



City of Palm Coast

City Hall
160 Lake Avenue
Palm Coast, FL 32164
palmcoastgov.com

Meeting Minutes

City Council

Mayor Milissa Holland
Vice Mayor Steven Nobile
Council Member Robert G. Cuff
Council Member Nick Klufas
Council Member Heidi Shipley

Tuesday, April 4, 2017

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.

>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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>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 Charter Spectrum 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 Holland 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 Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Approval of Minutes

- 1 [17-144](#) MINUTES OF THE CITY COUNCIL'S:
 A. March 21, 2017 City Council Business
 B. March 28, 2017 City Council Workshop
- The Minutes were approved as presented.**

Proclamations and Presentations**PROCLAMATIONS**

- 2 [17-136](#) PROCLAMATION RECOGNIZING APRIL 9, THROUGH APRIL 15, 2017 AS
 NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK
- CM Klufas presented this Proclamation.*
- The Proclamation was Received and Filed.**
- 3 [17-148](#) PROCLAMATION RECOGNIZING CRIME VICTIMS' RIGHTS WEEK, APRIL
 2-8
- CM Cuff presented this Proclamation.*
- The Proclamation was Received and Filed.**
- 4 [17-147](#) PROCLAMATION RECOGNIZING THE MONTH OF APRIL AS THE
 NATIONAL MAYOR'S CHALLENGE FOR WATER CONSERVATION
 MONTH
- Mayor Holland presented this Proclamation.*
- The Proclamation was Received and Filed.**

PRESENTATIONS

- 5 [17-146](#) PRESENTATION FROM FLAGLER SCHOOLS ON STREET SAFETY -
 PATHS AND STREETLIGHTS
- Mr. Landon provided a brief overview to this item.*
- Students from Matanzas High School provided Council with a PowerPoint presentation, which is attached to these minutes.*
- CM Shipley arrived at 6:50 p.m.*
- Mr. Landon provided an update to the continuous lighting program. In process to hire an engineer to design it. We hope City Council will support the idea of allowing the students to have input. The path in the FP&L easement is already designed. The neighborhood was against this path ten years ago. Would like to see the students get the community involved in assisting with neighborhood support. The path along Lakeview is in the works*

CM Klufas-Did we give them all the available resources that are available? GIS has a map with layers of where all our street lights are located.

VM Nobile-We had a slow down in the recession with the paths and the lights. Can we investigate to see if we can put more dollars back into this and accelerate this program again to catch back up. Ans: Mr. Landon-In a few weeks, we are bringing you the choices of some of these projects, some are not funding, so we will have to work on that, but this will be your opportunity.

The Presentation was Received and Filed.

6 [17-145](#)

PRESENTATION UPDATE ON LAW ENFORCEMENT WITHIN THE CITY OF PALM COAST

Sheriff Staly presented Council with a PowerPoint presentation, which is attached to these minutes.

VM Nobile-The cars last 5 years? Ans: Sheriff Staly-Yes, they are not used 24/7 and are very well maintained.

Mayor Holland-We often get asked why we do not have our own police department. This partnership with the Sheriff's office has saved the taxpayer a lot of dollars.

All Council Members thanked the Sheriff for the services the Sheriff's office provides to all the residents of Palm Coast.

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

Second Reading

7 [17-89](#)

ORDINANCE 2017-XX REZONING 50.0 +/- ACRES FROM SUBURBAN ESTATE (EST-1) WITH ABOUT 8 ACRES TO GENERAL COMMERCIAL (COM-2) AND ABOUT 42 ACRES TO MULTI-FAMILY RESIDENTIAL (MFR-2), APPLICATION NO. 3247

Mr. Landon-The applicant requested a continuance.

Mayor Holland-Is there a law stating a timeframe since we had 1st read? Ans: Attorney Reischmann-There is no requirement under Chapter 166 that I am aware of. Ray Tyner-The applicant will have to re-advertise when they are ready to go.

Council concurred no action to take place tonight.

The Ordinance was Continued.

First Reading

8 [17-123](#)

ORDINANCE 2017-XX CROSS CONNECTION CONTROL, THE AMENDMENT OF ARTICLE II CHAPTER 49

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Mr. Randall Zaleski provided a PowerPoint presentation, which is attached to these minutes.

CM Shipley-Is there a way to know if it backs up? Ans: Mr. Zaleski-No, we test every two years. If there is a problem, an alarm will go off.

Public Comments:

There were no public comments.

A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:

Approved: 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: O2017-3

9 [17-134](#)

ORDINANCE 2017-XX AMENDING CHAPTER 8, ARTICLE II, OF THE CITY OF PALM COAST'S CODE OF ORDINANCES RELATING TO ANIMAL CONTROL REGULATIONS

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Public Comments:

There were no public comments.

A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:

Approved: 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: O2017-4

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.

Mayor Holland called for public comments for any item on the consent agenda.

Public requested for #10 to be discussed.

Agnes Lightfoot-Please consider the employees at the Tennis Center as they are good employees.

Charles Ebert-Items 10 and 11 County items. Applauded County for finally getting their P's and Q's together.

Mayor Holland-Thank you (to Mr. Ebert), we are looking forward to moving forward.

VM Nobile-What is the objective for this amenity? (Numbers, projections, revenue, etc.) Ans: Mr. Landon-Provided a brief background to the Golf and Tennis amenity. The action being taken tonight by City Council is authorizing us to hire a consultant in the golf business because our golf course is quite unique. One of the things they will do is put together those numbers and projections. Both the golf course and the tennis center have been in the general fund and supported by tax dollars. We will assign these to our Parks and Recreation Director, Alex Boyer. Alex will be handling these facilities just as he does our other facilities. We do include revenue projections and expenses on them. The swimming pool generates revenue. All of our parks and recreation have user fees and so each year they sit down with the Finance Director and finance team and will make those projections. Then as far as operation, we have learned that we have to maintain our amenity. It has to be a quality amenity or else people do not come back. That will be our number one goal-to maintain quality amenities as people have been saying quality; people are very important as well. In this case, we are proposing a combination of City employees and private contractors with the belief there are things the private sector can do more efficiently and cheaper. If we do not have that expertise, we will contract out those services. Accounting will be done in-house. Tennis Center is a different operation. The real key is that it has to be a place people want to come to and keep it maintained at a high level as efficient as possible, like we do all our programs. So we will do that.

CM Shipley-My understanding was the consultant firm was going to teach us how to run it more efficiently so we would not lose so much money every year. Ans: Mr. Landon-No, the consultant is to help us with the transition. To help us develop the business plan, develop the budget, help us with going out to bid for things like the restaurant. And they will help us with recruiting a manager that will be a City employee.

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Items be Considered as reported on the Consent Agenda.. They were approved by the following vote:

Approved: 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

10 [17-127](#)

RESOLUTION 2017-XX APPROVING THE CONSULTING CONTRACT FOR THE PALM HARBOR GOLF CLUB AND THE TENNIS CENTER

Enactment No: R2017-35

- 11 [17-129](#) RESOLUTION 2017-XX APPROVING THE INTERLOCAL AGREEMENT WITH FLAGLER COUNTY AND ACCEPTING A QUIT CLAIM DEED FOR RIGHTS-OF-WAY WITHIN MIDWAY PARK AND WHISPERING PINES SUBDIVISIONS AND FOR BULLDOG DRIVE
- A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-36

- 12 [17-130](#) RESOLUTION 2017-XX APPROVING ASSIGNMENT OF DEVELOPMENT RIGHTS, PERMITS, LICENSES, AND CONTRACTS AND ACCEPTING RELATED COUNTY DEEDS RELATED TO MATANZAS WOODS PARKWAY AND OLD KINGS ROAD EXTENSION
- A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-37

- 13 [17-115](#) RESOLUTION 2017-XX APPROVING A WIND DOWN AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS
- A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-38

- 14 [17-118](#) RESOLUTION 2017-XX APPROVING A CONTRACT WITH NEWBERG IRRIGATION, INC., FOR THE CONSTRUCTION OF THE RECLAIM WATER IRRIGATION US 1 PROJECT
- A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-39

- 15 [17-114](#) RESOLUTION 2017-XX APPROVING PIGGYBACKING MINNESOTA WSCA-NASPO MASTER AGREEMENT #MNWNC-108 (AMENDMENT#1) WITH DELL COMPUTER CORPORATION FOR COMPUTER EQUIPMENT PURCHASES
- A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-40

- 16 [17-122](#) RESOLUTION 2017-XX APPROVING PIGGYBACKING MARTIN COUNTY'S AGREEMENT WITH PRMG AND APPROVING WORK ORDER FOR PRMG FOR UTILITY FINANCIAL CONSULTING SERVICES

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2017-41

- 17 [17-124](#) RESOLUTION 2017-XX APPROVING PIGGYBACKING NATIONAL JOINT POWERS ALLIANCE (NJPA) CONTRACT #1062916-GPC WITH NAPA AUTO PARTS FOR THE PURCHASE OF AUTO PARTS AND SERVICES FOR THE CITY'S FLEET DIVISION

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2017-42

- 18 [17-128](#) RESOLUTION 2017-XX APPROVING PIGGYBACKING STATE CONTRACT ITB#20-21100000-C WITH WESCO TURF, INC., FOR THE PURCHASE OF TORO MOWER AND RELATED ACCESSORIES

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2017-43

- 19 [17-125](#) RESOLUTION 2017-XX APPROVING THE PURCHASE OF A TRAFFIC SIGN PRINTER AND A ROLL-TO-ROLL LAMINATOR FROM AVERY DENNISON

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2017-44

- 20 [17-131](#) RESOLUTION 2017-XX APPROVING THE FIRST AMENDMENT TO THE CONTRACT WITH SHELLEY'S ENVIRONMENTAL SYSTEMS FOR DOMESTIC WASTEWATER RESIDUALS MANAGEMENT, TRANSPORTATION TREATMENT AND DISPOSAL SERVICES

A motion was made by Vice Mayor Nobile, seconded by Council Member Cuff, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.

Enactment No: R2017-45

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.

Charles Ebert- Hidden Lakes-we are at 254 closed houses and since the HOA annual meeting we are capping out at 380. Not an active HOA. Having Issues with yard debris pick up. Understand the lift station is being moved. When will the compliment be done?

Jake Scully-Supports the kids for street safety. The kids did a very good job at presenting to Council this evening. It was a tough thing to do.

Robert MacDonald-Traffic Engineer-side of the road is collapsing-Ravenwood and Rymfire-chunks of concrete were removed and filled with dirt. Rolling Sands and Ravenwood. Whiteview Parkway and Belle Terre Parkway-gullies in street. Chair with nameplate for Jack Carall reserving the car.

Louis McCarthy-seconded Mr. MacDonald's proposal for Jack Carall.

George Mayo-Heard Jack Carall is living in England with his daughter. Animal control-poisonous snake issue. Do we have anything in our books with dangerous animals, if not, can we do something about it?

Sherry Baker-A past Uber driver (last year). Loves Uber.

Responses to Public Comments:

Waste Pro-Recycling-Ans: Mr. Landon sounds like he has already been in contact with Waste Pro. Lift Station in Hidden Lakes update from Mr. Flanagan. Mr. Flanagan-Council approved the contract which includes Ravenwood and Old Kings Road. Met with the contractor today. Looking at approximately 90 days to 120 days to have the odor control working.

Advocacy with the schools-Mayor Holland-Please include Mr. Scully as an advocate with the schools. Ans: Mr. Landon-Yes, he has been in contact with us already. SB 2514 Connectivity-Mayor Holland-Has staff looked into that as a different mechanism for funding sources? Mr. Landon-Not sure if it is that Senate Bill but those are the kinds of grant dollars like we are getting for multi-use paths for Lakeview along with a lot of others that we have built. If we can get this done sooner, but this far into the game, we may apply it to other paths. But yes, we are well aware of those dollars.

Sides of the roads-Mr. Landon-This is one of those phenomenon here in Palm Coast

that we just wish people would keep their tires on the asphalt so that they do not kick out the shoulder. Nestor will get together with Mr. MacDonald to let him know how we are addressing it. It is an ongoing issue at a number of intersections.

Dangerous animals-Ans: Attorney Reischmann-We do have codes in Chapter 8 for poisonous snakes.

Public participation-We appreciate all public participation. I think it is good for our community. Thinks it is a nice gesture but we cannot purchase for every resident that does participate.

Uber-There will be discussions in the future on Uber. Attorney Reischmann reminded Council that Council directed staff and the City Attorney's office to look into the regulations on Uber.

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

CM Cuff-Legislation session-HB 17 status? Mayor Holland-I agree. I think it is important to remember obviously these games are played every legislative session and unfortunately or fortunately by the time it gets to the end, less than 14 bills that are filed from the beginning actually pass. I can assure you that these bills in particular have caused the outrage by every local elected official across the State of Florida that has made their voices very known every single day during committee week. So, once the session gets rolling and you have these discussions on the floor of the House and Senate, I will be surprised if the Home Rule bill actually makes it to those discussions but others will.

CM Klufas-Thanked Chris Quinn for utility users on auto-pay. How much does each one cost to send out? Ans: Mr. Quinn-If I remember correctly, the printing cost per bill is \$.10 or \$.11, the envelope is \$.02, and then whatever the current bulk rate is, approximately low \$.40 to mail an envelope. The total cost to mail is approximately \$.50 per mailing/per month.

CM Klufas-WastePro-What is the precedence for when people move out? Ans: Mr. Landon-If it is over the normal amount (quantity), yes, WastePro will give you a price to pick it up. You can go with another company if you choose. The price is based on volume.

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

Sat. April 8, at 9:30 will be the Discover Palm Coast radio show. Will feature the Superintendent and Mr. Siebold along with a student or two on street lighting and street safety education. Mayor Holland-reminded that the radio station will send it (the podcast) to the City to post on social media, the City's website, etc.

Drought season-reminded residents to be very cautious. Wild fire season.

Easter Weekend-April 14, free movie in the park and Teen Flashlight egg hunt.

LEED certification ceremony this past weekend was very successful.

FEMA - ISO rating- At a 5 rating they come back every 3 years. They came in 2016 and we are now at a 4 rating. This one impacts our residents and businesses. We are part of an elite group with a 4 rating. It will reduce insurance premiums.

H. Adjournment

The meeting was adjourned at 8:33 p.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[17-149](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[17-150](#) ATTACHMENTS TO MINUTES