



City of Palm Coast

160 Cypress Point Pkwy.
Suite B-106
Palm Coast, Florida 32164
palmcoastgov.com

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, September 8, 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

Vice Mayor McGuire called the meeting to order at 9:00 a.m. Mayor Netts had a prior commitment but joined the meeting a 9:30 a.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

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

D. PRESENTATIONS

1 [15-343](#) PRESENTATION - PALM COAST ARTS FOUNDATION

Mr. Landon - We met with the representatives of the Palm Coast Arts Foundation and our parks team. As a result of those meetings and the request of the City Council to incorporate restrooms, we realized we had more questions than answers, so we asked that they delay their presentation until we figure out how the restrooms get incorporated in, so Council can see that and get a better feel for what this first phase is all about.

CM Shipley - Delayed, but it will still be in this year's budget? Mr. Landon - Yes, the presentation is delayed, but they are very pleased that the restrooms will be expedited.

The Presentation was Continued.**2** [15-368](#)**PRESENTATION ON FLAGLER COUNTY DRAFT MANATEE PROTECTION PLAN UPDATE**

Item 2 was heard after Item 4. Mr. Landon gave a brief overview of this item. Ms. Denise Bevan, City Administration Coordinator, introduced Mr. Tim Telfer, Public Lands and Natural Resources Manager for Flagler County, who gave a PowerPoint presentation (attached to these minutes).

VM McGuire - What we are going to talk about isn't really in Palm Coast is it? Ms. Bevan - Yes. Mr. Landon - It's the Intracoastal, so one bank is and the other bank isn't; it impacts Palm Coast a great deal because of our boaters, etc.

(Mayor Netts joined the meeting at 9:30 a.m.)

CM DeLorenzo - Is there a way for a future development to obtain preferred status or is the map, the map? Mr. Telfer - The map is draft. We have not gotten the comments back from the agencies so some of this may change slightly; we will notify your staff if we get any requests for changes. Once it is adopted, the map, is the map, however, you as an applicant have the option to request to operate outside the map and present your own data and make your own arguments to the State and Federal agencies.

Mr. Landon - Again, this is just a presentation only; no action by City Council required. In his opinion, having two manatee protection plans on the same waterway makes absolutely no sense whatsoever; would be very confusing.

Mayor Netts asked that Mr. Telfer readdress what the circumstance would be if Palm Coast chose not to participate in this and we were going to do our own manatee protection plan. Mr. Telfer - The first event that would happen is you would remain in the status that we are all in - noncompliance status. Essentially, no multi-purpose slips would be issued. You would present your manatee protection plan, and there are a number of ways to go about drafting these recommendations. Now, we focused on what Duval County did recently; he believes they got theirs approved about 4 years ago and they went with the ratio system and we felt that there was some good momentum created by that plan; there are other approaches around the State. People essentially create a slip pool and people can buy into a slip pool and purchase a number of slips from a discreet geographic area. All those hypotheticals aside you take the same background information and come up with your own approach and work through this extensive negotiation process with the State and Federal entities for approval. He can't give odds on success there.

VM McGuire - Where do the body counts come from; who counts dead manatees and where do those numbers come from and how do you know it was killed in Flagler County? Mr. Telfer - The answer is you don't know where that death occurred; some of these carcasses, when they are recovered, have been decomposing for some time.

VM McGuire - So anytime a manatee is struck by a boat propeller it's going to die? Mr. Landon - No, you can see many of them have multiple scars on them. Mayor Netts - When you look at the manatee deaths in Flagler County, the vast majority is what they call perinatal deaths; cold water deaths; the water is not warm enough to sustain the baby calves.

Mayor Netts doesn't see any advantage of Palm Coast going its own. He was chairman of the local review committee; he attended many Fish & Wildlife (F&W)

meetings; he was for 2 years the FIND (Florida Inland Navigation District) representative on the boating advising council for F&W. The likelihood of us getting any better treatment or outcome than what Flagler County is negotiating is nil.

CM DeLorenzo - Our long range staff has looked at the areas designated for special development? Ms. Bevan - Staff has been evaluating.

CM DeLorenzo - So we concur with the plan? Mr. Landon - Yes, staff concurs.

The Presentation was Received and Filed.

3 [15-371](#)

PRESENTATION ON LANDSCAPE CODE

Item 3 was heard after Item 2. Mr. Landon gave a brief overview of this item. Mr. Beau Falgout, City Administration Coordinator, gave a PowerPoint presentation (attached to these minutes). Mr. Ray Tyner, Planning Manager, and Mr. Charles Faulkner, with the Flagler County Association for Responsible Development (FCARD), were also present.

Mr. Faulkner spoke about FCARD and his letter (attached to this agenda item).

>Background (Commercial Lot Comparison) slide:

Mayor Netts - If we were to modify our code to make it similar to Ormond Beach, what would be the difference; what would the changes be? Mr. Tyner - Some are setbacks, some are loading zones; in other sections of our code we require a loading zone for most retail; even for smaller retail; that is a lot of concrete where you have a separate parking spot in the back that you take a car or truck and have a loading zone and that is a requirement for almost all of our commercial, even a small Little Champ, etc.

Mayor Netts - The alternative would be carry the stuff in through the front door? Mr. Tyner - Exactly. Mr. Landon - This isn't just landscaping requirements, this is site plan requirements as well.

Mr. Falgout - Most areas, it is the rear loading zones which also reduces the amount of landscaping you can put in front of the building because it pushes the building forward. Mr. Landon stated City staff has put this together; it is not just the development community saying we have a problem. This is City staff saying we don't necessarily agree with these requirements that we have to enforce. There is common agreement that this is very worthwhile taking a look at.

CM DeLorenzo - What are the lines pointing out the cut outs along the foundation planting areas? Mr. Falgout - Yes, this wasn't meant to be a final this is just something that we have heard from the business community.

VM McGuire - How does it compare to Flagler County's codes? Mr. Landon - You need to take other communities that are similar to Palm Coast to compare it to; we are not competing with unincorporated Flagler County for the most part but other communities like Port Orange with similar street networks, etc.

CM Shipley - What does this do with existing businesses that are here right now, if they wanted to change something like the frontage of the building; would they be able to change anything on the existing commercial space? Mr. Tyner - When we come up with a new code and they want to make changes, they can be consistent with that code; they can go and make a change. Mr. Landon - We can't require them to make any changes, but if they wanted to make changes that are consistent with the new code; they could make them.

VM McGuire - How do our newly hired economic development consultants feel about this? Mr. Falgout - He talked to them about this as far as land regulation changes and things like that; the number one decision for them is going to be marketing customers. When their computer comes back and it's close whether they should open new stores, when they start to get details like this, when it is a home run hit they are going to comply with whatever the code is because the market is there; they are going to sell enough widgets to make sense.

VM McGuire - So they would like to see the code expanded? CM Nobile - Well it is like Mr. Faulkner said, if they drop a template and they can't build what they want to build on the land they won't come here; they will go somewhere else.

CM Nobile said Mr. Faulkner's list in his letter is dead on to 90% of the complaints he gets. He thinks these things do need to be fixed while maintaining our overall infrastructure and beautiful place to live; making it fair to both sides - residents and businesses.

Mayor Netts - If we went through this huge public process in 2008, how did we get all these unreasonable requirements (according to Mr. Faulkner's list)? Mr. Landon - This section of the code was one of the hottest topics; we write these codes then you actually implement them and that is part of the learning process. This isn't going to be something that everyone agrees on. Mayor Netts agreed that landscaping needs to contemplate the future; if you plant a tree 3 ft. tall today it's going to be 10-20 ft. tall and that needs to be part of our thought process; clearly needs to be addressed. CM DeLorenzo - His recollection is that before the Land Development Code (LDC) went to City Council the Planning & Land Development Regulation Board (PLDRB) made the final recommendation landscaping was towards the end of that process not the beginning; we were meeting weekly, very long and tiring process and the makeup of the PLDRB at the time was more reluctant to accept some of the recommendations.

Mayor Netts - Next steps? Mr. Falgout - Of course, we just got started with drafting changes; the group has been working for a couple of sessions now but then there will be scheduling for PLDRB workshops and finally the normal process will be coming back for City Council public hearings and workshops. Mr. Tyner - We are working on the landscape chapter now; got the feedback and hoping we have a good draft in the next couple of months and we will start bringing it to the PLDRB and FCARD. We are looking at our architectural section of our LDC as well; clearing some items up with that and our land use table and the rest of the chapters. Denise Bevan will be looking at our environmental section as well and taking that to FCARD and have some of their environmental professionals who are working in the field look at it. Landscape first, then architectural will soon follow and get some workshops with PLDRB as soon as we can.

The Presentation was Received and Filed.

4 [15-364](#)

RESOLUTION 2015-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC., FOR REMOVAL OF THE SPOIL ISLAND IN THE LEHIGH CANAL/EAST OF THE OLD KING'S ROAD BRIDGE

This item was heard after Item 9. Council Consensus.

Mr. Landon gave a brief overview of this item. Mr. Michael Brennan, Stormwater Manager, gave a PowerPoint presentation (attached to these minutes).

VM McGuire - How would you remove it; what is the procedure? Mr. Brennan - We would probably bench down the north side until we get a track hoe down there; build

a damn out to it; water going around one side and start digging it out.

VM McGuire - What do you do, dig it out and haul it away? Mr. Brennan - Yes.

CM Shipley - Does that affect any homes in that area? Mr. Brennan - No. Mr. Landon - It can affect homes if it starts meandering; it can start eroding.

VM McGuire - Are there any other structures of this nature in our water runoff system? Mr. Brennan - No, not this bad.

VM McGuire - So you are going to put earth moving equipment, coming in through the bank side; how deep is the water? Mr. Brennan - 2 feet deep according to the design plans.

VM McGuire - So Cline Construction can do this for less than a third from what the outfit in Lake Butler can do and that cost is a firm cost if we sign a contract? Mr. Brennan - Yes.

VM McGuire - If they run into something that they don't foresee, it is still \$98,300? Mr. Brennan - He did ask them to provide a quote for if it exceeds the 2,500 cubic yards; he figured it out mathematically to be about 1,800 cubic yards but he told everybody it would be about 2,500 cubic yards and to give us a quote for anything over that and it's \$25 a cubic yard for removal over that amount.

CM Shipley - The cost is probably the difference between them being local; they probably know the area better than someone who throws more money in the bid because they don't know the area? Mr. Brennan - Right. CM DeLorenzo - It's having a place to put it and that place not being very far (hauling).

VM McGuire - How can we take steps to see this doesn't happen again in other waterways that we maintain? Mr. Brennan - We have done a pretty good job at replacing all the weirs that might cause this in the future so he is pretty confident that we won't have this problem again. Mr. Landon - You are always going to have some erosion; the key to it is to replace the weirs before they blow out.

VM McGuire - Are we going to take this money from other stormwater projects that we have already budgeted for? Mr. Landon - No, this was in the budget. Mr. Brennan - Budgeted for 2016.

The Resolution was Continued.

Enactment No: R2015-98

E. WRITTEN ITEMS

5 [15-362](#) RESOLUTION 2015-XX CONFIRMING THE DESIGNATION OF THE CODE ENFORCEMENT STAFF TO SERVE AS THE CLERK TO THE RED LIGHT CAMERA HEARING OFFICER

Mr. Landon requested that this Item be heard first (Item 1 was pulled/postponed and he would like the Mayor to be present for Items 2 and 3). Council consensus.

Attorney Reischmann gave a brief overview of this item.

VM McGuire - There was a time when the clerk was somewhere else either in Gail Wadsworth's office or ATS (American Traffic Solutions) and this changed that, is that correct? Attorney Reischmann - It was in 2013, that is correct; there was a series of

amendments to the Mark Wandall Act and the one in 2013 was the one that clarified the process for hearing officers; the notices of violations to allow those that receive them to request a hearing before a hearing officer and this was just more clerical; it's a clerical requirement that was included.

VM McGuire - What kind of action is the Council being asked to take? Attorney Reischmann - The Statute simply says that the appointment, which has already been done; that the designation of the City staff be done by resolution. The legislature felt that it was important to have the appointment of City staff to be the support staff for these hearing officers be done by resolution.

VM McGuire - We are going to be asked to confirm what we have already been doing is what we are supposed to do? Attorney Reischmann - Yes, next week (at the business meeting 9/15/15).

VM McGuire - How many red light cameras do we have? Mr. Landon - 5, 2 came down for construction; not sure if they are back up now.

CM Nobile - Supposed to be 5 though? Mr. Landon - Yes.

The Resolution was Continued.

Enactment No: R2015-103

6 [15-333](#)

RESOLUTION 2015-XX APPROVING A ONE-YEAR PRICE AGREEMENT WITH HARRIS CULVERT, INC., TO PURCHASE VARIOUS TYPES OF DRAINAGE PIPE

Mr. Landon gave a brief overview of this item.

No Council comments.

The Resolution was Continued.

Enactment No: R2015-100

7 [15-355](#)

RESOLUTION 2015-XX APPROVING THE PURCHASE OF A 2015 CAT MODEL 906M COMPACT WHEEL LOADER PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT #14-12-0904 WITH RING POWER CORPORATION

Mr. Landon gave a brief overview of this item.

No Council comments.

The Resolution was Continued.

Enactment No: R2015-102

8 [15-363](#)

RESOLUTION 2015-XX APPROVING A THREE-YEAR CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR THE USE OF SUPERVISED INMATE LABOR WORK CREWS

Mr. Landon gave a brief overview of this item.

CM DeLorenzo - Do these inmates come from County jail or from further? Mr. Landon - State, Tomoka.

CM DeLorenzo - We have talked about the possibility of adding another crew and there were some concerns, etc. Mr. Landon - Too deep into the inmate population. That would really be their call, not ours. If Council would like, we can increase those conversations to see if we can't get the ditches mowed more often.

VM McGuire - In the last City Council meeting we talked about whether some of the waterways needed more than twice a year attendance, how would we go about doing it and this would certainly be a method that could be used.

CM Nobile stated he does get phone calls when residents see the State prisoners' sign, so he would like to be able to ensure them that we are at a first tier prisoner level.

The Resolution was Continued.

Enactment No: R2015-99

9 [15-339](#)

RESOLUTION 2015-XX APPROVING A PRICE AGREEMENT WITH ARGOS READY MIX, LLC, FOR CONCRETE AS NEEDED

Mr. Landon gave a brief overview of this item.

CM DeLorenzo said he spoke to a couple of people about this and they said it was an excellent price, but they were surprised that we would use 4000 psi for sidewalks because it has less aggregate and especially in Florida it is more prone to cracking because of how quickly it cures, so do we have someone here that can talk about why 4000 psi concrete? VM McGuire - What do these people recommend? CM DeLorenzo - He didn't ask that, but he thinks it depends on what you are doing. Answer: Mr. Michael Brennan, Stormwater Manager - We typically use 4000 psi concrete for structures and such, generally specify stuff like that to exceed or as a minimum of 4000 psi so you have some latitude as to select the type of concrete you need.

CM DeLorenzo - So here where it says sidewalks and other facilities, you might be specifying different concrete for sidewalks? Mr. Brennan - Yes, it may be 2000 or 2500. Mr. Landon - We use this for bidding purposes so it is apples and apples. Mr. Brennan - We use this for the tops of our weirs, we usually specify 4000-5000 psi concrete because it is poured very thick and massive.

Mr. Landon requested Item 4 be heard next if Council had no objections. Council consensus.

The Resolution was Continued.

Enactment No: R2015-101

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

VM McGuire - Are we in the process of putting together a meeting between the City

Council and the Board of County Commissioners (BOCC)? Mayor Netts - He has sent a letter to Mr. Meeker, Chairman of the County Commission, saying that we are more than happy to meet and reiterating our request for agenda items and transmitting to them the one issue that we felt is most important from our point of view. He is waiting to hear back from Mr. Meeker. Mayor Netts did ask that after the Commission submits its ideas for what it would like to discuss that the two staffs mutually produce an agenda that we can then follow to be sure that we are not meeting just for the sake of meeting.

VM McGuire - Wednesday, 9/9/15 there will be a meeting of the Tourist Development Council at the Government Services agency building. Mayor Netts - The meeting is open to the public? VM McGuire - It is open to the public and at the end the public is allowed to speak.

CM Shipley - At the next meeting (9/15/15), if we could get an update on the T&R (trap and release program) because she has received some emails on that and the Matanzas Woods golf course; if anything different is happening with that. She was kind of disappointed, she thought Belle Terre Swim & Racquet Ball would be on the agenda because it is so time sensitive. Mr. Landon said he would give an update on that under his comments.

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

No comments.

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

He met with superintendent of schools last week after the City Council meeting, he thinks one of the misconceptions is that the School District is planning on either mothballing or getting rid of ownership of Belle Terre Swim & Racquet Club. That is not part of their plan right now; they are not planning on abandoning it. They have other plans, potential variety of options. Mayor Netts - They are not going to put it up for sale? Mr. Landon - No. CM Nobile - But they are looking for someone to potentially lease it? Mr. Landon - Yes. A couple of things, the idea of Palm Coast City Council and the Flagler County BOCC getting together to talk about somebody else's facility and they are going to keep it - the most relevant party wouldn't be in the room; that doesn't make a whole lot of sense. Also, they are going through a process right now to see what are their options. The concept is, in his opinion, to let them go through and see what kind of proposals they receive and what kind of action they take, etc. You always have the option of writing a check. CM Nobile - Writing who a check? Mr. Landon - The School District. CM Nobile - For what? Mr. Landon - To support their pool. Mayor Netts - To subsidize the pool. Mr. Landon - But we a pool ourselves and neither one of them is operating at full capacity.

VM McGuire - Did Mr. Oliva provide any financial data? He asked Chris Quinn, Finance Director, if we could quantify what it takes to run our pool. If this pool is financially an albatross around the School District's neck then are they going to show some P&L (profit & loss) type statements that this is what we are spending here is how it's staffed, here is where the money is going? Mr. Landon - Yes, we have asked for that and we will get that out to City Council.

Mayor Netts - As he understands the programs of the Belle Terre Swim & Racquet, you have a pool, you have an exercise room, you have tennis courts. If Belle Terre Swim & Racquet did not exist and he wanted those same amenities he would have to pay to go to Frieda Zamba and would have pay to go to any one of the other fitness facilities that are in town and he could pay to join the tennis facility or could use the

free to the public tennis facilities. He is curious what would his aggregate cost be to take that option to go to these other facilities; he is wondering if the members of the club are paying a reasonable and fair membership rate. CM Nobile believes most of them are covered under the Silver Sneakers program; he doesn't know if they know how much Silver Sneakers is contributing for their membership; it is obviously a lesser amount. This group of people that are there now could essentially respond to the School Board's RFP (request for proposal) for a lease and then take it over and run it and continue it as it is. The issue is, what they came to us was the School Board is shutting it down he thinks the 21st; there was a date nearby. His concern is he doesn't want that to become a jungle, a mess in the middle of that community. Mr. Landon - That is not what they are contemplating right now.

CM DeLorenzo - What is the zoning of that? Mr. Landon - He hasn't looked at it but obviously be changed to accommodate any kind of recreation program. CM DeLorenzo - Having a facility that large mothballed in the middle of a community, that is not ideal.

Mayor Netts - Just so we all know, we are having enough problems with Matanzas (golf course) that is privately owned; our own building codes, our own land development codes, our code enforcement codes, are not applicable to the Board of Education. They are exempt from our regulations so what you are envisioning is a very real possibility. What he communicated to the residents, he was disappointed that this conversation didn't start a year ago to give everyone a better chance to look at alternatives and options. VM McGuire - Is disappointed in that and he is also disappointed that this group of citizens didn't have any idea of what they wanted to do. No one came up and said here is a plan of what it would take financially to keep it going and he also resents the idea that if you don't bank roll this you hate seniors, etc. CM Shipley - The people that came forward and said that we demand; others said they didn't really think that way. Mayor Netts - What he heard is, everyone was impassioned, passionate but there were so many conflicting statements, etc.

CM Nobile remembered when he moved here 33 years ago the pool was here and his kids grew up in that pool and he doesn't remember any major over haul or construction (renovation) except the addition of the exercise room but most of that equipment is 2nd, 3rd & 4th hand but it's usable. Mayor Netts - What he heard is that they are going to continue to maintain the pool for swim teams, Synchro Belles; what are their plans for the buildings, the exercise room? Mr. Landon - He thinks that is where they are looking at their options and that's where they've been in conversations with different groups about what to do with that building and they are open to different suggestions. They have gone through this more formal process to get everybody an opportunity to throw in a lease type of agreement or proposal. If they are going to just abandon it, now we are talking about it's time for conversation with City and County as to if there is something we can do with the facility. If they are going to keep it and they are going to continue to use it in some other fashion, it's premature.

Mayor Netts - There is one other thing that occurs to him and one or two of the residents said this, that this kind of facility is not best run by a Board of Education, whose mission is educating K-12, this is the kind of program that ought to be run by Parks & Recreation; lack of advertising; people don't know it's available. If the Board of Education is at all interested, he would be willing to allow City staff to consult with them as a consultant and here is how you can put together some programs that can attract more residents, generate more revenue, etc. He would be happy to offer our expertise to them if that's the direction they want to go. CM Shipley agreed, she thinks we have a great Parks & Recreation and they could do wonders with that, if they wanted to take our help. Mr. Landon - It is kind of ironic because it's almost like

we will help them draw people to their pool which takes them away from our pool which our pool is also struggling financially.

Mayor Netts - If they are going to continue to use the pool, it seems much of what he heard was a lot about the ancillary facilities; perhaps we could work with them because that doesn't pull away from our existing programs. Mr. Landon - Yes.

Vm McGuire - He heard a lot of comments similar to the golf course; socializing place, etc.

Mayor Netts - We are up against a deadline if the Board of Education is adamant that they are going to shut it down, but if Council thinks it is worthwhile to offer Luanne Santangelo's expertise if you want to put together a program that will sustain the ancillary facilities will help you and work with you.

CM Nobile - Basically, we are asking to them to keep it public. Mayor Netts - Unless they have another plan that they are going to turn the health club over to the school employees. VM McGuire - But if they had another plan it wouldn't be coming to the City Council looking for a blank check. Mayor Netts - The Board of Education is not, it is the residents.

CM Nobile - Personally, he can't see a better deal than going to Planet Fitness for \$10 a month, etc. Our pool is heated? Mr. Landon - It has the potential to be heated. CM Nobile - We don't heat it because we don't attract enough when there is already the heated pool open - Belle Terre Swim & Racquet Club? Mr. Landon - Right, we were having it open 4-6 hours a day and there would be a group that comes in, etc. CM Nobile - But if volume required, we could open longer periods of the year and during the colder months? Mr. Landon - Yes. He wanted to make a couple of more points - if one of the groups of swimmers is displaced, we have capacity at our pool; we can operate our pool differently than we do now; now it is just kind of all open swim. You can do a swimming pool where you have programs for different type of swim including a couple of hours for seniors and open swim for all the families and time for Synchro Belles, swim teams, but we haven't done that because we don't have the volume or the demand. If we had the pool full all winter long, it makes sense to heat it and keep it open but when you have 1 hour a day for 6 swimmers, the cost of keeping it heated makes no sense at all, etc. That is one of the reasons we shut down because both pools were being heated with small groups in each one of them, so why not put all of them into one heated pool during the winter.

Mayor Netts - So if the Board of Education shuts down the pool access to the public, there will be a group of displaced swimmers. If they were to come to us and say we are willing to join Frieda Zamba, we could readdress the issues of when we close it or whether we heat it? Mr. Landon - Yes, including the idea of helping with recreation that was really one of the focuses here is that the mission of the school district should not be recreation and that is exactly what this really was. Mayor Netts - And yet the focus of Luanne and her staff is exactly that.

VM McGuire would like to see the numbers. Mr. Landon - We will get the numbers.

Mr. Landon - His favorite Superintendent (Mr. Oliva) would take real exception to the idea that we haven't had this conversation in the community until just now. They have really had this conversation about adult education for quite some time. This one group didn't see it headed their way but this is all part of their adult ed program. The Corporate Drive which they have shut down totally and incorporated more into schools. This discussion got started when they proposed a 1/4 cent millage rate on property taxes to keep these kind of programs open that the voters turned down. So,

in their world they have been having conversations about the State's cut back, all these restrictions on their dollars, they no longer can take their educational dollars to support recreational type programs so it has been an ongoing conversation at the School District.

First Budget hearing is Wednesday, 9/9/15, at 5:05 p.m. at the Community Center.

Friday is 9/11 and there will be a ceremony at 8:00 a.m. at Heroes Park. Mayor Netts - Dress will be business casual.

Waterfront cleanup was Saturday, 9/7/15; he didn't get an update yet.

This weekend 9/12/15 Autumn Trails 5K Run/Walk and the Palm Coast & the Flagler Beaches Senior Games - that goes throughout next week (9/12-9/19)

Change with Code Board; recommendation from our City Attorney. Our City Attorney has been representing the Code Board at the Code hearings, so when our City Attorney is representing Code Board, they cannot represent City staff by State Statute. Attorney Reischmann - Chapter 162, it is very clear it says that the City Attorney may act as the attorney for the board or the staff but not both, which makes sense. Mr. Landon - Particularly, if we have someone represented by legal counsel at the Code Board and start making their position contrary to what we are used to, now City staff is not represented and it's not a good situation. We have had some challenges where they try to find legal loop holes, etc. As soon as the Code Board is over, the City Attorney is now representing staff again. We have gone through the process of selecting a special attorney just for the Code Board; someone that has experience with it. The cost of that is expected to be around \$10,000 a year which is within his signature authority. Attorney Reischmann - They are not charging for driving but they are a specialized firm like we are and they just represent local governments and he has worked with this firm for over 20 years. The name of the attorney is, Mary Sneed, Esq. The Code Board will be well represented with her representing the City of Palm Coast Code Enforcement Board. Mr. Landon - We are going through our typical purchasing/procurement process.

Attorney Reischmann - The only other real option some cities choose if they want to have code enforcement is that they will hire like we do with animal control, instead of having a code enforcement board which is made up of local citizens, they will have a hearing officer, special master and that is something we would have to amend the code to do that. He just wanted to make sure Council was aware of that - Chapter 162 does provide for that option. He is actually a hearing officer for another city in Central Florida where he acts as a Special Magistrate. It is more common in some of the smaller communities.

I. ADJOURNMENT

The meeting was adjourned at 10:47 a.m.

*Respectfully submitted,
Barbara Redline*

Meetings Calendar and Agenda Worksheet

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MEETINGS CALENDAR AND AGENDA WORKSHEET

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ATTACHMENTS TO MINUTES