



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 18, 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.

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

Approval of Minutes

- 1 [14-56](#) MINUTES OF THE CITY COUNCIL'S:
 A. February 4, 2014 City Council Business
 B. February 11, 2014 City Council Workshop

Attachments: [February 4, 2014 Business Meeting](#)
 [February 11, 2014 Workshop](#)

A motion was made by Council Member McGuire, and seconded by Vice Mayor DeLorenzo, 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

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

Second Reading

- 2 [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](#)
 [Island Walk - Tax Revenue Calculation](#)
 [Ltr from resident](#)

City Attorney Reischmann read the title into the record.

Mr. Landon-The applicant is still doing due diligence and is requesting a continuance

to the March 4, 2014 Business Meeting.

Mr. Chimento, who represents the applicant requested a continuance for a time certain of March 4, 2014.

Public Comment: There were no public comments.

CM McGuire made a motion, which was seconded by VM DeLorenzo, to continue the item to a time certain March 4, 2014.

Mr. Landon clarified the time of the March 4, 2014 will start at 6:30 pm.

The Ordinance was continued.

Resolutions

3 [14-30](#) RESOLUTION 2014-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SHERIFF FOR LAW ENFORCEMENT

Attachments: [Resolution IA Sheriff](#)
[IA Sheriff](#)

Mr. Landon provided a PowerPoint presentation to this item and the next (item 4), which is attached to these minutes. Sheriff Manfre and Commander Carman were present for questions.

Sheriff Manfre provided a brief overview to the contract and the relationship he has with the City, which he stated is a great relationship. Gave accolades to Chief Beadle, Tony Capela and Commander Carman for all they do for the City and how they work with his office.

Update to the increasing mental health issues in the County. The Sheriff's office applied and received a grant for assistance for mental illness to work directly with Stewart Marchman in Bunnell.

Update to the increasing DUI accidents; received a DUI grant and held a DUI program this past weekend, which was very successful.

CM McGuire-Baker acts and the ability of the deputy to determine if a resident shows reasonable cause to be Baker Acted. Aging population, what is down the road for those who look like they need to be Baker Acted? Ans: Sheriff Manfre-the Deputies are trained and they do not baker act unless all the criteria is there. They use that discretion carefully.

CM McGuire-Do you envision that the sheriff's office might be overwhelmed? Ans: Sheriff Manfre-Does not see it as overwhelming, he sees the aging population but we do have to stay on top of it and the State needs to get involved as well. In Orlando they are creating mental health courts.

CM Lewis-courts and the application of the system to mental health-So many service men coming back with mental problems, they are being treated in some cases as

criminals-doesn't believe it is the Sheriff's office by itself but all agencies need to get involved. Vagrants-how are vagrants being treated in Palm Coast? Ans: Sheriff Manfre-The courts are trying not to use incarceration for veterans. They are talking about Veteran's courts also. As far as the homeless population, it ebbs and flows depending on the time of year. They live in the Palm Coast Parkway wooded areas. Our job is to move them along so they do not become a problem to the residents.

Mayor Netts-Homelessness-he wrote a letter of support and requested the clerk get letter from the Executive Administrative Assistant, the veteran's affairs for addressing the homeless in Flagler.

Public Comments:

Louis McCarthy-training-in schools-requires a specialized training-has that increased?

Jack Carall-16 deputies that are free through the County money, the City pays for an additional 22-1 deputy for every 4,000 people, I have never seen a deputy come down my street.

Responses to Public Comments:

Special training- Ans: Sheriff Manfre-The School Resource officer program is the foundation of everything we do. Most of our nuisance crime is youth related crimes, so what our SRD's provide is intelligence. The SRD's create relationships with our youth. We select SRO's who want to be in this program, they have to go through a vetting program, there has to be involvement from the principals of the schools. We believe in it strongly, the officers go through a week of training yearly. We are receiving additional training from the new Emergency Manager (Mr. Guthrie) for our schools. We train principals and staff on what to do until we can respond. We are trying to invest everyone in this process.

Number of officers-Ans: Sheriff Manfre-The national ratio of 2.5 deputies/1000 is recommended. It is actually 2.1 average and we are at 1.3 in this county.

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

4 [14-36](#)

RESOLUTION 2014-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SHERIFF AND THE SCHOOL BOARD FOR SCHOOL RESOURCE DEPUTIES

Attachments: [Resolution IA School Resource Deputies](#)
 [IA Sheriff School and City SRD](#)

This item was presented under Item 3.

CM McGuire-Does the School Board determine which schools have an SRO? Ans: Sheriff Manfre-The school is paying for 5 deputies, we have not discussed it with the Charter Schools but with the former superintendent, who is the liaison to the Charter Schools. If the Charter Schools decide they want a deputy, they would have to pay for it just like the School pays for it.

CM McGuire-The John Winston Mentorship program, do you have a liaison? Ans: Sheriff Manfre-Corporal Apperson is the liaison with that mentorship program.

CM Lewis-Schools where the officers are, are there any provisions for the officers to give training to the students? Ans: Sheriff Manfre-Yes, there are several programs-a

modification of the Dare program, a drug program, the Stranger Danger, PAL program.

CM Lewis-Is the PAL program active in Palm Coast? Ans: Sheriff Manfre-It is in the schools. We work with the City's Recreation programs, it is a county wide program. We also have worked with the YMCA for a basketball program at Ralph Carter Park, where our Deputies went to play as well.

*Public Comments:
There were no comments.*

A motion was made by Council Member Lewis, 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

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 Council Member McGuire, and seconded by Council Member Ferguson, to Approve the Consent Agenda. The motion was approved by the following vote: This motion passed unanimously

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

- 5** [14-35](#) RESOLUTION 2014-XX WORK ORDER WITH STONE ENGINEERING GROUP, INC., FOR DESIGN AND CONSTRUCTION PLANS FOR THE REHABILITATION OF BRIDGE #734063 ON COLECHESTER LANE

Attachments: [Resolution-Stone Engineering Work Order](#)
[Work Order Bridge 63](#)
[Location Map Colchester Lane](#)

The Resolution was adopted on Consent.

- 6** [14-41](#) RESOLUTION 2014-XX APPROVING PIGGYBACKING THE CONTRACT BETWEEN MUNICIPAL EQUIPMENT COMPANY, LLC, AND LAKE COUNTY TO PURCHASE 21 SETS OF PROTECTIVE FIREFIGHTING EQUIPMENT

Attachments: [Resolution-Piggyback Contract-Lake County and Municipal Equipment](#)
[Piggyback Authorization Letter-Municipal Equipment Co](#)
[Lake County Contract 12-0806](#)
[Price Quote-Municipal Equipment](#)

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.

John Erpelding-Dead trees in vacant lots and Code Enforcement. Red light cameras-is not safety based. Charter-Council's contracting authority-who signed the contract for red light cameras.

Don McBride-signs for yard sales that code enforcement picks up on weekends. Why not have Code Enforcement go out on Monday and pick up what is left and then fine those who do not pick up the signs. Election signs. Please explain.

Louis McCarthy-How are things going for the Seminole Woods Parkway pathway?

Jack Carall-Trees-Can I plant the ten trees that I just bought on my property or do I need a permit?

Responses to Public Comments:

Authorization to enter into contracts-Charter provides for a limit unless unfunded to 3 years or \$15 million-Ans: Mr. Landon-specific in Charter that is a lease purchase-a debt obligation of those limits; the agreement for Red Light Camera-we do not have any costs associated with it, ATS put the cameras up without any cost to the taxpayers. It does not fit under those provisions as it is not a debt obligation.

Yard Sales signs-perpetual issue, it has always been the decision of City Council that our City is more beautiful without the proliferation of signs.

Election signs-Mayor Netts-political signs must be kept on private property. Attorney Reischmann-There is specific federal and state case law on how government can regulate political signs.

Seminole Woods Path update-We are still on track, concerned that the moving of poles may delay, but am happy to hear that FPL is out there.

Trees-Ans: Mr. Landon-He does not need a permit to plant the 10 trees. Please be careful where on your property you plant the trees.

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

There were no comments.

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

Projects update-Bulldog Drive-blocking next week to through traffic but access to the businesses. First week in March construction will begin on Palm Coast Parkway-this is a 2 year project. There will be a separate website for this project.

H. Adjournment

The meeting was adjourned at 10:13 a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

[14-58](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[14-61](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 3 and 4 Contract for Enhanced Law Enforcement Services](#)