



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, August 18, 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.

>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 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 [15-336](#) MINUTES OF THE CITY COUNCIL'S:
 A. August 4, 2015 City Council Business
 B. August 11, 2015 City Council Workshop

Attachments: [August 4, 2015 Business Meeting](#)
 [August 11, 2015 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

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

- 2 [15-338](#) RESOLUTION 2015-XX APPROVING FINAL PLAT - LONGS CREEK
 VIEW REPLAT

Attachments: [Resolution Longs Creek View Replat](#)
 [App.2857 Location Map](#)
 [App.2857 Future Land Use Map](#)
 [App.2857 Zoning Map](#)
 [Plat](#)

Mr. Landon provided a brief overview to this item. Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor Netts called for any ex-parte communications. Mayor Netts stated he had a 30 second conversation with the attorney of record, Mr. Cuff but no opinions were given and he will base his decision on what is presented today.

Ms. Constance Bentley provided Council a PowerPoint presentation which is attached to these minutes.

VM McGuire-What is an upland buffer? Ans: Ms. Bentley-it is the buffer between the wetland and the developable part of the property, the upland buffer. It is an area land

that cannot be developed or disturbed, so it remains natural.

There were no public comments.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, 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: R2015-87

3 [15-324](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER FOR CONNECT CONSULTING, INC., IN AN AMOUNT NOT-TO-EXCEED \$525,000.00, FOR HYDROGEOLOGICAL SERVICES FOR THE BRACKISH WATER AQUIFER PERFORMANCE TESTS (APT)

Attachments: [Resolution - Aquifer Performance Test](#)
[Work Order - Aquifer Performance Test](#)
[Final Plan - WTP 3 APT](#)

Mr. Landon gave a brief overview to this item. Mr. Richard Adams and Mr. Brian Matthews provided a PowerPoint presentation, which is attached to these minutes. The next two items (4 and 5) are related to this item.

VM McGuire-The estimates of brackish water and ground water, are those numbers constant? How do you really know from one month to the next how much brackish water is available for processing? Ans: Mr. Adams-That is the key, we are not sure, that is why we need to do the APT's. The Aquifer Performance Test actually drills wells as well as a bunch of other monitoring wells and then they pump the brackish aquifer and take all the measurements, gather the data that plug it into the model to see what the predictable sustainability of that aquifer is. We have a lot of information on the fresh water as we have been studying that since the 70's.

VM McGuire-So your brackish water availability is an estimate? Ans: Mr. Adams-Correct.

VM McGuire-How much competition is there for this same water? Ans: Mr. Adams-Zero to none in this area.

CM Shipley-If the brackish water is not a good source, what is the next step, the desal? Ans: Mr. Adams-That would not necessarily be the next step, there is potential for some additional fresh water supply as we expand our well field up to the west, but we would need to get started on another alternative source because as you saw in those forecasts the timeframe to obtain a different alternative source is pretty lengthy.

CM DeLorenzo-Your confidence in the brackish water supply, good? Ans: Mr. Adams-I do not have any confidence one way or the other because I am not the hydrogeologist. I think our hydrogeologist is fairly confident that sort of water would be a viable source but until you plug the data into the model, it is really difficult to tell.

CM Nobile-The 2022 date, did that include the expansion of wells to include WTP 2 and that would bring it to what capacity? Ans: Mr. Adams-Add another million gallons per day to water treatment plant #2, our current expansion of the well water.

CM Nobile-And that is the one running at 2.5 mil? Ans: Mr. Adams-Correct.

Mayor Netts-If you do the APT, it seems to me you will get some availability, you would not do an APT and show zero availability or is that conjecture? Ans: Mr. Adams- I think that the ground water experts feel pretty certain there will be some allocation available without have any negative impacts.

Public Comment:

Jack Carall-With the projection of the population going 3 or 4 times by 2025, will we have enough water even if the brackish water is good?

Responses to Public Comment:

Projections-Mayor Netts-Will your projections for needed capacity incorporate the projected growth of the City, is that correct? Ans: Mr. Adams-Correct.

Mayor Netts-What would the impact be if our demand exceeded our capacity? What would the impact be on our residents and businesses? Ans: Mr. Adams-Our job in utility is to stay ahead of that growth and make sure the capacity is available. If for whatever reason we were not able to expand our capacity, then obviously we could not expand our facilities in the community. There would be building moratorium, people would not be able to build on lots they already own, businesses would not be able to expand, there would be water rationing. In the long run we would do everything in our power to supply water, I do not believe we will run out of water, it will be the cost of the water.

VM MCGuire-Do any cities in Florida ration any water now? Ans: Mr. Adams-Not that I am aware of.

VM McGuire-How far away are we as a state say southern California, which has severe water restrictions? Ans: Mr. Adams-I think weather will have a lot to do with it. If we were to enter into a long term drought situation, there is some of the fresh water wells that could be impacted. I think the State of Florida has learned a lot from California experiences and the Water District are very aggressive at watching the available water supply and regulating that where it is necessary.

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: R2015-88

4 [15-325](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER FOR CONNECT CONSULTING, INC., IN AN AMOUNT NOT-TO-EXCEED \$51,100.00, FOR HYDROGEOLOGICAL SERVICES FOR THE SOUTHERN WELLFIELD WETLAND MONITORING PROGRAM

Attachments: [Resolution - South Zone Wetland Monitoring - Connect Consulting Work Order - South Zone Wetland Monitoring - Connect Proposal-Wetlands Monitoring Wells Installation-South Well Field-2015-FINAL](#)

Mr. Adams provided a PowerPoint presentation on items 4 and 5.

Mayor Netts-Since you rotate wells and you have resting wells, could you use a

resting well as a monitoring well? Ans: Mr. Adams-We do use existing wells where we can. There is a lot of monitoring that goes on that includes production wells, monitoring productions wells. Most production wells have monitoring wells next to them, these are specific wells needed near the wetlands for the wetland monitoring.

CM DeLorenzo-Whose regulatory cost is this, is it SJRWMD that requires this? Mr. Adams-Correct, it is part of our Consumptive Use Permit issued by the Water Management District.

Public Comments:

Louis McCarthy-Have any of these wells collapsed or just stopped?

George Mayo-Has the City thought of expanding the collection of stormwater?

Responses to Public Comments:

Wells-Ans: Mr. Adams-We have had plenty of wells cease production and that is why we come in with redrills. Collapsing to the point where we are standing on the ground and there is a sink hole, no. Do wells fail? Yes, we have had wells fail. Most of the older wells have steel casings, those steel casings eventually rust out, sometimes and we have to go in and redrill. We have a shallow aquifer which is gravel path wells. They have external casings and internal casings and well screens that fail over time. So yes, there are lots of well failures and that is part of our RnR budget just like any other piece of equipment.

Stormwater capturing/reuse-Mr. Adams-Actually we did, before we got into Coquina Coast the first thing we did was, the Flagler County water supply plan was developed by all utilities within Flagler County with the help of the Water Management District and we looked at all kinds of alternatives before we settled on looking at sea water. Canal water was one of those that we looked at. We did a canalsis, at that point we dismissed canal water as a viable source due to the limited quantity. But it is not something that we have totally dismissed, it is something that we continue to look at and we will look at back pumping the canals to rehydrate our wellfeld areas or possibly direct withdrawals from canals in the future.

Mayor Netts-But there is irrigation from the fresh water available? Ans: Mr. Adams-Yes, correct.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, 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: R2015-89

5 [15-326](#)

RESOLUTION 2015-XX APPROVING A WORK ORDER FOR CPH ENGINEERS, IN AN AMOUNT NOT-TO-EXCEED \$100,800.00, FOR IMPLEMENTATION OF THE SOUTHERN WELLFIELD WETLAND MONITORING PROGRAM

Attachments: [Resolution - Wetland Monitoring Resoluton - CPH](#)
[City of Palm Coast CUP Compliance Monitoring Southern Wellfield July 6 2015 Updated](#)
[Work Order - South Zone Wetland Monitoring - CPH](#)

This item was heard under item 4.

However, Mr. Adams advised this is the wetland monitoring program that was put together by our environmental engineer.

VM McGuire-What is the difference between the services provided by Connect Consulting and CPH? Ans: Mr. Adams-CPH Engineers is the environmental engineer that sets up the whole program, Connect Consulting is the drilling of the wells, the Hydrogeologist.

VM McGuire-So there is no competition between them? Ans: Mr. Adams-No competition, they worked together.

Public Comments:
There were no public comments.

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: R2015-90

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 [15-249](#) RESOLUTION 2015-XX APPROVING PIGGYBACKING THE LEE COUNTY CONTRACT WITH STAPLES CONTRACT AND COMMERCIAL, INC., FOR THE PURCHASE OF OFFICE SUPPLIES CITY-WIDE

Attachments: [Resolution - Staples Commercial](#)
[Staples Engagement Letter](#)

There were no public comments.

The Resolution was adopted on Consent.

Enactment No: R2015-91

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-Signage and foliage covering signs.

Steve Carr-Appreciates the letter sent but traffic is still heavy on Florida Park Drive. Health issues on Florida Park Drive.

Ralph Lightfoot-Worked being done on Palm Coast Parkway is great. Please do not forget to refurbish the old lights.

John Brady-Florida Park Drive there is no need to do a study. Disappointed in economic development, Council and City for the lack of development on the west side of Matanzas Woods Parkway.

Jack Carall-Workshop took 2 hours to discuss the size of the fence and a garbage pail. Why is it not on the agenda?

George Mayo-Two weeks ago in Las Vegas a black cat convention. Several cities, towns, etc. were hacked. Computer hackers on our water treatment plants, etc. are we well aware of this issue and protected?

Responses to Public Comments:

Signage and foliage-Mayor Netts agreed we need to make a note and go out to trim.

CM Nobile-Tree trimming in the median, is the idea that the tree will grow larger?

Ans: Mr. Landon-Yes, that is the idea is that they will grow higher.

Florida Park Drive-Mayor Netts-discussed many times. Last week the County held two transportation meetings where they talked about the potential of expanded their public transportation routes; one of their designated routes included Florida Park Drive.

CM DeLorenzo-Noticed we have a lot of roads that are equally exposed to traffic as Florida Park Dr. For example, Belle Terre Parkway, Royal Palms Parkway, etc. with no buffers, this is an issue not only for Florida Park Drive. Closing Florida Park Drive to through traffic is not an answer. Closing the road has other implications.

Light pole rehabilitation-Mayor Netts-Yes, we need to check our light poles to see if we can rehabilitate those poles. Provided an example of Florida Park Drive and Palm Coast Parkway eastbound.

Shopping center developments-Mayor Netts-The question Council gets all the time is "Why do we have this instead of that? Why do we have a Publix rather than a Trader Joes? Why do we have a McDonalds rather than a Burger King?" The reality is that if you own a piece of property you can develop it but the decision of when and what to develop is your decision to make. As long as what you propose meets zoning and building codes we can't say you can't build another McDonalds, that would be excessive reaching of government into the private sectors business. We try very hard as a City, as a City government, as economic development to encourage people to develop here but ultimately the decision rests with the private sector.

CM Nobile-The City has engaged in a plan to attract new retail, when that starts kicking in and the data shows that area will support the retail, then we can present that to the retailers to support that area.

CM DeLorenzo-The Buxton contract-the area that Mr. Brady speaks of, the number one factor in moving projects forward there will be houses, that is how retailers work, if there is a certain number of roof tops, then the retailers will build. They will have a profitable store and they will build.

Meetings and agenda items-Mayor Netts-All meetings are open to the public. The public is certainly able to attend the workshops, listen to the workshops as they are broadcasted. The purpose of the workshop is for City Council to discuss issues and to see if there is consensus, the business meeting is to enact ordinances, pass resolutions to make decisions. The discussion about code enforcement was to share opinions, concerns, and perspectives on the issues and to determine whether or not there was something that needed to be addressed at a business meeting. The consensus was there was nothing at that moment that we needed to do that would require formal action of the City Council. Attorney Reischmann reminded Council that the Mayor also announces in accordance with Florida Statutes that if there is anything that the public wishes to add on to the discussion from the workshop that they are certainly able to do so at the business meeting, like today. You make that announcement in accordance with Florida Statutes, Chapter 286 at all workshops.

IT Hacking and Security- Mr. Viscardi-There is not a day that goes by that we do not hear of someone being hacked. We do employ a number of security measures, we have layers of security-filters, fire walls, back ups are done multi times during the day. We employ the industry standards. Water plants are under our same system of protections. If you get in one area you may not be able to get into the other areas. We do participate in white hack testing every other year to identify any vulnerabilities.

CM Nobile-Most hacking doesn't occur by someone guessing and computerizing their way in, they are manipulating workers to assist them in getting in. "I have lost my password."

Mayor Netts-EZ Pass hacking, all they have is raw data, sends an email which requests payment. Be cautious.

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

Nothing at this time.

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

Announced in accordance with Florida Statutes, an executive session for pending litigation (Dennis and Janet McDonald) for Tuesday, August 25, 2015 during the

workshop. Council concurred.

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

Waterway cleanup Saturday September 5, 2015 begins at Community Center.

Monday, August 24, school starts. Please be careful.

Construction projects-Palm Harbor extension-Old Kings Road and Palm Harbor Parkway. There are a lot of delays in that area.

Matanzas Woods Parkway overpass is now open again.

Palm Coast Parkway-trees are being planted, moving along. All underground work is done. Scheduled to be completed in November December time frame.

City Hall-on scheduled and construction should be done by end of September.

Old Kings Road S-force main is progressing.

Island Walk is progressing nicely too.

H. Adjournment

The meeting was adjourned at

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[15-337](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

Attachments: [City Calendar](#)
[Agenda Worksheet 2015](#)

[15-345](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 2 Longs Creek View](#)
[Item 3,4 and 5 APT](#)
[Item 3, 4, and 5 Wetland Map](#)