



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, August 2, 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.

>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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>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.

B. Pledge of Allegiance to the Flag

C. Roll Call

City Clerk Virginia Smith called the roll.

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

Approval of Minutes

- 1 [16-295](#) MINUTES OF THE CITY COUNCIL'S:
 A. July 19, 2016 City Council Business
 B. July 26, 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, Shipley, Council Member DeLorenzo, Council Member McGuire, and Council Member Nobile

Proclamations and Presentations**PROCLAMATIONS**

- 2 [16-288](#) PROCLAMATION BRINGING AWARENESS TO SCHOOL BUS STOP SAFETY
- CM DeLorenzo presented this Proclamation.*
- Ms. Cindi Lane presented the Zoombie video that the City produced for bicycle safety.*
- The Proclamation was Received and Filed.**

PRESENTATIONS

- 3 [16-291](#) PRESENTATION - CITY OF PALM COAST INTERNSHIP PROGRAM
- Mr. Landon provided a brief overview to this item. Ms. Maive Dineen and Ms. Lauren Umphenhour presented a PowerPoint presentation, which is attached to these minutes.*
- CM Nobile-You have renewed my faith in the younger generation. Amazing. I hope when you are finished with your college, you do come back here. Thanked the interns for this program.*
- The Presentation was Received and Filed.**
- 4 [16-304](#) DISCUSSION-TREE DEDICATION IN MEMORY OF FORMER COUNCIL MEMBER FRANK MEEKER
- Mayor Netts provided a brief overview regarding the request for a tree in honor of former Council Member Meeker.*
- Public Comments:*
Lois DeCosta-Combined a tree and wild flowers as well as naming a soccer field in honor of Frank. Suggested a few trees.
- Kayla Klufas and Amy Harrington-former soccer players of Mr. Meeker-carpe diem for the plaque would honor and memorialize his spirit.*

CM Nobile-Would like to see the tree and garden here at Central Park and the field.

CM DeLorenzo-That is my preference as well.

VM Shipley-Likes the flowers.

CM McGuire

There was a motion by CM Nobile, seconded by CM McGuire-to have a tree planted with flowers and a plaque with "Carpe diem" and a field in memory of former CM Meeker. Motion passed unanimously.

The Presentation was Received and Filed.

5 [16-297](#)

DISCUSSION ON COUNCIL VACANCY PROCEDURE

CM McGuire Should I recuse myself with this discussion? Ans: Attorney Reischmann There is not a conflict of interest, so it is not necessary to recuse yourself.

CM Nobile Would like to see us start the process now and collect the applications. I am a little concerned we will not get that many applications. I am not sure who is really going to jump up and down and say pick me for 3 meetings but that is what I would propose and then we can pick from that, do the interviews and choose.

CM DeLorenzo I agree but I think we need to have a cover letter or something that goes along with this application that says kind of what the duration is expected and that if someone is elected at the primary that Council would appoint that person. Make it very clear what our intentions are.

Attorney Reischmann-This has been provided (to me) in your agenda today prepared by your City Clerk. I would point out consistent with the suggestion that the draft letter dated today indicates that this is just be for September through November and it specifically states limited appointment. It then specifically advises that if a current candidate for District 1 should win the seat at the primary, then Council expects to appoint the winner of that primary. So everything that you indicated, Madam City Clerk has read your mind.

VM Shipley-My concern would be about if people, who are running for the seat right now, would be part of the interview and they happen to be who we choose, because we have seen interviews and forums and people might get upset that we actually pick someone who is running right now.

Initiate the options with the caveats.

There was a motion by CM McGuire, seconded by CM DeLorenzo to advertise the vacancy and send out letters to former Council Members in District 1, Board Members, etc. Motion passed unanimously.

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** [16-287](#) RESOLUTION 2016-XX APPROVING FINAL NUISANCE ABATEMENT ASSESSMENT
- Mr. Landon provided a brief overview to this item.*
- Public Comments:*
Jack Carall-A few years ago, the people had to clear their property-underbrush as a fire prevention, are these included?
- Responses to Public Comments:*
Mr. Landon-Yes, it is included.
- Mayor Netts provided an overview to the Code Enforcement process.*
- 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, Shipley, Council Member DeLorenzo, Council Member McGuire, and Council Member Nobile
- Enactment No: R2016-69
- 7** [16-259](#) RESOLUTION 2016-XX RELATING TO THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR
- Mr. Landon provided a brief overview to this item.*
- CM Nobile-For these properties, the annual assessment is \$327K, is that property value or the tax? Ans: Mr. Landon-It is the amount required to pay off the debt, it is based on acreage.*
- CM McGuire-How long is this assessment? Ans: Mr. Landon-30 years, 26 more to go.*
- Public Comments:*
There were no public comments.
- 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, Shipley, Council Member DeLorenzo, Council Member McGuire, and Council Member Nobile

Enactment No: R2016-70

- 8 [16-282](#) RESOLUTION 2016-XX APPROVING A CHANGE ORDER FOR ADDITIONAL DESIGN PHASE SERVICES OF CITY UTILITY RELOCATION, ADJUSTMENTS AND EXTENSION FOR WATER, SEWER AND RE-USE LINES WITHIN THE OLD KINGS ROAD WIDENING PROJECT LIMITS

Mr. Landon provided a brief overview to this item.

CM Nobile-\$175K was an actual change because we decided to include the southern side to make it more cohesive, correct? Ans: Mr. Landon-Correct.

*Public Comments:
There were none.*

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

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

Enactment No: R2016-71

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.

- 9 [16-283](#) RESOLUTION 2016-XX APPROVING THE INTERLOCAL AGREEMENT WITH FLAGLER COUNTY TO CONSOLIDATE COMPUTER AIDED DISPATCH (CAD) SOFTWARE MAINTENANCE AGREEMENTS

CM McGuire pulled this item from the consent agenda.

CM McGuire-Are these locked in numbers on the units? Ans: Mr. Landon-Those are numbers that are locked in per unit.

CM McGuire-If we added units, would we add at that years locked-in price? Ans: Mr. Landon-The price is locked in through the County's contract.

CM McGuire-Did we consider any alternatives? What if we wanted to go our own way? Ans: Mr. Landon-We can't go our own way without having our own control center. This is not new costs, we have been paying this directly to the company.

*Public Comments:
George Mayo-Is this part of the radio system or is this strictly for our trucks-utility trucks?*

*Responses to Public Comments:
Ans: Mr. Landon-This is totally separate from our 800 MHz. Both are centrally located in dispatch.*

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, Shipley, Council Member DeLorenzo, Council Member McGuire, and Council Member Nobile

Enactment No: R2016-72

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-Vacancy-agree with putting out a statement but please add you must be from the district. (Mayor Netts-That is a given. Mr. Landon-It is included.)

Robert MacDonald-Old Kings Road and Town Center traffic light-status? Wished CM McGuire good luck.

Lois Decosta-City Manager's raise and evaluation.

George Mayo-Suggestion about teaching people on how to ride bikes.

Denise Calderwood-Senior services.

Jack Carall-Raises and references/comparisons to other cities. We should do something that belongs here. Suggested a re-vote on Mr. Landon's raise.

Responses to Public Comments:

Old Kings Road/Town Center Boulevard-Ans: Mr. Landon-It is going through the process, we have approved the contract but have not paid the contractor. Will get the actual schedule to Council.

Mayor Netts-Temporary light as it will be replaced with a Mastarm pole. Until that area is redone, it is kind of like the issue we have with the redesign of Old Kings Road, so until the utilities are moved, we do not know where to place the Mastarm pole.

Evaluation procedure-Mayor Netts-Suggests after the November election, the new Council may decide to bring it up.

CM McGuire-I would meet with the City Manager over the past 5 years and let him know what I thought may have needed improvement.

Mayor Netts-I meet with the City Manager weekly and we discuss issues and ideas. I

know CM Nobile you met with him today, I know CM DeLorenzo and the rest of the Council that you have met with Mr. Landon as well; and if he thinks something we propose will not work, we have the option to bring it to Council for discussion.

VM Shipley-It is important to know that we just started the evaluation process. I know there was not an evaluation process and we have just started that in February, which I think is the anniversary, we could do another one again and take it from there but it was just a starting point for the evaluation. It does not mean I do not think he is not doing a good job. It is an evaluation process and any job I have had, we discuss what is on the evaluation, you go over that, you make goals and targets, and then you go from there. I just think we are not at that point yet and we can do it in February again.

Bicycling suggestion-Mayor Netts-Good idea, perhaps, we can get Recreation and Parks involved in Mr. Landon-I have that down.

CM Nobile-Where are we with replacing Luanne? Ans: Mr. Landon-We are accepting applications. I know that HR has already vetted a few of those.

Senior services-Mayor Netts-There seems to be a misunderstanding between a senior center and senior services. Our Parks n Recreation Department provides a host of senior activities. Intermingled with and co-managed with all other age groups. It is not that we do not have it, we do not have a separate senior center. We do not provide seniors meals, that is a function of the County. But again, in November there will be a new Council and if they want to explore the idea of constructing, purchasing, renting or leasing a stand-alone center, figure out the costs, figure out the staffing costs, see what it is going to cost, see where you are going to fit it in your budget. That is something that City Council could address at any time.

VM Shipley-It (senior center) is not something that has not been brought up. We have discussed this with Mr. Landon. I wanted to see if there was a way we could dedicate a room to the Senior Center for them to keep their supplies, just the ease to avoid the set up and clean up. I think if they have a place large enough, Luanne has given me a list of all the senior activities, what they need for their activities, so we know the amount of seniors that attend these activities, so we know the amount of room that is needed. I know these conversations have taken place between Mr. Landon and I about the senior center, so it is not something that is not being addressed. It is being addressed.

CM Nobile-A slight concern that I have that is not directed only at seniors but with the closing of the community center.

Mr. Landon provided updates relating to the Community Center. The construction for the Community Center is supposed to be anywhere from 12 to 16 months, maybe longer, the construction company is working on that schedule.

Benchmarking-When is it appropriate for Palm Coast to look at what other cities do? Ans: Mayor Netts-It is just a tool in the tool box. You can learn from other people's experience, but Jack also said we should do things on our own. I think over the years, Mr. Landon, we have received a number of awards from Federal and State agencies recognizing the unique level of service, quality of services that we provide. So it is not that we have not stood out. Mr. Quinn has gotten us the budget award year after year. We have received recognition from the Florida Green Building Coalition. We have received recognition from the Audubon Society. We have received recognition from the Arbor Day group. Palm Coast has done a number of things that are outstanding and other cities are happy to follow. Three years in a row

we have done presentations at FCCMA (City County Manager Association) and at ICMA (Internation City Managers Associations) so that other managers and cities can learn from our positive experiences. So benchmarking and looking at other cities is a tool in the tool box.

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

CM McGuire-Appreciated working with the Council over the past 5 years. I have enjoyed it. Thank you.

CM Nobile-Thanked CM McGuire for the last 2 years of being who he is; taught me a lot on this Council. He showed me how to act and how not to be afraid to say what I want to say. He was an asset to this community. Wished him a super life and finds great comfort and love back with his family. Thanks buddy.

CM DeLorenzo-Moving to name a soccer field for Mr. Meeker, we do not have a policy or direction on how we actually name or commemorate. I think we need some criteria for commemorating. I have enjoyed working with Bill here. I know the time you have put in to do this, it is significant. We will miss you.

VM Shipley-Palm Harbor golf course-Foot golf presentation at the workshop. Would like it on the agenda. I will miss Bill terribly. I have enjoyed working with you (Bill).

Mayor Netts-What can you say about Bill McGuire. People have different ways of approaching their reposonsibilities. Some sit in an ivory tower and contemplate and imagine, Bill has quite an imagination but he is certainly not an ivory tower kind of guy. He is more of an in the trenches type of guy. If you speak to City staff and directors, he has demonstrated an intimate knowledge of what the City is and what the City needs. And to his credit, in some cases he put his own social interests aside to make decisions on behalf of the City and that is about the best thing you could expect from an elected official-that they vote their conscience.Bill and I have not always agreed, nor have all of us up here, but I have never had to question Bill's sincerity, Bill's motivation, his dedication and you will be missed. On an upside, you are going to St. Charles, I bet they have elected officials there and if you would like, I would be happy to write a letter of recommendation for you.

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

Wednesday, August 10 school starts here in Palm Coast. Please be extra cautious out there.

Verbal report on school bus stop pads from school officials, law enforcement-They do not feel it was very successful. We are continuing with our evaluations.

Thanked CM McGuire and wished him the best of luck in the future.

H. Adjournment

The meeting was adjourned at 8:27p.m.

Respectfully submitted,

Virginia Smith, City Clerk

Calendar and Worksheet

[16-286](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[16-312](#) ATTACHMENTS TO MINUTES