



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, December 20, 2016

9:00 AM

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.

>If you wish to obtain more information regarding City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

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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 Holland 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 Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Approval of Minutes

- 1 [16-504](#) MINUTES OF THE CITY COUNCIL'S:
 - A. December 6, 2016 City Council Business
 - B. December 13, 2016 City Council Workshop

A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Minutes be approved as presented. 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

Proclamations and Presentations

PRESENTATIONS

- 2 [16-503](#) PRESENTATION UPDATE ON LAW ENFORCEMENT WITHIN THE CITY OF PALM COAST

Sheriff Manfre spoke about public service. Thanked Council for all their support over the years. Provided accomplishments over the years of his service.

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

- 3 [16-477](#) ORDINANCE 2016-XX REZONING 28.60 +/- ACRES FROM MATANZAS LAKE PLANNED UNIT DEVELOPMENT TO MATANZAS LAND MASTER PLANNED DEVELOPMENT, APPLICATION NO. 3112

City Attorney Reischmann read the title into the record. Reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communications.

There were none.

Mr. Landon gave a brief summary of the item.

Public Comment:
There were no public comments.

A motion was made by Vice Mayor Nobile, and seconded by Council Member Cuff, that the Ordinance be adopted on Second 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: O2016-7

First Reading

- 4 [16-496](#) ORDINANCE 2017-XX ESTABLISHING A TEMPORARY MORATORIUM OF 270 DAYS PROHIBITING MEDICAL CANNABIS (MARIJUANA) ACTIVITIES WITHIN THE CITY OF PALM COAST

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of the item.

Public Comment:
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: 4 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, and Council Member Shipley

Denied: 1 - Council Member Klufas

Enactment No: O2017-2

- 5 [16-488](#) ORDINANCE 2017-XX EDGE PROPERTIES, LLC, VOLUNTARY ANNEXATION

City Attorney Reischmann read the title into the record.

Public Comment:
There were no public comments.

VM Nobile confirmed that on the map, which is attached to these minutes, the shaded area is the only area to be annexed.

A motion was made by Vice Mayor Nobile, and seconded by Council Member Cuff, 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: O2017-1

Resolutions

- 6 [16-489](#) RESOLUTION 2016-XX APPROVING A PRE-ANNEXATION AND ECONOMIC DEVELOPMENT AGREEMENT WITH EDGE PROPERTIES, LLC
- Mr. Landon gave a brief overview to this item.*
- Public Comment:*
There were no public comments.
- A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Resolution be adopted. 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: R2016-134
- 7 [16-483](#) RESOLUTION 2016-XX APPROVING THE CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR THE PROGRAM PERIOD OF OCTOBER 1, 2015 TO SEPTEMBER 30, 2016
- Mr. Landon provided a brief overview to this item. Mr. Papa presented a PowerPoint presentation, which is attached to these minutes.*
- VM Nobile-Are there any homes that have applied but are not in this project? Ans: Mr. Papa-Yes, but due to the amount of funds we have available they were not funded. So if still needed they would have to apply next year. We do not have a waiting list.*
- VM Nobile-Are we expecting any more applicants due to Matthew? Ans: Mr. Papa-There are other sources for Matthew. Since this is the first in, first out program, there are of course, if they qualify through income, they are allowed to apply for the program.*
- VM Nobile-So this coming year we are looking at spending half of these CDBG dollars on the Seminole trail? Ans: Mr. Papa-That is correct.*
- VM Nobile-Have we already approved that? Ans: Mr. Landon-Yes, we have. Mr. Papa-We also have the SHIP program which has funds available for home repair and emergency assistance.*
- VM Nobile-Can we get any money from the TPO for the trail? Ans: Mr. Papa-Yes, we did get money for a portion of the trail.*
- VM Nobile-Will we be finished with this trail this year? Ans: Mr. Papa-Yes, we will be.*
- Mr. Landon provided a brief overview to the trails with funding from the TPO.*

Public Comments:

There were no public comments.

A motion was made by Council Member Shipley, and seconded by Vice Mayor Nobile, that the Resolution be adopted. 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: R2016-135

8 [16-487](#)

RESOLUTION 2016-XX APPROVING THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING

Mr. Landon provided a brief overview to this item. Mr. Papa introduced Ms. Margo Moehring of Northeast Florida Regional Council (NEFRC). Ms. Moehring provided a PowerPoint presentation, which is attached to these minutes.

VM Nobile-When you say a high percentage of home ownership, every home is owned, what do you mean by that? Ans: Ms. Moehring-Owner occupied.

VM Nobile-So the ethnicity is tied to their financial status also? Ans: Ms. Moehring-We did not make similar findings specific to their income level and again it did not relate to where they lived, we did not find "pockets." We simply found only ethnicity, there is a difference in impact.

CM Klufas-The 50% mark, where you spend 50% of your income on housing, does someone qualify into that group whether or not I make a \$1,000 per month and pay \$500 towards a house or I make \$20K and pay \$10K on the mortgage, is there a differentiation there? Or do they both fall under the same umbrella? Ans: Mr. Papa-It is mainly a monthly calculation.

VM Nobile-So you could be making a lot of money and just choose to spend a lot of money on housing and you are considered a problem, but it is not. It is for those who are making smaller amounts of money.

Mayor Holland-Palm Coast is more unique than many other communities because we have a high percentage of ownership compared to other communities, which is very rare. We are a newer community with newer homes rather than look at different sections of our community when HUD does that analysis, the findings that you then draw out of that and when you make recommendations as to address some of the issues of the findings, it is not one size fits all for housing, so do you take all that into consideration? I say that because having served on the NEFRC for over 6 years, Flagler County is different unto 6 other counties. We are the main population base, we have very different history, if you will, as far as ITT developing a certain kind of master plan development. I think it is an important distinction, we are a very unique distinct community, we are not going to be able to solve issues in the same way others do, we have to look at this comprehensively and long term and slowly.

Ans: Ms. Moehring-I agree and that is you are defining the importance of the local knowledge. The methodology may be the same for every single community but until you apply that local knowledge, that is when you know what it means and what you need to work on.

CM Cuff-Does our Land Development Code require 3 bedrooms? Ans: Mr. Papa-No. Mr. Landon-No, it is based on a minimum square footage of 1,200 sq. ft.

VM Nobile-What we are talking about here as a City, is not starter homes, senior living but making, enabling that because we are not putting up this stuff? So if somebody does not build it, ok, I do not know where are we being seen as being over-regulated. What is our role here? Ans: Mr. Landon-This is not attempting to talk about the regulations, this is attempting to take a look at a snapshot of what Palm Coast looks like and say do we want to go this way in the future or a little different way in the future. What we are hearing here is that we have an abundance of single family 1/4 acre lots. A good example is action you took tonight in the L Section. That was still a single family home but it doesn't have as large of a lot and doesn't have as much upkeep. We have others, Hidden Lakes and a variety of others that are happening in town. So that is a good example of things changing.

Mayor Holland-Do we have to submit a plan to HUD? Ans: Mr. Landon-This does not require Council to take action other than adopting this. This is an awareness document, let's take a look at ourselves process. Get input from the community-your advisory committee. The idea is then you take this kind of analysis, and when you do your five-year strategic plan for CDBG dollars, you take this into consideration. It is that five-year action plan and one-year action plan that really is the implementation document. This is more just take a look. There is nothing in here that requires Council to do anything.

*Public Comments:
There were no public comments.*

A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Resolution be adopted. 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: R2016-136

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.

A motion was made by Council Member Shipley, 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

9 [16-468](#)

RESOLUTION 2016-XX APPROVING A CONTRACT, IN THE AMOUNT OF \$136,080, TO ALL SEASONS POOL SERVICES FOR THE CONSTRUCTION OF THE FRIEDA ZAMBA POOL EQUIPMENT MODIFICATION PROJECT

CM Shipley requested this item be pulled from consent.

CM Shipley-I thought we did not receive any bids for this? Ans: Mr. Landon-We went out to bid, under formal bid and did not receive any bids, so we then went and contacted commercial pool contractors throughout our network and received 4

quotes-same basic concept of soliciting quotes. All Seasons Pools, which is a nationally recognized company came in with the low price at \$136,000. Our budget was \$175,000.

CM Klufas-Why were they so much lower? Ans: Mr. Landon-Age old question. The fact that we had nobody bid on this, tells me they are busy. When they are busy, you get higher bids. Staff is very comfortable with this firm. This is a commercial pool company that meets the criteria for the pumps, etc. We have no reason to believe there is a problem with the low bid.

Mayor Holland returned this item to the consent agenda.

A motion was made by Council Member Shipley, seconded by Council Member Cuff, that the Consent Agenda be adopted on Consent. The motion was approved unanimously.

Enactment No: R2016-137

10 [16-480](#)

RESOLUTION 2016-XX APPROVING THE PURCHASE OF TRADEWINDS 600KW GENERATOR SET, PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT

A motion was made by Council Member Shipley, seconded by Council Member Cuff, that the Consent Agenda be adopted on Consent. The motion was approved unanimously.

Enactment No: R2016-138

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.

George Mayo-Merry Christmas to all. Monitor issues. Fair Housing-County is working on bus transportation, regular bus service, a friend works for Flagler County Public Transit and that service is available to all. Happy New Year.

Louis McCarthy-Merry Christmas and Happy New Year. Median work on Belle Terre-when will it be completed?

Trish Giaccone, CEO of the Family Life Center-Sent a letter requesting an opportunity for one of the Council to sit on the Board of Directors. Would like a Council Member to become an ex-officio for the Board. Merry Christmas.

Responses to Public Comments:

Monitors-Mr. Landon will get with staff.

Transportation system-Mayor Holland-Anything we can do to spread the word, let's make sure we are assisting with promoting the service.

VM Nobile spoke of the difficulties with scheduling for their service. CM Shipley described Uber services.

Median on Belle Terre Pkwy-We are not on schedule due to Hurricane Matthew, shifting our crews to Holland Park but they are back out on Belle Terre Pkwy trying to get that finished up.

Family Life Center-Let's put this on a future agenda item. CM Shipley volunteered to be on the board. Motion made by VM Nobile to appoint Heidi Shipley to the Family Life Board, which was seconded by CM Klufas. Motion passed unanimously.

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

CM Cuff-Merry Christmas, Happy and healthy New Year.

VM Nobile-Merry Christmas, Happy Kwanzaa, Happy Hanukkah and a Happy Healthy New Year.

CM Klufas-Merry Christmas and a Happy Healthy New Year.

CM Shipley-Merry Christmas and Happy New Year.

Mayor Holland-Merry Christmas and Happy New Year to all our residents and staff.

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

Legislative Delegation meeting is tomorrow at the County building at 4:00 pm. Mayor Holland will be attending and will voice our three priorities. She will speak about our Water/Wastewater expenses; next is not a City program but the funding for Adults with Disabilities Program, and Medical Marijuana framework.

Holiday schedule-City offices are closed Friday the 23rd and Monday the 26th, Friday the 30th and Monday the 2nd of January.

Trash pick up is on regular schedule for WastePro.

Next workshop will be January 10, 2017.

H. Adjournment

The meeting was adjourned at 10:24 a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[16-505](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

[16-507](#)

ATTACHMENTS TO MINUTES