



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, April 5, 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.

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>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.

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

B. Pledge of Allegiance to the Flag

C. Roll Call

City Clerk Virginia Smith called the roll.

Approval of Minutes

- 1 [16-140](#) MINUTES OF THE CITY COUNCIL'S:
 A. March 15, 2016 City Council Business
 B. March 29, 2016 City Council Special Meeting
 C. March 29, 2016 City Council Workshop

A motion was made by Council Member McGuire, and seconded by Council Member DeLorenzo, that the Minutes be Approved as presented. The motion was adopted by the following vote:

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

Proclamations and Presentations**PRESENTATIONS**

- 2 [16-108](#) PRESENTATION OF LANDSCAPE BEAUTIFICATION AWARD TO CHICK-FIL-A

Mr. Bill Butler, City Architect and Glen Partelow, Chair of the Beautification Committee presented the Beautification Award to Chick-Fil-A.

The Presentation was Received and Filed.

PROCLAMATIONS

- 3 [16-106](#) PROCLAMATION RECOGNIZING MAY AS MOTORCYCLE AWARENESS MONTH

CM Nobile presented this Proclamation to members of ABATE.

The Proclamation was Received and Filed.
- 4 [16-118](#) PROCLAMATION RECOGNIZING APRIL AS PALM COAST ELKS LODGE #2709 MONTH

Mayor Netts presented this Proclamation to members of the Elks Lodge.

The Proclamation was Received and Filed.
- 5 [16-122](#) PROCLAMATION RECOGNIZING THE MONTH OF APRIL AS VOLUNTEER MONTH

CM McGuire presented this Proclamation to representatives from Flagler Volunteer Services.

The Proclamation was Received and Filed.
- 6 [16-124](#) PROCLAMATION RECOGNIZING APRIL 5, 2016 AS NATIONAL SERVICE RECOGNITION DAY

CM DeLorenzo presented this Proclamation to representatives accepting on behalf of

the National Corporation of Community Service, which sponsors the Americorps Program and the Senior Corp Programs.

The Proclamation was Received and Filed.

- 7 [16-127](#) PROCLAMATION RECOGNIZING APRIL 10, 2016 THROUGH APRIL 16, 2016 AS "NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK"

VM Shipley presented this Proclamation to representatives from the Flagler County Sheriff's office.

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

Resolutions

- 8 [16-125](#) RESOLUTION 2016-XX APPROVING A TELECOMMUNICATIONS SITE LEASE AGREEMENT WITH AMERICAN TOWER, LLC, FOR CITY PROPERTY LOCATED AT 4 CORPORATE DRIVE

Mr. Landon gave a brief overview to this item. Mr. Steve Viscardi presented a PowerPoint presentation, which is attached to these minutes.

VM Shipley-Please describe the area this tower will cover? Ans: Mr. Viscardi-The area around Water Treatment Plant 1. They are trying to fill in gaps in coverage, it will cover around a 2 mile radius around the tower.

Public Comments:

Jack Carall-The picture looks like a pole, it is cement or wood? How secure is that in the wind?

Dan Priotti-If it goes higher will it cover more mileage? What about the dead zones in the R's and P's?

Louis McCarthy-It is a good idea if it covers the P Section.

George Mayo-Are there any negotiations for additional towers? In the south end?

Responses to Public Comment:

Hurricane rating-Ans: Mr. Viscardi-it is a metal structure, it is designed as a monopole to handle hurricanes. I am assured that it has to withstand hurricanes.

Taller tower-Ans: Mr. Viscardi-Some is a balance, if you go with a taller structure then

you get into aesthetics I do not know what the actual height limit is before they have to start putting in guy wires and making it more of a mesh type structure instead of just the monopole. So you have aesthetic issues and as far as cell towers go, it is not always the higher you go, there is a point of diminishing returns.

Mayor Netts-Will a 2 mile radius service the P section? Ans: Mr. Viscardi-Correct.

Mayor Netts-American Tower-they build the tower then lease, has there been any negotiations, discussions about additional towers? Ans: Mr. Viscardi-Not specifically with American Tower but we have an on-going process to bring on a group that will start marketing and looking at our area, the City as a whole; where are the holes in coverage and to look at it again as one whole unit and then start marketing to the different carriers and tower companies. Mr. Landon added that we have gone through a selection process and the stages of trying to negotiate a contract with the company that does exactly what Steve just described. With the idea that we already have towers that have additional capability for additional antennas. In the P Section for example we have a tower at Belle Terre Park, which is behind Buddy Taylor Middle School, we also have one at the Tennis Center, but they both only have a couple of providers at most and so there is actually additional capability out there with existing towers but it does take the complaints to go to the provider.

CM Nobile-This one that we are talking about is only AT&T. Ans: Mr. Landon-Right now American Tower tells us they have AT&T on the hook but it also has space for 3 additional providers. The company we are working with will market out existing towers and then they do an analysis as to where those gaps are and if there are other good locations we will fill those gaps. Another key factor is that as more and more data gets pushed through the airways and through these systems, it reduces the capacity and actually that is where some people say it is bad today. That means there are more people talking and pushing data through. So it is not just take the existing, you have to actually add because we are getting more and more customers and more and more mobile data trying to go through. We are trying to make that happen.

Mayor Netts allowed Mr. Priotti another chance to speak.

Mr. Priotti -I am all in favor of this happening but is there a way we can allow this only if they have contracts from other carriers first, before it goes up? Ans: CM Nobile-So you are saying to lock in 3 or 4 carriers then build the tower. It is customer based so what will happen is, AT&T is on there because there is probably a lot of AT&T customers in that area, whereas Sprint may only have a few and they are not willing to make the investment just yet. So what the Mayor was saying is that this is private sector driven, this is driven by cell phone customers, and the best thing we can all do is to get on our email and write to our carrier and say "hey I have no service here, what are you doing for me? I am going to have to move, AT&T just put up a cell tower." We can enable them by giving them the area, the property, making adjustments, if necessary, with codes, but we can't get the carriers or the tower companies.

A motion was made by Council Member McGuire, and seconded by Council Member DeLorenzo, that the Resolution be adopted. The motion was adopted by the following vote:

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

Enactment No: R2016-24

Other Business

- 9 [16-95](#) APPOINT TWO MEMBERS TO FILL VACANCIES ON THE LEISURE SERVICES ADVISORY COMMITTEE

The Appointment was approved.

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.

- 10 [16-96](#) RESOLUTION 2016-XX APPROVING THE AMENDED BUILDING PERMITTING AND INSPECTION FEE SCHEDULE

This item was removed by a resident. Mr. Landon provided a brief overview to this item.

A motion was made by Council Member McGuire, and seconded by Council Member Nobile, that the Resolution be Adopted. The motion was adopted by the following vote:

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

Enactment No: R2016-29

- 11 [16-116](#) RESOLUTION 2016-XX AUTHORIZING LOW LEVEL FLIGHTS IN CONNECTION WITH OPERATIONS OF THE EAST FLAGLER MOSQUITO CONTROL DISTRICT

This item was removed from the consent agenda by a resident.

Mr. Landon provided a brief overview to this item.

Public Comments:

Jack Carall-Why am I paying for a service I am not getting?

Louis McCarthy-What are the times will the fly-overs come through?

Responses to Public Comments:

Service-This is better directed to the East Mosquito Control Board; if you are not seeing a lot of mosquitoes in your area, then they are doing their job.

A motion was made by Council Member McGuire, and seconded by Council Member DeLorenzo, that the Resolution be Adopted. The motion was adopted by the following vote:

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

Enactment No: R2016-30

A motion was made by Council Member McGuire, seconded by Council

Member DeLorenzo, that the Consent Items be Considered as reported on the Consent Agenda. They were approved by the following vote:

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

- 12** [16-120](#) RESOLUTION 2016-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., FOR THE REHABILITATION OF WELL SW-8
- A motion was made by Council Member McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2016-25
- 13** [16-121](#) RESOLUTION 2016-XX APPROVING A CONTRACT WITH RING POWER CORPORATION FOR THE ANNUAL GENERATOR AND AUXILIARY EQUIPMENT PREVENTATIVE MAINTENANCE SERVICES
- A motion was made by Council Member McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2016-26
- 14** [16-123](#) RESOLUTION 2016-XX APPROVING A CONTRACT WITH HARN R/O SYSTEMS, INC., FOR PURCHASE AND INSTALLATION OF NEW MEMBRANE ELEMENTS AT WATER TREATMENT PLANT 3
- A motion was made by Council Member McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2016-27
- 15** [16-126](#) RESOLUTION 2016 -XX APPROVING A WORK ORDER WITH MCKIM & CREED, INC., FOR THE FINAL ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE MATANZAS WOODS MASTER PUMP STATION AND FORCE MAIN
- A motion was made by Council Member McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2016-28

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.

Mr. Letournebu-Speed bumps. He provided Council a map of an area on Woodbury Drive relating to traffic.

Courtney MacDonald-Are our candidates background checked?

Dan Priotti-Violation of garbage cans. Is there paperwork that he can file for an exemption to the garbage can rule?

Robert MacDonald-Is there a possibility that the City could investigate and put together a committee to decide the Directors' raises. Thanked the Directors for all their hard work and gave accolades to the Directors.

Jack Carall-Wind mitigation available for some Flagler County residents. Why is Palm Coast not included in this grant?

Responses to Public Comment:

Speed bumps-We have found speed bumps to be more dangerous.

Candidate background checks-Mayor Netts to Virginia Smith, City Clerk-Do we do background checks on our candidates? Ans: Ms. Smith-No, we do not.

ADA exemption-Mr. Landon-There is a process that we will look into and will get back to Mr. Priotti.

Citizens' committee for raises for staff-Ans: Mayor Netts-This is something we could do but I can tell you from the number of years of experience in local government-12 in NJ and 15 years in Palm Coast, it is difficult for elected officials to understand the full scope, breadth, and depth of an employee's work record, for a person who is not privy to that it would be almost impossible. It is not something that I am prepared to consider.

Wind mitigation-Ans: Mr. Landon-This is a great chance to actually get some word out there. Not only do we have the same dollars, because we are large enough it comes directly to Palm Coast. We also have additional housing assistance for people that want to make repairs and improvements to their home that qualify under the Community Block Grant. We have combined both of those grant programs that we receive grant dollars to provide that assistance here in Palm Coast. But once again because we are what they call an entitlement community, over \$50K comes directly

to the City and not through the County or the State. In this case the County has received some for the smaller communities and unincorporated area. It was a few months ago that City Council approved a resolution to allow this and the idea of actually leveraging the dollars so in addition to wind mitigation we can also make some improvements with these grant dollars above what is allowed by the wind mitigation grant dollars.

Jack Carall requested to speak again-referenced article in paper relating to wind mitigation-"no income limits..."

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

CM Nobile-Waste management-garden clippings pick up, what does that entail? Certain day, amount, etc. They want to charge a resident extra, is that normal? Ans: Mr. Landon-Yes. There are two things that are misunderstood. One of them is that yes, we have yard debris pick up on Wednesday throughout the whole community. There is a size limit.

CM Nobile-How is that determined? Ans: Mr. Landon-By our contract. There is one other key factor and that is if it is contracted out by a landscaper, they are required, and sometimes they are caught but they are required to haul it away. This is for service of the resident, not for a contractor, even if it is small enough for us to pick up.

CM Nobile-Ok, so let's assume I go out and do my yearly yard work and it exceeds, so what if I put out half this week and half next week? Ans: Mr. Landon-Absolutely. CM Nobile-But what is the point of that? Ans: Mayor Netts-The volume of the truck.

CM Nobile-Why don't they just pick up what they should and leave the rest? So what are they doing for extra money, send another truck? Ans: Mr. Landon-It depends on how much it is sometimes it is volume of the truck but also it is the actual physical debris, like a tree, they would have to bring a grab hook.

CM Nobile-What are they going to do with the amount in excess and I pay the \$75, they are going to take it or are they making a special trip? Ans: Mr. Landon-They bring in a separate truck, a special trip. CM Nobile-So my advice to her will be put out half and store the other half until next week.

CM DeLorenzo-Bundles of 4 feet. Mr. Landon-You do not have to bundle or tie the debris you put out.

CM Nobile-Vacant lot mowing schedule-When will that start? Ans: Mr. Landon-I believe that started already.

CM Nobile-Ok, now unhappy stuff-I am embarrassed and tired of people grabbing me on the side of the road and saying "Hey did you read what the County said this week in the newspaper?" So I go home and read that we have a proxy war going on with the EMS thing (ambulance) and that there was an article that said that they (County) thought they might meet with us but now they are not and that there is no reason to meet and they want to save it until after the elections. Because this is like appointing the Supreme Justice, so we have to wait until the next election. This issue is getting irritating; I do not understand why the County won't talk to us but will talk to the newspaper? I don't understand that. This is what I am tired of, this is what we talked about the last time we spoke about this issue. It is hard for me to talk to our people and their people and get the same answers. Oh no they did not tell you this and then I go back and oh no they didn't tell you that. I am not playing this ball back and forth.

So I don't know what to do here, but it really needs to be nailed down somehow. The other thing is that, on our side too, I am a little disappointed; this is my statement, this started for me as a way to save some dollars, we are sending out big red trucks, maybe we won't do that and we do something else, great. So, to me it turned out to be a cost savings issue. We talked about you going to get some data on what we thought that savings would be, so I assume you are going to get that eventually, but... When I heard the concept of buying 2 ambulances, I almost fell off my chair, wait a minute, I want to save money. I don't want to put out the cost of another engine, almost the cost of another engine into the cost of ambulances to do this. I am afraid this is getting beyond the scope, I don't think we are all on the same page of what we want to accomplish. Not saying there is a wrong one or a right one, I am saying I don't think we are on the same page and I think we need to get on that page so we can answer the question directly to the County-this is the problem we are trying to solve. If we can get that on an agenda somewhere, hash this out. It doesn't even have to be on the agenda, we can look at it through email from you, this is what we are trying to accomplish. I am trying to, my goal was, to save some dollars, not to spend dollars and take on more but to save dollars. We are going on ambulance calls, sorry medical calls and this is how I feel. I feel our residents are being taxed for our City fire department and the County responding and we are getting taxed twice to respond to the same. Now, I am not saying we shouldn't be doing that, because I like the idea that we are efficient and great care is coming to the residents but all I am looking at is how do we reduce that cost to respond to the medical calls because they are in the high 90 percentile of the calls we are going on. I got mad and read about at 15 minutes before I came here.

Mayor Netts-I was recently told that one of the County Commissioners made a statement that they did not understand what the problem is that we are trying to solve. That was the reason that this Council asked me, directed me, to write a letter requesting a joint meeting so that we could explain the issue. Let me, for the benefit of the public, give you my two cents. There are two issues: when there is an EMS dispatch, they automatically dispatch Palm Coast Fire Department personnel, why? For two reasons and I have 35 years as an EMS provider, so I think I know what I am talking about: one, response time-there are no ambulances stationed permanently in the northern section but we do have fire houses there. In many cases, especially if the two or the three ambulances that are in Palm Coast, if they are busy the County will relocate an ambulance from a different location, the barrier island, the Mondex, but that takes time but we have personnel there so one reason for dispatching our personnel is to improve response time. The other reason has to do with manpower, there are some EMS calls that simply require more than two people. One of the proposals that was outlined in great detail to City Council by Deputy Chief Forte and also outlined to the County staff was this so called 2+2 concept. The County owns 11 ambulances, there are 7 in full time service, there are 4 that are in reserve, from what I have been told and I would like to meet with the County so that they can give me the correct information, but I was told that one of those 4 reserve ambulances is in pretty good shape, it is used routinely anyway, the other 3 are toward the end of their life span, they are tired, they are a little bit run down, but the proposal was to take 2 of those reserve ambulances and put them in the northeast and northwest portion of our community. That would automatically increase our response time. The County currently has 4 employees stationed in Palm Coast, I am not counting the airport, there are 4 employees, put one employee in each of the 4 ambulances, no additional cost to the County. Those ambulances are going to be housed in our fire stations. Instead of sending our men and women out on a big red fire truck, they climb in the back of the ambulance, there is your cost savings. But it is cost savings plus response time.

Mayor Netts-I have tried to explain in a few moments one approach to what might

resolve the dual issue of better response time and more efficient use of manpower. Maybe the County is listening tonight and maybe that Commissioner that stated he did not know what the issue was, maybe this will help but I will say it again, I would rather sit down with our staff and say here is the issue we are trying to resolve. Is that 2+2 approach the only approach, no, there are other things that you could do but unless we have an opportunity to talk about them and discuss them . .

CM Nobile-And that is where I was going. I am on board with this 2+2 or some other variation, what I am losing myself with is this is what the County is supposed to be providing, I don't want to pay \$300K for two new ambulances when the County needs to provide this service. I agree with you 100% that we are lacking up in the north, not in fire response or our response but in the ambulance response up in that north area and the County should be responding. We just gave them a way to increase that response without expending more dollars than they need to based on our size. I want to push this on them. I don't want us to sit back and say easily that "oh yeah we will buy these." Because I feel that we are paying for this service a little bit too much overlap and there is going to be overlap and I am ok with that because our service is going to be better and you cannot put a price on that. You can't say it is worth this so let's cut that but I want the County to be responsible for what they won't give us to do. If they won't allow us to do it, then they are going to have to step up.

CM DeLorenzo-If I can add something, in my recent conversation with a Commissioner he said "Please come meet with Mr. Coffey and Mr. Petito so you can get a fuller picture." but what I feel will happen will be I won't have a better picture; I have 2 pictures.

CM McGuire-I had a meeting with Mr. Coffey and Mr. Petito and their suggestion was to consolidate the two departments. That is all they had to offer and did not want to really talk about anything else.

Mayor Netts-Let's just talk about that consolidation for a second. We have a certain number of fire trucks and a certain number of personnel and we are providing what I consider a desirable level of service, I go back to my issue of response time, you get there quickly and you put the fire out quickly, but our fire department does more than put out fires. They spend a good deal on fire prevention, they go out and run classes for the schools, they take their portable burn house and run programs down at the park, they do inspections, they change batteries, they do voluntary inspections in homes, they do required inspections of our retail and commercial and our industrial. They are working very hard on fire prevention, which of course, is much better than putting fires out. But let's suppose we consolidated, yes, Palm Coast could cut \$7mil. out of our budget by giving our fire department over to the County. Guess what, now the County has to put \$7mil. into their budget, so yes we may get a little savings, instead of two fire chiefs we could have one, but I bet we would have two deputy chiefs, a battalion chief, there might be a few penny savings but what concerns me about this consolidation, that I am absolutely diametrically opposed to it, is that some in the County say our services are too rich, so how are they going to save money by us closing down and diminishing the level of service and I am not willing to do that in an urban community like Palm Coast. There is a long, long history as to why we created our own fire department and a long, long history as to why we incorporated as a City.

CM DeLorenzo-Update on the construction of the pilot program for the bus stops?
Ans: Mr. Landon-That will start this week. CM DeLorenzo-All 3? Ans: Mr. Landon-Yes.

VM Shipley-Bus stops pilot program to Jason-with the bus stops program, now that

they have come onto Old Kings Road they are on the back roads, which is great, but as the people come around the corner, they are not expecting to see kids in a group over there, is there maybe some way we can do signage, bus stop ahead, or something even on the back roads that there are signs? Ans: CM DeLorenzo-There is a signage program that will be started. The signage program is not part of the pilot program, it is part of the larger program. Mr. Landon-We have talked about the warning signs but also the parents are supposed to park at least 50 ft. away from stop signs and so we will put those types of regulatory signs up and so that if they aren't the Sheriff's deputies will go and do a little chatting relating to safety issues.

CM DeLorenzo-What location? Ans: VM Shipley-Freneau and Frenora.

Mayor Netts-One misconception that has been reported in the media that I want to clarify. It has been said that the City of Palm Coast wants to take over and run its' own ambulance service, there is no elected official, that I am aware of, nor any City employee who has ever said that. It is not our desire.

Mayor Netts-Water Conservation Challenge-Wyland Foundation asking people to go online mywaterpledge.com it is a check box pledge to do this and that to conserve water. Last year, Palm Coast placed 7th nationwide for cities of our size. Encouraging all to go and take the pledge. Ends April 30th.

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

I think it is important to recognize a decision that came out of the U.S. Supreme Court. Unanimously, they approved the traditional concept one person, one vote for the purpose of creating districts.

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

Nothing at this time.

H. Adjournment

The meeting was adjourned at 8:22 pm

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[16-141](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[16-150](#) ATTACHMENTS TO MINUTES