



# 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, February 4, 2014

6:30 PM

Palm Coast Community Center

---

### AMENDED AGENDA

#### 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.

>If you wish to obtain more information regarding City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

>In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at 386-986-3713 at least 48 hours prior to the meeting.

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

>All pagers and cell phones are to remain OFF while City Council is in session.

#### A. Call to Order

*Mayor Netts called the meeting to order at 6:30 p.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, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

**Approval of Minutes**

- 1     [14-38](#)           MINUTES OF THE CITY COUNCIL'S:  
          A. January 21, 2014 City Council Business  
          B. January 28, 2014 City Council Workshop

**Attachments:**     [January 21, 2014 Business Meeting](#)  
                                  [January 28, 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, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

**Proclamations and Presentations**

- 2     [13-456](#)           PROCLAMATION RECOGNIZING FUTURE BUSINESS LEADERS  
                                  OF AMERICA-PHI BETA LAMBDA WEEK

**Attachments:**     [Proclamation-Future Business Leaders of America Phi Beta Lambda Week](#)

*CM Ferguson presented this Proclamation to representatives of Phi Beta Lambda.*

**The Proclamation was Received and Filed.**

- 3     [14-12](#)           PRESENTATION OF A PUBLIC SERVICE ANNOUNCEMENT VIDEO  
                                  RELATING TO TEXTING AND DRIVING

*Deputy Chief Forte, Ms. Hicks (teacher) and student representatives from Matanzas High School presented Council with a Public Service Announcement video, which is attached to these minutes.*

**The Presentation was Received and Filed.**

- 4     [14-34](#)           PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR  
                                  EXCELLENCE IN FINANCIAL REPORTING TO THE CITY FOR  
                                  FISCAL YEAR 2012

*Mayor Netts presented this award on behalf of the Executive Director from GFOA to Chris Quinn.*

**The Presentation 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

- 5      [14-33](#)      RESOLUTION 2014-XX ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2013, AS PRESENTED BY JAMES MOORE & CO., P.L.

**Attachments:**      [Resolution Accepting the CAFR](#)

*Mr. Quinn gave a brief overview to this item. James Halleran of James Moore & Company provided a PowerPoint presentation, which is attached to these minutes.*

*CM Ferguson-The overall rating is inconclusive or average as you have mentioned, there are two items that you mentioned were in a negative, the golf and tennis center, if the golf course or tennis center had a zero annual balance, they were self-sustaining and did not require additional funding, how does that affect the overall rating for the financial condition of the City? Ans: Mr. Moore-These are minor, and does not believe it changes the rating at all, your Tennis Center is really only a couple hundreds of thousands of dollars and that is it compared to your Utility Fund where you have millions of dollars of revenue coming in.*

*Public Comments:*

*Jack Carall-\$100K is insignificant? Not in my book.*

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

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

Enactment No: R2014-13

## First Reading

- 6      [14-24](#)      ORDINANCE 2014-XX AMENDING THE OFFICIAL ZONING MAP RELATING TO ISLAND WALK (F.K.A. PALM HARBOR SHOPPING CENTER) CONTAINING 28.69 +/- ACRES FROM COM-2 TO MASTER PLANNED DEVELOPMENT

**Attachments:**    [Ordinance Island Walk fka Palm Harbor Shopping Center MPD](#)  
[Palm Harbor Development Agreement FINAL](#)  
Exhibit 4 - Traffic Report (Available in City Clerk's Office)  
[FLUM Map](#)  
[Zoning Map](#)  
[Staff Report v2](#)  
[Island Walk - Tax Revenue Calculation](#)  
[Ltr from resident](#)

*City Attorney Reischmann read the title into the record. Reminded Council this is a quasi-judicial item. Mayor Netts called for any ex-parte communications.*

*Mayor Netts-Several months ago met informally with the principal of the company that is proposing this development. He outlined the general scope of what he intended to do, since then I have had spur of the moment conversations with several business owners in the Palm Harbor Shopping Center and several employees. The nature of those conversations were more of when rather than what. Will base his decision on what is presented today.*

*CM McGuire-I attended the Planning Board meeting and will base my decision on what is presented today.*

*VM DeLorenzo met with store owners and spoke to them and will base his decision on what is presented today.*

*Mr. Landon gave a brief summary of the item.*

*Mr. Falgout presented a PowerPoint presentation, which is attached to these minutes.*

*Mayor Netts-Please explain pedestrian amenities. Ans: Mr. Falgout-Public gathering areas with benches.*

*CM McGuire-When was the traffic study done? Ans: Mr. Falgout-Several months ago and refined over the last few weeks.*

*CM Lewis-Regarding the Arbor Trace entrance-will that change for pedestrians? Ans: Mr. Falgout-The entrance stays same but there will be an improvement as traffic will be less.*

*CM McGuire-What is the current occupancy at the shopping center? Ans: Mr. Falgout will defer to the applicant.*

*Michael Chiumento represents the applicant, spoke on the project and is available for any questions.*

*CM Lewis-I know the PLDRB has looked at this and has made some comments, in reading the MPD agreement, the conceptual site plan approval, and the development review process agreement, I noticed there were changes but the changes are not consistent. Ans: Mr. Falgout-During PLDRB's discussion and several points were discussed, one of the PLDRB's discussions were outlined in the MPD for the*

rezoning is the process that the applicant would have to undergo in order to an approval. The Planning Board in their vote 6 to 1, recommended that the Land Use Administrator, which is your City staff, would approve the site plan, the Planning Board recommended that the Planning Board actually be the approver of the site plan, that change is on page 6 in strikethrough and underline that the site plan shall be approved by the Planning and Land Development Regulation Board prior to any further development orders. So as written with the strikethrough and underline for your consideration would be the approval of the site plan.

CM Lewis-Construction plans-Does the PLDRB have anything to do with the construction plans? Ans: Mr. Falgout-The technical site plan, as typical with any project is a staff level review as it is technical in nature. The actual site layout would be what would go back before the Planning Board.

CM Lewis-Existing parking is some of our plazas have one way traffic and two way traffic and we have traffic going two ways in a one way, is it necessary to have two way traffic in this plaza? Ans: Mr. Chiumento-explained Publix's parking guidelines which are above standards.

CM Lewis-Section 9, page 17, who are you talking about Planning Board or Land use administrator? Ans: Mr. Falgout-This does not go to the PLDRB, this is staging of construction which is staff level approval.

CM Lewis-Findings-E-"shall comply" grammar? Ans: Mr. Falgout-Yes, it is grammatically incorrect, staff will re-word.

CM Lewis-Cultural resource assessment? What is that? Ans: Mr. Falgout-To make sure there are no environment, cultural, and archeological issues.

CM DeLorenzo-PLDRB wishing to see the site plan again, if this was a new development of this size, would this break the threshold for PLDRB review? Ans: Mr. Tyner-Yes, it would go to PLDRB.

CM Ferguson-Is the square footage in the new Publix bigger and if so by how much? Ans: Mr. Chiumento-Yes, by 9,000 sq. feet. It is 20% larger.

Mayor Netts-Please expand on the stand alone phasing. How are we assured that what the site plan shows, that the developer does not stop developing? Ans: Mr. Chiumento-The concept of phasing is going from Phase 1 to Phase 2 to Phase 3, that is not what this is, this is one site plan, the whole thing is the site plan, and it obligates all of the construction that you see here. What we are talking about as phasing we may want to call it construction staging. The approval requires the entire site plan be done.

Mayor Netts-Impervious to pervious surface, current project 78% for what is built out, but there is the tomato stand area that is not developed at all and therefore, it is not averaged in, my understanding is that forgetting all of these percentages, under current standards, you cannot have any more runoff post construction, you have preconstruction, is that correct? Ans: Mr. Chiumento-That is correct, there is an existing St. John's Water permit that has been in place for the last 35 years.

Mayor Netts-The tomato stand under a development order, without any additional input on the City's part, has already been approved as part of the development, you no longer have this averaging of any zeroes, you would have 75 or something like that. Ans: Mr. Chiumento-Prior to the City giving a building permit, we would have to provide a site plan even though the original concept was approved.

Mayor Netts-Impact to the economy-you indicate this will be positive, guestimate of tax dollars? Ans: Mr. Chiumento-We will in the next couple of weeks, do an economic analysis.

Mayor Netts-Additional retail space, does the developer believe we are going to get new customers or are we stealing from existing businesses? Ans: Mr. Chiumento-We are currently in discussion with multiple new national tenants. There may be some redundancies but as it looks now, we will have new national tenants.

Mayor Netts-There are several parcels that we think of as the plaza, the bank, the doctor's office, how will they be impacted, how will they fit in, is the old BlockBusters part of this? Ans: Mr. Chiumento-The old Hancock Bank-this parcel is owned by someone else and it is not under contract, they do not have the intentions of working with us, so this will remain a stand alone. The dentist office, the old library-they have covenants and restrictions and how between the two, they interact; parking-we have to provide sufficient parking to them, Starbucks will remain, we may do a little redeveloping for parking, Blockbusters will be completely redone.

Mayor Netts-Who maintains the stormwater pond? Ans: Mr. Chiumento-Currently it is the obligation of the current landowners out of Chicago and it will become part of the obligation of the owner, Mr. Collard for this development.

*Public Comments:*

Greg Johnston-The plaza is very outdated and has to go. In favor of this project. Owns several parcels around the area. Concerned about the center entrance changes regarding this exit.

Richard Shaffer-agrees with Mr. Johnston regarding entrance.

Mr. Anthony-Why change in zoning? What is new that was not in the current zoning.

Steven Jones-agrees with traffic issue (center exit), it is a good idea to rebuild. Wants community to come back. Look at preserving historical items that may be found.

Steven Carr-Presented a video to Council regarding traffic. Traffic noise and health issues.

John R?-recommends Council sit down with the whole model with all the accesses, does not think there is enough citizen knowledge of this program.

Lea Wilhelm-happy to see revitalization happening. Concerned with the increased traffic as well as the speed. Sees an increase in commercial traffic. Can we limit the weights? Would like to see more specifics.

Janet McDonald-How can the turning lane on Florida Park Drive be accommodated? Covenants and restrictions run with the land. Open space-out parcels-40% required.

Linda Hansen-Traffic-how much empty land do we have in Palm Coast where shops are built upon. Empty space. Parcels across the front-where are the buildings going to be situated.

Dennis McDonald-Taxpayers being impacted by this development. How is this a benefit to our community?

Ms. Norskenon-(sp?)-the plaza upgrade is good; we have transients and homeless

throwing garbage that she cleans up every day. Wants the plaza to change.

Joe Tavalocci-has an interest in the shopping center; hears from potential residents that this area is derelict. Would like to see this get done.

Mark Langello-Concerned that we do not do this. We need a facelift. It will increase quality of life, property value, etc. Concerned with the traffic impacts.

Scott Sowers-Believes this project will be renewed life to this shopping center and agrees it should happen at same time of Palm Coast Parkway 6 laning.

Gretchen Smith-on behalf of the Flagler County Chamber, we support the efforts to revitalize the shopping center.

*Responses to Public Comments:*

*Zoning change accomplishments, what can you do under MPD that you cannot do under Comm 2? Ans: Mr. Chiumento-non conforming use term is a use that does not currently comply with the Land Development Code, the LDC was adopted 2006 (sic.2008), it was the old County code we used, so when Palm Coast adopted their code and all their subsequent revisions to the Code, there are a lot of properties, and this happens all the time in all communities, that a current property owner is not in compliance with the LDC. So, when we go to do a redevelopment, theoretically you need to comply with the LDC. To give you an example of where this is problematic, in the back of the shopping center, there is a loading dock and the City has a code requirement that adds distance to the adjacent property, we cannot tear down that building so what is necessary in order to make these little nuances throughout the existing plaza comply with the LDC, requires compliance with the LDC that's already there through the PUD, but it also gives the City and Developer opportunities to be creative, and when I say creative let's talk about the adjacency to development in the back, under your LDC, it is 10 feet. So, theoretically if we came in here with a COM 2 we could have torn everything down and put buildings 10 feet from the existing property lines, well that does not make sense to the community, so we are able to be creative in pushing buildings away from the existing residences, add some parking here, move some things over here that don't necessarily accommodate in the LDC, and that is the whole idea of doing this PUD Agreement. This is a community benefit.*

*Adding turn lane on Florida Park Drive? Ans: Mr. Tyner-Most likely, the PUD calls out they can decrease the buffer, and we will be looking at that more closely, on the west side of the property, that can accommodate that turn lane on the Publix site.*

*CnR's and the City's role? Ans: Mr. Reischmann-The City Council is obligated to enforce its Comprehensive Plan, its obligated to enforce its Land Development Code. And this LDC was adopted at a time to replace the Covenants and Restrictions (CnR's). As some of you may remember when the LDC was created we incorporated into it a lot of the items that were in the private CnR's. These are private CnR's. The applicant has spoken about some of its obligations that it recognizes that it has to maintain pursuant to those private CnR's, your staff has correctly pointed out in the presentation that this analysis is based upon your findings that this application meets the standards and requirements of your Land Development Code and your Comprehensive Plan. While the CnR's may be relevant and applicable to the Developer, they are not part of our analysis this evening.*

*Outparcels?- Ans: Mr. Chiumento-described where the parking will be located in comparison to what is current. The building will actually have the opportunity to be pushed back further than the existing parking.*

*New redevelopment-Who assumes maintenance of grounds? Ans: Mr. Chiumento-The owner of the plaza will have its use restrictions for its tenants and the owner through this do and association documents already have that requirement. So it will be the applicant, the developer.*

*CM Ferguson-Ingress/egress, left turn lane, how does this affect the overall success of the project and who has the final say on that? Ans: Mr. Falgout-That will be finalized during the site plan submittal.*

*Mayor Netts-How does the 6 laning affect the stacking distance? Ans: Mr. Landon-It will reduce the stacking area.*

*VM DeLorenzo-Is there an additional entrance-is it an in and an out? Ans: Mr. Chiumento-Right in and right out.*

*CM McGuire-Will you present alternatives in the site plan relative to the traffic flow? Is that reasonable to request that? Ans: Mr. Chiumento-Absolutely. We will continue to evaluate that issue.*

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member Lewis, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:**

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

## Second Reading

- 7      [13-424](#)      ORDINANCE 2014-XX FUTURE LAND USE MAP AMENDMENT FOR GRAHAM SWAMP AREA FROM EXISTING FLAGLER COUNTY DESIGNATIONS TO CITY OF PALM COAST DESIGNATION OF CONSERVATION

**Attachments:**      [Ordinance Graham Swamp FLUM Amendment](#)  
[Graham Swamp Area-Location Map](#)  
[Graham Swamp Area-Current FLUM](#)  
[Graham Swamp Area-Current Zoning](#)  
[Staff Report-Graham Swamp-FLUM](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*Public Comment:  
There were no public comments.*

**A motion was made by Council Member McGuire, and seconded by Vice Mayor DeLorenzo, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:**

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

Enactment No: O2014-2



- 8      [13-425](#)      ORDINANCE 2014-XX ZONING MAP AMENDMENT FOR 3,300+/- ACRES IN THE GRAHAM SWAMP AREA FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF PRESERVATION

**Attachments:**      [Ordinance Graham Swamp Zoning Map Amendment](#)  
[Staff Report-Graham Swamp Rezoning](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*Mr. Reischmann reminded Council this is a Quasi-judicial item. Mayor Netts called for an ex-parte communications. There were none.*

*Public Comment:*  
*There were no public comments.*

**A motion was made by Council Member McGuire, and seconded by Council Member Lewis, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:**

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

Enactment No: O2014-3

- 9      [14-01](#)      ORDINANCE 2014-XX AMENDING SECTION 5, CITY COUNCIL, (1) (b), QUALIFICATION FOR OFFICE, SECTION 8 ELECTIONS, (3), QUALIFYING FOR OFFICE, AND (4) SCHEDULE FOR REGULAR ELECTIONS AND PRIMARIES, OF THE CITY CHARTER

**Attachments:**      [Ordinance Amending Sec 5 Qualifying for Office](#)  
[Ordinance 2011-3 - SUBMIT TO ELECTORS PROPOSED AMENDMENTS 1](#)  
[Ordinance 2011-21 - CORRECTION OF SCRIVENERS ERROR SEC 8 ELE](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*Mr. Reischmann provided a summary to this item and the next item.*

*CM McGuire-Do either of these ordinances remove any obstacles real or imagine to conducting an election in 2014? Ans: Mr. Reischmann-That is their purpose and that is what they will accomplish.*

*VM DeLorenzo-This process that is allowed by State law, does it take a super majority or regular vote? Ans: Mr. Reischmann-The statute states by passing an Ordinance. Section 103.065, Florida Statutes simply states that you can do this by Ordinance, which would be our process. Remember, this referendum passed by 80% or so of the voters in 2011, that is a super majority.*

*Public Comment:*  
*Jack Carall-Would Ms. Weeks have anything to do with this? Can she change the*

day of the elections?

*Responses to Public Comments:*

*Mrs. Weeks responsibility is to conduct elections and supervise the elections for the County. She has traditionally also supervised and assisted all local governments-municipalities, special districts and all independent districts in their elections. Her office and she have supervised our elections. She supervised the 2011 referendum. One of the purposes of these actions this evening is to allay any concerns that she may have so that she will work with the City to conduct the primaries and the general elections for the 2014 elections.*

*Mayor Netts-In a worst case scenario, the SOE has no obligation to supervise our elections. Ans: Mr. Reischmann-She has no obligation to conduct and supervise our elections for the primaries and the general elections in 2014, in which case the City Clerk along with my office and City Staff will conduct the 2014 elections. Mayor Netts-In which case, 76,000 residents, the vast majority of Flagler County population will be significantly inconvenienced. Mr. Reischmann-As well as arguably a significant additional expense which the whole purpose to avoid by the 2011 referendum and this Ordinance. Mr. Landon confirmed we would still be having a County election at the same time as the City election. We would not be holding a City election that would hold the Federal, State, and County positions. We would have to run a parallel election. There literally would be two ballots, a County ballot and a City ballot.*

*VM DeLorenzo-Are you saying there may even be different polling locations? Ans: Mr. Landon-Yes. VM DeLorenzo-I would say perhaps disenfranchising a large population of the voters.*

**A motion was made by Council Member Lewis, and seconded by Council Member Ferguson, that the Ordinance be Adopted on Second Reading. The motion was adopted by the following vote:**

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

Enactment No: O2014-4

10      [14-02](#)

ORDINANCE 2014-XX AMENDING CHAPTER 2, ARTICLE II, CITY COUNCIL, TO ADD A NEW SECTION ENTITLED "ELECTION PROCEDURES" IN THE CITY CODE OF ORDINANCES

**Attachments:**      [Ordinance Election Procedures](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*This item was heard under the previous item.*

*Public Comment*

*There were no public comments.*

**A motion was made by Council Member McGuire, and seconded by Council Member Lewis, that the Ordinance be Adopted on Second Reading. The motion was adopted by the following vote:**

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

Enactment No: O2014-5

### Other Resolution(s)

- 11      [14-26](#)      RESOLUTION 2014-XX APPROVING AN ENERGY SAVINGS PERFORMANCE CONTRACT/PROJECT DEVELOPMENT AGREEMENT WITH SIEMENS INDUSTRY, INC.

**Attachments:**      [Resolution-Energy Savings Project Development Agreement](#)  
[Exhibit A Siemens Project Development Agreement](#)  
[Summary - Evaluation](#)  
[2013 FMU Reference Letter](#)  
[2012 Don Ball Letter of Recommendation](#)  
[2009 FIT Reference Scott Weber](#)  
[2006 LSCC Don Ball Ref Letter](#)

*Mr. Landon provided a brief overview to this item. Ms. Bevan provided a PowerPoint presentation, which is attached to these minutes.*

*CM McGuire-Do we have \$53K for this? Ans: Mr. Landon-Yes, we only have to write the check for \$53K. This is one where once again we write the check for \$53K if we proceed with the next phase. If we want to do it, it makes sense to use our own money, or we don't want to move forward with the projects, the dollars would be there.*

*Mayor Netts-Other utilities will do a home audit for you to save energy at your cost but with the option of having someone else do it for you.*

**Public Comments:**

*Jack Carall-If they go to make a survey and find this machine is not producing enough energy and you have to replace this, when they say replace is it take one piece out and put a new one in? What happens to the machinery you take out that is still working? How long does it take to pay off the new machines?*

**Response to Public Comments:**

*Mayor Netts-We are not producing energy, but let's say we have a water pump that is costing us a \$100/hour to run and we replace it with a water pump that costs us \$50/hour to run, so we are saving \$50/hour. What you are going to present to Council is that if you put in a more efficient pump the savings would be "x" amount, you fill in the blank for the rate of return. And then we will decide if the rate of return is worth it for that project or if we move to other projects.*

**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, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

Enactment No: R2014-14

**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.**

- 12      [14-25](#)                      RESOLUTION 2014-XX JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$250,000.00 FOR ALLOWED REIMBURSIBLE EXPENSES RELATING TO LANDSCAPING AND IRRIGATION OF MEDIANS ON STATE ROAD 100
- Attachments:**      [Resolution-FDOT JPA Agreement SR100 Landscape](#)  
[Exhibit A-FDOT Joint Participation Agreement](#)
- This item was pulled from consent.*
- Public Comments:*  
*Jack Carall-The yellow line was not on the road and was told the yellow line could not be put on there because it was a State Road. Why are we involving ourselves on state property?*
- Response to public comment:*  
*Mayor Netts-The reason we are proposing this is that the State has a very minimal standard for landscaping, so Palm Coast is willing to do this to the City standards.*
- CM Ferguson-If we go ahead with this, it will be pretty in this area and less when you go west. Ans: Mr. Butler-It will be a different look, not necessarily less pretty.*
- A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member Lewis, that the Resolution be Adopted. This motion was approved by the following vote:**
- Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire
- Enactment No: R2014-16
- 13      [14-13](#)                      RESOLUTION 2014-XX APPROVING THE SECOND AND FINAL ONE-YEAR RENEWAL OF THE CONTRACT WITH TRI-COUNTY BOBCAT SERVICES, INC., FOR TREE REMOVAL SERVICES
- Attachments:**      [Resolution-Tree Removal Services](#)  
[Tri-County Renewal Letter](#)
- The Resolution was adopted on Consent.**
- Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire
- Enactment No: R2014-15

**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.

*Louis McCarthy-How is the walkway in Seminole?*

*Response to public comment:  
Seminole Woods-Mike Marinelli and Tony Capela's responsibility-it is on schedule.*

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

*CM Lewis-The auditor mentioned two items that appear to be a deficit. Golf Course-a group called "Eagles" (56 golfers) were complaining that they live in PC and golf in other places because they are treated better and the rates are cheaper. Need to sit down with the management at the Golf Course.*

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

*Nothing at this time.*

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

*Thanked Jack Carall for approving one of the items tonight.*

*Our numbers for single family residential came in today-the last 4 years we had 45 building permits, in January 2014 we had 46.*

**H. Adjournment**

*The meeting was adjourned at 9:56 p.m.*

*Respectfully submitted,  
Virginia Smith, City Clerk*

**14 [14-39](#) MEETINGS CALENDAR AND AGENDA WORKSHEET**

**Attachments:**    [City Calendar](#)  
                                  [Agenda Worksheet](#)

**[14-44](#) ATTACHMENTS TO MINUTES**

- Attachments:**    [Item 3 Texting - Break the Cycle](#)  
[Item 5 2013 Palm Coast Auditor Presentation](#)  
[Item 6 Island Walk fka Palm Harbor Shopping Center](#)  
[Item 7 Presentation-Graham Swamp-2nd reading](#)  
[Item 11 Green Team \\_ Alt Energy Team Update](#)