



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

Tuesday, April 7, 2015

6:30 PM

Palm Coast Community Center

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 Bighthouse 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 [15-125](#) MINUTES OF THE CITY COUNCIL'S:
 A. March 17, 2015 City Council Business
 B. March 31, 2015 City Council 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

PRESENTATIONS

Proclamations and Presentations

- 2 [15-110](#) PROCLAMATION RECOGNIZING APRIL 12, 2015 THROUGH APRIL 18, 2015 AS "NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK"
- CM Shipley presented this Proclamation to Sr. Commander Mark Carman and a representative of the telecommunicators of the Flagler County Sheriff's office.*
- The Proclamation was Received and Filed.**
- 3 [15-113](#) PROCLAMATION RECOGNIZING APRIL AS "FAIR HOUSING MONTH"
- CM DeLorenzo presented this Proclamation to Ms. Dorothy Sperber of the Flagler County Realtors Association.*
- The Proclamation was Received and Filed.**
- 4 [15-115](#) PROCLAMATION RECOGNIZING MAY AS MOTORCYCLE AWARENESS MONTH
- CM Nobile presented this Proclamation to representatives of the Vintage Chapter of ABATE.*
- 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

First Reading

- 5 [15-123](#) ORDINANCE 2015-XX AMENDING SECTION 7.1 OF THE CODE OF ORDINANCES RELATING TO ALCOHOLIC BEVERAGES
- City Attorney Reischmann read the title into the record.*
- Mr. Landon gave a brief summary of the item.*
- CM Nobile-This is not an issue anywhere? Ans: Mr. Landon-Correct, this is staff reviewing and cleaning up the language.*
- Public Comment:*
Jack Carall-Isn't alcohol regulated by the State?
- John Erpelding-State law prohibits the sale from 3 am to 10 am.*
- Responses to Public Comments:*
Attorney Reischmann-There is a reference in the Ordinance referencing the Florida Statutes. The Statutes state the sale of alcohol is prohibited from midnight to 7 am in absence of any local regulations.
- A motion was made by Council Member DeLorenzo, 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, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley
- Enactment No: O2015-04

Resolutions

- 6 [15-131](#) RESOLUTION 2015-XX APPROVING FINAL PLAT - GRAND LANDINGS - PHASE I, LOTS 8-10 REPLAT
- Mr. Landon gave a brief overview to this item. Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor Netts called for any ex-parte communications. There were none.*
- VM McGuire-Is this being generated by the Developer? Ans: Ms. Bentley-YES, the property owner.*
- CM DeLorenzo-The new minimum lot widths that are going to be established with this are within the range required by the MPD? Ans: Ms. Bentley-They are greater; the minimum is 50 feet and these are 60 and greater.*
- Public Comments:*
There were no public comments.
- Mayor Netts-Does this affect the total number of dwelling units permitted for this property? Ans: Ms. Bentley-The Master Plan Development allows for 749 residential units in total and this after the replat it would come to 91 units out of the 749, so it does not exceed it.*

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

Enactment No: R2015-28

7 [15-112](#)

RESOLUTION 2015-XX APPROVING A CONTRACT WITH T.B. LANDMARK CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE SOUTH OLD KINGS ROAD FORCE MAIN IMPROVEMENTS AND MASTER PUMP STATION PROJECT

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

CM Shipley-Will this affect the road in anyway in Town Center? Ans: Mr. Flanagan-We do not anticipate any road closures. We will also be putting in a sidewalk in this area in this project.

CM DeLorenzo-Will the planned sidewalk terminate at Hidden Lakes? Ans: Mr. Flanagan-It will terminate at the Hidden Lakes entrance road and will go to Lehigh Trail.

CM DeLorenzo-Is that sidewalk part of the future 4 laning plan? Ans: Mr. Flanagan-I do not believe it is. It is patch work to try to protect the public prior to the 4-laning. Mr. Landon-I asked Steve to include this because this is a request we are getting. We have more and more people living there at Hidden Lakes, they have a short strip but it is a very narrow area, so instead of putting in sod, we are going to put down some asphalt. it is strictly temporary and then when the 4-laning occurs it will look very similar to what you have on the south side, not all the way up to Palm Coast Parkway because there will only be a point where it is on one side through that area. From Hidden Lake Drive to Town Center Blvd. (the trail) you will have sidewalks on each side for a safer place for people to walk, ride bikes, etc.

Mayor Netts-You stated we will be abandoning the old pump station, what happens to the existing pump station? Ans: Mr. Flanagan-Once we are done you will not see any above ground appurtenances.

Mayor Netts-We have been updating our pump stations with odor control, will the new one include the odor control? Ans: Mr. Flanagan-This station will have a generator from the beginning and set up for odor control but the odor control will not be installed in the first phase of this construction but it will be set and ready for the odor control to be installed.

CM Nobile-Is there a way from Tuscany to Hidden Lakes? Ans: Mr. Flanagan-Yes, internally there is.

Public Comments:

Jack Carall-What will this cost us?

Responses:

The bid price is \$2.835 million with a contingency it is \$3.11 million.

VM McGuire-Which is budgeted? Ans: Mr. Flanagan-Yes.

A motion was made by Vice Mayor McGuire, and seconded by Council Member

DeLorenzo, that the Resolution be adopted. 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

Enactment No: R2015-29

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 Vice Mayor McGuire, and seconded by Council Member Nobile, to Approve the Consent Agenda. The motion was approved by the following vote: This motion passed unanimously

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

- 8** [15-90](#) RESOLUTION 2015-XX APPROVING THE SECOND ROUND OF CULTURAL ARTS GRANTS FOR FISCAL YEAR 2014-2015
The Resolution was adopted on Consent.
Enactment No: R2015-30
- 9** [15-33](#) RESOLUTION 2015-XX APPROVING THE CONTRACT WITH PAYMENTUS CORPORATION FOR UTILITY BILLING SERVICES
The Resolution was adopted on Consent.
Enactment No: R2015-31
- 10** [15-89](#) RESOLUTION 2015-XX APPROVING PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT #15/17-07-0220 WITH BOULEVARD TIRE CENTER TO PURCHASE TIRES FOR CITY FLEET
The Resolution was adopted on Consent.
Enactment No: R2015-32
- 11** [15-99](#) RESOLUTION 2015-XX APPROVING PRICE AGREEMENT WITH ALPHA GENERAL SERVICES, INC., FOR PRETREATMENT EFFLUENT PUMPING (PEP) ASSEMBLIES
The Resolution was adopted on Consent.
Enactment No: R2015-33
- 12** [15-100](#) RESOLUTION 2015-XX APPROVING CONTRACT WITH TRI-COUNTY BOBCAT SERVICES, INC., FOR TREE REMOVAL SERVICES
The Resolution was adopted on Consent.
Enactment No: R2015-34

- 13 [15-101](#) RESOLUTION 2015-XX APPROVING A CONTINUING SERVICES CONTRACT FOR PROFESSIONAL HYDROGEOLOGICAL SERVICES WITH CONNECT CONSULTING, INC.
- The Resolution was adopted on Consent.**
- Enactment No: R2015-35
- 14 [15-103](#) RESOLUTION 2015-XX AUTHORIZING LOW LEVEL FLIGHTS IN CONNECTION WITH OPERATIONS OF THE EAST FLAGLER MOSQUITO CONTROL DISTRICT
- The Resolution was adopted on Consent.**
- Enactment No: R2015-36
- 15 [15-111](#) RESOLUTION 2015-XX APPROVING AMENDMENT NO. 1 OF THE EXISTING JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE LANDSCAPING AND IRRIGATION OF THE MEDIANS ON STATE ROAD 100 FROM I-95 TO ROBERTS ROAD
- The Resolution was adopted on Consent.**
- Enactment No: R2015-37

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.

Jack Carall-Population is now at 100,000, we lose a lot of benefits that we received when we were under 100,000, besides industry how will that benefit us?

George Mayo-Motorcycle Awareness month-can we get some street signs to bring more awareness to motorcycles and attach to existing street signs.

John Erpelding-Intersection near Steak n Shake prior to Palm Coast Parkway. Can we have better signage designating the "two" right hand lanes.

Louis McCarthy-City Hall information website is amazing.

Responses to Public Comment:

Consequences of Flagler County's populations-Mayor Netts-There are a couple of consequences. The State of Florida has certain programs that benefit small counties, so that you get additional revenues to compensate you for the fact that you do not have a large tax base. When you move out of that category of small county those special benefits will go away, but the real juxt of the question was other than having 100,000 in people how does that benefit us? There are a variety of answers but obviously as you increase your population, you increase your tax base, you increase your infrastructure, when you talk to corporate executives, they will tell you that their decision of where to locate a business, or locate a retail establishment, where to locate a big box store has to do with demographics. When our population increases people become more aware that Palm Coast is a thriving place to live, work and play. There is some downside in terms of loss of some state revenues and benefits but the upside is better recognition and development opportunities.

Motorcycle awareness-Mayor Netts-please have our traffic engineer take a look at this. CM DeLorenzo suggested using our mobile signs to bring some motorcycle awareness to the community. Ans: Mr. Landon-Will work with our Sheriff's office as to where these would be most beneficial.

VM McGuire-Memorials on roadways where someone has died, does the City, County or State mark the site in any way? Ans: Mr. Landon-State has a program that you will see that they have on the State highways that is official. We do not have a City program per se. Sr. Commander Carman-It is a sensitive issue because sometimes they are put in bad places and they become an obstruction. FDOT has certain markers that can be used.

Intersection on Cypress Point Parkway-Mayor Netts- Agrees with the speaker that better signage is needed and may be resolved once all the construction is completed.

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

CM Shipley-The Ralph Carter Park-Richardson Drive-can we bring this to a workshop to install a higher fence? Ans: Mayor Netts-Yes, we can bring this to a workshop.

CM Nobile-Palm Coast Parkway construction traffic lights at the ramps to I95. Ans: Mr. Landon-The lights are not active yet and the marker line where you will stop will be further back so you will be able to see the lights.

CM Nobile-Ralph Carter Park and Richardson Dr area- agrees we need to discuss.

VM McGuire-April 17 from 8-5, the Clerk of Court is holding Operation Green Light for those that need to pay any unpaid tickets, fines, etc., the Clerk is waiving the 40% surcharge.

00:56F 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

Nothing at this time.

H. Adjournment

The meeting was adjourned at 7:22 p.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[15-133](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[15-142](#) ATTACHMENTS TO MINUTES