



**City of Palm Coast
Minutes
CITY COUNCIL**

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

**Mayor Milissa Holland
Vice Mayor Nick Klufas
Council Member Eddie Branquinho
Council Member Robert G. Cuff
Council Member Jack D. Howell, II**

Tuesday, March 19, 2019

9:00 AM

CITY H ALL

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.

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

Ms. Smith called the roll. All members were present.

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.

No comments were received.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL FOR:
MARCH 5, 2019 BUSINESS MEETING
MARCH 8, 2019 SPECIAL BUSINESS MEETING-CITY MANAGER INTERVIEWS
MARCH 12, 2019 SPECIAL BUSINESS MEETING-CITY MANAGER SELECTION
MARCH 12, 2019 WORKSHOP**

Pass

Motion made to approve by Council Member Howell, II and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

F. PROCLAMATIONS AND PRESENTATIONS

- 2. PROCLAMATION RECOGNIZING APRIL AS WATER CONSERVATION MONTH**

CM Howell read the proclamation into the record. The proclamation was presented to Jim Toronto from SJRWMD and to Garrann Hopkins, Environmental Specialist with the Utility Department.

- 3. PROCLAMATION TO RECOGNIZE APRIL 2, 2019 AS EQUAL PAY DAY IN PALM COAST**

CM Branquinho read the proclamation into the record. Susan Bair and Theresa Owen, American Association of University Women accepted the proclamation.

- 4. PRESENTATION-PUBLIC SAFETY UPDATES BY SHERIFF STALY**

Sheriff Staly gave a presentation to Council outlining the Sheriff's work in the last year. A question and answer period followed. Topics included: technology improvements; making texting and driving a primary offense; distracted driving causing a number of accidents; neighborhood watch groups; coordination of the technology at the parks and license plate recognition readers.

G. ORDINANCES SECOND READ

- 5. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR A 6.1 +/- ACRE PARCEL LOCATED .5 MILES NORTH OF PALM COAST PARKWAY ON THE WESTSIDE OF US-1 FROM DEVELOPMENT OF REGIONAL IMPACT- MIXED USE (DRI-MU) TO INSTITUTIONAL**

O20190003

Attorney Reischmann read the title of the ordinance into the records. Mr. Falgout gave a brief overview of the item. Public comment was opened. No comments were received.

Pass

Motion made to approve by Council Member Howell, II and seconded by Vice Mayor Klufas

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

- 6. ORDINANCE 2019-XX ZONING MAP AMENDMENT FROM MASTER PLANNED DEVELOPMENT (MPD) TO PUBLIC/SEMIPUBLIC (PSP) FOR A 6+/- ACRE PARCEL LOCATED .50 MILES NORTH OF PALM COAST PARKWAY ON THE WESTSIDE OF US-1**

O20190004

Attorney Reischmann read the title of the ordinance into the record. Reminded Council this is a quasi-judicial item and called for any ex-parte communication since the first reading of the ordinance. There was none. Mr. Falgout gave a brief overview of the item. Public comment was opened. There were none.

Pass

Motion made to approve by Council Member Howell, II and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

- 7. ORDINANCE 2019-XX ZONING MAP AMENDMENT FROM PUBLIC/SEMIPUBLIC (PSP) TO GENERAL COMMERCIAL (COM-2) FOR A 5+/- ACRE PARCEL LOCATED NORTH OF WELLFIELD GRADE AND WEST OF US-1**

O20190005

Attorney Reischmann read the title of the ordinance into the record. Reminded Council this is a quasi-judicial item and called for any ex-parte communication since the first reading of the ordinance. There was none. Mr. Falgout gave a brief overview of the item. Public comment was opened. No comments were received.

Pass

Motion made to approve by Council Member Howell, II and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

H. RESOLUTIONS

- 8. RESOLUTION 2019-XX APPROVING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, AS PRESENTED BY JAMES MOORE & CO., P.L.**

R20190027

Mr. Falgout gave an overview of the item. Mr. Halleran of James Moore reviewed the City's audit with the Council. A question and answer period followed. Public Comment. No comments were received.

Pass

Motion made to approve made by Council Member Howell, II and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

- 9. RESOLUTION 2019-XX APPROVING THE FIRST AMENDMENT TO INCREASE FUNDS FOR A FEDERALLY-FUNDED SUBGRANT AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) RELATING TO HURRICANE IRMA EXPENSES**

R20190029

Mr. Falgout gave an overview of the item.

George Mayo understood the item was regarding Hurricane Irma but asked if the City had been completely reimbursed for Hurricane Matthew.

Mr. Neilebeck asked if there were special rules for the reimbursement of the funds.

Mr. Falgout responded the City has been reimbursed \$2million out of the \$3 million for Hurricane Matthew. FEMA has changed the process in the timeframe between Hurricanes Matthew and Irma and now they require an agreement. When the City receives the funds, they will be used to reimburse the Emergency Reserves.

Pass

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

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

10. RESOLUTION 2019-XX APPROVING THE CONTRACT WITH MATTHEW MORTON, CITY MANAGER

R20190028

Council Member Cuff outlined the process that took place in order to present Council with the City Manager's agreement. The terms of the agreement were discussed. Topics discussed included: severance; reviews done on annual basis; non-merit based adjustments; annual evaluation; adjustments are not considered in the contract at this time but will be considered at the time of the evaluation and moving expenses.

Jack Carrall wanted to know what will be the process should Mr. Morton not accept is contract.

Mr. Neilebeck wanted to know the salary including benefits.

Mayor Holland explained Mr. Morton has accepted the position and we are now negotiating his contract. Should Mr. Morton reject the contract, we will negotiate further at the next meeting. The compensation for Mr. Morton salary is \$145,000; benefits tend to be 1/3 of the salary.

Pass

Motion made to approve by Vice Mayor Klufas and seconded by Council Member Branquinho

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

I. CONSENT

11. RESOLUTION 2019-XX APPROVING AN INTERLOCAL AGREEMENT WITH GRAND HAVEN CDD FOR CODE ENFORCEMENT SERVICES

R20190024

Pass

Motion made to approved by Council Member Howell, II and seconded by Vice Mayor Klufas

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

- 12. RESOLUTION 2019-XX APPROVING A RIGHT-OF-WAY ACQUISITION FOR OLD KINGS ROAD N EXTENSION WITH ROBERT W CONSER JR AND ANNA M GALLO FOR PROPERTY KNOWN AS PALM COAST PARCEL 2**

R20190025

Pass

Motion made to approve by Council Member Howell, II and seconded by Vice Mayor Klufas

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

- 13. RESOLUTION 2019-XX APPROVING MASTER PRICE AGREEMENTS WITH OSBURN ASSOCIATES, INC, VULCAN INC, DBA VULCAN SIGNS, VULCAN ALUMINUM, MANDEL METALS, DBA U.S. STANDARD SIGN AND MODULEX ORLANDO, LLC FOR SIGN SHOP MATERIALS**

R20190026

Pass

Motion made to approve by Council Member Howell, II and seconded by Vice Mayor Klufas

Approved - 5 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho, Council Member Jack Howell, II

J. PUBLIC PARTICIPATION

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

Tom Olsner asked the City plans to reduce long-term debt.

George Mayo asked if the City has a new building the Sheriff could be housed in? He attended a County meeting where they spoke of the City's extending their water/sewer lines to the Hammock. He wanted to know what the compensation would be to the City should that happen.

Al Hurry congratulated new Council Members. He asked for an update on the traffic signal of Market, and Belle Terre and Eastwood Drive.

Mayor Holland explained the difference between municipal debt and utility debt. The Public Works facility is still being discussed. The City has a contract with the Sheriff's Department for their services. We do not get involved in providing infrastructure. Florida Constitution stipulates that the Sheriff's Department reside in the County seat. She explained the increased rates for those served outside of the city limits.

K. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

VM Klufas spoke of his interest for considering Donald Kewley to manage the fibernet utility. Topics discussed included Council's authority to hire and reviewing the Magellan report for further discussion. He enjoyed the artwork in the park. He hoped the City has some sort of security to deter vandalism.

Mayor Holland reported the lights by the schools zones are not flashing appropriately. She asked Mr. Reischmann for sample contracts from his firm regarding P3 Contracts. She asked that VM Klufas look at strategies of what we need to put in place in order to expedite these matters, such as, the contract, and rate cards.

L. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

No report.

M. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Falgout reported on working with Mr. Morton in order to provide a seamless transition. He spoke of various events happening in the City. He announced Nestor Abreu's retirement plans.

He congratulated the Innovation Team for becoming a finalist in the 2019 Smart City Readiness Challenge.

N. ADJOURNMENT

VM Klufas adjourned the meeting. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

*Virginia Smith, MMC, CP
City Clerk*