

CITY OF PALM COAST
COUNCIL MEETING
CITY HALL
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, FEBRUARY 4, 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 p.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

Virginia Smith, City Clerk, called the roll. Council Member Branquinho was absent.

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.

Mary Leckey expressed her concerns regarding Matanzas Golf Course rezoning development.

Phyllis Robbin Scheffler reviewed her issues with permitting and the Department Head .

Perry Mitrano thanked Council for the Citizen's Academy opportunity. He felt it was a very good program and enjoyed it.

Celia Pugliese thanked Council for the neighborhood meeting for Florida Park Drive residents. Very well set up and attended. She suggested the big grasses along the edge of the road and distributed a handout.

Jack Carall asked for information at the last workshop regarding the research done on the citizens objecting to Dollar Stores. He felt that this Council, more than any other Council, in his memory, had so much absenteeism.

Dennis McDonald spoke about the organization ProtectPalmCoast. The comments he has received on the website regarding Palm Harbor Golf Course have to do with losing the driving range. He researched and the City may have a non-conforming use at the golf course. The parking is lacking at the golf course.

Steve Carr was concerned about the traffic in neighborhoods. He felt that as the City grows, the residents of Palm Coast need ordinances to protect residential neighborhoods. He suggested traffic calming methods to keep excess traffic out of neighborhoods.

John Brady asked for the status of the \$4 million that was set aside for the enhancement Whiteview Parkway.

Responses to Public Comments:

Attorney Reischmann provided an overview to the quasi-judicial process and reiterated that there is no application on file for the rezoning of the Matanzas Golf Course from the property owner.

Attorney Reischmann clarified, after the minutes were adopted, the City has received an application this week.

Mayor Holland requested the attorney provide an overview to the application process. Attorney Reischmann explained the land use application process.

The agenda moved to Item 2.

MINUTES

1. MINUTES OF THE CITY COUNCIL FOR
JANUARY 21, 2020 BUSINESS MEETING
JANUARY 28, 2020 WORKSHOP
Pass

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

The agenda moved back to Public Participation.

E. PROCLAMATIONS/PRESENTATIONS

2. PROCLAMATION - ORGAN DONOR AWARENESS MONTH

Mayor Holland presented this Proclamation. Hope Xiong and Shantell Richardson, Donate Life, presented a brief overview to National Donor Awareness Day on February 14 as well as the first annual donor fair. Ms. Richards shared a letter from the Mother of a donor to the recipient of her son's organ(s). Mr. Kearn spoke of being an organ recipient of a heart six years ago.

Mayor Holland spoke of her daughter being a recipient of a liver donation.

3. PROCLAMATION - RARE DISEASE DAY

Council Member Cuff read this Proclamation into the record.

4. PRESENTATION ON THE FIFTH ANNUAL HEALTH AND SAFETY
EMPLOYEE CALENDAR

Ms. Mini presented the awards to the children of employees' health and safety calendar.

F. ORDINANCES FIRST READ

5. ORDINANCE 2020-XX ESTABLISHING A PROCESS FOR THE ISSUANCE OF TRESPASS WARNINGS ON PUBLIC PROPERTY

City Attorney Reischmann read the title into the record.

Attorney Reischmann gave a brief summary of the item.

Public Comments: There were none.

Pass

Motion made to Approved on first reading by Council Member Howell, II and seconded by Council Member Cuff

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

6. ORDINANCE 2020-XX AMENDING THE CITY OF PALM COAST CODE OF ORDINANCES ESTABLISHING A NEW SECTION BY PROVIDING FOR THE REGULATION OF VAPOR-GENERATING ELECTRONIC DEVICES AND LIQUID NICOTINE

City Attorney Reischmann read the title into the record.

Mr. Morton gave a brief summary of the item.

Public Comments:

Celia Pugliese thanked Council Member Howell for bringing this issue forward.

Jack Carall needed clarification on what this Ordinance does and who enforces this ordinance?

Mr. Nielebeck who enforces this?

Responses to public comments:

Attorney Reischmann provide an overview to the above concerns of the residents.

Pass

Motion made to Approved on first reading by Council Member Howell, II and seconded by Council Member Cuff

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

G. RESOLUTIONS

7. RESOLUTION 2020-XX APPROVING A CONTRACT WITH HALIFAX PAVING, INC. FOR THE STREET RESURFACING PROGRAM

Mr. Cote provided an overview to this item.

Public Comments:

Celia Pugliese spoke of the work of Halifax Paving on Colbert Lane. Please check what they are doing and the work they say they do. Whoever did the repaving on Florida Park Drive when we had a problem, it was not done very well.

Jack Carall asked, where we are getting the money from to do all these streets. Do we have a program set aside and where does that money come from? He hoped the City would go back to the 1/2 cent sales tax.

Louis McCarthy asked to please consider scheduling different places to pave. Belle Terre has gotten worse from Pine Lakes to SR 100.

Mr. Nielebeck reported the City has filled the position recently for traffic engineer who should look at this and that. The last traffic study was done three or four years ago. Since then, the City has had an influx of people; the roads are deteriorating. It may be time for a new study.

Responses to Public Comments:

Mayor Holland requested Mr. Morton address the residents' concerns.

Pass

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

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

8. RESOLUTION 2020-XX APPROVING AGREEMENTS WITH FPL AND APPROVAL OF THE PROJECT COSTS ASSOCIATED FOR SIDEWALK RELOCATION, RESTORATION AND OTHER UNFORSEEN EXPENSES FOR THE STREETLIGHT PROGRAM

Mr. Cote presented an overview to this item.

Public Comments:

Jack Carall was irritated that his questions were not answered.

John Brady asked if this an open door for unforeseen expenses. He wanted to know the process.

Mr. Nielebeck how much does this item cost?

Council Member Howell asked where the funds were coming from. Mr. Morton referred to the information in the packet and responded, “the Street Improvement Fund”.

Pass

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

L. PUBLIC PARTICIPATION

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

George Mayo asked, when is the projected finishing date for Belle Terre Blvd construction? If the City redoes the Swales, re-sodding after repairs; who is responsible for the replacement of the driveway culvert. Mr. Mayo offered to volunteer to come in early and turn the AC down.

Mr. Nielebeck was surprised by questions being ignored and not being answered. What is the status of the Whiteview issue?

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

Vice Mayor Klufas encouraged all to attend our USTA at our tennis center. Come out and enjoy it. Phillip Roe, an FPC student, received a contract with UCF and won the Ultimate Fighter Contest.

Council Member Howell was glad to see all Council were present at the Chamber of Commerce installation. He did not think the city should be paying for the expenses for this event. Motion by Council Member Howell to rescind the policy allowing for expenses to be paid at such events. The motion died for a lack of a second.

Council Member Howell thinks the City may have jumped the gun on the small box retail store moratorium. He has had conversations and it appears that Palm Coast is not business friendly.

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

No report.

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

Nothing at this time.

ADJOURNMENT

Motion by Vice Mayor Klufas to adjourn the meeting at 7:14 p.m.

Respectfully submitted,
Virginia A. Smith, MMC, CPC
City Clerk