



# City of Palm Coast

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
www.palmcoastgov.com

## Meeting Minutes City Council Workshop

**Mayor Jon Netts**  
**Vice Mayor Bill McGuire**  
**Council Member Jason DeLorenzo**  
**Council Member Steven Nobile**  
**Council Member Heidi Shipley**

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**Tuesday, October 27, 2015**

**9:00 AM**

**Palm Coast Community Center**

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>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 Bright House 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**

**Present:** 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

### **D. PRESENTATIONS**

- 1**     [15-441](#)     PRESENTATION BY THE FLAGLER COUNTY ASSOCIATION OF REALTORS RELATING TO THE NEW HOME FOR THE HOLIDAYS EVENT
- Mr. Landon gave a brief overview of this item. Mr. Jose Papa, Senior Planner, gave a PowerPoint presentation attached to these minutes. Ms. Dorothy ?? of Florida County Association of Realtors (FCAR) spoke about their inaugural event December 12 and 13, 2015.*

*VM McGuire - Is this a City of Palm Coast event? Mr. Landon - If you pass a resolution, we will partner with them; it is really a FCAR event that The City is sponsoring it which is common.*

*Nobile what would the benefit of to the residents? Dor it is a good time for listing a*

home and prices are starting to come back up, maybe they will use it to get increased exposure.

Nobile what is our cost? Landon Zero, they pay for us to put up the banners. Mayor Netts says he believes it probably feeds into more listings and more sales, advertising Palm Coast and Flagler County as a good place to live; believes it is positive.

Shiple for this event, will we allow directional signs for open houses? Landon just for the houses that are participating in this event that will be designed by FCAR similar to Parade of Homes as the Homebuilders Association does. This would be considered a special event just for this weekend. Doroth yes, they can only use the approved signs provided by FCAR.

**The Presentation was Received and Filed.**

Enactment No: R2015-125

**2**      [15-444](#)

**RESOLUTION 2015-XX AUTHORIZING THE CITY MANAGER TO EXECUTE THE STATE REVOLVING FUND LOAN AGREEMENT FOR WASTEWATER TREATMENT PLANT #2, PROJECT WW18042**

Mr. Landon gave a brief overview of this item. Mr. Richard Adams, Utility Director, and Mr. Chris Quinn, Finance Director, gave a PowerPoint presentation (attached to these minutes).

VM McGuire - Is that a fixed rate? Mr. Quinn - Yes.

CM DeLorenzo - Is it more of a reflection of our credit rating or is it more of a function of the State right now? Mr. Quinn - More of a function of the State. Mr. Adams - We do have to make a couple of commitments to get that rate; we also have to create an asset management plan for this facility which we will do anyway.

VM McGuire - If you didn't go out to bid yet, how did you get the time table for construction time? Mr. Adams - That is the estimated construction time that we will present in the bid documents; if for some reason the contractors don't feel they could meet that schedule that would come out during the prebid conference but these estimates are prepared by the consulting engineers they are pretty confident that the schedule can be met.

VM McGuire - What if the schedule can't be met, does that affect our loan? Mr. Adams - It won't affect the loan; actually other than perhaps a little more capitalized interest because we are capitalizing the interest during the construction so as we take down the loan for construction then they will start interest on that and that gets capitalized in the financing, but it shouldn't be enough to make a difference especially since we got that really low rate.

Mayor Netts - You are not capitalizing the whole amount only the portion that you take out? Mr. Adams - Correct.

VM McGuire - If the City Manager executes this loan agreement, when will we know that it is accepted and that we are going to get it? Mr. Adams - It is a done deal; all we have to do is execute the agreement (Florida Dept. of Environmental Protection asked that we return the agreement in 3 weeks). Mr. Landon - This will be on the agenda for action at the next business meeting (11/3/15) and that will meet their timeframe.

**The Resolution was Continued.**

Enactment No: R2015-126

**E. WRITTEN ITEMS**

**3**      [15-436](#)

**RESOLUTION 2015-XX APPROVING A CONTRACT WITH STOCKTON MAINTENANCE GROUP FOR CITYWIDE CLEANING SERVICES**

*Mr. Landon gave a brief overview of this item. Mr. Abreu was available for questions.*

*VM McGuire - Part time positions, are they not? Mr. Landon - No, 2 full time and 1 part time currently.*

*CM DeLorenzo - It is going to cost approximately \$20,000 more, however, we are going to have additional staff during the day for set up and breakdown of an additional facility plus taking care of stuff around the building as they occur and the regular maintenance of the additional facility. Mr. Landon - That is what we are proposing.*

*CM DeLorenzo - This building, Community Center, is going to shut down in a year; so how is that going to work will that affect them if at all? Mr. Landon - We will be thin as it is, they also do the painting as well; this is a facilities maintenance crew, this is not a cleaning crew.*

*VM McGuire used to own a cleaning company in St. Louis; people would send him a list of the activities they wanted done and how often they wanted them done and what kind of square footage we were talking about, to which he responded with a bid, etc.; is this what we do with these companies? Mr. Landon - Yes, including daily, weekly, quarterly; there are different levels; quite detailed.*

*VM McGuire - How are you going to monitor that (Public Works may have trouble keeping up with their primary functions)? Mayor Netts - In years past we went out to bid for janitorial services and awarded the cleaning contract to a company out of Jacksonville, within a month we knew that wasn't working; we cancelled that contract and went with the next lowest bidder out of DeLand and that didn't work; finally we went with a local firm. Do we have the same option in this contract, if they don't perform can we get out? Mr. Landon - Yes, and without cause that we will put in there.*

*Mayor Netts asked what about cleaning Water Treatment Plant 1 and 2 (only Water Treatment Plant 3/WTP3 is mentioned). Mr. Landon - WTP3 actually has meeting space and IT has functions out there so it is more than just a 2-3 person crew; they take care of their labs and their work space; the plant operators keep it clean and clean their own restrooms. The other one not on there is the golf course; they have their own separate maintenance crews.*

*CM Nobile - The 4.5, what kind of resources are allocated by hours; who is working nights, etc.? Mr. Abreu - There are 2 facility employees currently and they work 7am-3:30pm; they keep their schedule; the 1/2 is a new position budgeted out of Parks to work basically on the weekend to provide bathroom services at the parks and trails. The other 2 positions are to be filled yet and they would be the core of the custodial staff; late afternoon - maybe 5pm-1:30am when they would start at City Hall and work their way to the Community Center and finish up at Public Works yard.*

*Mayor Netts - In the past we have argued that in many cases it makes sense to bring in-house these kinds of things because you have more versatility; he would assume*

that we may monitor this very closely because at some point it may make sense to bring it all in-house. A year from now he would like to hear the analysis; if it would make sense to bring it all in-house. Mr. Landon - That is a conversation we have had internally a number of times; Karpet Master thinks we will be too thin with what our staff can do; so we are going to monitor it very carefully; we are aware of that. This building (Community Center) will shut down temporarily and it will be expanded and there will be more evaluation going on there; this is not a stagnant situation with our facilities growing.

VM McGuire - Do we have any experience with the Stockton Maintenance Group?  
Mr. Landon - No, we went out for qualifications first and had criteria that only those qualified could submit a bid; all 6 of these qualified and have the experience necessary, unlike before; plus we made it clear we couldn't have contract employees, they have to be the companies' employees with workers compensation coverage, etc.; we have learned some things and tightened up.

CM DeLorenzo - This contract includes cleaning supplies; everything it takes to do the job, correct? Mr. Landon - Combination. Mr. Abreu - Currently, and with this contract also has us supplying product. Mr. Landon - The cleaning materials they bring, but the paper products we supply.

CM DeLorenzo - For what is the budget for what we are going to be doing (supplying)? Mr. Landon - Start up costs for this too with this. Mr. Abreu - Roughly, \$25,000 in equipment - polishers, cleaners, vacuum cleaner, etc.

**The Resolution was Continued.**

Enactment No: R2015-129

**4**      [15-438](#)

**RESOLUTION 2015-XX APPROVING A PRICE AGREEMENT TO PURCHASE DENSE SODIUM CARBONATE FOR THE FISCAL YEAR 2016 ANNUAL SUPPLY**

Mr. Landon gave a brief overview of this item.

CM Nobile - Did we check this price in any way? Mr. Landon - We only had 1 bidder.  
Mr. Hogan - Only 1 bidder, rather specialized chemical.

CM DeLorenzo - Is this current provider? Mr. Hogan, Utility Systems Manager of Water Operations - It is.

CM Shipley - Do we have a some way of checking the cost by saying that is how much goes for by barrel, by pound, etc.? Mr. Hogan - Yes, it is per tons and the second bidder was considerably higher.

VM McGuire - What makes dense sodium carbonate a specialized thing? Mr. Hogan - It is only mined in certain locations and it's used in the water treatment industry in Florida it's a chemical that is used in conjunction with lime to remove particularly constituents of hardness.

VM McGuire - There is nothing else you can use except this? Mr. Hogan - No, it is part of the ZLD (zero liquid discharge) process and treating the concentrate there.

CM Nobile - In this area or in general? Mr. Hogan - In this area.

CM Nobile - Did we talk to any other utilities or do we have a tonnage average? Mr. Hogan - We use very little of this chemical; about 3 loads a year maximum; it comes

*in a 25 ton bulk load; we have a silo that it goes into.*

*CM Nobile - \$12,000-\$13,000 a year? Mr. Hogan - A little over \$30,000 for the annual supply.*

*VM McGuire - Does it come in a rail car? Mr. Hogan - No, by truck.*

**The Resolution was Continued.**

Enactment No: R2015-127

- 5      [15-439](#)      RESOLUTION 2015-XX APPROVING A WORK ORDER, IN THE AMOUNT OF \$42,000, TO CONNECT CONSULTING, INC., FOR THE REHABILITATION OF WELL SW-29R

*Mr. Landon gave a brief overview of this item.*

*CM DeLorenzo - How old is this well? Mr. Hogan - This well was put in the early 70s; it was redrilled in 2009; they have a limited life span of about 20 years for a gravel packed screen well, etc.*

**The Resolution was Continued.**

Enactment No: R2015-128

**Public Participation shall be in accordance with Section 286.0114 Florida Statutes. Any member of the public interested in speaking on any proposition agendaed or that Council discusses or considers during this workshop, will be afforded the opportunity to speak during public participation at the next City Council Business Meeting. Contact the City Clerk's office for the meeting date, time, and location at 386-986-3713 or [cityclerk@palmcoastgov.com](mailto:cityclerk@palmcoastgov.com).**

#### **F. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*CM DeLorenzo - How was day 1 (at the new City Hall)? Mr. Landon spoke about the move under his comments.*

*CM Nobile received some calls about home construction sites; he went out and visited a bunch of sites himself; he took pictures there is garbage all over the lawns with bottles, lunch bags, all kinds of mess. He received a bunch of calls especially on Rainmill. He knows there must be an ordinance that they must have to be cleaned because the mess is moving from the construction site to the street. They need to clean up at the end of day, piles of dirt and debris is not acceptable. He is afraid if we don't start policing it better this is going to get worse. He wants to know if there is something better we can do. Mr. Landon - Trash and debris blowing around and cluttering up the area is not acceptable; everything CM Nobile mentioned, we have the rules in place; it is a matter of code enforcement. We will drive down Rainmill; the contractors need to be good neighbors. Mayor Netts - Just add to the list for Code to look out for.*

*CM Nobile - A lot of streets in undeveloped areas in his district (4), we are having a problem with the streets with excessive pine needles building up and the dirt and grass is building up on that and growing out into the street. It looks terrible; he was wondering what we could do about that since we are trying to maintain those areas. Mr. Landon - Every community does this differently. It became policy, procedure that we would mow the right-of-way but not the developed lots. We have asked our*

mowers to ride along the edge of the street. CM Nobile - he saw where they tried to come out into the road but it didn't work. Mr. Landon - The City just mows; we never tried to do any kind of assessment for this service.

CM Nobile - Can we raise the level service on these vacant lots? Mr. Landon - If we add a couple of more machines and people, then we can do that.

CM Nobile believes that is fair because the City asks residents to take care of their property, to be on a block when residents are taking care of their properties and the rest of the street with vacant lots looks terrible. He is looking for an assessment; if you have a vacant lot we will take care of it but there will be an additional cost because it costs the City. Mr. Landon - You get into that gray area of the public right-of-way; we want to stress we are not going on any private property to mow other than what is in the right-of-way. The other reason for us to do it is for the basic maintenance of our drainage system.

Mayor Netts - Can you attach an assessment on vacant property for basic easement/right-of-way maintenance? Attorney Reischmann - Is there any code that requires vacant lot owners, either residential or commercial, to maintain their lot including, but not limited to, the grassy area that is located in the right-of-way; depends on what kind of right-of-way it is, etc. We could look at is whether or not we could look at a process for special assessments against undeveloped lot owners for City maintenance of their property. So the issue there is we are going to have to go out and look at the different right-of-ways; he is sure it is not all fee simple. Under current code, could we impose an assessment? He would think not. Under code enforcement, we could.

Mayor Netts - He would be open to City attorney looking into this. You are going to reach a point where those lots are going to be left not developed. If the whole street is developed and there are 2 lots that are a mess; it's worth looking at. Mr. Abreu, Public Works Director clarified that the crews mow right-of-ways every 2 weeks.

Mayor Netts - Let's take a look at the issue; see if there is an easy way to deal with it. Mr. Landon - The other possibility is that we clean streets that have curb and gutter but we don't clean streets that don't have curb and gutter which is almost all of our residential streets. Another possibility is rather than have the mowing crew be responsible for this is actually having a blowing crew with a device of some kind where we drive down the street and blow the street off into the swale.

Mayor Netts would like to hear what some options are (as far as fees/assessments to the vacant lot owners for maintenance).

CM Nobile - He got an email last week and phone call regarding something in the charter being out of compliance with State law and then he got a phone call that the charter vote review went down so they want to get this on the ballot but they don't think they could get 13,000 signatures. He told them they don't need 13,000 signatures, only need 5,600 or something like that, so what the charter says is wrong. We are in a conundrum where we have to comply with the State (25% of voters) so putting that on the ballot is like you can't vote against because . . . you can't turn it down. He read Florida Statute, 166.031(5) - "A municipality may, by unanimous vote of the governing body, abolish municipal departments provided for in the municipal charter and amend provisions or language out of the charter which has been judicially construed, either by judgment or by binding legal precedent from a decision of a court of last resort, to be contrary to either the State Constitution or Federal Constitution." He reads that as saying we can make a change by unanimous vote of the Council when something is not in line with State Statute. Attorney Reischmann -

Clearly, there is a distinction between 10% versus 25%. The charter says it has to be 25% of the registered electors in order to amend the charter if they want to petition; to place that on the ballot and Fla. Stat. 166.031 says it is 10%. The State is going to win; it is 10%, and he described it further.

Mayor Netts - When we were a new City, we found what was determined to be a scrivener's error; it was changed and corrected in the first or second year that we were a City; we did not go to ballot and he described the error further. Attorney Reischmann will take a look at this and come back to Council; he will look at the rationale of the Council back in 2001-2002.

CM Nobile apologized but made this statement, "I believe that this Council was diminished last week when Councilman DeLorenzo declared that my motives for seeking the charter review were impure. While Council meeting policy and procedures forbid questioning the motives of another Council Member, Mr. DeLorenzo chose to break this protocol without any evidence and publicly attack my credibility. In fact, I was elected to office with a great amount of support while I won't speculate on what motivated Mr. DeLorenzo to take this publicly embarrassing position I will offer that it demonstrates a collapse of leadership and debate skills which are necessary to lead this City. It is my position that none of us should face such an impulsive affront to our sincerity, integrity or confidence especially from one another on the Council. We invite suspicion and distrust from the citizens of Palm Coast and destroy their confidence in us if this Council tolerates attacks of this nature. Conversely, a charter review has the opposite effect of rendering the Council transparent and willing to accept the scrutiny and guidance of the true owners of Palm Coast and how we operate as stewards on their behalf. For such an action, there cannot be any distrust. Thank you."

VM McGuire - It has been a while since we have heard from the folks that manage our golf course for us; he thinks it is time they came and gave us an update; what their plans are; how they have done fiscally; we asked them for a quarterly review; he thinks it is time, etc. Council consensus.

CM Shipley spoke of the letter the Mayor sent to Senator Bill Nelson in response to the citizens' request for a sound barrier (Matanzas Woods/I-95 Interchange project) and they appreciate the letter showing support for the sound barrier. There are people that live right behind there and there is a lot of noise, not from the construction or anything else but the noise from the highway (I-95) so what they are looking for is the City to put up the sound barrier but when she met with them she was told ahead of time that it isn't really the City but the State. They had a representative from Bill Nelson's office there and they asked that Mr. Landon send a letter in support which the Mayor did. Mayor Netts and CM DeLorenzo described that this is not the first time the City has requested a sound barrier but we didn't meet the Florida Department of Transportation criteria in the past. Also, discussion about the many trees that were downed and how they were useful in blocking the noise. Mayor Netts suggested encouraging constituents to also contact Senator Nelson directly.

CM Shipley - TNR (trap neuter release) - Last November she started this and she wants to know the status. Mr. Landon - Legal has reviewed it, Ms. Barbara Grossman, Code Enforcement Manager, has worked with the Humane Society, which is in final stages to come to City Council.

CM Shipley - With Holland Park opening, she met with Mr. Carr and some of the neighbors on Florida Park Dr. and their concern with Holland Park opening, how are the kids going to cross over to the west side of the street near the entrance of Holland Park. Are there going to be crossing areas, etc.; is there something that we

are going to do for safety at the entrance to Holland Park? Mr. Landon - If you are on Flintstone or any of the cross streets, what they should be doing is crossing at the intersection which is a designated crosswalk; every intersection is a designated crosswalk and then taking the sidewalk down. You don't encourage them to use the east side to get down; you want to get them over to the sidewalk as soon as possible.

CM Shipley - There are crosswalks in between but is there something to slow cars down where the crosswalks are? Mr. Landon - No more than in any other neighborhood.

CM DeLorenzo - Where are the crosswalks? Mr. Landon - Every intersection is a crosswalk.

Council further discussed what makes a crosswalk.

CM Nobile stated he has been in Palm Coast for 34 years and since his kids were in elementary school they complained about getting the school bus stops laid out better and safer for the kids. Recently, we really attacked this issue but unfortunately it came after the poor little baby got killed on the street. The opening of Holland Park, and over 500 trucks, forget about the general traffic in the area which there is going to be traffic in that area, coming down that street mixed with kids crossing that street. He feels we are asking for a tragedy if we don't try to stifle that somehow. He doesn't have the answer but a major effort has to come about with the park opening. He sees the kids they come over to the park by themselves. CM Shipley - Especially, this one because it isn't just for small children, etc.; she can't say there is a crosswalk at every intersection because someone is going to take that and say okay I'm crossing and the cars don't know that there is crosswalks at every intersection; even if we just paint something on the street, slow down children crossing at certain points going down Florida Park Dr. CM Nobile suggested Council put it up for a big discussion. CM DeLorenzo - Because he has been working with the school district with a bit and has a contact in Transportation maybe we can find out how many kids are actually coming out of the side streets; maybe it is not really a big problem. CM Shipley - What if it is 5? She has a problem with that.

CM Nobile mentioned the school bus stops and how we are looking at them now, but statistically, was there a problem there before?

CM Shipley - April 28th Council meeting, part of our strategic action plan, she had asked for school bus stops and had mentioned that kids are sitting at the side of the road and she heard that it is being taken care of, we are working on it and then someone gets hurt and now we are really working on it. Holland Park is going to be big; she believes we need something on those streets to show this is an area where children will cross. Mr. Landon - This isn't just Florida Park Dr., it has minor traffic compared to some others - Rymfire, Parkview, Easthampton, Pine Lakes; they actually have higher speeds, more kids also headed to recreational areas and schools. We have this all over Palm Coast.

CM Shipley - Even if it is at all the parks we had to do it at; just to make crossing (safer); we build the most beautiful parks and we need to go with the safety of the parks too. Mr. Landon - You all can discuss further; you have physical constraints; it's all over town; we can put it on the agenda.

CM Nobile - Is there no way to overcome this crosswalk; the crosswalk on Rymfire is very effective; signs, etc. Mr. Landon stated we could look at painting crosswalks on Florida Park Dr. but drivers may not pay attention to them after a while. CM Nobile stated, hopefully, they won't stop paying attention to it.

CM Shipley - What department would look at crosswalks? Mayor Netts - If you put a crosswalk at the entrance to Holland Park, where would the east side of that terminate; what is directly across from that entrance? Mr. Landon - Pond Lane. Mayor Netts - How would the children from the east side get to that location? CM Shipley - She doesn't know; that is why she is suggesting a work shop on it. There was further discussion about this issue.

Mayor Netts - If we are going to do this, we need to do it Citywide. Mr. Landon expressed the true experts, will tell you in this situation, once in a while you are better off not creating some type of traffic control (paint on streets, signs) that gives that young pedestrian a false sense of security. He is frustrated also but you don't want to make the situation worse; you need to listen to your experts in what works and what doesn't.

CM Shipley - Can we have the expert here? Mr. Landon - We have already had the experts here; welcome to bring them back if Council would like.

CM Shipley - Can we bring it up on a workshop; see what other cities, towns do? Mayor Netts - Perfect, workshop 1 month from now; anyone that has some thoughts or suggestions please be prepared to bring them forth.

#### **G. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*No comments.*

#### **H. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*Reminder that our 5th annual Business Expo at the Hammock Beach Resort is this Friday (10/30/15) from 8:30 am-1:00 pm.*

*Our big move - we are totally moved out of City Marketplace; our operation there has closed and we opened up to the public yesterday (10/26/15) at the new City Hall; move went better than expected. We did it with in-house crews; did it without any injuries; staff did a wonderful job.*

*The official Grand Opening is November 3, 2015, 4:00-8:00 pm with a ribbon cutting type of ceremony about 5:00-5:15 p.m. There will be a little entertainment, refreshments and tours and at 6:30 pm will be the Council business meeting in the new Council Chambers.*

*We still have a lot of work; we are not done; there are a lot of punchlist items in the building; some operations are still not totally set up; clutter still there but we are working hard to get things done; very functional building; very exciting time; major history events for a community - first City Hall.*

#### **I. ADJOURNMENT**

*The meeting was adjourned at 10:46 a.m.*

*Respectfully submitted,  
Barbara Redline*

[15-445](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

[15-456](#)

ATTACHMENTS TO MINUTES