



City of Palm Coast

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

Meeting Minutes

City Council

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

Tuesday, March 1, 2016

6:30 PM

City Hall Community Wing

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.

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>City Council Meetings are televised on Bighthouse Networks Channel 495 and on AT&T U-verse Channel 99.

>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, Mayor Netts, Council Member DeLorenzo, Council Member McGuire, and Vice Mayor Nobile

Approval of Minutes

- 1 [16-83](#) MINUTES OF THE CITY COUNCIL'S:
 A. February 16, 2016 City Council Business
 B. February 23, 2016 City Council Workshop
- Mayor Netts requested page 25 be corrected "license plate readers" not "meters" under George Mayo's comments.*
- A motion was made by Vice Mayor Shipley, and seconded by Council Member DeLorenzo, that the Minutes be approved as amended. This motion was approved by the following vote:**

Proclamations and Presentations

PRESENTATIONS

- 2 [16-35](#) PRESENTATION FROM THE PALM COAST LITTLE LEAGUE FOR GRANT FUNDS SECURED FOR THE RENOVATIONS AT THE INDIAN TRAILS SPORTS COMPLEX
- Mr. Fred Lewers presented a check to City Council for \$20K.*
- 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

- 3 [16-51](#) ORDINANCE 2016-XX REZONING 13.95 +/- ACRES IDENTIFIED AS PARCEL ID# 26-10-30-0000-01010-0030 FROM ESTATE-2 (EST-2) TO PUBLIC/SEMI-PUBLIC (PSP) AND PRESERVATION (PRS) FOR THE PORTUGUESE AMERICAN CULTURAL CENTER, APPLICATION 2970
- City Attorney Reischmann read the title into the record.*
- Attorney Reischmann reminded Council this is a quasi judicial item. Mayor Netts called for additional ex-parte communication. There were none.*
- 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 Shipley, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:

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

Enactment No: O2016-3

First Reading

4 [16-53](#) ORDINANCE 2016-XX RELATING TO BOTTLE CLUB REGULATIONS

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Mr. Bill Hoover presented a PowerPoint presentation, which is attached to these minutes. Commander Carman provided Council an update regarding the Bottle Clubs in Volusia County.

CM McGuire-If we vote yes on this Ordinance, there will not be any bottle clubs, correct? Ans: Mr. Landon-It takes 2 readings but a yes vote will place bottle clubs in the prohibited category in Palm Coast. So yes, the short answer is yes.

CM Nobile-As defined in the Ordinance. Ans: Mr. Landon-Yes, as defined in the ordinance, absolutely.

Public Comment:

There were no public comments.

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

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

Enactment No: O2016-4

Other Business

5 [16-59](#) PRESENT CERTIFICATES TO GRADUATING STUDENTS OF THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS

Ms. Cindi Lane and Mayor Netts presented the certificates to the graduates.

The Presentation was Received and Filed.

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.

A motion was made by Council Member DeLorenzo, seconded by Council Member Nobile, that the Consent Items be Considered as reported on the Consent Agenda.. They were approved by the following vote:

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

- 6 [16-66](#) RESOLUTION 2016-XX APPROVING THE AGREEMENT WITH THE FIRM SHUFFIELDLOWMAN FOR HEARING OFFICER SERVICES

A motion was made by Council Member DeLorenzo, seconded by Council Member Nobile, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.

Enactment No: R2016-15

- 7 [16-76](#) RESOLUTION 2016-XX APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SUPERVISOR OF ELECTIONS FOR THE 2016 CITY ELECTIONS

A motion was made by Council Member DeLorenzo, seconded by Council Member Nobile, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.

Enactment No: R2016-16

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.

Gary Owens-Golf Course needs a forensic audit. Leasing options. Opposed to a 9 hole course.

Ron MacDonald-Code complaints that are anonymous. Requesting changing ordinance that it must be in writing and that rentals deserve the same rights as

owners.

Mr. Teitje-Litter on streets should be considered. Has been picking up the litter in his neighborhood on a daily basis.

Ralph Lightfoot-Thanked Code enforcement for assisting in getting the wildfire mitigation completed on the lot next door to him. Golf course-please keep in mind that the golf course is in really great shape and we have put a lot of money into it and you do not want to make a decision where it will be reverted back a course that is not played.

Dave Sullivan-Enjoyed Citizen's Academy; Supports the Golf Course as an amenity.

Nelson B?-Golf Course supporter for property values and that it is the historical area of Palm Coast.

Raymond Crown-Holland Park renovations.

Jack Carall-Poverty level in Palm Coast. Albatross around our necks-tennis courts and the golf course. Why do we have to support the minority of people that have money and time for their pleasures.

Ronnie Bures-Public works representative from Local 630 out of Jacksonville-these public employees deserve respect and deserve to be treated like human beings.

Louis McCarthy-Have been here since 1994 and the people who work for Palm Coast do a magnanimous job.

Bill Lynch-Is this Council prepared to present a business plan and operating plan for the golf course?

Donna Flieger-Supporter of the golf course and loves Palm Coast.

George Mayo-Was anyone able to meet with Kevin Guthrie before he left?

Anna Barton-Thanked Council for Citizen's Academy and recommends it to everyone. Also litter is an issue.

Responses to Public Participation:

Palm Harbor Golf Course-You have clearly heard 3 or 4 different opinions about the Palm Harbor Golf Course. We had a presentation at the workshop last week on the history of it and maybe Mr. Landon we should do that for the public too. Let me assure you that the golf course is an issue of concern for City Council, we are not sure, I am not sure, that there is any one single solution. There probably are multiple issues that could be addressed that might reduce the deficit. The question for City Council, at some point is "Is this an amenity that deserves City support, or should it be strictly an enterprise fund, and if it doesn't pay for itself shut it down?" That is an extreme option. CM McGuire has raised the issue that ok, if you shut it down the costs do not go away and you still have to maintain it and the impact on the neighborhood is significant as we have seen in other areas. All I can tell you is that City Council and City staff are looking at this very closely. We do monthly audits, we send a team in there once a month to do audits. We are looking at options, we would like to make it better. To be continued.

Code enforcement-Anonymity Council did modify our procedures so that there can be anonymous complaints. this is one of those issue that Council did take action on and

it is something we will continue to monitor.

Litter-Mayor Netts-Spoke with Mr. Fabros several weeks ago about litter. His suggestion was to try to get the state to take a more active position with NCSA's (Non Commercial Spot Announcements) on television or radio. I did, actually as his suggestion was, raise the issue at the Flagler County League of Cities meeting to see if there was something we could do as a group of five cities. Certainly litter is an issue and for those who pick up their neighborhoods-thank you very much. We are proud of our City and the way it looks. CM DeLorenzo-At workshop last week we had a brief discussion about litter because one thing that happens during the winter months is that we do less mowing and with the mowing comes the picking up of the litter, so with less mowing, less picking up of the litter, so it is more evident during the winter months. However, there is multiple problems that we have experienced and we have had several people over the years come to speak to us about it. Also, to tell us about how they pick up in their neighborhood. CM Nobile-I would like to see if we can put together an organized effort, like Adopt a Community or Adopt a Road and now make it a little more personable by putting a sign up. Mr. Landon-If I may, we are trying to get the word out, we actually have Adopt a Street and Adopt a Median and we do put out signs. You will see in the median in residential areas where it will say "Adopted by a certain group". We have a brochure and we probably need to get the word out more this time of year, so people are aware of the opportunities to help. We will put some extra effort into that.

Local 630-Mayor Netts-To the issue that was raised by the gentleman by the Local 630-I have a suggestion, it is well known that in political circles that when people are happy they tend not to speak, when they are unhappy they speak loudly. We do have a fine group of City employees in every department in every aspect of the work. Folks, my request from me to you, when you see someone rehabilitating a swale, when you see somebody doing work on behalf of the City, when you see them in that City uniform in that City vehicle, maybe once in awhile when you get that opportunity just say "Thank you." A little appreciation goes a long way.

Guthrie-Mayor Netts-At our last workshop, we had a farewell, if you will, from the Emergency Director from Flagler County who talked about the upcoming issue of the 800 MHz radio system. The issue contrary to what you may have read, Palm Coast does not want its' own system, we want to be part of a comprehensive County-wide system. All cities, all agencies, and of course the County. County has told us that their plans are to replace their system with a new system in 2020-2021; they have assured us the the existing system will remain functional until that time. That is not the issue-the issue for me is what are the costs associated with the new system, will the new system have better coverage, will the new system require new radio towers be installed in the City of Palm Coast? If you recall several months ago the County had an issue, I believe they wanted to install 3 new radio towers, one was approved and two were turned down because there was citizen opposition. The City of Palm Coast needs to begin planning now, but we need answers so we know what we are planning for. We in the City of Palm Coast have a revolving 5 and 10 year capital improvement plan. Our goal is to put money aside each year for anticipated expenses. We pay cash and we do not pay cash on borrowing money. But in order to do that, we need to know what the anticipated costs are. I have sent a letter to the Chair and the County Commissioners outlining these questions and suggesting that the time is now for the County Commission and the City Councils of the five cities in Flagler County to sit down jointly and see if we can get answers to these questions. The better we can plan for the future, the better our budgeting will be and the less the impact to the taxpayer will be.

Holland Park-Mayor Netts-The gentleman said Holland Park never needed any kind

of work at all. I remember a large number of residents with a different opinion. Not just the dog park but all aspects of the park, it was old, it was tired, it did not meet any ADA requirements, there was no choice but to renovate this park. There were erosion issues, irrigation issues, there was a whole host of issues. You could not in good conscience in my mind abandon Holland Park in the center of the historic area of Palm Coast and go build a park somewhere else, that just would not make sense to me.

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

CM McGuire-Are we going to talk soon about EMS calls? Ans: Mr. Landon-Yes, it is on the schedule.

CM Nobile-Received many phone calls this week relating to code enforcement issues. Issues with code violations, and phone calls from neighbors who are staying anonymous. I spoke with all of them and I think we are all ok with that scenario. One thing that popped out at me that I would like to see addressed is messaging-warning notices. A lot of them said to me, for instance, their garbage pail was in front of the garage, and they were asked or given a warning, then they looked around and there were other people who did not have it and I don't know how true this is, but the messaging is that "we don't drive around looking for that because it is not important." That is not a good message to someone you just gave a warning to-that says we don't care about that person...I don't know, again, I am giving you what the citizenry has told me, but if that is true, we need to address that. The second thing I would like to say is about Palm Harbor-we want to keep it a high end golf course and remain in the community, we want it to be better than it is but as a city we do not want to be responsible for a golf course, so we want to get some professionals involved in that and let them take it over. We are not looking to reduce the service or remove it, we want it to flourish but we would like to see someone else in the business take over that.

CM DeLorenzo-Holland Park; Mr. Landon will comment on that. CM Shipley-If you want to meet with me, I will show you the plans. It will be something great when finished. Code enforcement-one of the issues is that he received a violation and there is many on the street he lives on. If they get called to go to one place, they should look at the whole street.

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

Mr. Landon-I want to address a little bit of the code issue. If the Code officer's policy is that when they do get a complaint, they do not just address just that one house, they attempt to address the neighborhood. There are times when neighbors do not know that their neighbors received a notice. The gentleman talked about 17 and 8, so there was 25 issued in just that one neighborhood, largely as a result of one or two complaints. Just to give an example, more times than not, by far, the majority of the time I hear "Well, I got a warning but my neighbor didn't." I ask and yes, the neighbor did also. Lots of times people do not know and that doesn't mean we are not working the case, so always keep that in mind. There is always another side to the stories. It is one of those that we are either too tuff or not tuff enough, depending on the side.

Capital projects-Waste Water Treatment Plant #2-executed contract today so that one is getting kicked off.

Street projects-Palm Harbor Parkway-we are pushing hard to get that street open by this month; County interchange project is moving along nicely. The City project that the County is managing for us-Old Kings Road is due to open later this summer. Making good progress.

Holland Park-Originally scheduled to be completed this month; due to a variety of delays we are confident it will be completed in May. Will be a wide variety of amenities once completed. It will be very nice for all ages.

H. Adjournment

The meeting was adjourned at 7:48 p.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[16-84](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

[16-93](#)

ATTACHMENTS TO MINUTES