



# 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*

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Tuesday, March 21, 2017

9:00 AM

City Hall Community Wing

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### AMENDED AGENDA

#### 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.

>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

*City Clerk Virginia Smith called the roll.*

**Present:** 4 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, and Council Member Shipley

**Excused:** 1 - Council Member Klufas

### Approval of Minutes

- 1     [17-108](#)           MINUTES OF THE CITY COUNCIL'S:  
                          A. March 7, 2017 City Council Business  
                          B. March 14, 2017 City Council Workshop

**The Minutes were approved as presented.**

**Approved:** 4 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, and Council Member Shipley

**Excused:** 1 - Council Member Klufas

### Proclamations and Presentations

#### PROCLAMATIONS

- 2     [17-86](#)            PROCLAMATION RECOGNIZING MARCH 13, 2017 THROUGH MARCH 17, 2017 AS "FLOOD SAFETY AWARENESS WEEK"

*CM Cuff presented this Proclamation to the Flood Plain Managers for the City.*

**The Proclamation was Received and Filed.**

- 3     [17-110](#)           PROCLAMATION RECOGNIZING APRIL AS WATER CONSERVATION MONTH

*VM Nobile presented this Proclamation to representatives in the Utility Department.*

**The Proclamation was Received and Filed.**

#### PRESENTATIONS

- 4     [17-111](#)           PRESENTATION OF UTILITY AWARDS

*Ms. Cindi Lane presented an overview to these awards. Representatives from the Utility Department received the awards.*

**The Presentation was Received and Filed.**

- 5     [17-119](#)           PRESENTATION OF THE PATRIOT AWARD

*Fire Fighter Woolwine presented the Department of Defense-Patriot Award to Fire Chief Beadle, Deputy Chief Forte, and Battalion Chief Petrillo.*

**The Presentation was Received and Filed.**

- 6     [17-120](#)           PRESENTATION BY FLORIDA INLAND NAVIGATION DISTRICT ON INTRACOASTAL WATERWAY ACCESS STUDY

*Former Mayor Jon Netts presented on behalf of FIND the Intracoastal Waterway*

Access study.

*Mayor Holland-Is the data you are seeing, do we have an issue here in Palm Coast?  
Ans: Mr. Netts-At the moment things are functioning in Flagler County. What we see happening, is this piece of property sells off, and this piece of property sells off (two areas) someone builds a home, a business and now that point is no longer accessible. Some of your contractors are simply using vacant land, with or without the owners permission. We want to be sure that for the future, there are some that cannot be sold out from underneath us, so to speak. We need them in perpetuity. Probably not talking publicly owned as much as privately owned property. There are several options. What you have to look at is distribution from the north to the south of Flagler County. You have to look at the quality of the site. You do not want it to be intrusive on residential or other sites, because there are commercial trucks. They are not used everyday but they are probably used once a month, once every two weeks, depending. If you do not have this, here is what happens. If the contractor doesn't have a local access point, they have to go further north or further south. This adds exponentially to the costs of marine construction. Drive around the canals right now in Palm Coast and you will see a number of docks that are hanging. What happens is the homeowner says I do not use the boat anymore and I have a quote of \$40,000 to fix this dock. I am just not going to pay that. Well, now you have an eyesore for the neighborhood but there is an even bigger impact because when that house goes on the market for \$300,000 the respective buyer says, no, there is \$50,000 worth of work, I will give you \$240,000 for the house. So the sale price goes down, then the appraised values go down. The amount of taxes local government collects goes down and hurts our entire economy. So what we are asking is do what we can do now to ensure we have sufficient marine access points for the future.*

*Mayor Holland-Beaches-has FIND looked at Flagler County to use dredging material for renourishment of our beaches? Ans: Mr. Netts-What we have been told is that our sand is not compatible with Flagler beaches. What we are dredging in Matanzas is a relatively fine white sand. It would be very much in contrast to what you see on Flagler Beach.*

**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

### **First 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

City Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communication. There were none.

Mr. Landon gave a brief summary of the item.

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

Robert Paymayesh, Applicant, provided a PowerPoint presentation, which is attached to these minutes.

*Public Comments:*

Carol Hinton-Was not informed of this project in her neighborhood. (Speaker had wrong project and address)

Louis McCarthy-Is this project going to affect the horse property in that area?

*Responses to Public Comments:*

Horse property-Ans: Mr. Landon-This is the horse property.

CM Cuff-Environmental impact-please address the wellsite exclusion area. Ans: Mr. Paymayesh-provided an overview to the 2 wellsites that are in the area of this project.

CM Cuff-Wetland impacts? Ans: Mr. Tyner-That is preliminary information provided with their study. We are comfortable with the rezoning. The details will come.

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

**Excused:** 1 - Council Member Klufas

## Resolutions

8 [17-52](#)

RESOLUTION 2017-XX ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AS PRESENTED BY JAMES MOORE & CO., P.L.

Mr. Landon provided a brief overview to this item. Mr. James Halleran, CPA from James Moore, provided a PowerPoint presentation, which is attached to these minutes.

Mayor Holland-This is really important and very rare that a local government does not have any comments on the audit. Thanked staff for all their hard work and dedication.

Mr. Landon-It is unusual for local governments, but not for us. Since I have been here, we have not had a financial comment.

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

**Excused:** 1 - Council Member Klufas

Enactment No: R2017-31

**9**      [17-109](#)

**RESOLUTION 2017-XX APPROVING THE STRATEGIC ACTION PLAN UPDATES AND ADDITIONAL PRIORITIES FOR FISCAL YEAR 2017-2018**

*Mr. Landon provided a brief overview to this item. Ms. Denise Bevan provided a PowerPoint, which is attached to these minutes.*

*CM Shipley-Continuous lighting is not on this list? Ans: Ms. Bevan-All of our priorities, annually, that are adopted, become engrained into the activities, so that actually is an adopted priority. I believe it is in a study phase at this time. Mr. Landon-It is in design phase with FPL.*

*CM Shipley-Are there monies set aside to do that? Ans: Mr. Landon-It is a priority from last year and is currently a priority. The design is our responsibility but the actual installation does not cost us money per se, capital dollars. It does increase our annual electric bill to FPL. That will be coming back to you. Yes, we are moving forward with that this year. You are welcome to add it to this resolution but it is a priority.*

*VM Nobile-Continuous lighting was on the previous years' strategic action plans many years ago and was postponed due to the recession, correct? Ans: Mr. Landon-I do not know if it was on the Strategic Action Plan. It was part of our Capital Projects, and yes it was part of our program. It started before I came here. Yes, during the recession, that was one of the items, that City Council chose to cut back on to save some dollars. Last year, City Council instructed us to move forward (during the SAP process). So, we are in that process now to bring it back to you.*

*Public Comments:*

*Mr. Jon Netts-Just an FYI, the North East Florida Regional Council, the Planning Council, added a position entitled "Safety to Schools." It is not just bus stops but the whole issue of improving children's access to school. It is a brand new position that they have hired a person to do it.*

*Motion included to add continuous street lighting.*

**A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Resolution be adopted as amended. The motion was adopted by the following vote:**

**Approved:** 4 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, and Council Member Shipley

**Excused:** 1 - Council Member Klufas

Enactment No: R2017-32

### 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 Vice Mayor Nobile, that the Consent Items be Considered as reported on the Consent Agenda. They were approved by the following vote:**

**Approved:** 4 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, and Council Member Shipley

**Excused:** 1 - Council Member Klufas

- 10    [17-99](#)            RESOLUTION 2017-XX APPROVING THE INTERLOCAL AGREEMENT WITH ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE LIDAR PROJECT  
Enactment No: R2017-33
- 11    [17-98](#)            RESOLUTION 2017-XX APPROVING ONE-YEAR PRICE AGREEMENT WITH ENVIRONMENTAL LAND SERVICES FOR DEBRIS DISPOSAL SERVICES  
**A motion was made by Council Member Shipley, seconded by Vice Mayor Nobile, that the Consent Agenda be adopted on Consent. The motion was Approved unanimously.**  
Enactment No: R2017-34

#### 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.**

*There were none.*

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

*CM Cuff-Raccoons acting strangely in areas around the City. Ans: Mr. Landon-Have not heard anything about it. We do not pick up wildlife.*

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

*Tallahassee update-We do get updates from the Florida League of Cities. There are some scary things pending in Tallahassee.*

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

*Food Truck Tuesday is today at Central Park from 5:00pm to 8:00pm. This will be every third Tuesday of the month through the summer.*

*Green City Hall event-April 1 to celebrate our Silver LEED Certification. 10:00 a.m. through 1:00 p.m. here at City Hall.*

**H. Adjournment**

*The meeting was adjourned at 10:40 a.m.*

*Respectfully submitted,  
Virginia Smith, City Clerk*

**Calendar and Worksheet**

[17-112](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

[17-121](#) ATTACHMENTS TO MINUTES