

CITY OF PALM COAST
COUNCIL MEETING
CITY HALL
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, JANUARY 7, 2020
6:00 P.M.

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

MINUTES

City Staff

Matthew Morton, 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

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 6:00 PM

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

Virginia Smith, City Clerk, called the roll. All members are 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 on a 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.

Phyllis Robbin Scheffler-trying to resolve the permitting issue. Would like the permitting process changed.

Richard Atkinson-Matanzas Woods-will wait to present his comments at the right time.

Pat Staccio-Code Enforcement-how to enforce codes. Would like to see the realtors distribute the City's codes and restrictions.

Ceila Pugliese-agrees with previous speaker. Too much litter and the traffic is horrendous.

Steve Carr-Land use policy issue-who determines the neighborhood compatibility? Who decides if the impacts adversely affect the City residents?

Mr. Nielebeck-Happy New Year; Major development approved last year-did a great job. Keep it up.

Mr. Cruz-Noise barrier on I95. FDOT states it has to be 15 decibels higher than the limit. The noise is unbearable. Motorcycles and trucks.

Denise Sparano-thinks this City has so much potential; please be mindful of what we are doing.

Eric Josey-Lindsey Dr. representative for homes that back up to the Golf Course. Refrained from providing comments until the appropriate time.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL FOR
NOVEMBER 19, 2019 BUSINESS MEETING
DECEMBER 10, 2019 WORKSHOP
Pass

Motion made to approve by Council Member Branquinho and seconded by

Council Member Howell, II

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

F. PROCLAMATIONS/PRESENTATIONS

2. PRESENTATION OF THE FLAGLER PALM COAST VISUAL PROJECT AND AWARD RECIPIENTS & LIGHT

Mr. Don Kewley and representatives from FPC, presented a PowerPoint presentation, which is attached to these minutes. Mayor Holland presented awards to the participants of this program.

3. PROCLAMATION - MAYOR HOLLAND'S 90/90 FITNESS CHALLENGE

Vice Mayor Klufas presented this Proclamation. It was received by Mayor Holland and members of the Parks and Recreation Department.

4. PROCLAMATION - NATIONAL MENTORING MONTH

Council Member Branquinho presented this Proclamation. This proclamation was accepted by Lynnette Schott of Flagler County Schools.

5. PROCLAMATION - NATIONAL HUMAN TRAFFICKING AWARENESS DAY
Council Member Howell presented this Proclamation. This proclamation was accepted by members of the Freedom 7 Trafficking Task Force.

6. PRESENTATION 2020 CENSUS

Commissioner O'Brien presented a PowerPoint presentation regarding the importance to respond to the Census. The presentation is attached to these minutes.

7. PRESENTATION OF THE PINK ARMY 5K, ROUND ROBIN FOR THE CURE AND FOOD TRUCK TUESDAY PROCEEDS DONATION TO THE FLORIDA HOSPITAL BREAST CANCER CARE FUND

Representatives of Advent Hospital Breast Cancer Care Fund Foundation were presented a check from the Pink Army proceeds.

8. PRESENTATION CELL TOWER UPDATE

Mr. Don Kewley and representatives from Diamond Communications presented a PowerPoint presentation, which is attached to these minutes.

G. ORDINANCES FIRST READ

9. ORDINANCE 2020-XX AN AMENDMENT TO THE PALM COAST PARK MPD-DEVELOPMENT AGREEMENT TO ALLOW RESIDENTIAL HIGH DENSITY ON TRACTS 15, 17, AND 20; ALLOW RESIDENTIAL MEDIUM DENSITY ON TRACT 22, ALLOW COMMERCIAL ON TRACT 17, AND LIMIT INDUSTRIAL USES TO US-1

Mayor Holland requested the City Attorney provide an overview to what a quasi-judicial item is and the process that must be followed for quasi-judicial items. City Attorney provided the overview of the process for the citizens and Council.

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

Mr. Jose Papa and Mr. Ray Tyner presented a PowerPoint presentation, which is attached to these minutes for both this item and the next item. Mr. Chiumento was available to answer questions from Council for the developer.

Public Comment

Mr. Nielebeck-Personally thinks this is a good project for the future. We should get the 4 laning of Matanzas Woods Parkway done at the same time as the FDOT project.

Ceila Pugliese-Matanzas Parkway-heavy traffic today and this will add more. Will the City have a side road to alleviate the traffic? Matanzas Interchange is a dangerous intersection.

Ed Siarkowicz, President of the Historical Society for Flagler County. Spoke of past issue with water quality and Hewlett Branch. Mr. Chiumento responded to the comments.

Pass

Motion made to Approved on first reading 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

H. RESOLUTIONS

10. RESOLUTION 2020-XX AN AMENDMENT TO THE PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER TO AMEND THE USES IN BUSINESS/INSTITUTIONAL TRACTS, MEMORIALIZE AND AMEND CONDITIONS, AND PROCESS FOR ADDING LANDS AND CONVERSION OF ENTITLEMENTS

This item was presented with Item 9.

Public Comments:

There were none.

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

11. RESOLUTION 2020-XX APPROVING THE MASTER SITE PLAN FOR MATANZAS WEST MULTI-FAMILY, APPLICATION NO. 4128

City Attorney Reischmann reminded Council this is a quasi-judicial item and called for any ex-parte communications. Mayor Holland called for any ex-parte communications. There were none.

Mr. Ray Tyner and Mr. Bill Hoover presented a PowerPoint presentation, which is attached to these minutes. Mr. Sachs spoke of his experience in developing multiunit activity. Discussion among Council Members included Fire Department response time; the difference between affordable housing and Section 8 housing the total entitlements and the wetlands to be preserved.

Public Comments:

Celia Pugliese-Fire department concerns with multi-family units and additional fire stations that will be needed. Who funds the additional services?

Rick Lees expressed his concerns regarding jobs for the 500 plus residents; increase Police services; taxes to residents that are here already; whether the City is in harmony; nature and wildlife; he never received his mailing; and the public notice signs lying down on the ground.

John Brady-injury slipped on St. Joe's walkway but career goals prevent him from moving forward on it. Why if this was approved in 2004 is it back again? He hoped the City had recession protection for this type development in terms of bonds.

Mr. Tyner provided responses to the public comments relating to height limits, nature and wildlife, postings of public hearings; public process of public hearings, bonds are required.

Pass

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

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Eddie Branquinho

Denied - 1 - Council Member Jack Howell, II

12. RESOLUTION 2020-XX APPROVING AMENDING THE FISCAL YEAR 2019-2020 BUDGET RELATING TO GENERAL FUND REVENUES AND EXPENDITURES

Mr. Morton provided an overview to this item.

Public Comments:

There were none.

Pass

Motion made to approve by Council Member Branquinho and seconded by Council Member Cuff

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

13. RESOLUTION 2020-XX APPROVING A MASTER SERVICES AGREEMENT WITH STRICKLAND SOD FOR SOD MATERIALS AND SOD INSTALLATION

Mr. Morton presented an overview to this item. Council Member Branquinho recused himself from the item. Council Member Branquinho filled out the Recusal Form which is attached to these minutes. Mr. Cote reviewed the contract with Council.

No comments were received.

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

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

I. OTHER BUSINESS

14. APPOINT A MEMBER TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB)

City Clerk Virginia Smith explained Mr. Lenhertz had resigned from PLDRB and there is a need to fill his seat on the Board. She distributed Tally sheets.

Pass

Motion made to approve Motion to appoint Mr. Lemon to replace Mr. Lenhertz's seat by Vice Mayor Klufas and seconded by Council Member Cuff

Pass

Motion made to approve to appoint Susan Nicholson as the alternate to the Board, replacing Mr. Lemon's seat. by Council Member Howell, II and seconded by Vice Mayor Klufas

J. CONSENT

15. RESOLUTION 2020-XX APPROVING AN ELECTRIC VEHICLE CHARGING EQUIPMENT AGREEMENT WITH FLORIDA POWER & LIGHT

Council Member Howell did not want to pay for a free service for the few people that currently have an electric car. He was concerned about piggybacking on other government entities and whether the City was getting the lowest price by doing this practice. He was also concerned that because of the piggybacking process, the local vendors were not being considered. Mr. Morton reviewed the piggybacking process with Council. Staff will be looking at updating the procurement procedures and will be reporting back in the 2nd quarter.

Public Comments:

Mr. Nielebeck wanted to speak on Item 15 and suggested that the City put up solar palm trees when a development over a hundred or more units is built.

Council Member Howell asked to remove 15, 17, 21 and 23 from the Consent Agenda

Motion made to approve Motion by Council Member Cuff to approve Items 15, 17, 18 and 23. The motion died for lack of a second.

Motion made by Vice Mayor Klufas to Table Item 15.and seconded by Council Member Branquinho

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

16. RESOLUTION 2020-XX APPROVING THE CDBG CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR THE PROGRAM YEAR OF OCTOBER 1, 2018 TO SEPTEMBER 30, 2019
17. RESOLUTION 2020-XX APPROVING PIGGYBACKING THE OSCEOLA COUNTY CONTRACT WITH MILLER ELECTRIC FOR VIDEO SURVEILLANCE AND ACCESS CONTROL REPAIR & MAINTENANCE CITY WIDE USAGE
18. RESOLUTION 2020-XX APPROVING PIGGYBACKING THE LAKE COUNTY CONTRACT WITH MUNICIPAL EMERGENCY SERVICES FOR THE ANNUAL PURCHASE OF FIREFIGHTER BUNKER GEAR
19. RESOLUTION 2020-XX APPROVING A PRICE AGREEMENT WITH ARGOS READY MIX, LLC., FOR 4,000 PSI CONCRETE FOR CITYWIDE USE
20. RESOLUTION 2020-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE R SECTION PEP MAIN IMPROVEMENTS PROJECT PHASE 2
21. RESOLUTION 2020-XX APPROVING A CONTRACT WITH MILLER PIPELINE, LLC, FOR THE CONSTRUCTION OF THE 2020 SANITARY SEWER LINING PROJECT
22. RESOLUTION 2020-XX APPROVING A PURCHASE AGREEMENT WITH VEOLIA WATER TECHNOLOGIES, INC., FOR KRUGER HYDROTECH DISCFILTER CAPACITY UPGRADES
23. RESOLUTION 2020-XX APPROVING PIGGYBACKING THE WEST PALM BEACH CONTRACT WITH STEWART'S ELECTRIC MOTOR WORKS, INC. FOR THE PURCHASE AND REPAIR OF MOTORS AND PUMPS
24. RESOLUTION 2020-XX APPROVING A MASTER PRICE AGREEMENT WITH INTEGRITY MUNICIPAL SYSTEMS, LLC FOR THE PURCHASE OF THE LIME SLAKING SYSTEM
25. RESOLUTION 2020-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC. FOR THE EVALUATION AND REHABILITATION OF WELL SW-145
26. RESOLUTION 2020-XX APPROVING A CONTRACT WITH T.B. LANDMARK CONSTRUCTION, INC., FOR THE FORCE MAIN AND SEWER PUMP STATION IMPROVEMENTS AS PART OF THE PINE LAKES PARKWAY AND US 1 PROJECT.

Motion made to approve Motion to approve the consent agenda minus Items 17, 18 and 23. 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

Motion made to approve Motion to approve the consent agenda items 17, 18, and 23 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

K CELEBRATION

27. PROCLAMATION - HAPPY 20TH BIRTHDAY TO THE CITY OF PALM COAST

Council Member Cuff presented this Proclamation.

L. PUBLIC PARTICIPATION

Louis McCarthy - Happy New Year and a healthy one to one and all.

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

CM Cuff-20th birthday celebration-PC Historical Society will be doing a presentation at 11 am on Saturday at the Community Center.

CM Branquinho-20 years. Happy to be part of the milestone of 20 years. Happy New Year.

VM Klufas -Happy New Year.

CM Howell-Ethics in government. Invitation to go to Chamber Gala at end of January. Opposes that the City pay for Council dinners at the tax payers expense.

Mayor Holland-can we address the popping up of commercial property...discount stores? Attorney Reischmann provided an overview to the land use regulations process and dormant commerce clause.

Mayor Holland-fire impact fees. Status? Chief Forte provided an update. Wants staff to review law enforcement impact fees as well.

City of Palm Coast Created on 1/16/20

Mayor Holland-20 years-great, has gone by quickly and excited how beautiful and special our community is.

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

No report.

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

Apologized for the technical issues tonight.

Engaging our citizens. Monday, Cynthia Schweers has been appointed Director of Citizen Engagement.

Announce plans and prep for the FL Park Dr meeting-notices will be sent in January
PC Connect app-case response time is down to a day.
Ms. Schweers provided an overview of the QR code for Pep issues.

P. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Respectfully submitted by:

Virginia A. Smith, MMC
City Clerk