



# 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 Bill McGuire**  
**Council Member Jason DeLorenzo**  
**Council Member Steven Nobile**  
**Council Member Heidi Shipley**

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**Tuesday, May 5, 2015**

**6:30 PM**

**Palm Coast Community Center**

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#### **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 for each speaker.

>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 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.*

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

**Approval of Minutes**

- 1      [15-187](#)      MINUTES OF THE CITY COUNCIL'S:  
                         A. April 21, 2015 City Council Business  
                         B. April 28, 2015 City Council Workshop

**Attachments:**      [April 21, 2015 Business Meeting](#)  
                                 [April 28, 2015 Workshop](#)

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

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

**Proclamations and Presentations**

- 2      [15-155](#)      PROCLAMATION RECOGNIZING MAY AS "DRUG COURT MONTH"

**Attachments:**      [Proclamation Drug Court Month](#)

*CM DeLorenzo presented this Proclamation to Mike Greenier, representative of Drug Court. There are 3 people slotted to graduate this year on May 29, 2015 at 3:00 p.m.*

**The Proclamation was Received and Filed.**

- 3      [15-177](#)      PROCLAMATION RECOGNIZING MAY AS "NATIONAL SAFE BOATING MONTH"

**Attachments:**      [Proclamation National Safe Boat Week](#)

*VM McGuire presented this Proclamation to Jack Wertz of the US Coast Guard Auxiliary, Floatilla 41.*

**The Proclamation was Received and Filed.**

- 4      [15-143](#)      PROCLAMATION RECOGNIZING MAY 10, 2015 AS WORLD LUPUS DAY

**Attachments:**      [Proclamation World Lupus Day 2015](#)

*CM Shipley presented this Proclamation to Ms. Debbie Blackburn and Miss Mallory.*

**The Proclamation was Received and Filed.**

- 5      [15-157](#)      PROCLAMATION RECOGNIZING MAY 3, 2015 THROUGH MAY 9, 2015 AS PUBLIC SERVICE RECOGNITION WEEK

**Attachments:**      [Proclamation Employee Recognition week](#)

*CM Nobile presented this Proclamation to the City's longest employee, Keith King, recently retired after 37 years.*

**The Proclamation was Received and Filed.**

**PRESENTATIONS****6      [15-150](#)      PRESENTATION-CURRENT YEAR-TO-DATE BUDGET REVIEW**

*Mr. Quinn, Finance Director presented a PowerPoint presentation, which is attached to these minutes.*

*VM McGuire-Are we spending more than what we budgeted for? Ans: Mr. Quinn-In certain circumstances, yes, for example, we had a lot of rain this year 6:51*

**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

**Second Reading****7      [15-135](#)      ORDINANCE 2015-XX APPROVING A STREET NAME CHANGE FROM SEMINOLE WOODS PARKWAY TO SEMINOLE WOODS BOULEVARD**

**Attachments:**      [Ordinance-Renaming Seminole Woods Pkwy](#)  
[Exhibit A-Location Map](#)

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

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

Enactment No: O2015-05

**8      [15-69](#)      ORDINANCE 2015-XX A COMPREHENSIVE PLAN AMENDMENT**

FROM FLAGLER COUNTY DESIGNATIONS TO CITY OF PALM COAST DESIGNATIONS RESIDENTIAL AND INDUSTRIAL FOR A 276+/- ACRE FOR THE AREA KNOWN AS GRAND LANDINGS NORTH

**Attachments:**     [Ordinance-Grand Landings North-FLUM](#)  
                              [Staff Report-Grand Landings North](#)  
                              [Existing FLUM designation](#)  
                              [Existing Zoning Map](#)  
                              [Location Map](#)

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

*Mr. Landon gave a brief summary of the item. Mr. Jose Papa provided a PowerPoint presentation for this item and item 9, which is attached to these minutes.*

*Public Comment:*

*Jack Carall-Tell me what you mean by heavy industrial.*

*Responses to Public Comment:*

*Mr. Papa-We have two categories, the difference is heavy industrial is the floor area ratio allows a larger footprint for a building.*

*Mayor Netts-What is the buffering for adjoining properties in the heavy industrial area? Ans: Mr. Papa-Buffer will be a 100 ft wide canal.*

*CM DeLorenzo-The footnote that you mentioned, how is that established, the mixes of zoning in Flagler County? Ans: Mr. Papa-That was based on a fair number we discussed with the property owners and the level of analysis that we have to provide.*

*CM DeLorenzo-Without footnote state requires you to analyze the maximum? Ans: Mr. Papa-Yes, we have to provide the worst case scenario to the State.*

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

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

Enactment No: O2015-06

9        [15-70](#)

ORDINANCE 2015-XX A ZONING MAP AMENDMENT FOR 276+/- ACRES FROM FLAGLER COUNTY DESIGNATIONS TO CITY OF PALM COAST DESIGNATIONS SINGLE FAMILY RESIDENTIAL (SFR-1) AND HEAVY INDUSTRIAL (IND-2) FOR THE AREA KNOWN AS GRAND LANDINGS NORTH

**Attachments:**    [Ordinance -Grand Landings North-Rezoning](#)  
[Staff Report=Grand Landings North](#)  
[Existing Zoning Map](#)  
[Location Map](#)

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

*Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor called for any ex-parte communications. There were none.*

*This item was heard under item 8.*

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

*Mayor Netts asked Mr. Papa to clarify the difference between light industrial zoning and heavy industrial zoning. Mr. Papa-You can have a larger building in heavy industrial.*

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

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

Enactment No: O2015-07

### Other Business

- 10      [15-60](#)      REAPPOINT MEMBERS DANIEL BRAZZANO AND CHARLES ESPOSITO TO THE VOLUNTEER FIREFIGHTERS' PENSION FUND BOARD

**A motion was made by Vice Mayor McGuire, and seconded by Council Member Nobile, that the re-pppointment of Daniel Brazzano and Charles Esposito be approved. This motion was approved by the following vote:**

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

### Consent Agenda

**Public comments shall be held 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 each to speak.**

- 11      [15-149](#)      RESOLUTION 2015-XX APPROVING THE AMENDMENT TO THE INVESTMENT POLICY

**Attachments:**    [Resolution-Investment Policy Amendment](#)  
[COPC Investment Policy - Revised April 2015](#)

**The Resolution was adopted on Consent.**

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

Enactment No: R2015-44

- 12      [15-175](#)      RESOLUTION 2015-XX APPROVING AN AGREEMENT WITH PALM COAST LAND, LLC, FOR THE EXCHANGE OF EXISTING WELL SITE SW-43 FOR TWO NEW WELL SITES AND AN EASEMENT FOR WET WEATHER EFFLUENT DISPOSAL INTO HULETT SWAMP AND OTHER PROVISIONS

**Attachments:**      [Resolution Land Exchange PC Land LLC](#)  
                                 [Palm Coast Land LLC Agreement](#)  
                                 [Area Map](#)

**The Resolution was adopted on Consent.**

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

Enactment No: R2015-45

- 13      [15-174](#)      RESOLUTION 2015-XX APPROVING A ONE-YEAR PRICE AGREEMENT WITH FORTILINE, INC., TO PURCHASE VARIOUS TYPES OF DRAINAGE PIPE

**Attachments:**      [Resolution](#)  
                                 [Contract Summary - Fortiline](#)  
                                 [Notice of Intent to Award](#)  
                                 [Bid Opening Tab](#)

**The Resolution was adopted on Consent.**

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

Enactment No: R2015-46

- 14      [15-154](#)      RESOLUTION 2015-XX APPROVING FLORIDA INLAND NAVIGATION DISTRICT 2015 WATERWAY CLEANUP GRANT FUNDING AGREEMENT

**Attachments:**      [Resolution](#)  
                                 [Exhibit A - FIND Grant Agreement](#)

**The Resolution was adopted on Consent.**

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

Enactment No: R2015-47

- 15      [15-181](#)      RESOLUTION 2015-XX APPROVING A WORK ORDER TO

SINGHOFEN & ASSOCIATES, INC., FOR SECTION 37  
FLOODPLAIN STORAGE PERMITTING AND DESIGN

Attachments:     [Resolution](#)  
                              [Work Order Summary - Singhofen & Associates](#)  
                              [Scope of Service & Location Map](#)

**The Resolution was adopted on Consent.**

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

Enactment No: R2015-48

**D. Public Participation**

**Public Participation shall be held 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 and state their name. Each speaker will have up to three (3) minutes each 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.**

*Marilyn Petruzzi-Ralph Carter Park*

*George Mayo-Long Creek Nature Preserve-website-Can we put directions on our website for all our facilities and parks? Senator Bill Nelson-Oil exploration-Will City Council oppose the testing for oil exploration? The House of Representatives filed a moratorium on the moratorium on fracturing. Status of signs put up addressing motorcycles around our City.*

*Jack Carall-The newspaper should not print anything unless they have their facts. They printed the wrong time for today's meeting. Swale maintenance-he is going to send us a bill for his swale.*

*CarMichael McMillan-Matanzas Woods Golf Course*

*Louis McCarthy-Loves the website on City Hall.*

*Responses to Public Comments:*

*Directions for City facilities-Mayor Netts-Let's do this suggestion.*

*Fracking-Mayor Netts-This would be an issue for a workshop if Council so wants.*

*Council member speaking to residents-Mayor Netts-explained the Sunshine Law.*

*Golf Course petitions-Mayor Netts-You can get as many petitions as you want but in the end the property owner has private property rights.*

*Swale invoice-Mayor Netts-You can send your invoice Mr. Carall, but I doubt we will pay you.*

*Motorcycle sign-Mr. Landon-Our traffic engineer has this and is looking into it but he is delayed as he has been out recently due to the birth of his child.*

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

*CM Nobile-Richardson Drive would like clarity as to how we ended last week as to what is next, what are we doing? Ans: Mr. Landon-The law enforcement issues are being handled by Commander Carman and the Sheriff's office. I have asked to have a fence proposal put together to bring back to you.*

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

*Preliminary report received from our lobbyist. It is my understanding we will be receiving a presentation (report) from our lobbyist.*

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

*Update on a couple of issues:*

*Florida Park Drive-Council asked to engage a traffic engineer, we have went through a selection process and have chosen an engineering firm out of Volusia County and will bring a report to City Council in a few weeks.*

*Matanzas Woods abandoned golf course-Met with the local realtor of the property; current owner has no intention of doing anything with the property-they want to flip it; has a few potential buyers. Spoke with realtor on current conditions; code action started to get the old clubhouse down at the owner's expenses; spoke with SJRWM and explained to owner that the pond is not tied into the Stormwater system. However, they are required to do some maintenance on their private Stormwater system which impacts the City's Stormwater system; trash-we are not allowed by law to just go on their property and search for the trash, we did explain to the realtor that the property owner has to keep his property clean. A trespass issue has come up this week-dirt bikes. We have asked the property owner to give permission to the Sheriff's office to be able to trespass those that are on their property without their permission. If they give us that in writing we can solve that issue. Mowing-largest challenge as it is abandoned property, they have indicated they will work with us to determine what areas can go back to natural vegetation and maintain those areas that will not go back to natural vegetation. We do not have a firm plan for development but stressed that the City needs involvement in that process. We do not know who the end user is; the current property owner has no plans for any future use-they just want to sell it.*

*CM Nobile-If it sells, the only approved use is a golf course, if the new owners wants to do anything different they have to come to Council for approval? Ans: Mr. Landon-Correct.*

*Mr. Landon-Our "Water Buoys" have won Top Ops again, they are State champions.*

**H. Adjournment**

*The meeting was adjourned at 7:45 pm*



*Respectfully submitted,  
Virginia Smith, City Clerk*

### Calendar and Worksheet

[15-190](#)

#### MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[15-198](#)

#### ATTACHMENTS TO MINUTES

**Attachments:**     [Item 6 2015 Budget to Date Presentation](#)  
                              [Items 7 & 8- Grand Landings North FLUM and Rezoning](#)  
                              [Item 11- Investment Policy Recommendations](#)  
                              [Item 12- PC Lands LLC Agreement Overview Map](#)  
                              [Item 12- Potential Well Sites Aerial](#)  
                              [Item 15- COPC SECTION 37 FLOODPLAIN STORAGE](#)