



City of Palm Coast Minutes Charter Review Workshop

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

Mayor Milissa Holland
Vice Mayor Steven Nobile
Council Member Robert G. Cuff
Council Member Nick Klufas
Council Member Heidi Shipley

Wednesday, October 18, 2017

6:00 PM

Buddy Taylor Middle School

City Staff

Jim Landon, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk

- > 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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- > City Council Meetings are televised on Charter Spectrum Networks Channel 495 and on AT&T U-verse Channel 99.
- > All pagers and cell phones are to remain OFF while City Council is in session.

A. CALL TO ORDER

Marilyn Crotty, Facilitator called the meeting to order at 6:00 p.m.

B. PRESENTATION AND OVERVIEW OF CHARTER REVIEW PROCESS

C. CITY CHARTER 101

George Meegan-What about the review, what does the state law say? Ans: Ms. Crotty-The State Law states it is up to the cities and its Council.

George Meegan-What does the Charter say about the current process? Ans: Ms. Crotty-Your current charter gives you the leeway to do it with a commission or having the Council do it. We addressed this at the last meeting and when we come back to public comments at the end, I will be happy to talk about that. It will be on the agenda at the next meeting as that is the section we are going in to. I really would like to defer that discussion until then. I will tell you that your Charter is a little confusing and it certainly is something that needs addressing.

George Mayo-Charter changed by the electorate-is it majority of eligible voters or the majority of those that vote? Ans: Ms. Crotty-As in all elections, it is the majority of those that vote in the election.

Ralph Lightfoot-please clarify that the process we are currently using is legal? Ans: Ms. Crotty-The City Attorney provided his opinion to the Council that this is a legal process. The City is providing an extra effort to conduct these meetings by offering 4 meetings to its residents.

VM Nobile-Clarified that Attorney Reischmann did not advise us to go this way, he advised that this process was a legal process.

D. PUBLIC COMMENTS

The public is encouraged to speak but to keep their comments to three minutes.

Vince Ligouri-3 proposals

- 1. Qualifications for office-residency of district at time of qualifying changed to candidates must live in the city for a 1 year period.*
- 2. Charter officers-Powers and duties to include based upon Council majority to direct the City Manager to remove someone from their post with just reason.*
- 3. All expenses not included in annual budget must be approved by Council, dollar amount shall be approved by Council.*

George Mayo-Paper attendance at these meetings is sparse and again tonight it is still sparse attendance with the population we have in the City. Quorum issues-leave it as it is. What is the process to put in the change that we provide to you? Ans: Ms. Crotty-This attendance is pretty good. It is hard to get people motivated and excited about charter review. What this City has done, in addition, to having the four public workshops, they have availed themselves, they have a website where you can make comments if you cannot come or do not want to come to the public meetings. There have been a handful received. I think the City is trying. As far as recommendations as to what the Council should consider, I have gone through the charter and have identified areas where it was either conflict within the charter or in conflict with state law. There were things that were not in the charter, things that were not clear. I am listing those for Council consideration. I am totally neutral in this process. The Council will decide what will be changed and brought to the voters.

George Meegan-Where in the Charter or State Law does it state Council does a review? Ans: Ms. Crotty-Have to pull the Statute, there is a State Statute that allows for the process for charter review and charter amendment and does allow Council to make changes to the charter.

Ralph Lightfoot-Charter review and growth, will this charter lead us to the path of growth? Where does the comprehensive plan fit in with the charter? Ans: Ms. Crotty-The comp plan is a totally separate document that the City has to follow and you have to make sure there is no conflict with the charter and the comp plan. Comp plan is much more detailed than the charter.

Kim Medley-Charter can only be changed by electorate. Arguing the process.

John Brady agrees with Ms. Medley on the process being done incorrectly.

George Meegan-You are proceeding with an illegal process. What is CM Cuff's opinion?

Al Terrose-Lack of participation. Is there a copy of the charter available? Ans: Ms. Crotty-Yes, it is available online.

Al Terrose-What about those that do not have access to the Internet? Ans: Ms. Crotty-Anyone who would like a copy can request it from the City Clerk's office.

Vince Ligouri-I was part of the HomeRule commission that fought for incorporation. We did not write the charter. The County Commission supplied the funds to do the charter and it was performed by a Mrs. Lois Wescott.

E. PALM COAST CHARTER - ISSUES FOR CONSIDERATION

QUESTIONS:

Ralph Lightfoot-can we put in the charter that the local SOE is responsible for all elections.

Ralph Lightfoot-Electronic filing;

Kim Medley-Agrees the section regarding districting commission changed to a different section, is there a loop hole in the statutes? Point about the process. Ans: Attorney Reischmann-provided an overview to the laws relating to the processes for charter review and commission review.

Jack Carall-If you want to delete an item for example the boundaries, do you have to place it before the voters? If you want to change a section, do you put the whole section on the ballot so the people can read it? Ans: Ms. Crotty-You are limited by the State to have 75 words on the ballot question. Deletion of a section, there is very few things that you can do without it going to the voters. Any substantive change would have to go before the citizens. Yes, it would have to be on the ballot as an amendment.

Vince Ligouri-When does a charter amendment go into effect? Ans: Ms. Crotty-The ordinance will state an effective date.

Terry McClennan-ambiguity among people-process of a charter review. Do we have a review committee, who are they and are they funded? Ans: Ms. Crotty-There is not a charter review committee, therefore there is no funding.

VM Nobile asked what is the issue with the process? What are you concerned about? This is better because we are involving you. We are asking you what do you want to see changed and ultimately you will vote on it. Tell me what the problem is so we can fix it.

Jack Carall-Since 1999 and 1909 (sic. 2009) we have doubled in population; can we look to seven council members? Redistricting? Ans: Ms. Crotty-If you would

like to recommend a larger Council, you may. Redistricting-charter provides this process.

1. Section 8 Elections

2. Section 9 Land Description

F. PUBLIC COMMENT

The public is encouraged to speak but to keep their comments to three minutes.

John Brady-process discrepancies.

Kim Medley-process discrepancies and diluting the charter review process.

Ralph Lightfoot-process for the charter review. Ans: Attorney Reischmann-provided an overview to his duties as a charter officer.

Al Terrose-Charter discussion and the process. Ans: Ms. Crotty-All of these comments are in the minutes and will be put in my report for Council consideration.

George Mayo-This is not a charter review committee. This is an option of how to review the charter.

Robert Brannin-I have not heard you state one thing that you want changed.

George Meegan-Deadline of Nov 6 to have the committee in place.

Joshua Clair-New Smyrna Beach-this happens all over; at least this process is moving forward. AFL-CIO president to urge Council and those that work in the City treat them with dignity and respect.

G. ADJOURNMENT