



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, September 2, 2014

6:30 PM

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 6:30 p.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

City Clerk Virginia Smith called the roll. Council Member Lewis was excused.

Present: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

Approval of Minutes

- 1 [14-323](#) MINUTES OF THE CITY COUNCIL'S:
 A. August 19, 2014 City Council Business
 B. August 26, 2014 City Council Workshop

Attachments: [August 19, 2014 Business Meeting](#)
 [August 26, 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: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

PRESENTATIONS**Proclamations and Presentations**

- 2 [14-313](#) PROCLAMATION FOR PALM COAST AND THE FLAGLER
 BEACHES SENIOR GAMES SEPTEMBER 13-20, 2014

Attachments: [Proclamation Sr Games](#)

CM McGuire presented this Proclamation to representatives of the City of Palm Coast and Flagler Beaches Senior Games.

The Proclamation was Received and Filed.

- 3 [14-299](#) PROCLAMATION RECOGNIZING "ARTS IN EDUCATION WEEK"

Attachments: [Proclamation-Arts in Education](#)

CM Ferguson presented this Proclamation to representatives of the Arts in Education.

The Proclamation was Received and Filed.

- 4 [14-311](#) PROCLAMATION RECOGNIZING PALM COAST PROFESSIONAL
 FIRE FIGHTERS LOCAL #4807 "FILL THE BOOT DAYS"
 SEPTEMBER 19TH-20TH

Attachments: [Proclamation Fire Fighters Fill the Boot Days](#)

Vice Mayor DeLorenzo presented this Proclamation to Chief Beadle and representatives of Local 4807.

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

Ordinances

First Reading

5 [14-326](#) ORDINANCE 2014-XX OARE MPD SECOND AMENDED AND RESTATED DEVELOPMENT AGREEMENT

Attachments: [Ordinance Oare 2nd Amended and Restated MPD](#)
 [Staff report Oare Amend MPD](#)
 [Oare Location Map](#)
 [Oare Zoning Map](#)
 [Oare FLUM Map](#)
 [Oare Conceptual Site Plan Map](#)
 [Oare Affidavit for Rezoning](#)

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. There were none.

Mr. Landon gave a brief summary of the item.

Ms. Angela Piltaver provided a PowerPoint presentation, which is attached to these minutes.

CM Ferguson-This is an extension of 5 years, is this a customary timeframe of 5 years and if at the end of 5 years can they request an additional 5 years? Ans: Mr. Tyner-It is sometimes customary to request additional extensions. It will take Council approval.

VM DeLorenzo-Are there any other changes? Ans: Ms. Piltaver-The applicant is asking to eliminate the build-out date.

*Public Comments:
 There were no public comments.*

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

Approved: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

Enactment No: O2014-18

Resolutions

- 6 [14-310](#) RESOLUTION 2014-XX AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH BILLY CASPER GOLF FOR THE MANAGEMENT OF THE PALM HARBOR GOLF CLUB

Attachments: [Resolution for Palm Harbor Golf Club Management](#)
[RFP Evaluation - Preliminary Rankings](#)
[RFP Evaluation - Final Rankings](#)

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

Mr. Douglas White, Vice President of Casper Golf presented a PowerPoint presentation, which is attached to these minutes.

Public Comments:

CM Ferguson-Do you also manage the St. John's Golf and Country Club? Ans: Mr. White-We managed it for 4 1/2 years and we were able to buy that asset in 2009. CM Ferguson-What is the trend there? Ans: Mr. White-We acquired that assets when it was just under \$30 million and we were doing about \$500K in profit; we have been able to grow that over 20% in the past couple of years. St. John's has great potential.

CM McGuire-Have you surveyed the competition here in Palm Coast? How will you take business from the competition? Ans: Mr. White-We have to look at the demographics; the opportunity for Palm Harbor is to make sure we cater those individuals that are here tonight and playing now; price war on the outside play. We have to build loyalty and stay in tune with our players. The competitors are trying to win the price war. We focus on the value. We create loyalty programs for them to bring guests.

VM DeLorenzo-Have you looked at opportunity on the expense side? Ans: Mr. White-It is incremental. The quality of service cannot change. We see efficiencies.

Ben Blake, Executive Vice President of Kemper Sports-We have been here since day one and we are proud of what we have done. We focus on the local course and local community. We care about our customers;we get to know our customers. Community goal is to serve our customers. We focus on retention and relationships. We focus on trying to implement what is best for our customers and the local community. We appreciate the opportunity to serve our community and the opportunity to speak.

Jeff Yost, Down to Earth Golf-We are a lease company, not a management company. We can get you to break even within a year.

CM McGuire-Why do you want to take over a golf course that has been a money pit? Ans: Josh Yost-Running it like you own it, is different than running it like you manage it. We have costs that we will absorb that go to the bottom line.We do not see our budget going as high as what you are running at. There are rebates that we get as a

leasing company that do not necessarily get returned to cities, there are discounts but not rebates. We would take all those rebates and apply to our bottom line.

CM McGuire-Can you offer the same quality of play? Ans: Jeff Yost-Our main operations is as a golf course maintenance company, we have seen rounds and revenue go up and we have decided to go do that at other facilities.

CM McGuire-What type of track record do you currently have? Ans: Jeff Yost-We have been around since 1989 (for golf courses). We have 3 branches of Down to Earth-a construction and irrigation company, a landscaping maintenance company, and a golf course maintenance company. We are in the middle of growing. Our corporate office is an hour and half from here. We are local.

CM McGuire-You want to take over this course and manage it for the City of Palm Coast as a lease option? Ans:Jeff Yost-Yes.

CM McGuire-You would provide same amenities as now? Ans: Jeff Yost-We believe the conditions at the course will dramatically increase. That is our bread and butter. Not much of a difference between these companies, the difference is in the philosophies. Our philosophy is for the tax payers not to pay for a golf course.

CM McGuire-Conditions includes the business as a whole? Ans: Jeff Yost-Absolutely, our goal is to make money. We do not want the tax payers to lose money. We are in it to make money. We will not run it into the ground.

VM DeLorenzo-Your proposal is the most intriguing, so much so that I met with staff. Do you lease one course? Ans:Jeff Yost-Yes for the past 6 months of a semi private looking to go private.

VM DeLorenzo-Cost to all the players if you miss your projections? Ans: Jeff Yost-Our proposal was that we would keep the rates the same. We proposed a 15% discount of the current rate for your residents to play.

VM DeLorenzo-Type of course you currently lease-semi private to private, marketing? Ans: Jeff Yost-We still market that course, we still have public play. The Club wants to go private.

VM DeLorenzo-Does the club you currently lease have a club house, restaurant? Ans: Jeff Yost-We do, we manage it, there is a contract with someone and he will run it til the end.

Mayor Netts-You stated if the course conditions deteriorates, you take a loss, but that is an asset that belongs to the City, wouldn't the City take a loss also as it is a City asset? Ans: Jeff Yost-We are not going to drive it into the ground, we will take care of your asset. It is important to us to take care of your asset.

Mayor Netts-What would the lease look like? What amount would the lease be? Ans:Jeff Yost-We would not charge anything and we would return the revenue sharing with you.

Mayor Netts-You have the operation of the course in your hands and the trends continue, what happens? Ans: Jeff Yost-We lose money, not the City.

CM McGuire-Are you a publically held company? Ans:Jeff Yost-Yes, we are.

VM DeLorenzo-How the rankings started one way but finished in another, please explain? Ans: Ms. Santangelo-We looked at those we wanted to bring in for

presentations and interviews. From there the presentation, interview and site visits determined the final rankings.

Public Comments:

Celia Pugliese-supports the golf course. The golf course is an asset to our community. Would appreciate whoever wins the contract to make sure it stays in great condition.

Mike Jackson-regular golfer at Palm Harbor. Supports Kemper Sports.

Tom Martone-provided pictures of the golf course, which is attached to the minutes. Lake on Fairway 13 is polluted and the dead fish in the lake smell.

Cathy Sarirish-supports Kemper for tennis. What plans do you have for the tennis center?

Matt Dunn, TDC-We have been soliciting our golf and tennis here in the County.

Richard Munsterman-Supports Kemper and Canfields. Isn't golf part of what Palm Coast has been soliciting?

Bob Otley-Marketing will not save golf in Palm Coast; most of us in Palm Coast are here for golf, tennis, or the beach. This is a reality not a marketing issue.

Revis Smith-supports Kemper Sports and their commitment to their golfers.

Carol Ogden-Tennis is also affected. Supports Kemper Sports. What is the plan for the Tennis Center?

Agnes Lightfoot-Friends of Tennis-Supports Kemper Sports.

Jack Carrall-Doesn't like the increase coming out of the general fund to support the golf course and tennis center.

David Tiernan-lives at the 3rd hole; supports Kemper

Jeff Davis-supports Kemper for tennis.

David White, Casper-Our firm is focused on those in this room. The course is not marketable in the condition it is in right now. We are proposing a small profit.

Jeff Yost, Down to Earth-I will promise you will not pay a dime in the next 3 years based on increasing the playability of the golf course.

Ben Blake, Kemper Sports-We are sincere in managing the golf course and ask that we be considered. Please continue this process and do more research. We appreciate the process and the opportunity to speak.

Responses to Public Comments:

Mayor Netts-There is a proposal to go from 38K to 42K rounds of golf-what is the nature of that proposal? Ans: Mr. Landon-Basically, the process is that each interested in running/leasing our golf course submitted a written proposal. They all made projections on rounds and revenues. Direct answer that you heard is we have experienced 38K rounds of golf per year and Billy Casper, who put out the 42K, said they believe over the next 2 or 3 years they can increase that number to over 40K rounds. Rounds equal revenue, which means they are saying they can increase the

revenue.

Mayor Netts-Is there a money back guarantee? Ans: Mr. Landon-Absolutely not.

CM McGuire-Would like to see the contract be a 2 or 3 year contract with a clause to get out of the contract.

Mayor Netts would like to see a committee of City employees and golf course management employees meet monthly to inspect the course and address issues before they become issues. Tennis courts management concerns him.

Motion was made by VM DeLorenzo. Motion died for a lack of a second.

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: 3 - Mayor Netts, Council Member Ferguson, and Council Member McGuire

Denied: 1 - Vice Mayor DeLorenzo

Excused: 1 - Council Member Lewis

Enactment No: R2014-102

Other Business

7 [14-269](#) APPOINT TWO MEMBERS FOR THE LEISURE SERVICES
ADVISORY COMMITTEE

Attachments: [LSAC Applications](#)

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

Approved: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

8 [14-273](#) APPOINT FOUR MEMBERS FOR THE CODE ENFORCEMENT
BOARD

Attachments: [Code Board Applications](#)

This item was continued until all Council Members are present to confirm the board appointments.

Mayor Netts-Can we look at this language in the Code (that only appears in the Code Enforcement Board section of the code) which states we must have all council confirm the applicants to change that language?

The Appointment was continued.

Approved: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

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 Ferguson, to approve the Consent Agenda. The motion was approved by the following vote: This motion passed unanimously

Approved: 4 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, and Council Member McGuire

Excused: 1 - Council Member Lewis

- 9** [14-302](#) RESOLUTION 2014-XX APPROVING PIGGYBACKING THE GSA CONTRACT #GS-07F-9711G WITH BREATHING AIR SYSTEMS, INC., FOR THE PURCHASE OF A BREATHING AIR PURIFICATION SYSTEM

Attachments: [Resolution - Breathing Air System](#)
 [Contract Summary -Breathing Air Systems](#)
 [Quote - Breathing Air System](#)

The Resolution was adopted on Consent.

Enactment No: R2014-103

- 10** [14-303](#) RESOLUTION 2014-XX APPROVING A CONTRACT WITH FLORIDA METER SERVICES, INC., FOR TESTING AND REPAIR OF REVENUE AND WELL METERS

Attachments: [Resolution - Meter Services](#)
 [Contract Summary - Florida Meter Service](#)
 [Bid Opening Tab-Meter Services](#)

The Resolution was adopted on Consent.

Enactment No: R2014-104

- 11** [14-308](#) RESOLUTION 2014-XX APPROVING A CONTRACT WITH GEM STONE CONTRACTORS, INC., TO PERFORM LOCATES OF UNDERGROUND UTILITY LINES AND FIBER OPTIC NETWORK CABLES

Attachments: [Resolution - Underground Utility Locates](#)
 [Contract Summary - GEM Stone Contractors](#)
 [Bid Opening Tab - Underground Utility Locates](#)

The Resolution was adopted on Consent.

Enactment No: R2014-105

- 12 [14-314](#) RESOLUTION 2014-XX APPROVING A FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM AGREEMENT FOR THE RIGHT-OF-WAY ACQUISITION PHASE OF THE OLD KINGS ROAD WIDENING PROJECT

Attachments: [Resolution-Old Kings Road Widening FDOT LAP Agreement - ROW](#)
[FDOT LAP Agreement-ROW](#)

The Resolution was adopted on Consent.

Enactment No: R2014-106

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-Primary Election-voter turnout. Referendum mandating all Palm Coast residents to vote.

Steven Carr-Florida Park Drive

Ron Decosta-Happy Birthday to Jack Carrall.

William Venne-McDonald's at PC Parkway and Belle Terre Parkway-the swale in front of that facility has not been maintained.

Responses to Public Comments:

Commander Carman provided an update to the Florida Park Drive traffic issue. VM DeLorenzo-Just because you do not see anything happening that does not mean your complaint is falling on deaf ears. People chose to live where they chose to live.

McDonald's swale-We are aware of it and Code is taking action.

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

Nothing at this time.

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

Budget meetings-September 9, 2014 at 5:05pm here at the Community Center and September 23, 2014 at 5:05 pm here at the Community Center.

H. Adjournment

The meeting was adjourned at 9:15 pm

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[14-327](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[14-333](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 5 OARE MPD presentation](#)
[Item 6 Palm Harbor Golf Club presentation](#)
[Item 6 PHGC Preso 9-2-2014](#)
[Item 6 Copy of Past 5 Years Municipal Management Contracts](#)
[Item 6 Copy of Past 5 yrs Management Contracts -2014](#)
[Item 6 Florida Municipal Course Overview 9-2-2014](#)
[Item 6 BCG follows Kemper](#)
[Item 6 GM Resume Sample \(2\) RyanRoberts](#)
[Item 6 GM Sample- Tony Harris](#)