

CITY OF PALM COAST
COUNCIL BUSINESS MEETING
CMT/HYBRID MEETING
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, NOVEMBER 17, 2020
9:00 A.M.

Mayor Milissa Holland
Vice Mayor Nick Klufas
Council Member Eddie Branquinho
Council Member Robert G. Cuff
Council Member Jon Netts

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.

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.

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

Virginia Smith, City Clerk, 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 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.

Vince Ligori congratulated all the candidates elected and the incumbents. He spoke of absentee ownership and the nuisance of some of the overgrowth that occurs and infiltrates the neighbor's property. The cost of removal ends up on the neighbor and not the property owner. He hoped the City would look into revising the ordinance.

Public Participation was interrupted by residents not wearing masks and asked to be escorted from the room.

Robert MacDonald spoke of his disagreements with the Mayor and congratulated Mayor Holland on her 2nd term. He does not want anyone other than Mayor Holland running the City. Mr. MacDonald reported a citizen owes the City a lot of money. The issue is going through the Courts and the Sheriff's office is doing what they can. But the citizen is beating the system every day. He felt the citizen needs to be put in jail.

Darlene Maria Darcy, Flagler Liberty Coalition, discussed masking requirements. She felt the individual rights and liberties were being compromised by wearing masks.

Candice Stevens loves the City. Please consider no more building of apartments in Town Center. She is also a member of the Liberty Coalition. She asked Council to reconsider having the tree lighting in person and not just virtually. She felt it was the people's choice to attend or not.

Responses to Public Comments:

Mayor Holland responded to Mr. Ligori's comments and asked Council if they would like to review the nuisance ordinance. It was the consensus of Council to have Mr. Morton, staff and City Attorney look into it.

She thanked all those that came up to the podium for their comments and participation.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL FOR
OCTOBER 20, 2020 SPECIAL MEETING BUDGET HEARING
NOVEMBER 2, 2020 BUSINESS MEETING
NOVEMBER 10, 2020 SPECIAL MEETING FINAL BUDGET HEARING

Motion by Council Member Netts, seconded by Vice Mayor Klufas to approve the minutes as presented. The motion carried unanimously.

F. RECESS CITY COUNCIL AND CALL THE SR100 COMMUNITY DEVELOPMENT BOARD TO ORDER

Council recessed at and called the CRA Board to order at 9:19 am.

2. SR 100 CORRIDOR CRA RESOLUTION 2020-XX APPROVING SR 100 CORRIDOR CRA BUDGET AMENDMENT FOR FISCAL YEAR 2019-2020 RELATING TO THE APPROPRIATION OF AVAILABLE FUND BALANCE AND CONTINGENCY

Mr. Morton provided an overview to this item.

Comments: There were none.

Motion by Council Member Branquinho, seconded by Council Member Cuff to approve Resolution 2020-165. The motion carried unanimously.

3. SR 100 CORRIDOR CRA RESOLUTION 2020-XX APPROVING STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY INNOVATION KICK START PROGRAM EXTENSION

Mr. Morton provided an overview to this item.

Public Comments: There were none.

Motion by Council Member Cuff, seconded by Council Member Branquinho to approve Resolution 2020-157. The motion carried unanimously.

ADJOURN THE SR100 COMMUNITY DEVELOPMENT BOARD MEETING AND RECONVENE THE CITY COUNCIL MEETING

CRA Board adjourned and City Council reconvened at 9:22 am.

G. ORDINANCES

4. ORDINANCE 2020-XX WEST PINES MPD AMENDMENT – APPLICATION #4499

City Attorney Reischmann read the title into the record. He reminded all that this was a Quasi-judicial item and asked for any ex-parte communications.

There were none. However, Vice Mayor Klufas and Council Member Cuff declared conflicts and will be abstaining from voting on this item. Council Member Cuff filed his conflict form. The Clerk will provide Vice Mayor Klufas with the form to complete within 15 days.

Mr. Morton gave a brief summary of the item. Mr. Hoover provided Council with an overview to this item.

The Sanchez brothers, property owners, provided comments to Council. Council Member Netts asked what the largest complaint or questions at the neighborhood meeting. Mr. Hoover replied that the side setbacks.

Public Comment:

Jim Sennello president of West Pines HOA. We feel sorry for the Sanchez family but they are developers, builders and knew what they were purchasing, including the zoning.

Rob Boone submitted letter that is in the agenda packet. We are asking for fairness and consistent spacing.

Council Members Branquinho, Netts and Mayor Holland felt it should be brought back to PLDRB in order to better answer the questions of the residents in the area.

Motion made by Council Member Netts, seconded by Council Member Branquinho to table the item and send it back to PLDRB for consideration. The motion carried unanimously.

H. RESOLUTIONS

5. RESOLUTION 2020-XX APPROVING THE FINAL 2020 GENERAL ELECTION RESULTS
City Clerk Virginia Smith reported on the item.

Public Comments

No comments.

Motion by Council Member Branquinho, seconded by Council Member Cuff to approve Resolution 2020-156. The motion carried unanimously.

6. RESOLUTION 2020-XX APPROVING A FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) RELATING TO COVID-19 PANDEMIC EXPENSES

Mr. Morton provided an overview of the item.

Public Comments: There were no comments received.

Motion by Council Member Branquinho, seconded by Council Member Netts to approve Resolution 2020-167. The motion carried unanimously.

I. OTHER BUSINESS

7. APPOINT FOUR MEMBERS AND ONE ALTERNATE MEMBER TO THE CODE ENFORCEMENT BOARD

Council Member Netts recused himself from the item since he is an applicant for the board. Vice Mayor Klufas needed clarifications on the requirements of the board. City Clerk Virginia Smith passed out the tally sheets for each open seat.

The following residents have been selected to full seats with the Code Board: Jon Netts, Larry Pulos, Vince Sullivan and Dean Roberts. The alternate was Geraldine Wright as the alternate.

Motion by Vice Mayor Klufas, seconded by Council Member Branquinho to appoint the members as selected. The motion carried unanimous.

J. CONSENT

8. RESOLUTION 2020-XX APPROVING THE SR 100 CORRIDOR CRA BUDGET AMENDMENT FOR FISCAL YEAR 2019-2020 RELATING TO THE APPROPRIATION OF AVAILABLE FUND BALANCE AND CONTINGENCY
9. RESOLUTION 2020-XX APPROVING AN INTERLOCAL AGREEMENT WITH TOWN CENTER AT PALM COAST COMMUNITY DEVELOPMENT DISTRICT FOR LAW ENFORCEMENT SERVICES WITHIN TOWN CENTER
10. RESOLUTION 2020-XX APPROVING A ONE YEAR EXTENSION TO THE INNOVATION KICK START PROGRAM

11. RESOLUTION 2020-XX APPROVING PIGGYBACKING KISSIMMEE UTILITY AUTHORITY'S BOND COUNSEL RETAINER AGREEMENT WITH BRYANT, MILLER AND OLIVE, PA FOR BOND COUNSEL SERVICES
12. RESOLUTION 2020-XX APPROVING AN AGREEMENT WITH GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) FOR BUSINESS PROCESS IMPROVEMENT AND ENTERPRISE RESOURCE PLANNING (ERP) CONSULTING
13. RESOLUTION 2020-XX APPROVING PIGGYBACKING ORLANDO UTILITIES COMMISSION CONTRACT WITH EMPIRE PIPE & SUPPLY FOR THE PURCHASE OF WATER METERS
14. RESOLUTION 2020-XX APPROVING PIGGYBACKING THE CITY OF WINTER HAVEN CONTRACT WITH ENVIRONMENTAL OPERATING SOLUTIONS INC. FOR THE PURCHASE OF MICRO C
15. RESOLUTION 2020-XX AMENDING THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING

Motion by Council Member Cuff, seconded by Vice Mayor Klufas to approve the Consent Agenda. The motion carried unanimously.

K. ORGANIZATIONAL ITEMS

16. OATH OF OFFICE FOR NEWLY ELECTED MAYOR AND COUNCIL MEMBERS FOR DISTRICTS 1, 2, AND 3.

Council Members Cuff and Netts were asked to vacate their seats to allow for the new members. The new elected officials (Council Mayor Holland, Council Members Barbosa, Danko and Klufas) were sworn into office by the City Clerk.

17. SELECT VICE MAYOR FOR 2020-2021

Vice Mayor Klufas nominated Council Member Branquinho, seconded by Ed Danko for Council Member Branquinho to serve as Vice Mayor. The motion carried unanimously.

18. LIAISON APPOINTMENTS TO VARIOUS SERVICE ORGANIZATIONS FOR FISCAL YEAR 2020-2021.

Mayor Holland opened the discussion and would like to serve on the TPO.

Council Member Klufas to serve on the TDC and Stewart Marchman.

Council Member Branquinho to serve on the St. John's Water Management District

Council Member Barbosa to serve on the Juvenile Justice Board.

Council Member Danko to serve on the Family Life Center Board

The Clerk will come back with information from the SHIP Program and if the Chamber is meeting.

L. PUBLIC PARTICIPATION

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

There were none.

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

Council Member Danko would like to see the Tree Lighting event to be in person.

Motion by Council Member Danko, seconded by Council Member Barbosa to instruct staff to move the tree lighting to an in person event. Discussion was held on the motion.

Council Member Klufas did not see how social distancing could be achieved. Vice

Mayor Branquinho thought it was irresponsible and that the decision was made with safety in mind. Mayor Holland spoke of events that were ticketed and was well coordinated with the Health Department. She was not comfortable having an event without those measures in place. The residents will still be able to enjoy the tree and the lights around the lake. Council Member Danko asked if the event could be scheduled later. Mr. Morton reported that staff has been on the front line of the pandemic since March. He currently has staff in quarantine, isolation or in hospital due to COVID. It took over 100 staff members and volunteers to pull off the event last year. Mr. Morton was concerned that he did not have the resources to marshal through this in a quick fashion.

Based on staff requirements, Council Member Danko withdrew his motion.

Mayor Holland welcomed Council Member Danko aboard.

Council Member Klufas congratulated the two new Council Members.

Council Member Barbosa reported that during the pandemic, businesses are suffering. He hoped the City would allow for businesses hang flags so people know they are open and allow signs on their vehicles for local businesses. Mayor Holland-these would require code amendments.

Vice Mayor Branquinho congratulated Council Member Danko and Council Member Barbosa. Vice Mayor Branquinho requested an apology from Council Member Danko for referring to the City as being corrupt. Vice Mayor Branquinho felt he was included in that description. Attorney Reischmann reminded Council to conduct this meeting in accordance with Council's policy rules and procedures. Council Members Danko and Branquinho continued with their discussion.

Council Member Barbosa requested Council to work together and move on. Mayor Holland added a lot happens during elections season. I believe in the residents' right to choose who they will have represent them. I look forward to moving on and look forward to having a great collaboration up here. Congratulated and thanked the new Council Members and incumbent Klufas for being re-elected.

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

Attorney Reischmann welcomed and congratulated the new Council members and those re-elected members of Council.

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

19. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR OCTOBER 2020 PURCHASES

Mr. Morton welcomed and congratulated to all elected officials.

P. ADJOURNMENT

The meeting was adjourned at 10:44 a.m.

Respectfully submitted by:

Virginia A. Smith, MMC
City Clerk