



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 Jason DeLorenzo
Council Member David Ferguson
Council Member William Lewis
Council Member Bill McGuire

Tuesday, October 21, 2014

9:00 AM

Palm Coast Community Center

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.

>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.

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

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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

City Clerk Virginia Smith called the roll. All members were present.

Present: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

Approval of Minutes

- 1 [14-389](#) MINUTES OF THE CITY COUNCIL'S:
 A. October 7, 2014 City Council Business
 B. October 14, 2014 City Council Workshop

Attachments: [October 7, 2014 Business Meeting](#)
 [October 14, 2014 Workshop](#)

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

Approved: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

PRESENTATIONS

Proclamations and Presentations

- 2 [14-387](#) PRESENTATION OF THE FIRE DEPARTMENT PUBLIC SERVICE ANNOUNCEMENT - "CHANGE YOUR BATTERIES"

Deputy Chief Forte provided a brief overview to this PSA.

The Presentation was Received and Filed.

- 3 [14-391](#) PROCLAMATION RECOGNIZING THE HEALTHY WEIGHT FLORIDA CAMPAIGN

Attachments: [Proclamation-Healthiest Weight Florida](#)

VM DeLorenzo presented this Proclamation. Mr. Johnson from the Florida Department of Health-Flagler received the Proclamation and thanked Council for their support.

The Proclamation 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

- 4 [14-379](#) RESOLUTION 2014-XX APPROVING A CONTRACT AMENDMENT WITH GILBANE COMPANY TO ESTABLISH THE GUARANTEED MAXIMUM PRICE FOR CITY HALL

Attachments: [Resolution Gilbane Company Inc - Contract Amendment](#)
 [Contract Summary - Gilbane Building Company](#)

Mr. Landon provided an overview to this item. Mr. Falgout and Mr. Quinn presented a PowerPoint presentation, which is attached to these minutes.

CM McGuire-If we took the money that is in the CRA and the General Fund, how much can we reduce utility bills? Ans: Mr. Quinn-You cannot take the CRA funds and put them in the utility fund.

CM McGuire-How about the Building Funds? Ans: Mr. Quinn-Nor can you take the Building Funds; those are restricted funds that have restricted uses by State Statutes. Mr. Landon-The General Capital Improvement Funds are discretion of the City Council.

CM McGuire-Has moving costs been included in this price? Ans: Mr. Falgout-We will use in-house staff to move the little bit of furniture we are taking with us.

CM McGuire-Will customer service be combined into the new place? Ans: Mr. Quinn provided an example that half his staff is at Utility Drive, so it will be efficient to move them to the new City Hall.

CM Ferguson-What are the internal fees and the address? Ans: Mr. Frisco-160 Lake Avenue. Mr. Falgout-The internal fees are building permit fees, site plan fees paid to the City.

Public Comments:

Joe Kawalski-Has there been any thought to how much the maintenance will cost on this building?

Joe Sheldon-Would like to add an olympic size swimming pool. Are these contractors from this area? Use of local contractors.

Louis McCarthy-Will this be a green building?

Bill Venne-Congratulations on a project that has been a long time coming.

Rick Rodrigues-was on original planning for the new City Hall but once he found out what was in the plans he opposed it. Hopes that those ostentatious items are not in this plan.

Dennis McDonald-This proposal is being driven by a certain group-look at other options for placement.

Responses to public comments:

Maintenance costs on new building-Ans: Mr. Landon-that was considered in the beginning of this process. We have costs currently for the facility we are in that is very insufficient. The new building will be "Leed" certified-sustainable.

Olympic Pool-Clearly we could use one; there are two public pools here but I believe this falls in the category of "down the road."

Local Contractors-Ans: Mr. Falgout-the effort was to encourage local contractors. Just a little over half of the contracts will go to local participation.

Ostentatious plans-Ans: Mayor Netts-At the time of that plan, I was the only Council Member who opposed the plan. Complain every day. How big is the Mayor's office in this building? Ans: Mr. Landon-Same size as the Director's offices.

CM McGuire-Gym-In regards to the gym being ostentatious, it is a proven fact that health care costs, which the citizen's are paying for city employees, can be reduced, if the employees are encourage adopt healthy habits, the City of Palm Coast is already doing this; there is a weight loss program going on, an exercise thing going on. I think that a gym that would be used would be wise investment for the City. Also, if having a gym in the Town Center is ostentatious, then we need to direct Chief Beadle to take them out of the fire houses because every fire house has a gym. Mr. Landon-The definition of a gym is that you have a treadmill and maybe some weights.

Location-This has been discussed a number of times. Mayor Canfield offered a challenge to City Council to provide a list of properties. We were talking about Town Center as the location and there was discussion about the location-questions about not only the location but is there adequate parking for the employees and the public? The reality was at that time, there was only one site that met the criteria and that was out by Palm Coast Parkway and US 1. There is a church on that site now. Yes, we anticipate sometime in the future development on US 1 and west of US 1. Yes there are two big DRI's, three DRI's out there. Palm Coast Park, Neoga Lakes and Old Brick Township but gazing into your crystal ball, I cannot anticipate when that development will occur and over what period of time development will occur. When Town Center was first proposed was 20 years out. It is pretty clear that won't happen in 20 years, it is gradual. This will serve the people of our City well. This is a community that still depends on the automobile, so even though this is not centrally located in the hundred year model for Palm Coast, I think it will work for the immediate future.

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

Approved: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

5 [14-343](#)

RESOLUTION 2014-XX APPROVING A CONTRACT WITH SIEG & AMBACHTSHEER, INC., FOR THE COLECHESTER DRIVE BRIDGE #734063 REHABILITATION PROJECT

Attachments: [Resolution](#)
[Contract Summary - Sieg & Ambachtsheer](#)
[Bid Opening Tab](#)
[Bridge Location Map](#)

Mr. Landon gave a brief overview to this item. Mr. Brennan gave a PowerPoint presentation, which is attached to these minutes.

Mayor Netts-Please explain what is meant by savings and carry over? Ans: Mr.

Quinn-With the capital funds, particularly with capital funds, we set a budget for each year based on our estimates and then we go ahead and work on those capital projects. If they come in less, as in the case of last year's bridge, those funds that were allocated for that bridge are available to be reallocated to a future project, within the same scope, within the same funding.

CM Lewis-this is our second or third bridge? Ans: Third bridge.

CM Lewis-Given that all these bridges are about the same age, how many more are there like this bridge will we have to do? Ans: Mr. Brennan-In this condition, the salt water bridges age, deteriorate faster than bridges we have over fresh water canals. After we finish the Colechester Drive bridge, we will only have 2 salt water bridges left.

CM McGuire-Are Seig and Ambachtsheer bridge workers? Ans: Mr. Brennan-Yes they are. Very pleased with how they handle things.

CM McGuire-What is life expectancy on this bridge? Ans: Mr. Brennan-20 or more years.

VM DeLorenzo-There are two ingress/egress's for this road, will the bridge close the road? Ans: Mr. Brennan-Yes, it will be closed to traffic during construction.

CM Ferguson-Are these bridges being sealed? Ans: Mr. Brennan-Yes.

Public Comments.

There were no comments.

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

Approved: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

6 [14-344](#)

RESOLUTION 2014-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC., FOR THE LO-1 WATER CONTROL STRUCTURE REHABILITATION

Attachments: [Resolution-LO-1 Water Control Structure Contract](#)
[Contract Summary - Cline Construction](#)
[Intent to Award](#)
[LO-1 Bid Opening Tab](#)
[LO-1 Location Map](#)

Mr. Landon gave a brief overview to this item. Mr. Brennan gave a PowerPoint presentation, which is attached to these minutes.

VM DeLorenzo-Understanding you do not want to spend a contingency, why is it important in an underwater project to have a contingency on these types of projects? Ans: Mr. Brennan-You never know what is under water and what you will find. Things can get complicated very quickly (under water and under ground). If we have another rain storm like 16 inches of water and washes the construction project away, we have to have something to start over with again.

CM McGuire-Did the Royal Palms project use the contingency funds? Ans: Mr.

Brennan-That project went over the contingency funds.

CM McGuire-What is the completion date for this project? Ans: Mr. Brennan-February March 2015.

*Public Comments.
There were no public comments.*

Motion made by CM McGuire to approve contingent upon the contractor (Cline) start construction in mid-November.

Mr. Brennan-That was hypothetical that he would be able to start in November. CM McGuire-You said he did have a hole in his schedule? Ans: Mr. Brennan-He indicated to me that he may have a hole in his schedule to begin.

Motion by CM McGuire withdrawn and submitted a motion to approve as submitted. Mayor Netts-With the understanding that based on your comments of the condition of the bridge, we give the contractor encouragement to start earlier if at all possible.

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

Approved: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

Consent Agenda

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 to speak.

A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member McGuire, to Approve the Consent Agenda. The motion was approved by the following vote: This motion passed unanimously

7 [14-354](#)

RESOLUTION 2014-XX APPROVING CULTURAL ARTS GRANT FUNDING FOR FISCAL YEAR 2014-2015

Attachments: [Resolution-Cultural Arts Grants FY2015](#)
[Contract Summary - Cultural Arts Grants](#)
[Exhibit A List of Grant Awards](#)
[Grant Applications](#)
[2014-2015 Cultural Arts Grant Guidelines](#)

The Resolution was Adopted on Consent.

8 [14-384](#)

RESOLUTION 2014-XX APPROVING TRANSFERRING FUNDS FROM THE POLICE AUTOMATION FUND TO PURCHASE HARDWARE AND SOFTWARE TO AUTOMATE THE REPORT AND CITATION PROCESSES FOR THE FLAGLER COUNTY SHERIFF'S OFFICE

Attachments: [Resolution-Police Automation Fund Transfer](#)
[Letter from Sheriff Requesting Funds](#)

This item was pulled from consent.

This will improve efficiencies at the Sheriff's office and reduce time that the Deputies spend on reports.

Public Comments:

Jack Carall-Is this just for the Officers that are assigned to Palm Coast?

Responses to Public Comments:

It is for the Sheriff's Dept. in total. The majority of the officers are dedicated to Palm Coast. The funding comes from citations, a variety of drivers on our streets, it is not tax dollars it is citation dollars-flows from the State to the municipalities. This is the last of the dollars we receive from the State.

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

Approved: 5 - Mayor Netts, Council Member DeLorenzo, Council Member Ferguson, Council Member Lewis, and Vice Mayor McGuire

9 [14-374](#)

RESOLUTION 2014-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., FOR REHABILITATION OF WELL SW-28

Attachments: [Resolution-Evaluation of Well SW-28 for Rehab](#)
[Work Order Summary - SW 28 Well Rehabilitation](#)
[Proposal-Well SW-28 Rehabilitation](#)

The Resolution was Adopted on Consent.

10 [14-375](#)

RESOLUTION 2014-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., FOR EVALUATION/REHABILITATION OR REPLACEMENT OF WELL SW-35

Attachments: [Resolution-Evaluation-Rehabilitation of Well SW-35](#)
[Work Order Summary - SW 35 Well Rehabilitation](#)
[Proposal-Well SW-35 Evaluation/Rehabilitation](#)

The Resolution was Adopted on Consent.

11 [14-377](#)

RESOLUTION 2014-XX APPROVING THREE-YEAR CONTRACTS WITH B & B UNDERGROUND AND DRILLING, INC., AND GENERAL UNDERGROUND, LLC, FOR DIRECTIONAL BORING SERVICES

Attachments: [Resolution - Directional Boring Services](#)
[Contract Summary - Directional Boring](#)
[Bid Opening Tab-Directional Boring Services](#)

The Resolution was Adopted on Consent.

12 [14-378](#)

RESOLUTION 2014-XX APPROVING BUDGETED PURCHASES FOR TECHNOLOGY AND COMMUNICATIONS SUPPLIES AND MAINTENANCE FOR FISCAL YEAR 2015

Attachments: [Resolution-IT Supplies](#)
[Engagement Letter - CDW](#)
[Engagement Letter - DELL](#)
[Contract Summary - Software Module Purchases](#)

The Resolution was Adopted on Consent.

D. Public Participation

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, state their name and will have up to three (3) minutes 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.

Steven Carr-Florida Park Drive traffic and health.

Vivian Richardson-thanked Council for their grant to the African American Culture Society.

Joe Sheldon-takes offense to not being able to go to the Tennis Center.

Rick Rodrigues-Palm Harbor Golf Course. What are we doing with the management at the golf course.

Responses to Public Comments:

Florida Park Traffic-ongoing discussion. Shifting traffic elsewhere does not reduce the traffic. Eight or nine suggestions as to what would be done on Florida Park Drive. One option was to make it a dead end street. Another option was to make it a one way street. Speed has been addressed also. Put a stop sign at every intersection, speed bumps at every intersection, put in roundabouts, etc. If you lower the speed limit you will contribute more to the noise. Reality is City Council has looked at this many times but we have not seen a workable solution.

Golf Course and Tennis-Ans: Mr. Landon-the Kemper contract will expire and Council has asked to have Mr. Landon negotiate a new contract with Kemper. City Attorney has drafted a new contract with Council goals-so the contract renewal is in the works.

Tennis Center issue-As far as this issue is concerned, it is kinda like the Florida Park Drive issue where we have heard this issue in the past; there is a lot more to this story and I can assure you that when Mr. Sheldon accused one of Kemper's employees of assaulting him, the Sheriff's deputies were called. I do not recall the details but there is definitely another side to that story and there was an investigation. I can also tell you that Mr. Sheldon has always been told that he is welcome but as soon as we receive complaints from and particularly during our tournaments from our tournament directors (USTA) whether it is Mr. Sheldon or anyone else that is being disruptive then they are asked to leave the facility. It has happened in the past. Once again, this is an old story, it has been over a year ago or right at a year and I do not have all the details but there is long history there that goes with that.

CM Lewis-Florida Park Drive- to Mr. Carr-Most of the time when people have concerns, they also have a solution to the issue, what is your solution to the traffic issue? Ans: Mr. Carr-I do not know what the solution is. I prefer the City traffic engineer handle it.

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

CM McGuire-Early voting-how are we doing? Ans: Mr. Landon-The reports I have are things are running smoothly.

CM McGuire-At the September 12, 2014 Canvassing Board, employees of the SOE have stated they were treated hostely, what steps are we taking? Ans: Mr. Landon-I am stating my opinion, consider the source as to where it is coming from.right now. The SOE's whole approach to this facility, staff has been nothing but on the negative side and that is just one of many reflections of that attitude towards us. Our focus, and we are going to stay focused is to make this facility available to the voters and to others that rent it and use it. Mr. Al Hadeed, the County Attorney approached us with some protocols, if you will and we agreed to it. We sat down and had very reasonable conversation. The SOE has rejected it and said no. Luanne and I have discussed it and I have directed Luanne to follow it (the protocol) and manage her facility. It is a City facility managed by City staff.

VM DeLorenzo-Several dog bites in the last few weeks and I want to make sure we are doing everything we can to protect our citizens. Do we have a strong ordinance in place to protect our citizens against aggressive dogs? Ans: Mr. Landon-As you stated it is controlled by State law, yes we have a strong ordinance that is in accordance with State law. There is a leash law but we do not have a leash law if you keep your dog on your property.

VM DeLorenzo-In these cases, the dog was tied or chained and got loose, so changing the ordinance there would not help. Mayor Netts-Suggestion if you see dogs running at large, that is a violation of our Ordinance-call Code Enforcement or call Animal Control.

CM McGuire-Citizen's need to be for warned, he has had dogs chase him during his bike rides, he carries mace but has never had to use it before. I carry protection, I will not go out without protection when I go out for a walk.

CM Ferguson-Thanked Council, staff and residents for the honor to work as a Council Member.

Mayor Netts-Thanked Mr. Ferguson for his willingness to serve on Council on behalf of the Council, staff and residents. Thank you for your service and do not be a stranger.

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

Thanked CM Ferguson for all his service.

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

Groundbreaking for City Hall-Wednesday, October 29 at 5:30 pm-entire community is invited.

Ribbon cutting for Long Creek Nature Preserve-November 3, 2014 at 10:00 am

Schedule changes-There is no workshop on October 28, 2014, there is no Council Business Meeting on November 4, 2014 and we are closed for the holiday on November 11, 2014, therefore there is no workshop. Next Council Meeting is November 18, 2014 at 9:00 am.

Mayor Netts announced Veteran's Day Memorial on November 11, 2014.

Mr. Landon-Thanked Council for all their hard work and getting along as a Council.

H. Adjournment

The meeting was adjourned at 10:40 am

*Respectfully submitted,
Virginia Smith, City Clerk*

[14-390](#)**MEETINGS CALENDAR AND AGENDA WORKSHEET**

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

[14-394](#)**ATTACHMENTS TO MINUTES**

Attachments: [City Hall -GMP 10-21-14](#)
 [FIRE PSA Batteries](#)