive efforts and that is not something new. CM Nobile would still like to see the specific charges because then the money can go there.

Mayor Netts-suggested for #1 of the Outstanding Points of Interest to include the County-I do not want to see competition or duplicative services.

CM DeLorenzo-1,3, and 4 of the Possible Additional Priorities are economic development driven. If we add another one, we would know more when we need to make these decisions. Would like to see a presentation from the County on EDO (Economic Development Opportunities).

CM DeLorenzo-Expanding the Citizen's Survey, but you have heard our consensus, we want more, so that is the next evolution in this process? Ans: Ms. Bevan-Correct.

CM Nobile-You and your team, I think you are doing a great job, the goals and strategies are above perfect. You are doing excellent work.

Public Comments:

Jack Carall-A few years back, the Art Foundation assured Council they would get the monies to build their establishment by contributions, why are we giving them more money when they assured us they could raise \$1 million, so why are we giving them \$125,000.

Carol Mikola-The Citizen's Survey; economic growth has been an issue nationwide.

Mary Hampton-What survey? I have never heard of this survey? Received something on the internet and Sarasota homes (in the past five years) have doubled in value. The article on the internet was regarding the City of Palm Coast being in the top ten worst cities to live.

CarMichael McMillan-Unemployment for the past 5 years. 33,000 people who need a better economic environment.

Responses to Public Comments:

Arts Foundation (Contribution)-Mayor Netts-That is not a decision that has been made, to bring the public up to date, I received a communication from the Arts Foundation that they have had conversations with the County and they represent that the County may be able to provide \$150K if Palm Coast is willing to match it. They (Arts Foundation) point out if they get letters of intent or letters of commitment from these two governments that the State has a \$450K grant that they will provide. This is something that City Council has not discussed and certainly no decision has been made. .

Citizen's Survey-Mayor Netts-The citizens survey is a survey created by the National Research Center in conjunction with ICMA, they send this survey to a statistically

valued number of residents. We have done this survey for the past 13 years; once in the past 13 years my family received the survey. So, it is a portion of the citizens chosen at random, supposedly representing a demographic spread of the citizenry of Palm Coast. It is a survey that is not exclusively relevant to Palm Coast, it is a survey that is used nationwide, some of the questions on the survey really do not have a bearing on Palm Coast whatsoever. "How do you view your public transit system?" We do not have a public transit system. As CM DeLorenzo stated "Is there some way to do our own survey that is relevant to Palm Coast."

Job Creation-Mayor Netts-That would be an issue for us forever. Palm Coast started out as a "retirement community" and it is now a "bedroom community" many of the people who are unemployed lost jobs not here in Palm Coast but in surrounding counties. That is something of which we have very little control, but this goes to Mr. Nobile's point "Can we create more jobs here?"

VM McGuire-One of the things we have to decide is how responsible is the government to create jobs? We have a liberal government in Washington DC that creates millions of jobs and I pay for them every day. We can do the same in Palm Coast. I am sure we can come up with lots of public works projects and put these 33,000 people to work. How much are the citizens willing to pay to do this? Are we a liberal form of government or not?

CM Nobile-I don't believe that is the basis of whether we are liberal or not. I think whether we are human or not. We all have to work and it is not a sense, first of all when you look to Washington you know if they are doing it, you do not do it; we do the opposite. We are not looking at creating jobs, we are looking at doing every thing possible to create an environment for companies and potential employees to come to and a mechanism to make these companies aware that we are here but not to actually say we are creating 50 jobs or so.

VM McGuire-I agree with you, Steve. You get a lot of questions when you run for office, and I am sure you were no exception, "What are you going to do to create jobs?" The thing of it is, it is not the government's job to create jobs, it is the governments job to, as you say, provide an environment that is friendly to business and try to attract them.

Vote is on a 5 item list of additional priorities. There was a motion made by VM McGuire and seconded by CM DeLorenzo to approve. All concurred.

Vote is on the Outstanding Points of Interest--

#1 Mayor suggested to amend to broaden private development projects; VM McGuire suggested to add economic development between "private" and "development." There was a motion made by VM McGuire and seconded by CM DeLorenzo to approve. All concurred.

#2 VM McGuire-wants to see financial information before voting for this. Mr. Landon explained if you vote yes, we will bring it to you for approval; if you do not agree with this then vote no. Mayor Netts-would like to hear from staff, traffic engineers, etc. CM DeLorenzo is not in favor of this item. With the advancement of vehicle lighting, not sure this is needed. Not sure it is necessary any longer. CM Nobile-Continue with new construction, if an area is of concern, then we vote on it.

No action taken at this time on #2.

#3 VM McGuire-The Arts Foundation is not a governmental entity like the community center and the Arts Foundation, it is magnanimous for the County to say they are

going to give us letters of intent, but that is for those of us who are citizens here, our money anyway. The County is making a promise with our money, our taxes, I do not want to see another golf course here in the City, the public funding a governmental entity. Not interested in asking our taxpayers to fund this.

CM DeLorenzo-They have already received a \$150K grant with us providing a long term lease; they are now lined up for a larger grant, a well done arts center has an economic development impact. I spoke with the Arts Foundation last week and would like to see this move forward with the understanding that they have to raise their own funds and then we will provide some funding.

Mayor Netts-I asked the Arts Foundation "How can all the other arts make use of your facilities?" I would like to defer this until we see how these other art entities can be incorporated.

CM Nobile-Would like to have a discussion on this.

No action taken at this time on #3.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be Adopted as amended. This motion was approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

Enactment No: R2015-56

Consent Agenda

Public comments shall be held in accordance with Section 286.0114 Florida Statutes. Any member of the public interested in speaking on any item on the Consent Agenda, shall come to the podium, state their name and will have up to three (3) minutes each to speak.

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Items be Considered as reported on the Consent Agenda.. They were approved by the following vote:

Approved: 4 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, and Council Member Nobile

Excused: 1 - Council Member Shipley

14 [15-180](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., FOR THE REBUILD/RE-DRILL OF WELL SW-62

Attachments: [Resolution - Rebuild SW-62 WTP 1](#)
[Work Order - Rebuild SW-62 WTP 1](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2015-57

- 15 [15-162](#) RESOLUTION 2015-XX APPROVING A CONTRACT TO S.E. CLINE CONSTRUCTION, INC., IN THE AMOUNT OF \$410,657.50, INCLUDING A 10% CONTINGENCY, FOR THE PA-1 WATER CONTROL STRUCTURE REHABILITATION

Attachments: [Resolution](#)
 [Intent to Award](#)
 [Location Map](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2015-58

- 16 [15-199](#) RESOLUTION 2015-XX APPROVING THE GRANTING OF A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY AS REQUIRED FOR THE CITY HALL PROJECT

Attachments: [Resolution-FPL Easement for City Hall Project](#)
 [FPL Easement](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2015-59

- 17 [15-200](#) RESOLUTION 2015-XX APPROVING A LOCAL AGENCY PROGRAM AGREEMENT WITH FDOT TO FUND THE SEMINOLE WOODS MULTI-USE PATH BETWEEN US-1 AND SESAME BOULEVARD

Attachments: [LAP Resolution](#)
 [LAP Agreement](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2015-60

- 18 [15-202](#) RESOLUTION 2015-XX APPROVING A CHANGE ORDER FOR ADDITIONAL DESIGN PHASE SERVICES ASSOCIATED WITH THE OLD KINGS ROAD WIDENING PROJECT

Attachments: [Resolution - Change Order](#)
 [Change Order 01](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2015-61

D. Public Participation

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

Louis McCarthy-Why is there no street name for the Senior Living Complex in Town Center? Update on the weir at Pine Lakes.

Vince Ligori-Commended our EMS services. Charter-Was not a member of the Charter commission but was a member of the Coalition Committee. Recommended two amendments for Charter: 1-25% to 10% for petition signatures and 2. there are more registered voters-council to expand to 6 members.

Steve Carr-Florida Park Drive issues.

Mary Hampton-Charter-Long term goals and short term goals; we need economic development.

Jack Carall-You pay a company to mow your lawn, the City Charter, CM Nobile's comments-the people, I do not see the people, when someone wants something they come in with the colored shirts, I don't hear or see the people who want the charter, that is out of 56K people. You did not tell us what they want changed. I am part of the people, the one change I prefer is more City Council members, instead of 5 let's have 7.

Ceila Pugliese-Services City gives us is great; Code enforcement is great-they keep Palm Coast beautiful. Agrees with some of the community neighbors, our City Charter should be reviewed; suggested tax change, if this has to do with our Charter. Why do we pay so much to the County for only 20%-30% of our services. Mr. Landon is great, very intelligent.

Steve Wolf-Appreciates the performance of Council and the City; Charter review would be a healthy process to have citizen input.

Carol Mikola-Read descriptions of the Charter discussion and they were not pretty; nothing wrong with asking for a charter review nor for Council to ask for questions; the review should not be up to Council, it should be up to the "people" to have input. Need specifics for the charter review.

George Mayo-At the Board of County Commissioners meeting yesterday there was

approval of support for a moratorium of seismic testing and fracking here in Florida. Please consider this and discuss at a workshop to support the moratorium.

Responses to Public Comments:

Landing Senior Apartments-Mr. Landon-It is actually Landing Blvd, there may not be a sign put up yet; we will get a street sign put up.

Progress report for the weir-Mr. Landon-It was on the agenda today and they have assured us they are ready to go and will start within the next 30 days.

Charter amendments-Mayor Netts-25% to 10% to be in accordance with Statutes; is there a conflict in this language? Ans: Mr. Reischmann-You have our charter that states for charter amendments, in Section 10, the charter may be amended in accordance with Chapter 166. So it recognizes that the two have to work hand and glove. In Section 10.3, for an initiative and referendum that at least 25% of the qualified electorate shall have the power to petition the Council to prepare an ordinance, 25% of the qualified electorate have the power to petition the Council to require reconsideration of an adopted Ordinance, at least 25% of the qualified electorate shall have the power to propose an amendment to the charter. In 1999, the folks that felt it was appropriate for 25% of the electorate be required to get together to do those 3 things, but the charter also states in regards to charter amendments you have to look to Chapter 166. Chapter 166 is very clear. It states a municipality may amend its charter pursuant to this section, notwithstanding any charter provisions to the contrary. So if you look at 10.3 it requires 25%; 166 says that the governing body of the municipality may by ordinance or the electors of a municipality may by petition of 10% of register electors submit a proposed amendment to the charter. It is my legal opinion that when you compare 166 and Section 10 of our charter that read together, the only reasonable construction of our charter is that for purposes of proposing an ordinance or requiring reconsideration of an adopted ordinance, that is fine 25%, but for purposes of adoption of an amendment or consideration of an amendment, Section 166.031(1) and (3) can only be read with our charter to require 10%.

6 or 7 member council? Ans: Mayor Netts-concerns-Suppose there was a charter amendment 6 plus 1, would have to have a re-districting committee, one of the concerns, was the possibility of a current council member being excluded from his district, then you would have to have an election. Mr. Reischmann-If you change one word in the charter you have to read the entire charter for the unintended consequences. When you redistrict, very frequently the intended or unintended consequence is that a council member is no longer in their own district.

Long term goals-they are not part of the charter, the issue of goals are established by those elected to serve in this form of government.

Relationship between taxes paid to City and taxes paid to County-Mayor Netts-It is not a charter issue at all. The County is not incorporated, there is no charter for the County. They operate under the auspices of the State laws.

Time table for charter review-Mayor Netts-may do a Charter review every 10 years. Ans: Mr. Reischmann-If you have a process of a charter review committee, no sooner than 10 years since incorporated; and you may every 10 years.

Mayor Netts-Charter 2 or more candidates for an office should have been 3 or more, so the City did a scrivener's error. Can you do a similar change with the 10% and 25%? Ans: Mr. Reischmann-No, that would be a charter change.

Support of a moratorium-Would like on a workshop. Ans: Mr. Landon-We will get that on a workshop for you.

Palm Coast Parkway construction-Mr. Landon-The dead lane will come out (by Bealls) when they work on the median. The safety issue asked staff to address with the contractor.

E. Discussion by CITY COUNCIL OF MATTERS NOT ON THE AGENDA

CM Nobile-A friend of mine was killed this weekend, Adam Ryone. When you are in your car, and your car is moving-put down your phone. When I talk to people, I do not ask what club they belong to, republican or democrat. I will bring what they ask me to bring. Suggestion-We need to move our time of our meetings no 9:00am meeting so people can participate. Doesn't understand the reluctance of having a charter review.

Mayor Netts-The 9:00am meeting issue-this was a compromise as our residents have stated they are not comfortable attending evening meetings. Our residents can talk to all your elected officials, make your position known.

F. Discussion by CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Nothing at this time.

G. Discussion by CITY MANAGER OF MATTERS NOT ON THE AGENDA

Reminder next Monday is Memorial Day, City offices will be closed. Memorial ceremony is at Hero's Park at 8:00am.

Mayor Netts-Food Truck Tuesday is tonight from 5 to 8 pm.

H. Adjournment

The meeting was adjourned at 11:55 a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[15-210](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[15-215](#)

ATTACHMENTS TO MINUTES

Attachments:

[Item 3 Resident Brand Campaign](#)

[Item 5-Fund Accounting Presentation](#)

[Item 6-Cole Place Recission](#)

[Item 13-City Council Priorities](#)

[Presentation-Transportation_5-19-2015](#)