



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, January 17, 2017

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.

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>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 9:00 a.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

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

Approval of Minutes

- 1 [17-24](#) MINUTES OF THE CITY COUNCIL'S:
 A. December 20, 2016 City Council Business
 B. January 10, 2017 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

PROCLAMATIONS

- 2 [17-14](#) PROCLAMATION RECOGNIZING FEBRUARY 5, 2017 AS "FOUR CHAPLAINS SUNDAY" AND THE WEEK OF JANUARY 29, 2017 THROUGH FEBRUARY 5, 2017 BE OBSERVED AS "RELIGIOUS EMPHASIS WEEK"
- CM Klufas presented this Proclamation.*
- The Proclamation was Received and Filed.**

PRESENTATIONS

- 3 [17-15](#) PRESENTATION OF THE PINK ARMY 5K PROCEEDS DONATION TO THE FLORIDA HOSPITAL-FLAGLER FOUNDATION CANCER FUND
- Mr. Alex Boyer and the Parks and Recreation staff along with representatives from Florida Hospital Flagler presented the check from the Pink Army Run.*
- The Presentation was Received and Filed.**
- 4 [17-01](#) PRESENTATION OF FINANCE AWARDS FOR 2016
- Ms. Cindi Lane presented the awards to the Finance Department.*
- 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

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

There were no public comments.

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

Recess City Council Meeting and Convene CRA Board Meeting

Mayor Holland recessed City Council and opened the SR 100 CRA Board meeting.

- 6 [17-17](#) SR100 CORRIDOR CRA'S RESOLUTION 2017-XX APPROVING MODIFICATIONS TO THE EXISTING LOAN RELATING TO THE REDEVELOPMENT REFUNDING NOTE, SERIES 2014, HELD BY AMERIS BANK

Mr. Chris Quinn and Mark Galvin, from FirstSouthwest presented a PowerPoint presentation, which is attached to these minutes.

VM Nobile-Are there any costs associated that will add to the debt principle? Ans: Mr. Galvin-There are some costs as far as legal costs. I think the total amount is approximately \$10,000.

VM Nobile-So those savings include those costs? Ans: Mr. Galvin-Those costs will be paid out of cash that are currently on hand. Mr. Quinn-We are not adding to the principle.

VM Nobile-Nor the term? Ans: Mr. Galvin-Correct. It was that rate and now it is this rate.

Public Records.

There were no public comments.

A motion was made by Council Member Cuff, 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: R2017-1

Adjourn CRA Board Meeting and Reconvene City Council Meeting.

Mayor Holland adjourned the SR 100 CRA Board meeting and reconvened the City Council Business Meeting.

Resolutions

- 7 [17-18](#) RESOLUTION 2017-XX APPROVING MODIFICATIONS TO THE EXISTING LOAN RELATING TO THE SR100 CORRIDOR CRA'S REDEVELOPMENT REFUNDING NOTE, SERIES 2014, HELD BY AMERIS BANK

Mr. Landon-This is an identical item that needs to be heard by both the CRA Board and the City Council. Now you are sitting as the City Council. This item was presented under item 7.

*Public comments:
There were no public comments.*

A motion was made by Council Member Cuff, 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: R2017-2

- 8 [17-12](#) RESOLUTION 2017-XX APPROVING REFINANCING OF UTILITY STATE REVOLVING FUND LOANS WITH CENTERSTATE BANK

Mr. Landon provided a brief overview to this item.

Mr. Galvin presented a PowerPoint presentation, which is attached to these minutes.

VM Nobile-Can you give me a couple of examples as to the restrictions that we are going to be avoiding now? Ans: Mr. Galvin-We are not really avoiding. What we have is when you go out with the SRF there are certain advantages associated with an SRF loan. An SRF loan is a junior lien debt. Which means your senior lien bonds, ratings affected with your senior lien debt is not as effective. The senior lien folks know they will get paid first and then the junior lien people will be paid next. CenterState has agreed to take that second lien position. Which it still maintains the strength of your senior lien and still maintains your current position. It also, just like an SRF, you have the ability to prepay an SRF at any time. CenterState has agreed to this as well. Everything you currently have with the SRF loan will be transferred to the CenterState loan as far as security.

VM Nobile-The main reason for this (refinance) is the savings in dollars? Ans: Mr. Galvin-Yes.

*Public Comments:
Louis McCarthy-Is there a prepayment penalty?*

*Responses to Public Comments:
Prepayment penalty- Mr. Quinn-No, there is no prepayment penalty.*

A motion was made by Council Member Cuff, and seconded by Council Member Klufas, 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: R2017-3

9 [17-03](#)

RESOLUTION 2017-XX APPROVING A CONTRACT AMENDMENT WITH AJAX BUILDING CORPORATION TO ESTABLISH THE GUARANTEED MAXIMUM PRICE FOR THE COMMUNITY CENTER RENOVATION & EXPANSION PROJECT

Mr. Landon provided a brief overview to this item. Mr. Carl Cote provided a PowerPoint presentation, which is attached to these minutes.

VM Nobile-This is going to run approximately \$350 per sq. ft. Is that average for this type of project? Ans: Mr. Cote-We did go ahead and break that down internally. The costs really should be broken down into site costs and building costs. The building costs are coming in around \$230 per sq. ft. or so for the building portion of the project, which is what we would expect for a building.

VM Nobile-So, the other \$120,000 is equipment? Ans: Mr. Cote-A lot has to do with the site work-the basketball court, the playground, the restroom building, the stormwater drainage, all the site work that is occurring is the remaining funds.

VM Nobile-I am just concerned. I am torn on this project because on one hand this is a very important project for our community. We need this Community Center. It was postponed and people have to wait and this is a real amenity, but on the other hand I am looking at these costs and thinking this started years and years ago @ \$4-5 million and now we are at \$8-9 million. I am just a little concerned that maybe we are spending more than we need to in order to get this project off the ground; instead we could use that money in other areas. We are spending a lot of money in one area of Palm Coast. Holland Park, City Hall and it is a lot of money and it seems very centric to one area of Palm Coast. Please justify these costs in comparison to other costs. Make me feel a little fuzzy that yes, this is what it is going to cost and we are not getting gold plated sinks, etc. Ans: Mr. Lon Neuman, Ajax Building Corporation-As Carl stated we have been involved in this all along. This really is a team approach. We went through and prioritized what needed to be in there and budgets, etc. As we were following through, we feel the costs that have been designed to the scope have really kept in line with each other and what has been happening in the market. So, what we priced is very competitive for the design that we have.

VM Nobile-Is the design in line with that type of structure? Ans: Mr. Neuman-Yes it is. Mr. Landon explained the project changed, which is why the price changed.

CM Shipley-It was always affordable to rent this space, are we going to be increasing our rates? Ans: Mr. Landon-We are paying cash for this so there is no expectation that we need to generate revenue to offset the construction costs.

Public Comments:

Louis McCarthy-Concerned about scheduling. Are there going to be people overseeing the project and the timeline?

Vince Liguori-Cash basis? No non-City entity has provided funds to this project? What about leaving facility alone with minor adjustments and build a new community center?

John Brady-Reiterates previous speaker's comments.

Responses to Public Comments:

Scheduling-Mayor Holland-Alex and his staff are doing a fabulous job with scheduling and assisting those who utilize this facility.

City funds-Ans: Mr. Landon-There are some ad-valorem taxes in this fund. There may be a transfer of reserved funds into capital but that would be about it. This is not property operating dollars this is our Capital program.

History of the Parks Master Plan. Mr. Landon provided an overview to the City's Parks Master Plan, so yes, we have looked at options and locations for other facilities.

A motion was made by Council Member Shipley, and seconded by Council Member Cuff, 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: R2017-4

Other Business

10 [17-16](#)

APPOINT FOUR MEMBERS TO FILL VACANCIES ON THE LEISURE SERVICES ADVISORY COMMITTEE

VM Nobile-While we are waiting, is there any way to impose a residency restriction in order to get on one of these committees? Ans: Mr. Landon-Yes, you could set the policy that way.

Mayor Holland-I know when I was at the County, it was a requirement for the applicant to appear at the meeting so if there were any questions they could be asked. It showed their commitment to the application process.

Council's voting sheets are attached to these minutes.

There was a motion to appoint Allen Campbell, Donald Kolberg, Frank Vignati and Robert Knapp to the LSAC Committee.

A motion was made by Vice Mayor Nobile, and seconded by Council Member Cuff, that the appointments be approved. 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

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 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

11 [17-11](#)

RESOLUTION 2017-XX APPROVING THE ECONOMIC DEVELOPMENT

INCENTIVE AGREEMENT WITH PROJECT GS2 (GIOIA SAILS)

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: R2017-5

12 [17-02](#)

RESOLUTION 2017-XX APPROVING AN INTERLOCAL AGREEMENT WITH FLAGLER COUNTY FOR E911 ADDRESSING

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: R2017-6

13 [16-491](#)

RESOLUTION 2017-XX APPROVING PIGGYBACKING NATIONAL COOPERATIVE PURCHASING ALLIANCE CONTRACT #02-28 WITH ZEP, INC., TO PURCHASE CLEANING PRODUCTS

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: R2017-7

14 [16-497](#)

RESOLUTION 2017-XX APPROVING PIGGYBACKING THE COOPERATIVE PURCHASING NETWORK CONTRACT #R5165 WITH AUTOZONE, INC., FOR AUTOMOTIVE PARTS AND SUPPLIES

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: R2017-8

15 [17-09](#)

RESOLUTION 2017-XX APPROVING PIGGYBACKING THE LEE COUNTY CONTRACT WITH STAPLES CONTRACT & COMMERCIAL, INC., FOR PURCHASING OFFICE SUPPLIES

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: R2017-9

16 [17-10](#)

RESOLUTION 2017-XX APPROVING CONTRACTS WITH TRI-COUNTY BOBCAT SERVICES, INC., AND NORMAN-GARDNER SERVICES, INC., FOR WILDFIRE UNDERBRUSH MOWING SERVICES

Mr. Liguori-What is the current cost? Ans: Mr. Landon-New contract pricing is \$125 and \$135 per wildfire mitigation.

VM Nobile-Is that cost just a pass through? Ans: Mr. Landon-Yes. Mr. Landon explained the Wildfire Notice of Violation process. Today's pricing is \$120. from 5 years ago. So \$1/year (increase) is not bad.

CM Klufas-Are those mitigation tactics, are we talking about fire lanes? Ans: Mr.

Landon-The code is 30' from structures of certain vegetation. For example, the palmetto, when it catches fire it has a tendency to, in essence, explode and has a lot of sap that goes elsewhere and starts fires. Those types of plants spread the fire quickly. So if you have those plants in that 30' buffer you would have to remove them.

CM Klufas-Did we at one point offer that as a service before the recession? Ans: Mr. Landon-No, this process has always been the case.

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: R2017-10

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-Traffic at Shoppes of Palm Coast issues with the exit on Belle Terre Blvd.

Vince Liguori-Thanked the City Clerk's office and Customer Service for their help with getting the debris picked up in the W section and provided Council with a handout, which is attached to these minutes, relating to trees and Hurricane Matthew.

Responses to Public Comments:

Belle Terre Blvd. traffic and exit-Ans: Mr. Landon-Will have staff take a look at it. Clarified that the right turn lane was not required but we did put it in the contract that it would be put in with impact fees by either the Contractor or the City. Contractor chose not to do it so we will take care of it.

VM Nobile-What is the timeline for that turn lane? Ans: Mr. Landon-We are going out to design this week, so it will take a few months. We will take a look at the traffic issue and signage, etc., for the entering of traffic into the exit.

Trees-Mayor Holland will take a look at this handout and discuss it in the future.

CM Klufas-We recently approved a contract with Tri-County Bobcat, do those same price tables apply in this situation? Fee schedules for tree removal. Ans: Mr. Landon-A lot of what you are referring to is a tree on one lot and one property owner wants another property owner to cut the tree down. We can only require that if the

tree is deemed to be hazardous-then we can require it. If it is required to come down then we give them notice that states it has to come down with the reasons why. We give so many days and if they do not cut it down, we cut it down, send them the bill. If they do not pay it, it goes on their taxes and it is paid then, just like in fire mitigation. Yes, we have a contract for that with a set price. Our price is set for a three-year contract and that price is fairly low because of the quantity. I cannot tell you everyone can find a price as low as ours, but during the hurricane we had people who were charging more than normal. With that said, taking down a tree can be different which would add to the cost. Ask around. We cannot recommend anyone.

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

CM Cuff-Follow up on tree removal-I had a client that received a violation and he called a contractor and had a tree taken down for \$150. Service was very good.

VM Nobile-Email on a possible rabid raccoon. He called Flagler Animal Control, who does not come to Palm Coast, and was told to call the Sheriff. Ans: Mr. Landon-We do not pick up wildlife. Animal Control deals with domestic animals.

CM Klufas-Gioia Sails-Fiber installation-maybe in the future, can we have the cost estimate for installation? Ans: Mr. Landon-I can tell you the final estimate we got for Gioia Sails was approximately \$20K. Once again the return on that investment is very strong with the jobs and the capital investment they are making here. We are looking at revamping our FiberNet and will be bringing something to you.

CM Shipley-Can we make the Policy and Procedures manual for employees available to whoever wants a hard copy? Ans: Ms. Cullen will assist. Please have them see Wendy. Also, provided Council with photos, which are attached to these minutes relating to a sign/marker for Palm Harbor. Mayor Holland asked if they have worked with the Palm Coast Historical Society. Ans: CM Shipley-No.

Mayor Holland-Are you suggesting we pay \$1,900 for this sign? Ans: CM Shipley-Yes.

CM Shipley-Can we workshop this? Ans: Mr. Landon-Sure, I am in agreement with Mayor Holland that we work with the Historical Society.

Mayor Holland would like time to review this.

CM Klufas-Dr. Toppi would like to be involved on a committee relating to medical marijuana.

CM Nobile-If my doctor won't prescribe medical marijuana, there will be a doctor that I can go to for that?

CM Klufas provided a brief summary of his knowledge of medical marijuana.

CM Shipley-So, she, I know what type of doctor she is, will provide medical marijuana? Ans: CM Klufas-She will be certified and be able to take on more patients to provide this.

CM Klufas-Would like to have a committee group on how to avoid what she has seen and she can suggest how to move forward with our policy. This way she can provide the guidance to keep those less undesirables from taking advantage of this.

Mayor Holland-Island Walk parking lot complaints. Can staff go look at the stop signs

with the design? Ans: Mr. Landon-Yes. Starbucks is very close to coming down and they will be in the plaza and rebuild the Starbucks.

VM Nobile-Where does City right-of-way end? Ans: Mr. Landon-This is a private drive, the property owner/developer will be responsible for doing this.

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

Storm debris on US 1 update-It should all be gone by the end of this week.

Professional Tennis Tournament starts January 24, 2017 through February 5, 2017. That is the \$10K purse.

Birds of Feather will be February 10th through the 12th.

Community Center will be closed on February 1, 2017. Schedule will change.

New feature in City Hall parking lot-Electric vehicle charger. Currently it is free.

H. Adjournment

The meeting was adjourned at 11:06a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[17-25](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[17-27](#) ATTACHMENTS TO MINUTES