



**City of Palm Coast  
Minutes  
CITY COUNCIL  
BUSINESS**

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

**Mayor Milissa Holland  
Vice Mayor Robert G. Cuff  
Council Member Steven Nobile  
Council Member Nick Klufas  
Council Member Heidi Shipley**

---

**Tuesday, May 1, 2018**

**6:00 PM**

**CITY HALL**

---

**City Staff**

**Jim Landon, 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 televised on Charter Spectrum Networks Channel 495 and on AT&T U-verse Channel 99.
- > 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 at 6:00 p.m.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL**

*City Clerk Virginia Smith called the roll. Mayor Holland, Council Member Nobile were absent from the proceedings.*

**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.

*Robert MacDonald- Thank Council Member Nobile for his service.ile as he departs.*

*Brian Rosen reported on a Town Howl meeting at the Flagler Humane Society event. Ans: Mr. Landon - We have very strong anti-cruelty, not just anti-tethering but anti cruelty for a variety reasons. As a result from correspondence from the Humane Society, animal control is working with the Humane Society to see if we are covered if tethering and other cruelty items are in our ordinances. Barbara Grossman is looking at that with the Humane Society and if the Humane Society recommends we do something to strengthen our ordinances, we will bring it to Council.*

*CM Shiipley: What our ordinance says now is that we cannot deny a dog food, shelter, and protection but it does not actually say, you can't tether a dog for the whole day. It is just a matter of changing the wording a little bit to make sure it is specific that you cannot leave a dog outside all day. Ans: Attorney Reischmann - Our office is already in communication with Ms. Grossman to review the ordinances.*

## **MINUTES**

### **1 CITY COUNCIL MINUTES: APRIL 17, 2018 BUSINESS MEETING APRIL 24, 2018 WORKSHOP**

**Pass**

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

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

## **PROCLAMATIONS AND PRESENTATIONS**

### **2 PRESENTATION OF THE MAYOR'S 30/30 CHALLENGE AWARD**

*This item was requested to be moved*

*This Mayor's 30/30 challenge was moved until the presenters arrive. This item was heard at 6:28 p.m. following Item 7.*

*Ms. Cindi Lane presented the award to representatives from the Buddy Taylor Middle School.*

**3 PROCLAMATION MOTORCYCLE AWARENESS MONTH**

*CM Klufas presented this Proclamation.*

**4 PROCLAMATION – MAY 6, 2018 THROUGH MAY 12, 2018 AS “NURSES WEEK”**

*CM Shipley presented this Proclamation to nurses of Florida Hospital-Flagler.*

**5 PROCLAMATION RECOGNIZE APRIL 29, 2018 THROUGH MAY 5, 2018 AS PUBLIC SERVICE RECOGNITION WEEK**

*CM Klufas presented this Proclamaion to Ms. Terry Jarvis of the Utility Department for serving the City of Palm Coast for 35 years.*

**6 PROCLAMATION DESIGNATING MAY 5, 2018 AS ARBOR DAY**

*VM Cuff presented this Proclamation to Ms. Carol Mini, Urban Forester for the City of Palm Coast.*

**7 PROCLAMATION AMERICAN LUNG**

*CM Shipley presented this Proclamation to Susan Kurtz, Board Member of the American Lung Association of Central Florida.*

*Item 2 was heard at this time.*

**8 PRESENTATION ON PUBLIC SAFETY UPDATES BY SHERIFF STALY**

*Sheriff Staly provided Council with a PowerPoint presentation, which is attached to these minutes. A question and answer period followed.*

*CM Shipley: I am glad you ramped up social media. People will say on social media say that something happened in their neighborhood but they won't really come out and say and call your office. Next thing I know you are popping up on social media saying you're here, I see it. I heard it and the Stride Program - that is a big deal. Get the kids when they come out so they don't get into the same old stuff they were getting into.*

*CM Klufas: Thank you and congratulations for the response time being lowered dramatically.*

*VM Cuff: I have one question back when you were talking about the increase in 911 calls, which is understandable given the population. Do you have any idea how often your 911 or the County 911 ends up being a defacto information please operator. How many of those are a legitimate need for law enforcement opposed to where do I pay my traffic ticket. Ans: Sheriff Staly - I do not. We do not track the calls that way. I was a dispatcher very early in my career. I ran the Orange County Communication Center. I can tel you for one hurrican in Orange County, we had someone call 911 because their cable TV was out. We do have the misuse and we educate as much as we can but people do misuse 911.*

*VM Cuff-Increase in 911 calls, it is uderstandable, given the population, how often is the 911 sytem a defacto information plea and how many are a legitimate need? Ans: Sheriff Staly-We do not track the calls that way.*

## **ORDINANCES FIRST READ**

### **9 ORDINANCE 2018-XX AMENDING SECTION 3.04.05 OF THE CITY'S UNIFIED LAND DEVELOPMENT CODE (ULDC) TO INCLUDE ADDITIONAL INCENTIVE(S) FOR AREAS WITHIN THE PALM COAST/FLAGLER COUNTY AIRPORT AREA MASTER PLAN**

*City Attorney Reischmann read the title of the ordinance into the record.*

*Mr. Landon gave a brief summary of the item.*

*CM Shipley-Is this touching the land we are having the issue with the County? Or does this change it.? Ans: Mr. Landon-It does not change it. We have told them in writing that they would not have to follow higher standards. This just basically confirms that. Ans: Attorney Reischmann - It really is apples and organges. This really has to do with the wetlands issues and that is not pertinent to the issue of the subject of our earlier discussion and the controversy. Those have to do with the provision of utilities, water and waste water. This has nothing to do with potable water and waste water.*

*Public Comment:  
There were no public comments.*

**Pass**

**Motion made to Approved as amended on first reading made by Council Member Klufas and seconded by Council Member Shipley**

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

## **RESOLUTIONS**

- 10 RESOLUTION 2018-XX – AUTHORIZING GRANT APPLICATION TO FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR INNOVATION DISTRICT INITIATIVES**

**R20180059**

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

*Public Comments:  
There were no public comments.*

**Pass**

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

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

## **OTHER BUSINESS**

- 11 DISCUSSION ON COUNCIL VACANCY PROCEDURE**

*VM Cuff-Suggested to move this item until next Tuesday's workshop. Council concurred.*

## **CONSENT**

- 12 RESOLUTION 2018-XX APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH DIAMOND TOWERS V LLC FOR CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT 1505 PALM HARBOR PARKWAY**

**R20180060**

**Pass**

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

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

*no public ocmments on consent*

- 13 RESOLUTION 2018-XXX APPROVING A WORK ORDER TO MCKIM & CREED, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE WHITEVIEW PKWY FORCEMAIN CROSSING PROJECT**

**R20180061**

**Pass**

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

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

- 14 RESOLUTION 2018-XX APPROVING A WORK ORDER TO CONNECT CONSULTING INC., FOR THE REBUILD/REHABILITATION AND TESTING OF SW-4R**

**R20180062**

**Pass**

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

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

- 15 RESOLUTION 2018-XX APPROVING A WORK ORDER TO CONNECT CONSULTING INC., FOR THE PUMP INSPECTION AND REHABILITATION OF WELL LW-49**

**R20180063**

**Pass**

**Motion made to Adopt on consent made by Council Member Klufas and seconded by Mayor Holland**

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

- 16 **RESOLUTION 2018-XX APPROVING A WORK ORDER TO CONNECT CONSULTING INC., FOR PROFESSIONAL SERVICES TO MODIFY CONSUMPTIVE USE PERMIT NO. 1947**

**R20180064**

**Pass**

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

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

- 17 **RESOLUTION 2018-XX APPROVING A CONTRACT WITH SGS CONTRACTING SERVICES, INC., FOR THE CONSTRUCTION OF THE WWTP NO. 1 ODOR CONTROL PROJECT**

**R20180065**

**Pass**

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

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

#### **PUBLIC PARTICIPATION**

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

*Jon Netts - Congratulated David Ayers and his staff for the 10th Anniversary of WNZF.*

*George Mayo - Supports anti-tethering laws; Motorcycle Awareness - he would like to see something on the website educating the public on motorcycle safety; Fire safety awareness - Palm Coast has a burn ban.*

*Mr. Neilebock -Tethering law-. You may look at electronic leashes too.*

*Brian Rosen - Supports anti-tethering law. Avid bicycle rider-include these riders in your awareness also.*

*Responses to Public Comments:*

*Radio Station-VM Cuff- gave accolades to the radio anniversary.*

*Safety issues-staff is taking note on the animal cruelty, motorcycle and fire safety awareness measures.*

#### **DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*CM Shipley- I have two things. I am not going to run for office again and I wanted everyone to know tonight and second, I will not be here next week. My stepdaughter is getting married so I am going to the wedding.*

*CM Klufas - I am looking forward to Arbor Day this weekend. I am sorry to hear we will be saying good-bye to Heidi this election and hope the wedding goes well.*

*VM Cuff - Just to echo Nick's comments. I am sorry to hear that you will be leaving us as well. I am sure the wedding will be much more exciting than the 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**

*It has recently been announced that the City of Palm Coast for the 13th consecutive year as Tree City USA and also the Tree City Growth Award for 12 times in a row. Arbor Day this Saturday-May 5 here at Central Park. Shredding services will be available at Arbor Day.*

#### **ADJOURNMENT**

*The meeting was adjourned at 7:20 P.M.*

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

#### **CALENDAR/WORKSHEET**

#### **ATTACHMENTS TO MINUTES**