



**City of Palm Coast
Minutes
CITY COUNCIL
WORKSHOP
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 30, 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.
- > 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 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

Vice Mayor Cuff called the meeting to order.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

Ms. Settle called the roll. Mayor Holland had an excused absence.

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: Robert MacDonald.

PRESENTATIONS

1 PRESENTATION - DANGEROUS DOGS STATE PROCESS

Bill Reischmann provided a presentation to Council regarding the process regarding dangerous dogs in Florida Statutes. The presentation is attached to these minutes.

Topics discussed included: definition of a dangerous dog; a dog chasing a human being defined as a dangerous dog under State statute; owner is defined as possess, harbors, keeps or borders a dog; case law interpreting the definition of the owner; a kennel serving as an agent for the owner re: a dangerous dog; the circumstances of when impoundment of the dog is necessary; public safety playing a role in the confinement vs. impoundment; responsibility of staff; limited case law regarding dangerous dogs; determination of a penalty being under the responsibility of the animal control officer; State law requiring notification by the owner to the municipality and/or the County when relocating the dangerous dog; the court of appeals does not take more testimony; the Court of Appeals takes into account whether the hearing officer has followed the letter of the law and whether the facts justify the penalty; the hearing process one goes through with the City; the owner being charged with a misdemeanor on the second bite of the dog; a felony charged to the owner dependent on the severity of the attack; dangerous dog is determined as the first bite; the label stays with the pet for the rest of the dog's life; the exceptions are not allowed for a dog after the second bite; Council and administration not having a role in the legal process of a dangerous dog.

2 PRESENTATION - COMMUNITY CAT DIVERSION PILOT PROGRAM

Mr. Falgout gave a brief overview of the item. Ms. Grossman provided a presentation to Council. The presentation is attached to these minutes. Topics discussed included: issues with neighbors; the TNR program; colonies being in public areas and how to best manage; community education; reduction in the number of cats being neutered; misinformation regarding a feeding band; the number of cats allowed per household; raising the number of animals per household; the enforcement process of large numbers of pets in the home;

educating the citizens regarding cat colonies and the city increasing efforts to educate the public on cat colony; state regulations regarding feeding wild animals.

3 RESOLUTION 2018-XX APPROVING A CONTRACT AND A WORK ORDER WITH CPH INC., FOR DESIGN SERVICES RELATED TO THE LEHIGH TRAILHEAD PROJECT

Mr. Falgout gave a brief overview of the item. Alena Dvornikov reviewed a presentation to Council. The presentation is attached to these minutes. Topics discussed included dog park to be included; citizen interested in a dog park without a water feature; the cost involved in designing a dog park; the concept plan; overflow parking for the tennis center; anticipated construction and the overall consensus to include the dog park in the design.

4 RESOLUTION 2018-XX APPROVING FDOT LAP AGREEMENT FOR DESIGN OF LEHIGH TRAILHEAD

WRITTEN ITEMS

5 ORDINANCE 2018-XX APPROVING THE CONTRACTION OF A 75+/- ACRE PARCEL FROM THE CITY OF PALM COAST

Mr. Falgout gave a brief overview of the item. Jose Papa discussed the item with Council. Topics discussed included the city boundaries; access to the parcel. this item will e

6 RESOLUTION 2018-XX APPROVING THE CULTURAL ARTS GRANTS FOR FY 19

Mr. Falgout gave an overview of the item. Topics included outreach ministry; city funds for religious outreach; community concerts; setting a precedent for the City.

7 RESOLUTION 2018-XX APPROVING THE PURCHASE OF MATERIALS AND RELATED EXPENSES FOR CONSTRUCTION OF THE SESAME BOULEVARD PATH FROM SELMA TRAIL TO SEMINOLE WOODS

Mr. Falgout gave a brief overview of the item. Don Schrager discussed the item with Council. Topics discussed included paid from CDBG funds,

8 RESOLUTION 2018-XX APPROVING A WORK ORDER WITH CPH, INC. TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE REPLACEMENT OF A CONCRETE LINED DITCH IN THE "F" SECTION

Mr. Falgout gave a brief overview of the item. Mike Peel review the item with Council. Topics discuss included piping and not using a regular ditch; the proximity of the concrete ditch to the homes in the areas;

9 RESOLUTION 2018-XX APPROVING PIGGYBACKING OF NATIONAL JOINT POWERS (NJPA) NATIONAL IPA, FLORIDA STATE AND FLORIDA SHERIFF'S ASSOCIATION CONTRACTS AND ASSOCIATED PURCHASE ORDERS FOR FLEET VEHICLES AND EQUIPMENT AS APPROVED IN THE FISCAL YEAR 2019 BUDGET

ok

Mr. Falgout gave a brief overview of the item. This item will be continued at the next Business Meeting.

10 RESOLUTION 2018-XX APPROVING A MASTER PRICE AGREEMENT WITH STRICKLAND SOD FARM INC. FOR SOD MATERIALS AND SOD INSTALLATION

Mr. Falgout gave a brief overview of the item. This item will be continued at the next business meeting.

Item continued to the next business meeting.

11 RESOLUTION 2018-XX APPROVING A MASTER PRICE AGREEMENT WITH U.S. SUBMERGENT TECHNOLOGIES FOR TANK CLEANING

Mr. Falgout gave a brief overview of the item. This item will be continued at the next Business Meeting.

12 RESOLUTION 2018-XX APPROVING A MASTER SERVICES AGREEMENT WITH T. WAYNE TRUCKING, INC. FOR REMOVAL, HAULING, AND DISPOSAL OF LIQUID LIME SLUDGE

Mr. Falgout gave a brief overview of the item. This item will be continued at the next business meeting meeting.

PUBLIC PARTICIPATION

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

The following citizens came forward to give their concerns suggestions and opinions: Renee Deconcento, Priscilla Reed, Elizabeth Robinson, David Smith, Judy McGovern, Laurie Austin, John Brady,

DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Lyon commended the speakers from the Audobon Society. He also responded to Mr. MacDonald comments on looking at Public Works in stages. He suggested the audobon Society to speak to the City Manager.

CM Klufas thanked Mr. Falgout for his efforts in speaking to community animal groups.

Vice Mayor Cuff applauded staff to reaching out to the various stakeholders. He has received many emails re: stormwater and would like to have consistent updates from staff.

DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Falgout introduced Chuck Buckhert to the Council. District5 FDOT 6.8 million is in place for Old Kings Road is in place.

New Council will be seated at the November 20, 2018.

Holiday Schedyle

11:36 p.m.

ADJOURNMENT

13 CALENDAR/WORKSHEET

14 ATTACHMENTS TO MINUTES