



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, June 16, 2015

9:00 AM

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.

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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 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 9:00 a.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 [15-245](#) MINUTES OF THE CITY COUNCIL'S:
 A. June 2, 2015 City Council Business
 B. June 9, 2015 City Council Workshop
- A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, 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 [15-240](#) PROCLAMATION RECOGNIZING SEPTEMBER 12 THROUGH SEPTEMBER 19, 2015 AS PALM COAST AND THE FLAGLER BEACHES SENIOR GAMES WEEK.
- VM McGuire presented this Proclamation to the presenting sponsor Florida Hospital Flagler Orthopedics & Sports Medicine.*
- The Proclamation was Received and Filed.**
- 3 [15-239](#) PROCLAMATION RECOGNIZING THE MONTH OF JULY AS PARK AND RECREATION MONTH
- CM Shipley presented this Proclamation to Ms. Santangelo, Park and Recreation Director. Ms. Santangelo presented the Park and Recreation video, which is attached to these minutes.*
- The Proclamation was Received and Filed.**
- 4 [15-221](#) PRESENTATION ON LONG TERM FINANCIAL PLANNING
- Ms. Lina Williams, Budget & Financial Analyst presented a PowerPoiont presentation, which is attached to these mintues.*
- VM McGuire-The Board of County Commissioner will start their budget reviews on June 22, 2015.*
- 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

5 [15-241](#) RESOLUTION 2015-XX APPROVING PHASE TWO TASKS WITH LASSITER TRANSPORTATION GROUP

Mr. Landon provided a brief overview to this item. Mr. Sean Castello, Traffic Engineer provided a PowerPoint presentation, which is attached to these minutes.

CM DeLorenzo-The origin and destination data, you have a chart on how traffic builds on roadway, how is that different from the origin and destination data? Ans: Mr. Castello-If we want to get into that detail, we can get that information, we are looking to see the pass through data. This looks specifically at tracking vehicles not just counting, for example, this car started here and passes over the next counter, it can determine it was a pass through.

VM McGuire-When you say per day is that a 24 hour period? Ans: Mr. Castello-Yes, sir.

CM Nobile-To be clear, when we say an acceptable level of service that is traffic flow? Ans: Mr. Castello-Yes, sir. CM Nobile-It is not about health hazards and that would not be included in Phase 2 either? Ans: Mr. Castello-No, it would not be included.

CM DeLorenzo-From your experience can you glean any knowledge from the traffic counts from what you have already taken on what percentage may be pass through or is that too difficult to determine because of the amount of turns off of the road? Ans: Mr. Castello-It is difficult to get that without getting the extra origin and destination. To get that information you need to utilize some modeling or traffic destination data.

CM DeLorenzo-If I was returning from Mantanzas High School to this neighborhood, are there other arterials that have sidewalks? Ans: Mr. Landon-Palm Harbor has a path on the entire distance, Old Kings Road, I believe it goes to Frontier but will, with the widening, go all the way up but definitely none of the residential streets have sidewalks.

Mayor Netts- The Level of Service is rated A through F, it is my understanding that F means stop and go, frequent stops, frequent interruptions of the flow of traffic, too much traffic for the road, A is rarely traveled, infrequent, never have to stop. Since your analysis shows the level of service anywhere from A to C, could you describe what a C level of service looks like, what are we seeing at a C level of service? Ans: Mr. Castello- A "C" level of service is that you are able to maintain the speed limit with minimal stops.

Public Comments:

Steve Carr-Traffic studies should be on people's health not just traffic. Suggested only Palm Harbor Parkway and Palm Coast Parkway be used as the travel street.

Mr. ? (did not provide his name)-Suggested putting up signs "no through traffic" to help cut down on the traffic.

Responses to Public Comments

Right-of-Way-Mayor Netts-explained how the 60 foot right-of-way is made up.

CM Nobile-We are trying to decide if we are going into Phase 2, I do not think there is enough information for me to make a decision. What is the effect on health? Is this something that is just an inconvenience or is this a health issue?

CM DeLorenzo-CM Shipley touched on something that we can learn from; so if roughly 50% are not homesteaded and there is a high level of vacancy then we can understand there is a larger problem, but if there is not a high level of vacancy where people have the opportunity to leave the location then I think we can understand a lot of information from that.

Mayor Netts-If there were a high level of vacancy, what was it attributable to-the economy, the age of house, condition of the house, busy street or is it attributable to a health factors? The concern that I have relative to health factors, you can't make the traffic disappear, you are going to put it somewhere else, are you then going to recreate the same problem elsewhere? When I look, Mr. Carr makes an interesting point, he says his house is 55 feet from the road edge, go to Belle Terre where there is the same or much more traffic at a higher speed, and you have homes whose backs face the road, so there bedrooms are similar in proximity, so I am not sure that there is a solution, suppose we did some kind of health study, then you probably have to do it for every major road in town and then what?

CM Shipley-would like to see a study done after the construction and shopping plaza is complete.

CM Nobile-would like to see a health study done by staff.

Mayor Netts called for a motion.

Item died for lack of a motion.

VM McGuire-Made a motion to postpone Lassiter until after the completion of the Matanzas Woods Interchange.

Mayor Netts-Asked for timing of Interchange, park, and shopping center completions. Ans: Mr. Landon-The Interchange is scheduled to take about 12 months, so in about a year; we will have the park completed by that time; the shopping center is phased in, in other words, Publix will be open in 2015 (predicted) but the rest will probably be towards the end of 2016, about a year and a half as I understand it.

VM McGuire made a motion to delay action and redo phase 1 and consider a phase 2 traffic study after Island Walk Shopping Center, Holland Park renovation and Matanzas Woods Interchange projects are completed.

CM Nobile-Wants to see a health study done.

Mayor Netts-If we had questions about health issues, what kind of study would be done?

Mayor Netts-There is a motion on table to implement a second level of service. Is there a second? CM DeLorenzo clarified motion. CM DeLorenzo seconded Motion. All approved.

Mayor Netts-By consensus staff to investigate who to do these studies, what the studies will be, and the cost of these studies.

CM DeLorenzo asked if we could post a sign "No through traffic" realizing the enforcement is difficult to enforce?

CM Shipley-Can we enforce on trucks we know are delivering on Palm Harbor?

CM DeLorenzo-Can we have an article in the Palm Coaster to educate the public with the difficulties the neighborhood is having with traffic?

Mayor Netts-Ask staff to draft an article for the Palm Coaster and present to Council for their consideration.

There was no motion on this item, therefore the item failed.

Enactment No:

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.

6

[15-227](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER TO CONNECT CONSULTING, INC., IN AN AMOUNT NOT TO EXCEED \$54,600.00, FOR REHABILITATION OF WELL LW-14

A motion was made by Vice Mayor McGuire, and seconded by Council Member Nobile, 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: R2015-69

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-Read in paper that Palm Coast is getting a permit for miscellaneous, what is miscellaneous? If roads are finished on Palm Coast Parkway, why are they not open? If CM Nobile took this job to augment his income and that is the only reason, I wish you would get out, because where you are sitting, there are five of you, you control our lives. If you were controlling one area of this community and you did not have a City Manager, how would you get your information?

Louis McCarthy-How is the weir at Belle Terre and Pine Lakes Parkway? The City Hall website is really enlightening to look at the pictures from the beginning to present to see how a city hall is built.

Responses to Public

Miscellaneous permit-Mr. Landon-We have a variety of permits but will need more information and get back to you.

Palm Coast Parkway-The additional lanes appear paved but it is my understanding that all the side work is not completed and that the road will be repaved completely to have a level road.

Weir-Mr. Landon-It is a tough construction site, they have some areas that are hard pan and some are soft areas that are easier to access. It is slower than the anticipated but we are making good progress.

VM McGuire-The reason the weir failed was that the panels were not put deep enough. Mayor Netts-Has it been determined by a forensic engineer that was the cause? Ans: Mr. Landon-Yes.

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

CM Nobile-The media and other people have said things that I want to do, which are not true, they did not come from my mouth. They have come from someone else. Some straw position. I have never stated that I want to replace the City Manager. I have never stated I want to replace Richard Adams or Chris Quinn. I have never said those words but somebody else did. Somebody else said Mr. Nobile wants to and instead of a phone call to me or an email to me saying what is this, is this what you want, you believe what other people say and that is fine, it really doesn't bother me. I am going to give you my position today, which I really hadn't planned on. My position

is that City Council does not play a deep enough role in the day to day operations of Palm Coasts functioning. I do not and would not propose a change on the employee side of Palm Coast in any way. I do not believe there are any needs for those changes, but I do believe that City Council needs to play more of a role in the direction, in the vision of Palm Coast from the day to day operations, that is what my position is. It has nothing to do with the City Manager, it has nothing to do with Mr. Landon in the first place since he was mentioned a lot. I think Mr. Landon is doing a great job. I have told Mr. Landon he is doing a great job. I have no doubt his professionalism, his knowledge and his skills are required in the position to run this city, but the City needs elected officials to be accountable to what happens in the day to day and that is what I propose. I would like to suggest to all of those listening here today, if you hear Mr. Nobile said something, your best response is to call me or email, please do not assume my position is based on what someone else has said.

VM McGuire-At the Board of County Commissioners meeting last night-Airport issue-suggested to Mr. Coffey that we do not have a cohesive interlocal felt compelled to stand up and speak on behalf of the City of Palm Coast. Commissioner Nate McLaughlin suggested to have a workshop between the two bodies. He is not opposed to that and explained that it was not his decision alone to determine if that could be done.

CM DeLorenzo-A joint workshop may be necessary. We have not met in many years.

Mayor Netts-Is Council of the opinion to have a joint workshop? VM McGuire-Is in favor with a clear agenda. Mr. Landon gave a brief overview over some of the issues that are current with County.

Mayor Netts requested Mr. Landon provide the background information to Council. Mr. Landon will provide all that background today to Council.

CM DeLorenzo suggested if time is truly of the essence perhaps, the County Chair and Administrator and the City Manager and Mayor sit down together to figure this all out.

Attorney Reischmann-My understanding of the Interlocal that we are talking about is necessary to allow utilities, potable water and wastewater services to be provided to the County by the City. The reason that is necessary through the process of an interlocal is that normally pursuant to our code, if you are going to provide utilities, you have to bring your property into the City-you have annex. One of the exceptions to that requirement is what we are doing, what we are trying to do, an interlocal agreement. Once the interlocal agreement is signed, it will allow the City (or County-not sure who will do the work) to construct, to put in pipes in some easements, which need to be executed from the County to the City to allow potable water and wastewater to be provided to the airport so they can loop their system. The loop will allow greater density of development of the airport. Attorney Reischmann provided an overview to the issues relating to the Airport Interlocal Agreement.

Mayor Netts-Is there anything legally preventing the Mayor and the City Manager to meet with County? Ans: Attorney Reischmann-There is nothing legally preventing that from happening.

Mr. Landon to contact the Administrator and Mayor Netts will contact the Chair to meet.

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

Fourth of July activities-July 3 Fireworks at Central Park; Flagler Beach will hold fireworks on Saturday night July 4.

July 4 at 8am Heros Park ceremony.

H. Adjournment

The meeting was adjourned at 10:40a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[15-247](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[15-253](#) ATTACHMENTS TO MINUTES