



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, August 1, 2017

6:30 PM

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.
- >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

Vice Mayor Nobile called the meeting to order at 6:30 p.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

City Clerk Virginia Smith called the roll.

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

Excused: 1 - Mayor Holland

Approval of Minutes

- 1 [17-314](#) MINUTES OF THE CITY COUNCIL'S:
 A. July 18, 2017 City Council Business
 B. July 25, 2017 City Council Workshop

Attachments: [July 18, 2017 Business Meeting](#)
[July 25, 2017 Workshop](#)

A motion was made by Council Member Cuff, and seconded by Council Member Shipley, that the Minutes be approved as presented. The motion was adopted by the following vote:

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

Excused: 1 - Mayor Holland

Proclamations and Presentations

Presentations

- 2 [17-313](#) PRESENTATION-PHOTO CONTEST AWARDS

Mr. Jason Giraulo, Digital Communications Coordinator and Vice Mayor Nobile presented the awards.

The Presentation was Received and Filed.

Excused: 1 - Mayor Holland

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 [17-260](#) ORDINANCE 2017-XX REZONING 3.02 +/- ACRES AT 149 LAKEVIEW BLVD. FROM MULTI-FAMILY RESIDENTIAL -1 (MFR-1)

TO SINGLE FAMILY RESIDENTIAL-2 (SFR-2)

Attachments: [Ordinance Rezoning 149 Lakeview Blvd](#)
[Staff Report Application #3321](#)
[Location Map](#)
[FLUM Map](#)
[Zoning Map](#)
[Proposed Rezoning Map](#)

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

*Public Comment:
There were none.*

A motion was made by Council Member Cuff, and seconded by Council Member Klufas, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:

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

Excused: 1 - Mayor Holland

Enactment No: O2017-10

Resolutions

4 [17-230](#) RESOLUTION 2017-XX APPROVING APPLICATION 3298 - THE FINAL PLAT FOR GRAND LANDINGS PHASE 3A.

Attachments: [RESOLUTION GRAND LANDINGS PHASE 3A](#)
[LOCATION MAP](#)
[FLUM MAP](#)
[ZONING MAP](#)
[Grand Landings Ph 3A Plat Maps](#)

Mr. Landon provided a brief overview to this item. Ms. Ida Meehan, Senior Planner presented a PowerPoint presentation, which is attached to these minutes.

*Public Comments:
There were none.*

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

Excused: 1 - Mayor Holland

Enactment No: R2017-86

5 [17-307](#) RESOLUTION 2017-XX APPROVING A PIGGYBACK CONTRACT WITH EXPRESS SUPPLY AND APPROVING A WORK ORDER WITH DANELLA FOR PHASE 2 OF THE SIGNAL OPTIMIZATION PROJECT

Attachments: [Resolution Signal Optimization phase 2](#)
[Signal Optimization Express Supply Inc Quote](#)
[Signal Optimization Trafficware Quote Palm Coast Stock Cabinet TS2-2](#)
[Signal Optimization 2017 Traffic - Danella Cabinet Quotes](#)
[Palm Coast Work Order - Signed](#)

Mr. Landon gave a brief overview to this item. Mr. Sean Castello, Traffic Engineer presented a PowerPoint presentation, which is attached to these minutes.

CM Shipley-We do a study ahead of time and identify where we need improvements, do we go back and re-evaluate? Ans: Mr. Castello-Yes, we do. We actually have been testing it out over the last six months.

VM Nobile- When you study the travel times, do you do both off (peak) and heavy traffic times? Ans: Mr. Castello - Yes, we look at the whole gamut. But we specifically look at the heavy time, because it has been my experience here and elsewhere that traffic moves well during the off peak times, it is the peak times that you have to go out there and make sure it is working.

CM Klufas- The lights that are being added in this phase, there is already fiber extended to those intersections and there was not backhaul required? Ans: Mr. Castello - No, there was not.

CM Klufas -Was the \$55,000 from the end point splicing into the camera? Ans: Mr. Castello - Yes.

CM Klufas - Do you foresee any issues scaling with the additional load of having the camera on your small scale traffic management system? Ans: Mr. Castello: No, we set it up from the get go to be able to handle it. Before we did any of this we went out to ask advice of FDOT (Florida Department of Transportation) and other municipalities that implemented the same thing. Whatever we did, we made sure, to ensure from the start, it would support what we were ultimately trying to do.

VM Nobile-Do we have redundancies and what would happen if those servers went down? Would it affect the traffic signals? Ans: Mr. Castello-No, because what happens is that when the timings plan get downloaded to the controller itself, we are able to monitor and it keeps a copy of everything that is on there as a backup. If it were to go down, the traffic lights would still function.

Public Comments:

Louis McCarthy-By any chance could this run out of capacity or do you have to keep increasing for separate zones?

Responses to Public Comments:

Capacity-Mr. Castello-If referring to monitoring only, we should be sufficient. We maintain 60 lights and if it should increase to 100 traffic lights, we could still manage.

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

Excused: 1 - Mayor Holland

Enactment No: R2017-87

6 [17-308](#)

RESOLUTION 2017-XX APPROVING A MASTER SERVICE AGREEMENT WITH TRANSMAP, INC. FOR THE PAVEMENT MANAGEMENT PROGRAM

Attachments: [RESOLUTION - Pavement Management Program](#)
[Scope and Fee - Pavement Condition](#)
[Scope and Fee - Pathways](#)
[Scope and Fee - Striping and Markings](#)
[RFQ-CD-CME-17-16- Notice of Intent to Award](#)
[RFQ-CD-CME-17-16 Pavement Management System - Executive Summary](#)

Mr. Landon provided a brief overview. Mr. Sean Castello and Mr. Howard Lutz, President and CEO of Transmap provided a PowerPoint presentation, which is attached to these minutes.

CM Shipley-With whatever you are using as a product that goes in between, we have people that complain now that we do not repair correctly, is that going to be the same way with this product? Ans: Mr. Castello- There are actually multiple products and multiple treatments that we use. It just depends on the condition of the pavement that will determine what treatment is going to be used. For instance, the roads paved in the last 5 years, as long as there is nothing seriously wrong with them, no large cracks or potholes, we would utilize a rejuvenator. That way we would ensure that the asphalt stays flexible.

CM Shipley- How is this going to be different? We already know what our budget is, and whatever your company (referring to Transmap) comes up with might be different than what we have in the budget? Ans: Mr. Castello-This will allow us to actually determine which roads need to be done. Not every road out there needs to be repaved. As I said there are different types of treatments, we can do a micro surface and we can do another treatment on that road to give it another life. Unfortunately this type of work is very specialized. When staff was doing research, we found out all the municipalities, our size or larger, actually have staff that is dedicated to pavement maintenance, nothing else. They actually have testing equipment to rate the roadways, we don't have that. Right now, we aren't actually acting (as if) blind, we are having to use our best judgement to determine what actually needs to be fixed. If you get folks like Transmap, they know what they are doing, and know what needs to be fixed, what is the proper treatment, what constitutes a roadway needing to be fixed. They can see by what type of crack in the roadway where (or not) we have a structural deficiency that needs to be fixed.

VM Nobile-What this will do, it will not change the budget. We are still going to spend the same amount of money, but it (the repairs) will be better targeted at the streets that require it. And hopefully, get more out of our buck, instead of tearing up a road,

that might not need to be torn up, but maybe a micro-surfaced. Hopefully, the same dollars but utilize the dollars better.

Public Comments

Charles Ebert-Driving around looking you do not find the cracks. Technology that they are supplying will show the cracks. Supports the item.

Robert MacDonald-4 months ago came to Council about road deterioration. Staff came and filled with concrete. Provided several streets that the intersections need addressing. Fix the streets.

Louis McCarthy-What is this system we are talking about and how does it work?

Steve Carr-Will this survey determine some traffic is too heavy for the roads? Weight limits?

Jon Netts-Microsurfacing and rejuvenators. Early on we tried chip seal and our residents did not like it. The damage that was done was immeasurable. Not in favor of chip seal.

Responses to Public Comments

Level of need-Ans: Mr. Lutz- What my company does, is we go out with the technology and we make measurements. So every crack in the system, every piece of roadway, both directions, all travel lanes we run a van with lasers and cameras. The lasers measure the length and width of the cracks. We collect all the data and use a database called Micropaver (Army Corp. of Engineers program) which will provide options to choose from that is acceptable to you and your constituents. We will be able to tell you where all the failed sections are as well as how much it will cost to fix those failed sections.

VM Nobile-Stress is determined by FDOT? Ans: Mr. Lutz-ASDM standards, so FDOT uses the ASDM standards, we measure the lengths, widths, and depths, and type of cracks, where they are in the pavement. All that kind of stuff matters, so those are the standards that we follow.

A motion was made by Council Member Cuff, and seconded by Council Member Shipley, that the Resolution be adopted. The motion was adopted by the following vote:

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

Excused: 1 - Mayor Holland

Enactment No: R2017-88

7 [17-280](#)

RESOLUTION 2017-XX APPROVING A MASTER SERVICE CONTRACT WITH BILLY CASPER GOLF, INC. FOR GOLF COURSE MAINTENANCE AT THE PALM HARBOR GOLF COURSE

Attachments: [Resolution Maintenance Services PH Golf](#)
[Billy Casper - Master Services Agreement](#)
[Notice of Intent to Award RFP-PR-17-38](#)
[RFP-PR-17-38 Palm Harbor Golf Course and Grounds Maintenance Service - Executive Summary](#)
[WORK ORDER](#)

Mr. Landon provided a brief overview to this item. Mr. Landon requested no action on this item due to final legal negotiations. Mr. Alex Boyer presented a PowerPoint presentation, which is attached to these minutes.

CM Shipley-Did Billy Casper apply before? Ans: Mr. Landon-Yes.

CM Shipley-Did they say they would do something with the retail shop that is there? Ans: Mr. Boyer-Yes, the Pro Shop will remain.

VM Nobile-Staff-current staff-Billy Casper is trying to keep the current employees? Are they City employees? Ans: Mr. Boyer-No, they are Kemper employees. They were told by Kemper they will not have a job when Kemper leaves. Mr. Landon-Some of the Kemper employees will become City employees. They will have to go through an interview process but they will get preference.

Public Comments:

Robert MacDonald-Why are City employees losing their jobs just to contract with Billy Casper? We are going to pay Billy Casper Golf \$627K, do we know what the revenue figures are for 2016 or for the first 6 months of 2017? How much do we anticipate being in the hole?

Responses to Public Comments:

City employees at the golf course-Ans: VM Nobile-There are no City employees currently employed at the golf course. They are Kemper employees.

2016 costs-Mr. Quinn-\$1.6 mil in costs. \$1.3 mil in revenue. Operating loss is a little over \$300K. We are on the same trajectory path for this year, which is why we are looking this way.

The Resolution was continued.

Enactment No: R2017-95

8 [17-310](#)

RESOLUTION 2017-XX APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT

Attachments: [Resolution Initial Nuisance Abatement](#)
[Exhibit A-2017 Tax Assessment Stree List](#)
[Exhibit B Initial Nuisance Abatement](#)
[Exhibit C Initial Nuisance Abatement](#)

Mr. Landon provided a brief overview to this item.

*Public Comments:
There were none.*

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

Excused: 1 - Mayor Holland

Enactment No: R2017-89

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.

- 9 [17-240](#) RESOLUTION 2017-XX APPROVING LAND EXCHANGE AGREEMENT BETWEEN PALM COAST LAND, LLC, AND THE CITY FOR THE EXPANSION OF THE PUBLIC WORKS FACILITY

Attachments: [Resolution-Land Exchange PC Land LLC](#)
 [Public Works Land Exchange Agreement Updated 7-27-17](#)
 [Location Map](#)

CM Cuff requested this item be pulled from the agenda.

Mr. Landon provided an overview to this item. Attorney Reischmann provided an explanation of Mr. Cuff's concerns with the deeds.

Public Comments:
There were none.

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

Enactment No: R2017-92

A motion was made by Council Member Cuff, 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: 4 - Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Excused: 1 - Mayor Holland

- 10 [17-298](#) RESOLUTION 2017XX APPROVING PIGGYBACKING OF FLORIDA SHERIFFS ASSOCIATION CONTRACT#FSA16-VEH14.0 TO PURCHASE ALAMO INDUSTRIAL REMOTE CONTROLLED BRUSH MOWER (SPECIFICATION #18)

Attachments: [Resolution Piggybacking FSA Contract with Alamo Industrial](#)
[Alamo Industrial - Engagement letter](#)
[FSA16-VEH14.0 contract](#)
[Florida Sherriffs contract quote](#)

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

Enactment No: R2017-90

11 [17-306](#)

RESOLUTION 2017-XX APPROVING THE COOPERATIVE COST SHARE INITIATIVE AGREEMENT WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE PALM COAST FLOOD CONTROL STRUCTURES L-1 AND K-1 PROJECT

Attachments: [Resolution - Flood Control Structure L-1 and K-1 Cooperative Cost Sharing](#)
[Cost Share Agreement Flood Control](#)
[SJRWMD - Palm Coast Progress Report](#)

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

Enactment No: R2017-91

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.

Carl Johnson-Comment made by CM Cuff regarding same color tee shirts and politics.

Brian Rosen-Happy to be here in Palm Coast. Retired military. Participates in "Next Door" Request about meeting times. Consider moving workshops to later in the day.

Charles Ebert-Next door comments. Would like meeting times changed as well. Affidavits-WastePro will not fulfill their promise on cleaning up skid marks in Hidden Lakes. Take action against WastePro and fine them.

Jules Kwiatkowski-Pain medications and opioids. Narcon kits. Kit for Alzheimers to assist in locating those that have wandered off.

*Robert MacDonald-Procedure to put an American flag on his front lawn. Need a permit that costs \$125. and you must provide a survey. Why?
How much will it cost to terminate Mr. Landon? If we wait until the end of his contract how much will that cost? How much will a search committee cost? Who does his job in the meantime? What has Mr. Landon done to put him in the bad graces of the City Council? Is there an option to change form of government?*

Steve Carr-Public speaking at meetings.

Tim Cromofitch - Palm Coast is dark at night. Is there a plan in place to install more street lights?

Responses to Public Comments:

CM Cuff-My point that I was trying to make, although I was accurately quoted from what I saw, was not that I like to discourage or want to ever discourage anyone, especially from showing up at one of these meetings and addressing us. What I was referring to is something I have seen, literally dozens, perhaps literally hundreds of times, in a 40 year legal career where discussion and debate on public issues just degenerates into we have more people here in yellow teeshirts than you do with blue teeshirts so we should win. To the extent that my comments offended anyone or were taken to suggest I do not like to see people coming here to address us, that is certainly not what I meant to say.

Meetings/Participation time-Vice Mayor requested Mr. Landon add this to a workshop.

Flag-Ans: Mr. Landon-It is not the flag; it is the structure of the pole. I would request that Mr. MacDonald get with Mr. Flanagan to assist him in figuring this out.

WastePro/Hidden Lakes-Ans: Mr. Landon-I spoke with WastePro and was told that it will not happen again. I did hear from staff that WastePro is working on cleaning them up. VM Nobile requested to keep the list of those who provided an affidavit.

Narcon kits-Ans: Chief Beadle-They are in the works. It is a new product. Commander Carman-Sheriff is looking into getting these and a grant.

Scent kits-Ans: Commander Carman-Have not heard about the scent kits but will look into it.

*Dark nights-Ans: VM Nobile-Yes, we do have a current program that is in effect. Mr. Landon provided an overview to the street lighting program.
Costs to terminate-I do not know at this time.*

Contract-Ans: VM Nobile-Mr. Landon does not have a termination in his contract. He serves at the pleasure of the Council. The search and type of government, there is a special meeting being held on Thursday.

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

CM Shipley-Old Kings Road temporary path? Ans: Mr. Landon-The proposal was to include that in next year's budget and at the workshop last week, City Council asked

that we not include that in the budget. At this point, we do not have any plans for that unless City Council agrees to put that back in the budget.

CM Shipley-Holland Park is beautiful but every time I go there is more damage. Restrooms this time. Do we have staff that is supposed to be there? Ans: Mr. Landon-They check it out and we also have our maintenance crew out there. We also have law enforcement. We have asked Mark to have some additional patrols. We also talked about having a security camera system there to try to catch those that are abusing the park. It is brand new and very visible but I can tell you that it is very common in all of our parks. Anytime anyone sees this, please call the Sheriff's office and report it.

CM Shipley-Gate to playground area is broken and very important to get fixed right away. Mr. Landon-It will be fixed tomorrow.

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

Mr. Landon-Happy Birthday to Mr. Reischmann.

Mr. Reischmann-Happy Birthday to Mr. Quinn too.

H. Adjournment

The meeting was adjourned at 8:15 p.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[17-319](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

Attachments: [City Calendar](#)
[Agenda Worksheet 2017](#)

[17-326](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 2- Photo Contest Presentation 2017](#)
[Item 3- 149 Lakeview neighborhood rezoning](#)
[Item 4- Grand Landings Phase 3A Subdivision](#)
[Item 5- Signal Improvement Implementation](#)
[Item 6- Pavement Management](#)
[Item 7- Golf Maintaince](#)