



City of Palm Coast

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Meeting Minutes City Council Workshop

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

Tuesday, June 30, 2015

9:00 AM

Council Conference Room

>Public Participation shall be in accordance with Section 286.0114 Florida Statutes.

>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: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

D. PRESENTATIONS

1 [15-265](#) PRESENTATION - PROSPERITY 2021 AND OUR PARTNERS

Mr. Landon gave a brief overview of this item. Mr. Beau Falgout, City Administration Coordinator, began with a PowerPoint presentation - Prosperity 2021 at Work (attached to these minutes). Mr. Ray Peter, Business Analyst with the Business Assistance Center (BAC) continued with the presentation - Existing Business.

VM McGuire - When you say more time marketing and more time with existing business, that means less time somewhere else? Mr. Peter - We are trying to increase the number of individuals that we are working with, our clients, and because the number of walk-ins have dropped off, we are going to spend more time to get

long term clients. Our goal is to work with businesses, not just one and done, but to enhance the relationship, provide the value, etc.

VM McGuire - Impact slide - Where is the time going to come from? Mr. Peter - For the short term, the time is going to be spent getting those clients. We are still going to manage the individuals that come in the door but the more time means right now we are spending time to focus on those small businesses. We are not going to neglect any client that walks in the door. Mr. Falgout added during the down time in the economy they had a lot of entrepreneurs by essentially no choice because they lost their jobs, etc., but a lot of those didn't come back; maybe back in employment; so to target those small-medium enterprises you have to spend a little more time, trying to find relationships, referrals, partnerships are important. They are going to have to spend more time marketing the services which means less time providing the services but The clients will have a greater opportunity for return on investment.

Mayor Netts - (174 jobs created and retained) - How do you attribute that to the BAC, could those 174 jobs been created without your participation? Mr. Falgout - Absolutely, the way these results are measured is basically a survey for the State of Florida with all clients each year; asking how they did in that past year providing services. It all depends on how the business owner feels about the services. We do try to measure our impact with those clients; it's correlation, not causation. We do know of instances where without our help that business would have never got that loan to start or expand; business plan, requirements of a loan, etc.

Mayor Netts - Do you do some sort of follow up with a business after they have completed their training, after you have met all their needs; do you do anything of that nature? Mr. Peter - We have a survey after the initial meeting and every meeting we have with a client there is a performance survey that we give them that they fill out at their choice. The State of Florida doesn't single out any particular center. Overall, we have a 95% satisfaction with our clients throughout the entire State. There is also 96% level of satisfaction that says they would refer the BAC to other individuals as a result of their experience with our total State entity. Our goal is to have the ongoing customer; the one we work with on a regular basis; as a consultant and advisor to the business.

Mayor Netts - Is there any way to compare with the SBDC (Small Business Development Center); is that good, bad or outstanding? Mr. Peter - Very good, our numbers for Palm Coast exceed our numbers from the center at UCF (University of Central Florida).

Mayor Netts - Presumption is you are going to fill those two vacant positions (in the BAC)? Mr. Falgout - Yes.

-Mr. Matthew Dunn, Tourism Development Vice Pres., Flagler County Chamber of Commerce, gave a PowerPoint presentation (attached to these minutes).

Mayor Netts - How can they figure out visitor spending (\$76.1 bil.)? Mr. Dunn - It's all done by the Florida Dept. of Revenue, so when you take the sales tax receipts by category; that is how they come up with the number - lodging, percentage of attractions, small percentage of restaurants, etc.

Mayor Netts - What was the year in which you increased the bed tax rate? Mr. Dunn - The end of 2010.

VM McGuire - How much of the revenue would you attribute to events that the TDC (Tourist Development Council) has brought that weren't here previously and how

much of it is just normal growth? Mr. Dunn - Better economy; challenging thing to come up and he gave one example of a TDC meeting February - our collections are one month in arrears so collections for the month of January is really the result of December's collection. So, when we looked at our January collection of 2015 it was reflective of December 2014 and in December we had 4 additional athletic events which took place within our destination that had never taken place before and we had a 39%+ increase for that particular month over the previous year. We can see spikes throughout the year related to a group of businesses that we were able to bring in.

Mayor Netts - Seasonality slide - Strategically, would you focus on the 4th quarter for continued growth or maybe on the 1st quarter where you have relatively small growth; what strategy do you think makes more sense? Mr. Dunn - We have been trying to fill those holes throughout the calendar year; he thinks we will see a rise in those. But again, summer vacation family travel is so significant for us as well as the regional business that those 3 months in particular will stay at the top of our ranking scale.

Mayor Netts - Isn't there a (hotel) capacity issue as well? Mr. Dunn - Yes, in a lot of cases we may not have the hotel rooms available in order to support an event during those particular months.

Mayor Netts - What accounts for the 680 that went to Volusia as opposed to coming here; were we at capacity or were there attractions down there that they wanted to take part in? Mr. Dunn - We were at capacity in certain areas; this is where we are trying to work a lot more with our event directors, even as far as a year out.

Mayor Netts - Who provides the information (about vacation rental homes) to the traveling teams? Mr. Dunn - We have a pattern, we attempt to work with every client; some like to do it on their own. We send out a lead sheet to all of our lodging partners as far as in advance as possible with a lot of information that we collect from the event directors, etc.

CM DeLorenzo - Is that because they are busy already in July (not responding to the lead sheets for lifeguard event coming in July)? Mr. Dunn - It could be, they could already be booked, but we would like to hear that from them rather than no response.

Mayor Netts - On the dollars that you have available (bed tax primary source of funding), how do you allocate money; how do you spend it? Mr. Dunn - Currently, right now we are a little under \$400,000 in media buys and that also includes a lot of event ad creation as well. That is across all segments - sports tourism industry, meetings industry, certainly leisure, in some cases some luxury media buys as it relates to some of our resources here. We are making sure that we are not only taking out the right ad, but taking it out at the right period of time and also the right ad space size.

Mayor Netts - What about your grant program? Mr. Dunn - The grant program he is hoping to grow. The County has a resolution that mandates we manage the numbers so our overnight stays grant is at \$85,000 and our quality of life grant is at \$50,000. We were able to negotiate with the County last year to rollover the unused funds from the previous fiscal year, so in doing so previous fiscal year we awarded more but based on attrition causes We only issued out about \$40,000 in the overnight stays grant so we able to rollover the unused \$45,000 so this year we have given out \$135,000 by finding more opportunities out there that fit that grant program and also to folks that came to our office with inquiries, etc.

(Break 10:12-10:17 a.m.)

-Ms. Helga van Eckert, Director of the Department of Economic Opportunity of Flagler County, gave a PowerPoint presentation (attached to these minutes).

VM McGuire - Just the Stats slide - Financial services, does that mean that there are more people working in the banks that are here or that there are more banks? Ms. van Eckert - A combination actually, a credit union has recently come into the County; the services provided by the banks have increased so there are more folks for each of the banks that are here as well. It's not just the banking industry; it's also professional, accounting, financial services separate and apart from banks.

VM McGuire - What about commercial building growth? Ms. van Eckert - Commercial building has not seen the growth that residential has; that is part of what we determined at the strategic planning sessions that was necessary. We don't have the inventory today to accommodate a lot the businesses we have been trying to recruit. So, in order to bring businesses in of the size we would like to see, either spec buildings have to be constructed or they have to be willing to construct themselves. Spec buildings today are not as likely to happen because the industry and the market is still going through the flux and there is a risk factor involved, etc.; that type of construction will typically lag behind residential.

Mayor Netts - Partnerships, do you work with at all with Darryl Register? Ms. van Eckert - Yes, of course.

Mayor Netts - Mr. Register gives monthly reports at the Northeast Florida Regional Council; they are always very generic. He was wondering if there is specificity with what Darryl brings to the table and also JAX USA. Ms. van Eckert - JAX USA is an amazing group; they provide us an avenue to get connected with the powers that we would not otherwise have an avenue to be connected with; they have a much larger budget; they have site selectors come into Jacksonville and they have programs they do outside of the State where they will actually fund the dinners and the programs associated with bringing people to the table. So, being part of that group allows us access; two of the conferences we had here they actually helped to subsidize. When leads come in, what is happening now at the State level is a lot is being done regionally as opposed to just being done locally because there are so many of us competing, it is difficult for the State to have that high touch with everybody that they need to so they focus more on a regional standpoint. Leads will often come in that way and then JAX USA will take those leads and distribute them among the seven partners based on what our area of targeted industries are. They will also provide support when it comes to running programs. A lot of the software our industry uses is very expensive, etc., JAX USA has the program; they will run reports for us and they will provide us the data whenever we need it.

CM DeLorenzo - What is your system for actively recruiting? Ms. van Eckert - Coastal Cloud is an example, because of the relationship that was developed. We create the environment; that is our niche. The other thing we do is go to the site selectors; tell them who we are and what we are doing. She presents everywhere and anywhere she can to say how we have grown and what we have to offer. They also advertise in Florida Trend magazine.

Mayor Netts - Here in Palm Coast we have either vacant or under occupied industrial space; what is wrong with them versus a spec building? Ms. van Eckert - She is not anti-spec building; it is a size issue; we don't have that 50,000-100,000 sq. ft. facility; that is something we are working on. One of the things we are doing is looking at the initial due diligence to show that business that it is worth building one so that we can get a developer to the table. The facilities at Hargrove Grade and Commerce; they

are great but they are not large enough is what usually the issue is and a lot of them need loading docks.

There was discussion about spec (commercial) building and industry for this area.

CM DeLorenzo asked Ms. van Eckert to talk about the self-assessments that the landowners have been doing to help them and site selectors to understand how far along their land is in the process; from raw to pad ready. Ms. van Eckert - We have been working very closely with the property owners and the realtors; we put a function on our website that will market individual properties. That database is connected to the JAX USA region as well as Enterprise Florida. So, if any of our partners are looking for properties with a certain size and amenities already in place, they can download the information directly. As part of the process, before the information is put into the database, we have them provide us with what utilities are there, age of the building, size of the building, amenities that are available, whether it has fiber there, etc.; it has been great. The brownfields program takes it up a notch and actually does the environmental work on the site so that we can do an initial delineation of wetlands and show what area is able to be developed; what areas may have contamination; whatever issues there are in advance, so we can do some of the ground work for them. We can include reports they have had done like geotechnical reports; we can include those in our database so they can be downloaded directly as well.

The Presentation was Received and Filed.

2 [15-267](#)

RESOLUTION 2015-XX APPROVING A CONTRACT WITH BUXTON COMPANY FOR STRATEGIC PLANNING AND BUSINESS RECRUITMENT

Mr. Falgout gave an overview of this item. Mr. Ryon Stewart, Sales Director, and Mr. Cody Howell, Vice Pres./General Manager, of Buxton Company gave a PowerPoint presentation (attached to these minutes).

-Understand Who the Customers Are slide:

VM McGuire - How do you consider ethnic groups; Palm Coast has a very diverse community we have people that only speak Polish, Portuguese, Vietnamese all living here; how would you determine their preferences in terms of shopping. Mr. Howell - The biggest way is in how those individuals live their lives and spend their money so when we look at this high level every individual in the United States is classified into a very specific consumer segment so those individuals would live their lives in similar ways; it's all done from a consumer segmentation system, which is derived from looking at those components - how they live their lives, how they spend their money, what language do they speak; all those different factors.

-Finding Your Retail Matches slide:

Mayor Netts - Your 5,000 retailers as your clients/customers, what is their commitment to you, or is that 5,000 that you have dealt with over the years? Mr. Howell - In this case here, the 5,000, when we match your market to our database, we are looking at over 5,000 retailers, so you are not limited to just the Buxton clients; we are looking at every retailer.

CM Nobile - McDonald's, don't they do that on their own? Mr. Howell - Some companies do their own; the larger the company, etc.

CM Nobile - Do you work with many nonfranchises? Mr. Howell - Absolutely.

VM McGuire - An empty storefront, is Buxton going to find someone for it? Mr. Falgout - Buxton really tells us what retailers are likely for that trade area, but there

are certain requirements.

VM McGuire - Walk me through the mechanics. Mr. Falgout - Make connections with their broker, landowner; if it's a raw piece of land - a developer; they are still going to have to close the deal; we are just trying to bring the parties together.

-Scout - Big Answers Made Easy slide:

CM Shipley - Do all the businesses that you have get a formula like this? Mr. Stewart - They do. Mr. Howell - On the retailer side what is different because there is an actual revenue number on there. We are able to tell because these retailers are sharing their data with us; we are able to come and produce, to a very high degree of accuracy, what within a 12 month snapshot that new location would perform at from a sales standpoint.

CM Shipley - Only if they use a credit card to purchase? Mr. Howell - That is just a piece of the puzzle; there are many other aspects as to how people live their lives and spend their money every day.

CM Nobile - What level access do we have to that data? Mr. Howell - All information that we have on companies.

CM Nobile - Could we look up that data for a prospective business? Mr. Howell - Absolutely.

Mayor Netts - Do you charge your customers for access to Scout? Mr. Stewart - Yes. Mr. Howell - It's included with the Buxton partnership.

CM Nobile - What if we used your services through our BAC could we charge for that service? Mr. Howell - Absolutely.

Mayor Netts - What about communities is it a low hanging fruit? Mr. Howell feels there is significant factors here, a lot of opportunities for the City.

Mayor Netts - How do you demonstrate to us that you were the proximate cause of a retailer opening here? Mr. Howell - On the onset, we are narrowing down to a specific subset of retailers that we are focused on so once you are engaged and you are part of the Buxton partnership; you know that was a direct derivative of that. The other side of that is there is organic growth that will happen, etc., but we will know the retailers we are specifically targeted because we are going to share that with you.

CM DeLorenzo - In the proposal it says, "analyze three distinct retail locations/geographic areas," have those already been identified? Mr. Howell - That is more input from your side; what is important to you; they have no issues at looking at those or you can look through Scout yourselves. We look at multiple markets, etc., to see what areas are of interest to you. Mr. Falgout - The difference between Buxton and the other groups; a lot of the other groups were static so they were only going to do three and that is it; with the software you can zoom in on any parcel and pull the analytics; it's all dynamic.

VM McGuire - Are we walking on dangerous ground when we start recommending or getting involved with what is happening with empty storefronts that are owned by private individuals? Attorney Reischmann - What you are asking is does this have a public purpose; what you are asking is are we spending taxpayer money on something that we do not have the power to spend the money on. You could make a very smart argument is what you are dealing with is income, core issues that governments deal with; we provide funds for other entities that have the same

ultimate objective. Mr. Landon - Buxton is not on commission; it's a flat fee; they don't get paid if they bring one versus the other. Mr. Reischmann will look at the contract and make sure we are not getting into any legal problems. We are not the only ones doing this; he feels comfortable it will not be a legal problem for us whatsoever. Mr. Howell - His goal is to put new retail on the ground, but for the City it is increasing tax revenue, improving quality of life, and retaining business. Attorney Reischmann - Expenditure of funds could be supported for a public service; we look at all of the contracts.

The Resolution was Continued.

Enactment No: R2015-71

3 [15-266](#) RESOLUTION 2015-XX APPROVING AN AMENDMENT TO THE ANNUAL GRANT AGREEMENT FOR THE BUSINESS ASSISTANCE CENTER

Mr. Falgout gave a brief overview of this item.

No Council questions.

The Resolution was Continued.

Enactment No: R2015-73

4 [15-222](#) PRESENTATION OF PROPERTY TAX AND MILLAGE RATE HISTORY

(CM Shipley had to leave the meeting at 12:04 p.m.)

Mr. Chris Quinn, Finance Director, and Ms. Lina Williams, Budget Analyst, gave a PowerPoint presentation (attached to these minutes).

Discussion about the rolled back rate which takes into account that the values have gone up or down; same dollars as last year, not the same rate; in most cases the same dollars does not buy the same level of service year after year.

VM McGuire - Why can't we have the hearings of all three bodies at once? Mr. Quinn - It's State issued and they can't be on the same nights.

VM McGuire - Does the value (of residences) ever go down? Mr. Quinn - Yes.

VM McGuire - Does it go down more than 3%? Mr. Quinn - The market value and the assessed values can go down but your taxable value can still go up because of this (Save Our Homes 3%) limitation.

(Lunch break 12:30-1:00 p.m.)

The Presentation was Continued.

5 [15-212](#) ORDINANCE 2015-XX ADOPTING PROPOSED LAND DEVELOPMENT CODE AMENDMENT UPDATING STANDARDS FOR DRINKING ESTABLISHMENTS, FENCES, AND WALLS

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

Mayor Netts - Fences set back 3 ft. from the canal, so now you can put the fence right at the seawall cap, is that what you are saying? Mr. Hoover - The property line on a saltwater canal is bulkhead basically, yes. On a freshwater canal it is more like

there is a 30-40 ft. easement and then the waterway only makes up a portion of that. Mr. Ray Tyner, Planning Manager - This is one too that we were requiring on certain right-of-ways we were requiring 3 ft. back in order to do a fence and then planting landscape along that area and it was really difficult to maintain. Mayor Netts expressed he is a little concerned about eliminating the setback.

Mayor Netts - Does the City need to access the cap on a bulkhead? Mr. Landon - No.

VM McGuire - Is this because there are problems with this now; what are we fixing with this? Mr. Landon - The biggest fix is those lots that back up to the right-of-way; like on Belle Terre where they had to set the fence in 3 ft., then we require them to plant shrubs and then nobody took care of them.

Mayor Netts - Let's look at Belle Terre, you have a roadway, you have a strip of grass, sidewalk, you may or may not have a ditch and you have some dead shrubs and a fence; how close to the sidewalk can you bring the fence; is the sidewalk on an easement or City-owned property; where is the property line? Mr. Landon - Sidewalk is definitely on the right-of-way so your fence is going to be along the sidewalk.

Mayor Netts - Can it be immediately adjacent thereto? CM DeLorenzo - It has to be on the property line; no longer 3 ft. in from the property line.

Mayor Netts - Can you have a sidewalk and a fence immediately touching it. Mr. Landon - Highly unusual, but you could; sidewalk would be on City property. Mr. Tyner - For the saltwater canals we have a 5 ft. easement so it would be 5 ft. away - the fence from the City easement but we will clarify it and if we need to write additional language we will to make sure that you are not on the bulkhead.

VM McGuire - Are we going to grandfather property that already has fences that don't meet this? Mr. Landon - Yes.

Mayor Netts - If you run a fence parallel to the saltwater canal, parallel to the bulkhead, can the fence be more than 4 ft. high? Mr. Hoover (directed Council to the 5th slide with the color diagram of a pool home on a saltwater canal) - It can either be open or have a height of 4 ft. or less. Mr. Landon - To clarify, if you want to maintain current status with setbacks on fences along canals, we would need to leave the language in that require a 3 ft. setback. What we are finding is requiring a fence to be setback causes problems; it reduces the usable space in their yard, etc.

Mayor Netts - Are we somehow interfering with the City's ability to do maintenance, inspections, etc., by allowing a fence that close to the bulkhead? Mr. Landon - We can confirm but fences on our easements if we have something in there it is always a pain, we have to remove them and replace them and we do that all the time if we have a need to get in there. As far as inspections go, bulkheads we can inspect from the water; if there are other problems the property owner usually let's us go look at it. He does not think having a 3 ft. setback provides any benefit to the City; it hurts the property owner, etc.

Mayor Netts - There are properties on saltwater canals that have a drainage easement from the street down to the saltwater canal; putting a fence on top of that is going to be a problem to the City. Mr. Landon - That is not going to be a problem for our drainage. Mr. Steve Flanagan, Community Development Director - explained with Utility, they would remove the fence, repair the line and put the fence back up.

Mayor Netts - We would put the fence back up, even though it is not our fence and we didn't install it and it's on our property/right-of-way? Mr. Flanagan - Yes, because

we had to tear it down to make our repairs. Attorney Reischmann - From a legal standpoint, as opposed to a good neighbor position, it depends on the language in the easement. It may provide that for the property owner who owns land subject to this easement in favor of a government, if you put something on top of the surface of that land then that easement gives the government the right to go in and fix, maintain, replace, whatever the purpose of that easement is. It could be there is different language in different easements.

CM DeLorenzo - If you have a fence because of an animal; how does that work; if you decided not to fence in the rear and you just had the side fence and had to end 3 ft. from the bulkhead; then what is the point of having the fence if the animal could just run around the end of it? Mayor Netts - The reason he raised the question is are we creating greater difficulties for the City, if the policy is we replace the fence that we tear down, so be it; as long as we know what we are getting into. Mr. Landon doubts we would do work on a private bulkhead, secondly though if we did, 3 ft. wouldn't give us enough; we would still remove the fence.

Mayor Netts asked Mr. Tyner to find out what the City policy is on people installing things on the 5 ft. easement between homes. Do we tell them you can put it there at your own risk or are we saying we will replace it if we dig it up? He wants to be consistent across all properties. Mr. Hoover - Right now we are proposing some text modification to that one section under the general fence standards - "fences and walls may be located within an easement as long as it does not interfere with utilities provided, however, such structures are subject to removal and replacement at the property owner's expense by the requesting utility agency." Mayor Netts - That is what he wanted to hear.

Mayor Netts - What is the existing? Mr. Hoover - The existing is, "fences and walls may be located within a utility easement interfere provided, however, such structures are subject to removal at the property owner's expense by the requesting utility agency." The difference between them is, "as long as it does not interfere with utilities" that is the key little phrase that we are adding. It gives the Community Development Dept. the option to review that and if it is going to be a problem we can ask them to move it off the easement.

VM McGuire - How big of a headache is this to the City that we need to fix here? Ms. Constance Bentley, Planner - What we are talking about is along roadways, one problem that we run into is we don't require them to put a gate so there is no way to maintain the plants on the outside of that fence. It is not really resolving any issues; as far as grandfathering-in, it is less restrictive, not more restrictive so we are not causing a hardship on those fences that are already sitting back 3 ft. They have now the option to move their fence further out if they want. Mr. Landon - What you are hearing from staff is that not having that 3 ft. requirement actually makes life easier for all of us.

Mayor Netts - (PLDRB and Staff Difference #2 slide) How tall can my decorative planter be; how high can stone work be? CM Nobile also had comments for need for clarification. Mr. Tyner - The landscape code is currently 3 ft.; we will clarify the language. Attorney Reischmann - From a standpoint of staff and the standpoint of code enforcement, the most important thing that staff and the Code Enforcement Board have to remember is there is separate section in the Land Development Code and the Code of Ordinances for definitions. What he is hearing today, is in order for staff to enforce this, they are going to need to not just look at that one section (from the presentation); they have to go back to definitions, etc.

Mayor Netts - (Updates for drinking establishments slide) Question about mixers and

bring your own booze, is that a bottle club and what age patrons are you allowed to have? Mr. Landon believes that is not a zoning question but a State alcoholic beverage licensing question.

Mayor Netts - What is the definition of a bottle club? Mr. Hoover read, "a commercial establishment licensed by the State where no alcoholic beverages are sold but where patrons may keep or bring their alcoholic beverages for consumption on the premises."

Mayor Netts - He's assuming bars, taverns and nightclubs would also include bottle clubs, is that correct? Mr. Landon - We would not allow bottle clubs in OFC, COM1 (Office, Commercial districts).

CM Nobile - What is the difference between fast food restaurant and sit down restaurant? Mr. Hoover read, "fast food - an eating establishment where customers order and receive their food or beverages at a counter, drive-in window or via drive-up service. Customers may or may not consume the food or beverages on site." "Sit Down 1 - an eating establishment where food and/or beverages are served by waitresses or waiters to patrons seated at booths or tables or are served cafeteria or buffet style. Sit down restaurant may also provide accessory drive-through and walk-up services." If the business also sells alcoholic beverages, the sale of food products must represent at least 51% of the facility's total sales or the business shall be considered a drinking establishment."

CM DeLorenzo - Fast food restaurant, will this definition going to be used for transportation impact fees as well or is that engineering codes for that? Mr. Tyner - We use the IP manual and our impact fee schedule for what determines that for the impact fees. This definition but you have a separate for the different uses for the IP manual and our impact fee on what specific uses are.

CM DeLorenzo - What other things will be impacted by this definition, parking? Mr. Tyner - Yes, could be. CM DeLorenzo spoke about the burrito place by the Chevron station - you walk up to a counter, order your food, pick it up and sit down and eat. There was discussion that there have been complaints about parking as a result of that establishment in the strip center. Mr. Hoover expressed ordering at the counter makes the difference between fast food and sit down restaurants. Mr. Tyner added, when we did the code in 2008, we did parking flexibility; where we have different things that are a little bit odd; different restaurants, etc., that might not match our parking standards. This gives the applicant the flexibility to provide us with a study and what they actually want, etc.

The Ordinance was Continued.

6 [15-264](#)

ORDINANCE 2015-XX AMENDING THE UNIFIED LAND DEVELOPMENT CODE TO INCLUDE HEIGHT, SETBACK AND DISTANCE STANDARDS FOR WIRELESS COMMUNICATION FACILITIES

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

Mayor Netts - Are there more ways than one to skin a cat in the Palm Coast Pkwy. corridor? Ms. Bentley - That question has been raised and we have consultants that would have to look into that, however, it would take a lot of 50 ft. towers to get the high speed data that people want today.

Mayor Netts - Would it? Ms. Bentley - Yes, according to the providers.

VM McGuire - What does the County do, the big artificial tree ones? Mr. Landon - The County allows them; basically in the same arena. our code requires them to come to City property, Public property first and allow multiple users on a single tower to reduce the number of towers, so that is what we are trying to accomplish here.

VM McGuire - How high? Mayor Netts remembers Commissioner Hutch King; there was a proposal to put a tower out in the west on 305 or one of those roads and he said if it is going to be 150 ft. tall, it has to be 150 ft. back from the roadway so when it falls it won't crush my car; so they had height versus setback. Mr. Landon - We have required flagpole type cell towers, some have flags on them and some don't, on our sites. Ms. Bentley - Today, commercial property can have 150 ft. tower. The height is not restricted anywhere else other than in this overlay zone, and the overlay zone does have properties that border the roadways that aren't even in the overlay that can have 150 ft. tower.

VM McGuire expressed he would like us to be consistent with what the County allows. Mr. Landon stated the standard in this business is 150 ft. Mayor Netts - But do they allow them in residential areas, do they require a setback from construction, etc.? Ms. Bentley - Our residential areas are limited to 80 ft. in height; they are already established in our code that is not what we are looking to change. Mr. Landon will find out what the County requires.

Mayor Netts - What is WCF? Ms. Bentley - Wireless communication facility, which is a cell tower.

Mayor Netts - What is the height of the one on the Elks Club property? Mr. Landon - All of those that you see in our parks are 130-150 ft.; pretty confident that they are all in that area.

The Ordinance was Continued.

E. WRITTEN ITEMS

- 7 [14-139](#) RESOLUTION 2015-XX APPROVING A TERMINATION OF EASEMENT AND A UTILITY EASEMENT AGREEMENT WITH FLAGLER COUNTY RELATING TO THE COUNTY PROVIDING WASTEWATER SERVICES TO BEVERLY BEACH

Mr. Landon gave a brief overview of this item.

No Council questions.

The Resolution was Continued.

Enactment No: R2015-74

- 8 [15-252](#) RESOLUTION 2015-XX APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT

Mr. Landon gave a brief overview of this item.

CM DeLorenzo - Is this list just from this year (because some of the case numbers are older)? Mr. Landon - Yes, this year. Attorney Reischmann's guess is there are some cases that were initiated earlier but didn't get around to being a nuisance abatement type process until 2014. Attorney Reischmann - These aren't fines this is actual monies that the City has paid to abate nuisances where we go out and mow lawns, take down houses, etc.

Mayor Netts asked about a scenario where they don't mow the lawn, the grass is 3 ft. tall; the City comes out and mows it one time at a cost of \$100. Then the property owner takes care of the property from then on; would we initiate a nuisance abatement for \$100? Attorney Reischmann - We may use another process other than nuisance abatement for that situation, another code process. There is a separate process under Ch. 162 (Florida Statutes) which we just place a lien as opposed to a nuisance abatement assessment; two different things.

CM Nobile - Are these mostly abandoned homes? Attorney Reischmann - No. Mr. Quinn - A lot of them are absentee owners.

CM DeLorenzo - Where do the recovered funds go? Mr. Quinn - Back into the general fund which is where the payment comes from.

The Resolution was Continued.

Enactment No: R2015-72

9 [15-263](#)

RESOLUTION 2015-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE SEMINOLE WOODS BOULEVARD RECLAIMED WATER MAIN PROJECT

Mr. Landon gave a brief overview of this item.

CM DeLorenzo - The RaceTrac will be on reclaimed water then? Mr. Landon - Yes, coming from the north.

VM McGuire - They are going to put an extension of a 16" line, are they not? Mr. Landon - Yes.

VM McGuire - How many people bid on this job? Mr. Landon - Two.

VM McGuire asked how far is the run. Mr. Landon - Approximately 550 ft.

The Resolution was Continued.

Enactment No: R2015-77

10 [15-242](#)

RESOLUTION 2015-XX APPROVING CONTRACTS FOR DEBRIS REMOVAL MONITORING SERVICES FROM EISMAN & RUSSO, INC., TETRA TECH, INC., THOMPSON CONSULTING SERVICES, TRUE NORTH EMERGENCY MANAGEMENT, LLC, AND WITT O'BRIEN'S, LLC

Mr. Landon gave a brief overview of this item.

No Council questions.

The Resolution was Continued.

Enactment No: R2015-75

11 [15-224](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., FOR THE REHABILITATION OF WELL SW-125

Mr. Landon gave a brief overview of this item.

No Council questions.

The Resolution was Continued.

Enactment No: R2015-76

Public Participation shall be 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 DeLorenzo sent an email to Mr. Landon regarding a recent Supreme Court ruling on signage. Attorney Reischmann will discuss at a future meeting.

CM DeLorenzo - He read that the City of Ocala got a grant for a water smart program and it sounded very interesting. With our changes to where we are going with the collections and billing, he thought we may be able to implement this on our own pretty simply. It uses social norms of water usage; this would actually send you a text message that your water usage spiked, etc. Mr. Landon - We will take a look at it.

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

No comments.

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

VM McGuire - Are you going to give us an update at a City Council meeting on how we are doing on the be kind to our employees program? Mr. Landon or Mr. Falgout will give an update.

Mr. Landon - Ms. Cindi Lane, Communications and Marketing Manager, did a great job with the Florida Park Drive - be respectful. Mayor Netts mentioned to check for redundancy.

I. ADJOURNMENT

The meeting was adjourned at 2:30 p.m.

*Respectfully submitted,
Barbara Redline*

Calendar and Worksheet

[15-268](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

[15-275](#)

ATTACHMENTS TO MINUTES