



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, February 21, 2017

9:00 AM

City Hall Community Wing

>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.

>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 9:00 a.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

Mayor Holland called the meeting to order at 9:00 a.m.

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

Approval of Minutes

1 [17-65](#)

MINUTES OF THE CITY COUNCIL'S:

- A. February 3, 2017 City Council Special Workshop
- B. February 7, 2017 City Council Business

- C. February 8, 2017 City Council Special Workshop
- D. February 14, 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

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

First Reading

ORDINANCE 2017-XX A ZONING MAP AMENDMENT FOR A 145+/- ACRE PARCEL FROM HIGH INTENSITY COMMERCIAL (COM-3), LIGHT INDUSTRIAL (IND-1), AND SUBURBAN ESTATE RESIDENTIAL (EST-1) TO MASTER PLANNED DEVELOPMENT (MPD)

THIS ITEM WAS RESCHEDULED

ORDINANCE 2017-XX COMPREHENSIVE PLAN AMENDMENT FOR A 145+/- ACRE PARCEL FROM GREENBELT, INDUSTRIAL, AND CONSERVATION TO RESIDENTIAL, INDUSTRIAL, AND CONSERVATION ALONG WITH A POLICY TO LIMIT DEVELOPMENT ON SUBJECT PARCEL TO 348 DWELLING UNITS AND 350,000 SQ. FT. OF NON-RESIDENTIAL USE

THIS ITEM WAS RESCHEDULED

Resolutions

- 2 [17-56](#) RESOLUTION 2017-XX AUTHORIZATION FOR THE PURCHASE OF MATERIALS AND ASSOCIATED EXPENSES IN AN AMOUNT NOT-TO-EXCEED \$100,000.00 FOR THE CONSTRUCTION IMPROVEMENTS OF THE PINE LAKES PATH PEDESTRIAN BRIDGE

Mr. Landon provided an overview to this item. Mr. Landon requested this item be continued.

The Resolution was continued.

Enactment No: R2017-20

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 Shipley, 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

- 3** [17-36](#) RESOLUTION 2017-XX APPROVING RENEWAL OF FDOT MEMORANDUM OF AGREEMENT - CONTRACT AS276 FOR RIGHT OF WAY MAINTENANCE FOR PORTIONS OF US HIGHWAY 1 AND SR100
- A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2017-17
- 4** [17-50](#) RESOLUTION 2017-XX APPROVING AN ADDENDUM TO THE WORK ORDER WITH MCKIM & CREED, INC., IN THE AMOUNT NOT-TO-EXCEED \$56,800.00, FOR LOAN COMPLIANCE SERVICES FOR THE MATANZAS WOODS PARKWAY MASTER PUMP STATION AND FORCE MAIN
- A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2017-18
- 5** [17-51](#) RESOLUTION 2017-XX APPROVING A WORK ORDER WITH CPH, INC., IN THE AMOUNT OF \$76,600.00, FOR ENGINEERING SERVICES TO COMPLETE THE ASSET MANAGEMENT PLAN FOR THE WASTEWATER TREATMENT PLANT #2
- A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.**
- Enactment No: R2017-19

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.

Louis McCarthy-The Belle Terre south median looks great. Thank you.

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

CM Cuff-The email relating to HB 17 repeal of Home Rule. Not sure what the legislators were thinking with this one.

CM Shipley-Happy Birthday to VM Nobile.

Mayor Holland-I concur with CM Cuff about this legislation. Attorney Reischmann read some of the language from HB 17.

Mayor Holland-Toured our hospital and met with Dr. Jimenez. Our local representative Renner filed a bill that will affect our local hospital negatively. What Representative Renner fails to recognize is that 60% of our residents are on Medicare. It will have a direct negative impact on our hospital and our residents. We need to support our hospital. The bill provides for recovery centers which are operated under different measures than a hospital. It will have an impact on our local job economy.

CM Cuff-What is the bill number? Ans: Mayor Holland-It will take me a little time to review. CM Cuff requested the attorney send that legal citation to Council.

VM Nobile would like to read the bill and then make a decision to support or not.

F. Discussion by CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Legislation relating to pre-emption, one of our legislators is our own Representative Renner. He is a co-sponsor to the pre-emption (home rule) I spoke of earlier.

G. Discussion by CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Landon-Legislation proposals-It is amazing some of the bills coming through. Some of them get a lot of publicity like the bill to end "Visit Florida" and some other legislation that cuts back on helping support tourism and incentives for bringing businesses to Florida. At a local level, those bills are a real concern to us. For

example, there is one proposal out there to cut funding to small business development centers, which is our partner with BAC. For us, small business is really our base, our bread and butter. It has been a very successful partnership. I think sometimes the people in Tallahassee do not realize the impact that has back home. Another bill is proposed, again by our Representative, not sure if it has been filed but there has been some talk every year on eliminating the business tax receipt. That does a couple of things. It hurts us financially. In order to maintain our level of service, the same revenue stream, what you would do is shift those dollars from businesses to our residents and that to me does not make sense whatsoever. More importantly than the dollars is that there is one person who investigates the scams, that business may try to take advantage of people, in particular the elderly, or the people that are taken advantage of by illegal contractors. It is those business tax receipt records that actually help us. It is those laws that allow us to stop them from doing business if they do not follow the local laws. It is important to us from that regulatory standpoint of protecting our citizens. We have seen many examples, where we have contractors say pay me in full before I get started and then they disappear. It is those types of regulations that help protect our citizens, so I do not think the people in Tallahassee understand the consequences.

Mayor Holland did have a conversation with Representative Renner yesterday, I did make him aware of that impact; our BAC as well as the discussion of the Business Tax Receipt. I know he will be discussing that with Beau Falgout. He indicated that if there was something within those portions of the bill, that he would be willing to look at it, address it, and take it out.

Mr. Landon-Legislative priorities still moving forward on our funding.

VM Nobile-Brush fires? Ans: Chief Beadle-We are ok right now.

H. Adjournment

The meeting was adjourned at 9:26 a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[17-66](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

[17-79](#)

ATTACHMENTS TO MINUTES