



City of Palm Coast Agenda Charter Review Workshop MINUTES

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

Wednesday, September 27, 2017

6:00 PM

Matanzas High 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 BY CHARTER REVIEW WORKSHOP FACILITATOR MARILYN CROTTY

The meeting was called to order by Ms. Crotty at 6:05 p.m.

B. PRESENTATION AND OVERVIEW OF CHARTER REVIEW PROCESS

PUBLIC QUESTIONS:

Jack Carall-Why do we need the charter? Ans: Ms. Crotty it is required by law.

Jack Carall-Why do Counties not have a charter? Ans: Ms. Crotty-Local Government Home Rule Power. Counties follow state regulations when they do not incorporate and have a charter.

Jack Carall-Did you say that they can't change the charter without a vote except for minimal things? How long does it take to get it on the ballot? Ans: Ms. Crotty-The process can happen in a variety of ways. Council can do it by adopting an ordinance and put on a general election or hold a special election.

Jack Carall-How long will this take? Ans: Ms. Crotty-This is reviewing the whole charter and will take a longer period of time.

Jack Carall--That all has to be done in an open forum? Ans: Ms. Crotty-Yes.

?? Anonymous-Is there is a difference between County and Palm Coast? Ans: Ms. Crotty-
No issue since County does not have a charter. If county has charter then county will reign,
but it does not make a difference here.

C. CITY CHARTER 101

D. PUBLIC COMMENT-PUBLIC COMMENTS WILL BE LIMITED TO THREE MINUTES EACH

Ms. Crotty-What issues in the charter you would like to see changed?

Jack Carall-Can we throw out all the boundaries of the City? Can we go to 7 districts instead of 5?

Kimble Medley-addressed the process that has been adopted by Council-believes it conflicts with the process outlined in the charter.

CM Shipley please have city attorney clarify if the process is correct? Ans: Mr. Reischmann-
You have to read our charter with the statutes. Then provided an overview to the charter and the statutes.

Kimble Medley-Opposes the allotment of 3 minutes to speak.

Greg Feldman-Can we add a Council Member be designated as someone to speak with along with the 3 minutes to speak at Charter workshops? Ans: Mr. Falgout-We have on the City website a charter website that residents can go to and provide your suggestions. We also have an email and that email address is charter@palmcoastgov.com

VM Nobile-Are we going to do this at every meeting (the process and education overview)?
Ans: Ms. Crotty-It depends on who shows up to each of the meetings.

VM Nobile-Did we close comments and why? Ans: Ms. Crotty-Yes, because there were no more comments.

E. PALM COAST CHARTER ISSUES FOR CONSIDERATION

- 1. Section 1. Short Title**
- 2. Section 2. Legislative Intent**
- 3. Section 3. Incorporation of Municipality**
- 4. Section 4. Municipal Powers**
- 5. Section 5. City Council**

Ms. Crotty provided an overview to all her suggested changes for Sections 1 through 5 and presented a PowerPoint presentation, which is attached to these minutes.

Jack Carall-Could that (quorum issue) be changed by Ordinance?

F. PUBLIC COMMENT-PUBLIC COMMENTS WILL BE LIMITED TO THREE MINUTES EACH

Sections 1 through 5

Jack Carall-quorum. Ans: Attorney Reischmann clarified the process to change the quorum section of the Charter.

Mr. Feldman-Investigations-please clarify-Ans: Marilyn Crotty-clarified the investigation section of the charter.

VM Nobile-Do you know of any cities that include protection for whistle blowers? Ans: Ms. Crotty-Usually that is in the ethics code and personnel policies. Attorney Reischmann-It is also in Federal and State laws.

Jack Carall-issue of office running-petitions for 10% or 1% in district or pay a percentage and the resign to run issue.

Attorney Reischmann clarified that the qualifications are with Florida Statutes.

Public comments:

Norman Mugford-involved in City activity for many years; believes the charter does not need to be changed; scriveners yes-change; appointment of a vacant Council seat a few years ago and that person was in conflict but that person did not stay here but his condo was homesteaded. Change in residency qualifications should be specific.

Mr. Feldman-investigations strongly against it. Any inquiry should be done by the City Manager; if he/she is too close or it is about the City Manager then it should go to the Sheriff's office or the State Attorney's office.

Kim Medley-Read Section 3 and the second sentence charter process issue.

George Meegan-This is a sham of a review process.

VM Nobile-Process-two sets of suggestions for charter changes-when do I bring them up? Ans: Ms. Crotty the intent is the workshop for council at the end of November.

VM Nobile-Interpretation of the charter and how it is reviewed-what steps could we take to confirm that we doing it right? Attorney Reischmann clarified the process again.

CM KLUFAS-thanked Ms. Crotty and all that attended.

G. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Virginia A. Smith, City Clerk