



City of Palm Coast

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

Minutes City Council

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

Tuesday, November 3, 2015

6:30 PM

City Hall

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.

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>City Council Meetings are televised on Bighthouse Networks Channel 495 and 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, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Approval of Minutes

- 1 [15-460](#) MINUTES OF THE CITY COUNCIL'S:
 A. October 20, 2015 City Council Business
 B. October 27, 2015 City Council Workshop

Attachments: [October 20, 2015 Business Meeting](#)
 [October 27, 2015 Workshop](#)

A motion was made by Vice Mayor 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 McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

PRESENTATIONS**Proclamations and Presentations**

- 2 [15-448](#) PROCLAMATION RECOGNIZING THE LIFE SAVING EFFORTS BY
 KEMPERSPORTS' EMPLOYEE, ALEX PARENTE, AND GOLFER, DR.
 DELEON

Attachments: [Proclamation Life Saving.doc](#)

Mayor Netts-We have added an item to the agenda.

Item 2A-Letter from Chief Jeff Atwater, Chief Financial Officer for the State of Florida. VM McGuire read a letter from Chief Jeff Atwater into the record.

Item 2 B-Proclamation Life Saving-This Proclamation was presented by CM Nobile to Mr. Parente and Dr. DeLeon. Chief Beadle presented award medals to Mr. Parente and Dr. DeLeon.

The Proclamation was Received and Filed.

- 3 [15-447](#) PROCLAMATION RECOGNIZING NOVEMBER 14, 2015 AS "WORLD
 DIABETES DAY"

Attachments: [Proclamation - World Diabetes Day, Nov. 2015.doc](#)

CM Shipley presented the Proclamation to representatives from Florida Hospital-Flagler.

The Proclamation was Received and Filed.

- 4 [15-449](#) PROCLAMATION RECOGNIZING NOVEMBER 28, 2015, AS SMALL
 BUSINESS SATURDAY

Attachments: [Proclamation - Small Business Saturday](#)

CM DeLorenzo presented this Proclamation to Beau Falgout representing the BAC.

The Proclamation was Received and Filed.

- 5 [15-402](#) PRESENTATION OF GOLD LEVEL GREEN LOCAL GOVERNMENT
RECERTIFICATION FROM THE FLORIDA GREEN BUILDING COALITION
(FGBC)

Attachments: [Palm Coast Recertification Letter](#)

Mr. Landon gave a brief overview to this item. Ms. Bevan introduced Ms. Suzanne Cook, Florida Green Building, who presented this award to Council.

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

Resolutions

- 6 [15-441](#) RESOLUTION 2015-XX RELATING TO THE FLAGLER COUNTY
ASSOCIATION OF REALTORS HOME FOR THE HOLIDAYS EVENT

Attachments: [Resolution Home for the Holidays.docx](#)

Mr. Landon provided a brief overview to this item. Mr. Papa presented a PowerPoint presentation, which is attached to these minutes.

CM Nobile-Does FCAR entail all realtors? Ans: Ms. Sperber-There is a common misconception as far as what classifies a real estate licensee as a realtor. The Flagler County Association of Realtors are all realtors.

CM Nobile-Are all realtors FCAR members? Ans: Ms. Sperber-Yes, that is what makes them a realtor is that they belong to the National Association of Realtors, but let me further explain that not all real estate licensees are members of FCAR.

CM Nobile-Are there FCAR affiliates that do not encompass the entire of that industry, for instance, builders, or fence companies? Ans: Ms. Sperber-We have business partners, which in a lot of industries they are classified as affiliates, we call them business partners in our local by-laws. That includes local title companies, banks, we do have one builder, and home inspection companies we have 56 business partners within our association.

Public Comments:

Armando Gomez-Flagler County Welcome Committee member-we showcase Flagler County and we feel it is an advantage anytime we can showcase Flagler County.

Louis McCarthy-Great idea as long as it promotes all areas of the City.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Resolution be adopted. 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: R2015-125

7 [15-444](#)

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

Attachments: [Resolution - WWTP 2 Loan Agreement](#)
[Construction Loan Agreement after 2014](#)
[Offer Letter signed - SRF](#)

Mr. Landon provided a brief overview to this item. Mr. Richard Adams and Brian Matthews presented a PowerPoint presentation, which is attached to these minutes.

CM Nobile-What is the term? Ans: Mr. Quinn-20 years.

VM McGuire-This is not something the City of Palm Coast wants to do because it is nice to do, what happens if we exceed capacity? Ans: Mr. Adams-DEP would issue a building moratorium.

VM McGuire-Will the securing of this loan result in any burden to the tax payers? Where is the money going to come from to pay it back? Ans: Mr. Quinn-There is no burden to the tax payers, this is part of the utility fund which is supported by water and sewer rates.

VM McGuire-So this is an enterprise fund? Ans: Mr. Quinn-Yes, no taxes are used for this particular fund or this particular project or the paying back of these funds. The current utility rates in place already support the debt service on this particular loan.

VM McGuire-So it is not necessary to raise utility fees at this time? Ans: Mr. Quinn-Correct.

CM Nobile-How far out do you see that, I am talking strictly in regards to the loan, not to just increases natural yearly increases? Ans: Mr. Quinn-All things being equal assuming nothing ever increased in the future, our current rates would cover the costs of the loan for the life of the loan.

CM DeLorenzo-Section 3.02 of the document, page 9 talks about the loan debt service account and how it must be invested, are we taking this is a lump or will there be drawers? Ans: Mr. Quinn-It is always drawn, it is drawn based on you spend the money first out of your current operating funds you have available and then you are reimbursed in drawers out of what you spent from the state. We typically do that on a monthly basis. The debt service account talks about the next actual loan payment, we have to make the loan payments every six months. We are required to have that 6 month loan payment in the bank ready to go before the payment is due.

Public Comments:

Jack Carall-How do you project how much money you will get in 20 years?

Responses to Public Comment:

Projections-Ans: Mr. Quinn-It works the same for a business as it does for an individual giving a mortgage. Instead of how secure is your job, the question is how secure is your revenue stream, how strong is your City as a City, how secure are the residents in the City, those are some of the very same questions asked for commercial loans and the answers are the same, you answer what you believe to be true based on your history and what you project into the future. In our case our City is very strong and has been strong, I think it will continue to be strong and that is what you based loan decisions on.

CM Nobile-The strength to be able to get a loan at .06% and 20 years, the financial institutions believe we are strong, correct? Ans: Mr. Quinn-Correct.

A motion was made by Vice Mayor 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 McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Enactment No: R2015-126

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.

8 [15-436](#) **RESOLUTION 2015-XX APPROVING A CONTRACT WITH STOCKTON MAINTENANCE GROUP FOR CITYWIDE CLEANING SERVICES**

Attachments: [Resolution Stockton Maintenance Group](#)
 [Contract Summary](#)
 [Bid Opening Tab](#)

VM McGuire removed this item from the consent agenda.

Mr. Landon provided an overview to this item.

VM McGuire wants to see an evaluation on a regular basis to determine whether or not using public works personnel vs. a cleaning contract is the best route to take.

Ans: Mr. Landon-Fully approves on that basis.

CM DeLorenzo-wants the reporting as well.

CM Nobile-I agree with VM McGuire and CM DeLorenzo on the measuring but am a little concerned as to what does that mean? We are not comparing apples to apples. Concerned with failure, what constitutes failure? Ans: Mr. Landon-If we are not able to fulfill those work orders in a timely fashion, if we are not able to keep it clean with our current staffing and we have to start adding staffing to make that happen and that amount of staffing costing us more than if we just had cleaning and we did some of the work orders ourselves, so the fact that we went out to bid to see what the private sector wants to charge us that gives us a benchmark if you will as to what it should be for the cleaning portion, that is one of the reasons we did it this way. On the other hand if we have some other facilities that we can add to this and not have them pay a

private company to do it, that is also an option in the future. It will be the performance as far as quality of work, are we getting it done and the cost of making that happen and how many employees we have to hire to make it work and compare that to the private bids we received.

*CM Shipley-Would Council be aware of when an additional staff personnel is added?
Ans: Mr. Landon-To add the staffing, addition employees would require City Council approval to the budget, what we may do that does not require City Council approval is shift our resources without adding personnel but actually making sure we have the right people in the right places. So as Nestor indicated we can still use our current staffing and resources and take away from something else part time that is part of the flexibility here. You would not see that, that would be something public works would just manage, I would not see that either. The other part of that and I want to stress that is our facility maintenance includes things like parks. Right now if it is not past 7:00pm-8:00pm we have somebody going around cleaning toilets, restrooms in our parks right now. That is all part of pulling those resources together and making sure, like the park facility across the lake here, that will all be tied into whoever cleans this building. So those are the kinds of things that the management at public works will be measuring.*

Public Comments:

Jack Carall-What kind of contract do we have with Stockton, how does hiring more people effect the contract?

George Mayo-What is the term of the contract? Any penalties?

Responses to Public Comments:

Effects on contract-Ans: Mr. Landon-Both parties can cancel without cause with 30 days notice. The term is for 3 years with an option to extend for two-1 year terms.

A motion was made by Vice Mayor McGuire, and seconded by Council Member Shipley, that the Resolution be adopted. 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: R2015-129

A motion was made by Vice Mayor 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 McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

9 [15-438](#)

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

Attachments: [Resolution - Dense Sodium Carbonate](#)
 [Intent to Award Thatcher Chemical](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be adopted on Consent. The motion was

approved unanimously.

Enactment No: R2015-127

- 10 [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

Attachments: [Resolution - SW-29R Rehab](#)
 [Work Order-Well SW29R Rehab](#)

A motion was made by Vice Mayor McGuire, seconded by Council Member DeLorenzo, that the Consent Agenda be adopted on Consent. The motion was approved unanimously.

Enactment No: R2015-128

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.

Louis McCarthy-Everything in here is superb. No clock and there is a glare on the screens.

Jack Carall-You all look official. Now you look like you are running a City. Waste company to change fueling system-what ever happen with that?

Armando Gomez-Thanked Council for their support in Small Business Saturday.

Responses to Public Comment:

Fuel Depot-Ans: Mr. Landon-It occurred 3 to 4 years ago; they purchased the trucks, they have their fueling station. At that time tax bills did not go down but your utility bill did decrease as the amount of what they charge for garbage went down.

Small Business Saturday-Ans: Mayor Netts-We did this once before and I believe we allowed and encouraged businesses to post something on their front door advertising they were a participant of small business Saturday. Mr. Landon-Yes our BAC is all about small businesses and would love to partner with anyone that could help promote this. Requested Mr. Abreu to get Mr. Gomez for his contact information.

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

VM McGuire-Kemper presentation? Ans: Mr. Landon-It has been scheduled for the December workshop.

CM DeLorenzo-Welcome to your City Hall.

Mayor Netts-For the first time we have a professional staff in a professional working environment, I know staff appreciates it and I think the residents will appreciate it as their interactions with staff is definitely facilitated.

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

Veteran's Day ceremony will be November 11, 2015, 8:00 am at Hero's Park.

Thanked all who made City Hall happen.

H. Adjournment

Calendar and Worksheet

[15-461](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[15-474](#) ATTACHMENTS TO MINUTES

Attachments: [Item 6-Home for the Holidays](#)
[Item 7-SRF Agreement WWTP 2 PP](#)