



City of Palm Coast

160 Cypress Point Pkwy.
Suite B-106
Palm Coast, Florida 32164
palmcoastgov.com

Meeting Minutes City Council Workshop

Mayor Jon Netts
Vice Mayor Jason DeLorenzo
Council Member David Ferguson
Council Member William Lewis
Council Member Bill McGuire

Tuesday, February 11, 2014

9:00 AM

Council Conference Room

>Other matters of concern may be discussed as determined by City Council.

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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

Records Coordinator Barbara Redline called the roll. All members were present.

Present: 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

D. PRESENTATIONS

- 1** [14-55](#) RESOLUTION 2014-XX APPROVING A CONTRACT WITH XXXX,
FOR THE CONSTRUCTION OF THE TRAFFIC SIGNAL
MODIFICATIONS TO SR100/SEMINOLE WOODS INTERSECTION
PROJECT

Attachments: [Resolution-SR100 Seminole Pedestrian Crossing](#)
[SR100 Seminole Woods Location Map](#)

Mr. Landon gave an overview of this item and stated we did not receive any responses to our Invitation to Bid, so we are going to be our own general contractor and do the concrete work in-house and get contractors to do the other two items.

VM DeLorenzo - Is that going to have a median cut? Mr. Landon - Yes, he believes there is some median work needed there.

The Resolution was Withdrawn.

2 [14-35](#)

RESOLUTION 2014-XX WORK ORDER WITH STONE ENGINEERING GROUP, INC., FOR DESIGN AND CONSTRUCTION PLANS FOR THE REHABILITATION OF BRIDGE #734063 ON COLECHESTER LANE

Attachments: [Resolution-Stone Engineering Work Order](#)
[Work Order Bridge 63](#)
[Location Map Colchester Lane](#)

Mr. Landon gave a brief overview of this item. Mr. Michael Brennan, Stormwater Manager, gave a PowerPoint presentation (attached to these minutes).

Mayor Netts - Do we have an implementation cost; how much will the repair cost, any estimate? Mr. Brennan - It is budgeted for \$1 mil. (his estimate is approximately \$850,000).

CM McGuire - What is it about it that says it needs to be refurbished; it looks fine? Mr. Brennan - It has to be brought up to date with the FDOT (Florida Department of Transportation) requirements; concrete is spalling underneath the bridge; seawalls need to be replaced, etc., a lot of stuff you can't see from above.

CM McGuire - When was it built? Mr. Brennan - Approximately 1974; we have been constantly repairing it.

CM McGuire - Is this in our budget? Mr. Landon - Yes, it is in our capital improvement plan that has been previously presented.

CM McGuire - Do we have experience with Stone Engineering? Mr. Landon - Yes, they designed the last bridge; that is why they got such a high rating.

CM McGuire - Who is doing the County's bridges out 305? Mr. Brennan didn't know, but stated when it comes time for construction we will certainly consider that.

CM Ferguson - This is going to cost roughly \$1 mil.; how many of total bridges do we have? Mr. Brennan believes there are 21 bridges; of the 21 bridges we did the Palm Harbor bridge, the one by the golf course, and the Club House Drive bridge and now we are doing 734062 and 734063 bridges.

Mayor Netts - Colorado bridge after this? Mr. Brennan - Yes.

CM Ferguson - Beyond our own inspections, is there some rating that the State gives and when you have to fix them? Mr. Brennan - FDOT inspects the bridges (and rates/grades them).

CM Ferguson - How serious is the condition, safety, etc.? Mr. Brennan - We are not replacing the bridge; we are repairing the bridge; concrete spalls, putting seawalls and bringing things up to FDOT standards. There is a complicated way of indicating the condition/health of the bridge.

CM Lewis - Is there any State funding? Mr. Landon - No, they consider this more of a maintenance issue, unless the entire bridge is being replaced (which will shut the

bridge and road down), then there may be some State funding available.

CM Ferguson - The life expectancy after repair? Mr. Brennan - It is hard to say you repair a spot and it may fail in another; the repair should last about 25 years. The seawalls going in under the bridge will have a 100-year life expectancy.

Mr. Landon showed a schedule showing the plan for the bridges to be repaired (attached to these minutes) and those graded the worst, are being done first.

CM McGuire - If you were to replace the bridge, would you change with the same kind of bridge? Mr. Brennan - There is a plethora of choices; he is not a bridge expert, not sure.

The Resolution was Continued.

Enactment No: R2014-19

E. WRITTEN ITEMS

3 [14-41](#) RESOLUTION 2014-XX APPROVING PIGGYBACKING THE CONTRACT BETWEEN MUNICIPAL EQUIPMENT COMPANY, LLC, AND LAKE COUNTY TO PURCHASE 21 SETS OF PROTECTIVE FIREFIGHTING EQUIPMENT

Attachments: [Resolution-Piggyback Contract-Lake County and Municipal Equipment](#)
[Piggyback Authorization Letter-Municipal Equipment Co](#)
[Lake County Contract 12-0806](#)
[Price Quote-Municipal Equipment](#)

Mr. Landon gave a brief overview of this item. Chief Mike Beadle showed Council what the bunker gear looks like in person.

CM McGuire - You are going to replace the equipment with the same thing; made in the USA? Mr. Landon - Yes, to both.

Chief Beadle explained how the bunker gear was selected.

CM McGuire asked if the firefighters wear the same type of equipment as race car drivers. Chief Beadle responded they are similar; made of a Nomex type of material.

CM Lewis - CVFM-32, all these things on the 4 pages (attached to this item) are part of that jacket? Chief Beadle - Yes.

CM Lewis - Is it necessary to get rid of blood (on the bunker gear) in a certain way? Chief Beadle - Yes, because of contamination, it gets red-bagged and professionally cleaned by qualified companies.

CM McGuire - 21 sets (of gear) enough? Chief Beadle - Yes, it's a replacement program (usually 20 sets a year); we have about 120-125 sets. We got a grant last year and bought 68 sets for career firefighters. We are buying 20 sets a year because every 5 years we need to replace them. The 21 this year is because we have a new firefighter that needs an extra large suit that we did not have.

CM McGuire - How much does all that gear weigh? 80-90 pounds; they will come in and measure us for the gear and it takes 3-4 months to make and receive it.

CM McGuire - The County uses the same equipment? Chief Beadle - Yes.

The Resolution was Continued.

Enactment No: R2014-20

4 [14-42](#)

RESOLUTION 2014-XX APPROVING A CONTRACT WITH ODYSSEY MANUFACTURING COMPANY FOR THE REMOVAL AND INSTALLATION OF BULK CHEMICAL STORAGE TANKS AT WATER TREATMENT PLANT 2

Attachments: [Resolution-Odyssey Manufacturing-Chemical Tank Replacements](#)
[Contract Summary - Odyssey Manufacturing](#)
[Notice of Intent to Award ITB-PW-U-14-04 Bulk Chemical Tank replacement](#)

Mr. Landon gave a brief overview of this item.

CM McGuire - Is this part of the renovation being prompted by the EPA (Environmental Protection Agency) is it? Mr. Landon - This is not a result of the ZLD (Zero Liquid Discharge) project; although it is at the same plant.

CM McGuire - What kind of chemicals are we talking about? Mr. Jim Hogan, Utility Systems Manager of Water Operations - Two 7,500 gallon sulfuric acid tanks and two 6,000 gallon sodium hydroxide tanks made of high-density linear polyethylene material with a special resin added for the acid tanks; they have to be very chemical resistant.

CM McGuire - What are you going to do with them after you remove them? Mr. Hogan - They will be taken away by the contractor.

CM Ferguson - What is their useful life? Mr. Hogan - Approximately 6-7 years.

CM Lewis - This is just plant 2; what about the other plants? Mr. Hogan - Plant 3 has sodium hydroxide tanks as well; they have an acid tank but not a bulk acid tank and they are not currently feeding acid at plant 3; we will, if we go to brackish water. The caustic tanks at plant 3 are inside and have a little more lifespan, but they will need to be replaced on a planned replacement schedule as well. Plant 1 has some sulfuric tanks but they have 50% sulfuric which is not nearly as heavy and they are inside as well and smaller, so they tend to last longer.

CM McGuire - How do you get sulfuric acid by truck? Mr. Hogan - Yes, bulk delivery.

CM Ferguson - These have 7 years' lifespans and the plant is built in 1990 so this is the third set? Mr. Hogan - Yes, twice actually, the original tanks were special steel tanks.

The Resolution was Continued.

Public Participation

In accordance with Section 286.0114 Florida Statutes, any member of the public interested in speaking on any proposition agendaed or that Council discusses or considers during this workshop, will be afforded the opportunity to speak during public participation at the next City Council Business Meeting. Contact the City Clerk's office for the meeting date, time, and location at 386-986-3713 or cityclerk@palmcoastgov.com

F. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

VM DeLorenzo received quite a few e-mails regarding the proposed convenience store on Pine Lakes Pkwy.; he is wondering if we are not doing a good job communicating with the public about explaining private property rights, Bert Harris Act and zoning and how it works. Mr. Landon said that when he speaks at the Citizens' Academies he will mention this community is quite unique because a lot of people moved here when ITT was here and they did what they wanted to do and the public thinks we have control over what kind of store goes where and how it is zoned. However, if it is zoned commercial, we cannot tell them they cannot build on it.

There was discussion about the options available to local governments to prevent development. Mayor Netts spoke of the different ways of obtaining property: option 1-we can buy the property; option 2-suppose they don't want to sell you the property, you could institute taking it by eminent domain which is very expensive and you have no control of what the final price is as well as legal fees and you have to prove the need for eminent domain; option 3-is to rezone the property; under the Bert Harris Act you must compensate the owner for the lost value. If you do for one, you have to do for all; cost would be exorbitant.

CM McGuire - Can we encapsulate private property rights in the City and put this in the Palm Coast Newsletter to inform the public? Attorney Reischmann said when certain residents bought their homes there were vacant parcels around them with vested property rights, in other words they were already zoned something; he suggested it may also be helpful to work with the realtors to let potential homebuyers know of the zoning of the property around them. Council suggested that a section be put in the newsletter, the website and a press release.

Mr. Nestor Abreu, Community Development Director reported that at the recent Citizens' Academy this was brought up and the public wanted to talk about buffering, visual impact, traffic, etc. The residents reaching out to us is good and part of the process with feedback from the citizens we could go back to the developer and say this is what your neighbors are saying and allows staff to do a better job.

Mayor Netts asked that Mr. Landon share his e-mail response regarding this issue with Council. Mr. Landon said he will also ask Ms. Cindi Lane, Communications & Marketing Manager, to put out some information to the public.

CM McGuire asked all present (and listening) to remember Mr. Pierre Tristam (of Flagler Live) in our thoughts and prayers.

CM McGuire asked when there is something on the agenda that may be controversial would we be better served to move or clear the agenda for those large items. Mayor Netts stated some things you can defer, some you can't and he sees nothing wrong with that; judgment call; legitimate request. Mr. Landon went through his thought process on agendas; proclamations and presentations; bringing positive things to the public.

City Attorney William Reischmann suggested maybe at the beginning of such meetings, a comment to the audience that we recognize they are here for this item but we have standard agenda rules and procedures; we will move through our agenda and get to you as quickly as we can, etc., may give some relief. Mayor Netts suggested that staff keep the public in mind when the agenda is put together, regarding controversial items.

CM Ferguson - A couple of related items as to what government and the City can do to make Palm Coast a better place. Recently, he received an e-mail from a gentleman who claimed the gate to Princess Place at the back of Dupont Road was locked and that the City could do something about that because they maintained the road; the gentleman said that someone from the County said we maintain the road. CM Ferguson e-mailed Mr. Landon and found out the City does not maintain the road; one example of where the City cannot do something to make things better. The other is the Matanzas Woods golf course issue, if the economy were stronger and there was a greater demand for housing and development what would prevent the developers to proceed with some type of housing complex there? The expectation of the neighborhood is that the City can make a grand plan to participate with the private sector to make it a better place for the community, but it appears to him that there is no magic or special formula. If someone saw the need, could that golf course be developed into some housing? Mayor Netts - There are properties in that neighborhood that are zoned residential and houses can be built on them. Mr. Landon added, also multi-family; the golf course is zoned greenbelt which allows 1 unit per acre; but the actual area that is used to play golf, the concept/idea is that you can keep the golf course in tact so that in the future sometime the golf course can come back. There is a lot of vacant property surrounding the actual golf course; and that has some development potential and there are some vested rights. We need to have a neighborhood meeting out there because there are a lot of misconceptions and rumors and different interests and City projects that can be done.

There was more discussion about the economy, the future of the golf industry, the viability of the golf course and the owners of the golf course which also own Pine Lakes and Cypress Knolls golf courses. Attorney Reischmann reminded Council that this may become a quasi-judicial matter in the future.

Mayor Netts - NEFRC (Northeast Florida Regional Council) and the Strategic Regional Policy Plan, the end of this whole process is a rule-making process and the Regional Council has gone through that and they have developed a Rule 29D-7 adopted 1/16/14 (in essence a comprehensive plan for this region) on a CD that will be in Council's office for review (attached to these minutes).

CM McGuire asked what the region consists of. Mayor Netts replied, 7 counties: Nassau, Duval, Putnam, Clay, Baker, St. Johns and Flagler (not Volusia).

Mayor Netts attended a Regional Council meeting on 2/6/14; FDOT did a presentation on the 5-year plan for projects in District 2 which does not include us. He also spoke of the background of the 2014 Legislative Priorities brochure that will be left in the Council's office for review (attached to these minutes).

G. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Attorney Reischmann explained quasi-judicial items can be very controversial; a lot of times you may have a group that do not understand the process. He asked if we get into detail explaining quasi-judicial issues in Citizens' Academy because it may be helpful. Mayor Netts suggested that maybe the next time a quasi-judicial item comes up at a public meeting that Attorney Reischmann give a brief synopsis of the difference between our legislative and quasi-judicial roles. Attorney Reischmann expressed this issue is usually covered in a 2-day seminar. Mayor Netts stated we will make a concerted effort to be more educational when these issues come up at meetings.

H. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Landon has been really impressed with our district office at FDOT and the things they are doing here and in Flagler County; they are doing improvements to US1, SR100, working with us the bottleneck at Palm Coast Pkwy., interchange at Matanzas Woods, advancing the funding for the extension of Old Kings Rd.; couldn't ask for a better partner in getting Bulldog Dr./SR100 project going, a lot of signal work; now the ponds at SR100 and I-95 are going to be wet ponds with fountains (versus swamp that we couldn't mow), etc.

All the projects: Long Creek, bridge (discussed at this meeting), Bulldog Dr. & the high school, path along Seminole Woods, and in March we will have a preliminary schematic on City Hall.

I. ADJOURNMENT

The meeting was adjourned at 10:48 a.m.

*Respectfully submitted,
Barbara Redline*

[14-45](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[14-54](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 2-Bridge 734063 Rehabilitation](#)
 [Item 2-Bridge 10 Year Plan](#)
 [Item F-NEFRC Strategic Regional Policy Plan 2014](#)
 [Item F-NEFRC 2014 Legislative Priorities](#)