



**City of Palm Coast
Minutes
CITY COUNCIL
BUSINESS MEETING
AMENDED AGENDA**

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

**Mayor Milissa Holland
Vice Mayor Robert G. Cuff
Council Member Nick Klufas
Council Member Vincent Lyon
Council Member Heidi Shipley**

Tuesday, October 16, 2018

9:00 AM

CITY HALL

City Staff

**Beau Falgout, Interim 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.
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- > City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- > All pagers and cell phones are to remain OFF while City Council is in session.

CALL TO ORDER

Mayor Holland called the meeting to order at 9:00 A.M.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Present and responding to roll call were the following:

Council:	Robert Cuff
	Nick Klufas
	Heidi Shipley
	Milissa Holland
	Vincent Lyon

City Clerk Virginia Smith called the roll. All members were present.

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.

The following citizens came forward to give their concerns, opinions and suggestions: Mr. Thomassey, Bill Shelly, Lewis McCarthy, Mr. Neileback, Celia Pugliese, John Brady and Jack Carall.

MINUTES

- 1 MINUTES OF THE CITY COUNCIL:
October 2, 2018 City Council Business
October 9, 2018 City Council Workshop**

Pass

Motion made to approve made by Council Member Shipley and seconded by Vice Mayor Cuff

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

PRESENTATIONS AND PROCLAMATIONS

- 2 PRESENTATION 2018 INTRACOASTAL WATERWAY CLEANUP EVENT RESULTS**

Ms. Denise Bevan and Ms. Jordan Myers provide Council with a PowerPoint presentation, which is attached to these minutes. This year's clean-up efforts concluded with over a ton of trash collected.

- 3 PRESENTATION - WASTEPRO COMMUNITY APPRECIATION**

Sean Jennings, VP (Representative from WastePro) thanked the residents for their outpouring of support when their recycling employee was injured on the job.

Shea Drury, PC representative provided an overview to the services WastePro provides to the City residents as well as an update on the injured employee.

4 PROCLAMATION FLORIDA CITY GOVERNMENT WEEK

CM Lyon presented this Proclamation to the City Clerk on behalf of all City employees.

5 PROCLAMATION DOMESTIC VIOLENCE AWARENESS MONTH

CM Shipley presented this Proclamation to representatives from the Family Life Center.

6 PROCLAMATION RECOGNIZING DISABILITY EMPLOYMENT AWARENESS MONTH

CM Klufas presented this Proclamation to representatives and students from Flagler Schools Trail Program.

7 PRESENTATION OF CERTIFICATES TO GRADUATING STUDENTS OF THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS

Mayor Holland and Ms. Lane presented the certificates to the graduating citizens.

RECESS CITY COUNCIL BUSINESS MEETING AND CONVENE THE SR 100 CRA BUSINESS MEETING

The business meeting recessed at 9:53 a.m. The CRA meeting was called to order.

8 STATE ROAD 100 COMMUNITY REDEVELOPMENT AGENCY RESOLUTION 2018-XX INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM EXPANSION

R20180139

Mr. Falgout provided a brief overview to this item. Ms. Wynn Newingham presented a PowerPoint presentation, which is attached to these minutes.

The following citizens came forward to share their concerns, opinions and suggestions: Jack Carall, Mr. Neilbock, Celia Pugliese and Eleanor Rosner.

Pass

Motion made to approve made by Vice Mayor Cuff and seconded by Council Member Shipley

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

ADJOURN THE SR 100 CRA BUSINESS MEETING AND RECONVENE THE CITY COUNCIL

The CRA adjourned the meeting at 10:01 a.m. The Business Meeting reconvened at 10:02 a.m.

ORDINANCES SECOND READ

- 9 ORDINANCE 2018-XX REZONING A PARCEL OF LAND FROM LIMITED OFFICE (OFC-1) TO GENERAL COMMERCIAL (COM-2) FOR 4.79 ACRES LOCATED AT THE SOUTHEASTERN CORNER OF SEMINOLE WOODS BLVD. AND STATE ROAD 100**

O20180023

Pass

Motion made to Adopted on second reading made by Vice Mayor Cuff and seconded by Council Member Klufas

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

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 communications. There were none.

Mr. Falgout gave a brief summary of the item.

Public Comment

There were no public comments.

ORDINANCES FIRST READ

- 10 ORDINANCE 2018-XX ELECTRIC FRANCHISE FEE AGREEMENT WITH FP&L**

City Attorney Reischmann read the title of the ordinance into the into the record.
The agenda moved to Item 11.

Mr. Falgout gave a brief overview of the item.

A presentations on the City's needs (Public Works Facility, Stormwater Infrastructure and paving and maintenance of the roads) was made by Mr. Cote, Mr. Abreu, Topics discussed included the Public Works Facility, the number of employees reporting to the facility; the number vehicles and equipment housed and maintained at the facility; the recent land swap; stormwater ponds on the potential site plan; phasing options; ultimately more costly if done in phasing; bonding the work; comparison of phasing the project vs. the cost of financing and fleet being the largest need.

A presentation regarding funding sources was given by Ms. Alves. Topics discussed included the least burden of tax on the resident; franchise fee being locked in for 30 years; a regressive tax; benefit of a franchise fee for the City and what does FPL receive from the arrangement.

The presentations are attached to these minutes.

The following individuals spoke on this item: John Tipton, Vince Liquori, Jack Howell, Michael Coelli, Steve Carr, Mr. Nielebeck, Tom Olsner, Louis McCarthy, Alan Peterson, Jack Carall, Ceila Pugliese, Dennis McDonald, Ron Wilson, George Mayo, Karen Witalis and Bobbi Ray.

Pass

Motion made to Table made by Vice Mayor Cuff and seconded by Council Member Klufas

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

11 ORDINANCE 2018-XX PUBLIC SERVICE ELECTRIC TAX

Pass

Motion made to Table made by Council Member Shipley and seconded by Council Member Lyon

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

Attorney Reischmann read the titles of the Ordinance into the record . The Council discussed the need for more public input and waiting until the new

council members were seated before moving forward on this item. The agenda moved back to Item 10.

12 ORDINANCE 2018-XX A REWRITE OF CHAPTER 9 – ENGINEERING DESIGN & UTILITIES OF THE UNIFIED LAND DEVELOPMENT CODE

City Attorney Reischmann read the title of the ordinance into the record. The agenda moved to Item 13. Mr. Falgout gave a brief summary of the item.

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

Public Comment

There were no public comments.

Pass

Motion made to Approved on first reading made by Vice Mayor Cuff and seconded by Council Member Klufas

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

13 ORDINANCE 2018-XX AMENDING CHAPTER 24 – ENVIRONMENT OF THE CODE OF ORDINANCES

City Attorney Reischmann read the title into the record. The agenda moved to Item 12.

Public Comment

There were no public comments.

CM Lyon declared a conflict and will provide the appropriate form.

Pass

Motion made to Approved on first reading made by Vice Mayor Cuff and seconded by Council Member Klufas

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

14 ORDINANCE 2018-XX APPROVING THE SECOND AMENDMENT TO THE PALM COAST PARK MASTER PLANNED DEVELOPMENT (MPD) DEVELOPMENT AGREEMENT

City Attorney Reischmann read the title into the record.

Mr. Falgout gave a brief summary of the item.

Mr. Jose Papa provided a PowerPoint presentation, which is attached to these minutes. Topics discussed included Parcel 11B, developer limitations to Tract 22; distance from the Fire Department; the site plan process.

Public Comment: Alan Peterson, Mr. Nieleback, Jack Carall, and Steve Carr.

CM Lyon declared a conflict and will provide the appropriate form.

Pass

Motion made to approve made by Council Member Klufas and seconded by Council Member Shipley

Approved - 4 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland

RESOLUTIONS

15 RESOLUTION 2018-XX APPROVING AN AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER

R20180140

Pass

Motion made to approve made by Vice Mayor Cuff and seconded by Council Member Shipley

Approved - 4 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland

Mr. Falgout provided a brief overview to this item. Mr. Hoover presented a PowerPoint presentation, which is attached to these minutes. Topics discussed included Parcel 11B, developer limitations to Tract 22; distance from the Fire Department; the site plan process.

Public Comments:: Alan Peterson, Mr. Nieleback, Jack Carall, and Steve Carr.

No comments were received.

CM Lyon declared a conflict and will provide the appropriate form.

The business meeting was recessed until 12:15 p.m. The meeting reconvened at 12:45 p.m.

16 RESOLUTION 2018-XX APPROVING AN AMENDMENT TO THE TOWN CENTER AT PALM COAST DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER (DRI-DO) TO UPDATE SECTION 12, TRANSPORTATION CONDITIONS

R20180141

Council reconvened at 12:45 P.M.

Mr. Falgout provided a brief overview to this item. Mr. Papa provided a PowerPoint presentation, which is attached to these minutes.

CM Lyon declared a conflict and will provide the appropriate form.

Pass

Motion made to approve made by Council Member Shipley and seconded by Vice Mayor Cuff

Approved - 3 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland

Mr. Falgout gave a brief overview of the item. Mr. Papa gave a presentation to Council.

17 RESOLUTION 2018-XX APPROVING AN AMENDMENT TO THE FISCAL YEAR 2018-2019 BUDGET AND APPROVING THE 5-YEAR CIP FOR THE STORMWATER FUND

R20180142

Mr. Falgout provided a brief overview to this item. Mr. Cote presented a PowerPoint presentation, which is attached to these minutes. Topics discussed included: a schedule of work; being more pro-active; changing the City's approach; technology component; canal improvement projects; indexing the fund.

Public Comments:

Jack Carall expressed his concerns regarding vacant property.

Pass

Motion made to approve made by Vice Mayor Cuff and seconded by Council Member Shipley

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

OTHER BUSINESS

18 APPOINT THREE MEMBERS TO FILL VACANCIES ON THE PLANNING LAND DEVELOPMENT REGULATION BOARD

Mr. Falgout provided a brief overview to this item.

Pass

Motion made to approve Appoint District 3 applicant Mr. Robert DeMaria and reappoint District 1 applicant, Ms. Dodson-Lucas and Jake Scully. made by Vice Mayor Cuff and seconded by Council Member Lyon

Approved - 5 - Council Member Nick Klufas, Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

CONSENT

*MOTION CM SHIPLEY
2ND LYON
ALL APPROVED*

19 RESOLUTION 2018-XX APPROVING INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM EXPANSION

R20180143

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

20 RESOLUTION 2018-XX APPROVING A WORK ORDER WITH DRMP FOR PROFESSIONAL ENGINEERING SERVICES FOR PRIMARY SYSTEM ANALYSIS CITY-WIDE STORMWATER INFRASTRUCTURE DATA MASTER PLAN

R20180144

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 21 RESOLUTION 2018-XX APPROVING A CONTRACT WITH AQUATIC MANAGEMENT PLUS, LLC, FOR WEED CONTROL OF THE FRESHWATER STORMWATER DRAINAGE SYSTEM**

R20180145

Pass

Motion made to Adopt on consent made by Council Member Shipley

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 22 RESOLUTION 2018-XX APPROVING ROW ACQUISITIONS RELATING TO THE OLD KINGS ROAD N WIDENING PROJECT WITH FIRST COAST ENERGY, LLP, KINGSWOOD PROPERTY, LLC AND KINGS COLONY HOA**

R20180146

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 23 RESOLUTION 2018-XX APPROVING FDOT LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENT FOR SEMINOLE WOODS BOULEVARD/TOWN CENTER BOULEVARD AT SR 100 PROJECT**

R20180147

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 24 RESOLUTION 2018-XX APPROVING MULTIPLE WORK ORDERS WITH POND & COMPANY FOR DESIGN SERVICES FOR INDIAN TRAILS SPORTS COMPLEX IMPROVEMENTS**

R20180148

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 25 RESOLUTION 2018-XX APPROVING MODIFICATION #2 TO THE AGREEMENT BETWEEN THE CITY OF PALM COAST AND FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR THE PURCHASE AND INSTALLATION OF A GENERATOR AT CITY HALL**

R20180149

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 26 RESOLUTION 2018-XX APPROVING A MASTER PRICE AGREEMENT WITH POLYDYNE INC. FOR THE PURCHASE OF LIQUID POLYMER**

R20180150

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 27 RESOLUTION 2018-XX APPROVING PIGGYBACKING THE CITY OF ORMOND BEACH CONTRACT WITH ENVIRONMENTAL OPERATING SOLUTIONS INC. FOR THE PURCHASE OF MICRO C FOR WASTERWATER TREATMENT PLANT 2**

R20180151

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

- 28 RESOLUTION 2018-XX APPROVING PIGGYBACKING THE NATIONAL IPA#2018011-01 CONTRACT WITH CDW-G FOR TECHNOLOGY EQUIPMENT, SUPPLIES, MAINTENANCE AND COMMUNICATIONS SERVICE**

R20180152

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

29 RESOLUTION 2018-XX APPROVING A CONTRACT WITH ROADTEK LLC, FOR ASPHALT SERVICES ON AN AS NEEDED BASIS

R20180153

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

30 RESOLUTION 2018-XX APPROVING A CONTRACT WITH ROADTEK LLC, FOR CONCRETE REPAIR SERVICES ON AN AS NEEDED BASIS

R20180154

Pass

Motion made to Adopt on consent made by Council Member Shipley and seconded by Council Member Lyon

Approved - 4 - Vice Mayor Robert Cuff, Council Member Heidi Shipley, Mayor Milissa Holland, Council Member Vincent Lyon

PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

Steve Carr spoke of his concerns regarding the traffic on Florida Park Drive.

DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

CM Shipley suggested that the TNR to be workshopped and hoped it could be accomplished before she left office.

Mayor Holland advised this will be on the 30th as will a presentation by our City Attorney on dangerous dogs.

VM Cuff-Discussion on how the agenda is set and what items are on the agenda on a workshop.

DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Nothing at this time.

DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Falgout summarized how this agenda was set with time sensitive items.

Fire Department assisting in the panhandle.

Food Truck Tuesday is tonight.

ADJOURNMENT

The meeting was adjourned at 1:37 P.M.

*Respectfully submitted by: Virginia A. Smith, MMC
City Clerk*

31 CALENDAR AND WORKSHEET

32 ATTACHMENTS TO MINUTES