



**City of Palm Coast**  
**Minutes**  
City Council Workshop

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

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

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**Tuesday, October 31, 2017**

**9:00 AM**

**Community Wing**

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**City Staff**

**Jim Landon, City Manager**  
**William Reischmann, City Attorney**  
**Virginia A. Smith, City Clerk**

- > Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
  - > Other matters of concern may be discussed as determined by City Council.
  - > If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
  - > 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 Networks Channel 495 and on AT&T U-verse Channel 99.
  - > All pagers and cell phones are to remain OFF while City Council is in session.
- A. CALL TO ORDER:**  
VM Nobile called the meeting to order 9:01 a.m.
- B. PLEDGE OF ALLEGIANCE TO THE FLAG**  
VM Nobile led the pledge to the flag.
- C. ROLL CALL**  
Kate Settle, Deputy City Clerk, called the roll. Mayor Holland was excused.

#### **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 topics on the workshop agenda or any topic or proposition not on the agenda, 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.

No comments were received.

#### **E. WRITTEN ITEMS**

- 1. ORDINANCE 2017-XX AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, RETIREMENT, DIVISION 2, VOLUNTEER FIREFIGHTER RETIREMENT SYSTEM AND TRUST FUND:** City Manager Landon gave a brief history of the item and reported it was a housekeeping item in order to ensure the pension was fully funded.

- 2. RESOLUTION 2017-XX BROWNFIELD AREA DESIGNATION:** Mr. Landon gave a brief history of the item. Beau Falgout gave a power point presentation outlining the area of discussion, which is attached to these minutes.

VM Nobile - Referring to the map presented -What is that up off the property?  
Ans: Mr. Falgout - Sea Ray and Contemporary Machines.

VM Nobile - Where on there is the tower? Ans: Mr. Falgout - North but off of the map.

CM Klufas - Are there any dangers or anything to the remediation of the kiln dust? I am not familiar with what Kiln dust consists of. Ans: Mr. Falgout - It is not, it is what is in the cement kiln dust; it is a mixture of it. One element does not raise it to a level of a serious contaminant. The City will be having two public hearings on the item.

- 3. RESOLUTION 2017-XX APPROVING THE CULTURAL ARTS GRANTS FOR A TOTAL OF \$30,000 FOR THE FISCAL YEAR 2017-2018:** Mr. Landon reported this is the annual grant program. This year the City has received 11 applications for the grant. Historically, the City has not received this number of applicants.

CM Cuff - Which are the new ones? The list looks similar from last year. Ans: Mr. Alex Boyer - the Flagler Performing Arts Academy and the Palm Coast Garden Club.

**4. RESOLUTION 2017-XX DONATION OF TWO SURPLUS FIRE APPARATUS:**  
Mr. Landon gave an overview of the item.

VM Nobile- One question, you said, the truck you would like to donate is 2004? That is only 13 years? Ans: Mr. Forte-It was a commercial truck. It was actually a late 90s truck and it had been rebuilt in 2004; new motor in it. It is over 20 years old.

CM Cuff-You referred to what we would be donating to the school as training prop. The idea is that they would not be driving it around. Ans: Mr. Forte – The students would not be driving the truck. This would be more of a prop, a fire apparatus that they can actually park it and keep it stationary and take the equipment off as if they were actually responding to a house fire.

**5. RESOLUTION 2017-XX APPROVING A CONTRACT WITH S.E. CLINE FOR THE INSTALLATION OF 18 VALVES ON THE DUAL MEDIA WATER FILTERS FOR WATER TREATMENT PLANT 1:** Mr. Landon gave a brief overview of the item.

**F. PUBLIC PARTICIPATION**

Remainder of Public Participation limited to three (3) minutes each

Louis McCarthy: I just want to ask on the Charter review and various workshops. How many people attended and participated on an average for the whole thing? How many on average?

Kimble Medley – Spoke of her frustrations with the Charter Review process.

Responses to Public Comments:

Charter attendance: Ans: VM Nobile- There were 10-12 people at each location.

**G. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA:**

CM Shipley - First, I would like to know in regard to the FPL Path, how many tortoises were moved and how much did that cost? Ans: Mr. Landon, -I can find out for you.

CM Shipley-They must have been moved completely now because I see they are paving the whole thing. Ans: Mr. Landon – It was completed by City staff and the cut of the path is completely finished.

CM Shipley-The other thing in response to Ms. Medley, is even though it was three minutes that people were allowed to speak. I know the facilitator gave everyone

multiple times to speak and nobody was every shut down. We just allowed people to speak. We were looking for even more than we got. I do want to say that I totally believe in the way we are doing the process and that I have faith in our City Attorney that he has covered all the basis and what we are doing is the right way and I believe the reason we did that way is because we wanted to ensure that we had as much input as possible. After the last meeting and talking to the facilitator, there has been time when we would do it the way we have been doing it and then follow-up with a City committee with the citizens and I think we should consider that. Have the citizens take over; we have all the input we need and now have the citizens take over and do that process too. Just a thought.

CM Klufas-It is nice to see more debris truck. I have gotten a bunch of emails that people are happy that the debris is being picked up. I wanted to thank Captain Forte for the Halloween efforts they are making at the Fire Department. I know that tonight is the last night but I think that is a really good thing that we should publicize. The Charter Review meetings were exciting to say the least.

CM Cuff-To echo Mr. Klufas's comments, it does look like the debris removal is beginning to pick up. One thing that I do find troubling and again I have talked to staff about is the pretty steady increase in emails and voice mail about general trash pick-up with Waste Pro and while I am sure some of that is staff and so forth, I have been getting complaints about half streets and whole streets that have been missed on the regular pick up date; complaints about the recycling pick up. Obviously, this is part of our contract unless they have some legal excuse. I know I am preaching to the choir but I do not see a decrease in the input I am getting from citizens as to that going well.  
Ans: Mr. Landon – I will go through the whole program in my comments.

VM Nobile- At the last TPO meeting, it looks like the share is going up - the match. It looks like they already have the votes. It is 10% now and it look like it will go to 25%. They already have the Volusia County votes. I am hoping we are talking about everything on books is not affected.

VM Nobile-Debris pick-up - the R section is patiently waiting.

VM Nobile-Charter Review- I would have loved to see a lot more participation. I don't think anything would have change the participation. And the three minute rules was only comments - so questions and statements you wanted to make about the charter. I think Ms. Shipley's statement is dead on; it was good to do it this way but in the future we can do more to have a citizens' review. It would have been nice for someone to push that to be in the charter but no one pushed for that to make sure it would happen.

**H. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA:** I would agree with you, Vice Mayor. When this comes back, when the Charter Review comes back to the City Council, I imagine there will be a significant amount of discussion by this Council what we do with Section 10 of the charter and with charter amendments. So we can clarify for the future so we don't have to go through this. We will be prepared for that. That is certainly something I fully anticipate when this process continues and

it comes back to this council that we will be discussing among the many other things that were brought up by the public who participated in the workshops as well as the comments you heard from the facilitator. Obviously, I am looking forward to working with you on any concerns about the existing charter that you may have so that we can get all of those that are appropriate to the voters if that is your desire, pursuant to the Florida Statutes and pursuant to the Charter.

**I. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA:**

The main topic is storm debris removal. You are right, we have been working very hard to get more resources in here and this morning it has been reported to me that we have two of the national debris pick-up companies in town for a total of seven trucks. We still have five to six city crews out working six days a week. Waste Pro has one claw truck that is helping out part-time. Bunnell has stepped up and they have a grapple truck and have offered to assist. They are in town part-time. We are trying to keep as many resources out there as possible. To the Rs and the Es or the people who are not seeing the map color up as fast, with the additional resources we have coming in – it really just got started last week. We have stressed to them that they need to spread out that they need to be in every neighborhood.

CM Cuff – We are not doing very well either. I have suspicions about whose districts are getting picked up. Ans: Mr. Landon – I can tell you the people out there working aren't worrying about what district they are in and they are not told where to go other than try to do an efficient system which they know how to do and right now we are just trying to get some visibility in every neighborhood. Mr. Cuff, as far as WastePro goes, there is no excuse for their normal day to day pick up. For a couple weeks after the storm, sure, there was a lot of extra refrigerator stuff, etc. but not any longer. We are fining them. That is the only way of getting top management's attention. We have a fine system. Every time they miss a pick-up we have a few hundred dollars that we fine them. We are trying to keep the pressure on them to get it down and quit missing people. At this point, anyone who is not having their regular trash picked up whether that is recyclables, household trash, that is in an area with storm debris is completed, yard trash should be normal. It just adds insult to injury when we still have storm debris out there and they are not doing their job. We are trying to make that very clear to them. We get answers but I think it is mostly excuses than it is good answers.

Ms. Shipley, I got a great staff. We moved one tortoise, just one. It is not just the cost of moving the tortoise but the actual process with CPH. They are telling me here approximately \$9,900 for that . . . Once again, there is quite a little process. They have to go out and inspect them but for the most part, they want to avoid them. They don't have that many to move.

VM Nobile – So that's why we only had to move one because we couldn't move the path but the others we moved the path around so we didn't have to. Ans: Mr. Landon –Right. That is all I have.

VM Nobile – There were quite a few? Ans: Mr. Landon - Up in the northern end, it is a country club up there for them. Like any other critter, they have certain places they like to live. She also says, there were numerous boroughs that require investigation which means they actually have to go in and make sure there is not a tortoise in them.

The other thing I have is . . . it has cooled down. We have a number of activities.

- Veterans Day. Obviously, the month of November, it is on the 11<sup>th</sup> at Heroes Park at 8:00 a.m.
- Halloween. Please be careful. Hopefully, people will stay off the road, off the local streets if they are not out there with their little ghosts and goblins doing trick or treating. Tonight, if you want to get scared, Station 21 from 7:00 p.m. to 10:00 p.m., our annual Hall of Terror is open tonight. It is quite a little event. If you haven't been, I encourage you to go.
- Our annual Intracoastal Waterway Clean-up had to be rescheduled because of Irma and that is happen this Saturday, November 4, 2017 at 8:00 a.m. at Holland Park.
- It is not too early to think about Thanksgiving. Our Annual Feet to Feast will be held at Daytona State on Thanksgiving Day, more details to follow.

**J. ADJOURNMENT**

The meeting adjourned at 9:43 a.m.

**CALENDAR/AGENDA WORKSHEET**

Respectfully submitted,  
Kathleen E. Settle, Deputy City Clerk