

CITY OF PALM COAST
COUNCIL MEETING
CITY HALL
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, MARCH 3, 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.

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

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. 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.

Lou Vitale- reported that citizens around Palm Harbor have hired Attorney Tanner to represent them. He spoke of Coastal Cloud and an ethics violation in another state.

Cameron Orr would like Intracoastal Waterway speed limits and permanent wake zone.

Ed Fuller spoke of swale enhancements. He gave thanks to Public Works employees who performed a great job on swale rehab.

Mayor Holland provided a statement on the recent media coverage on PC Connect and Coastal Cloud.

Mayor Holland asked 3 questions to Attorney Reischmann regarding the Coastal Cloud relationship and process.

When in the process, was the Innovation Partnership Agreement determined consistent with the City's Purchasing Policy and Chapter 112 of the Florida Statutes? And what is factually important about this relationship to achieve these legal conclusions?

Attorney Reischmann reported on a meeting with Mr. Landon before the first workshop meeting.

“ . . . If you look at the minutes of the workshop, it reflect that there will be a cost for the platform and it would not benefit Coast Cloud or yourself; that is the key under Florida law that deals with the ethical requirements of Public Officials.”

“Are the payments to Salesforce relevant?”

Absolutely, if there was a relationship between Coastal Cloud and salesforce and monies made their way back to Coastal Cloud directly or indirectly that would have defeated the purpose of the protections we were trying to create in this relationship. It is clear that there were no funds paid by the City of Palm Coast that made their way directly or indirectly to Coastal Cloud.”

Mayor Holland requested all Council Members provide their thoughts on this issue.

Council Member Howell had investigated this issue and did not find anything questionable. He thanked Coastal Cloud for what they have given to the City. His only question was if there was another provider other than Salesforce that the City can use?

Vice Mayor Klufas reported he had a problem with the City having no way to track data and to measure citizen engagement. With Palm Coast Connect, there is now a way to do it and make better decisions.

Council Member Branquinho felt the issue was political and in his judgment can see no wrong doing.

Council Member Cuff was proud he was part of the vote. He raised the concerns at the times of the meeting and he had satisfied his concerns before he voted for the agreement and before he voted on the budget.

E. MINUTES

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

Motion by Council Member Branquinho, seconded by Council Member Howell to approve the minutes. The motion carried unanimously.

F. PROCLAMATIONS/PRESENTATIONS

2. PROCLAMATION – Equal Pay

Mayor Holland presented the Equal Pay Day Proclamation to representatives of the American Association of Woman’s University-Flagler Chapter.

3. PRESENTATION - APPRECIATION FOR VOLUNTEERS WHO SERVED THE CITY OF PALM COAST DURING THE PALM COAST OPEN

Ms. Johnston presented the volunteer appreciation awards to those who assisted in the success of the Palm Coast Open.

4. PRESENTATION COASTAL CLOUD

Matthew Morton provided a brief overview to the relationship with Coastal Cloud.

Matthew Morton provided a brief overview to the relationship with Coastal Cloud.

Tim Hale from Coastal Cloud provided a presentation to Council (which is attached to these minutes) as a rebuttal to a recent Letter to the Editor published in the Palm Coast Observer.

Mr. Morton provided further information on this issue.

G. ORDINANCES FIRST READ

ORDINANCE 2020-XX ESTABLISHING A TEMPORARY MORATORIUM ON REVIEW AND CONSIDERATION OF APPLICATIONS FOR APPROVAL OF SMALL BOX DISCOUNT STORES

Attorney Reischmann read the title into the record.

Mr. Morton gave a brief summary of the item.

Jason DeLorenzo and Ray Tyner provided a PowerPoint presentation, which is attached to these minutes.

Public Comment

Jack Carall reported that there gas station on Pine Lakes Pkwy in a residential section. When the gas station was built, he was told the property owner has rights. He felt that these small box stores do a great service to the people of Palm Coast. Mr. Carall felt the City was dictating where the citizens would shop.

Toby Tobin opposes the moratorium and provided his reasons for the opposition to the moratorium.

Attorney Reischmann gave a brief summary of the item.

Motion by Vice Mayor Klufas, seconded by Council Member Howell to approve the Ordinance on first reading. The motion carried three to two with Council Members Cuff and Howell voting no.

5. 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.

H. RESOLUTIONS

6. RESOLUTION 2020-XX APPROVING PIGGYBACKING THE NATIONAL IPA CONTRACT WITH CATERPILLAR FOR THE PURCHASING OF HEAVY EQUIPMENT PARTS AND SERVICES FOR CITYWIDE FLEET

Mr. Morton provided a brief overview to this item. Mr. Mancil provided an overview to this item.

Council Member Howell wants assurance that piggybacks have been fully vetted and staff has done their due diligence for the bidding process. Mr. Mancil responded to Council Member Howell and reviewed the vetting process.

Public Comments:

Perry Mitrano supports "piggybacking" form of purchasing. Cote provided an overview to this item.

Motion by Council Member Howell, seconded by Mayor Holland to adopt the resolution. The motion carried unanimously.

7. RESOLUTION 2020-XX APPROVING PIGGYBACKING OF OMNIA PARTNERS CONTRACT WITH AUTOZONE PARTS, INC., FOR THE PURCHASING OF AUTO PARTS AND SUPPLIES FOR CITY'S FLEET

Mr. Morton provided a brief overview to this item and the company OMNIA. Mr. Mancil provided an overview to this item.

Public Comments:

No comments were received.

Motion by Council Member Howell, seconded by Council Member Branquinho to adopt the resolution. The motion carried unanimously.

I. OTHER BUSINESS

8. PRESENTATION OF CERTIFICATES TO THE GRADUATING STUDENTS OF THE CITY OF PALM COAST'S 48TH CLASS OF THE CITIZENS' ACADEMY CLASS

Mayor Holland and Ms. Kim Norman presented the certificates to the graduating citizens

J. PUBLIC PARTICIPATION

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

Louis McCarthy-property was regraded but they did a great job.

Gary Perkins-commends the City for citizen's academy and all they learned.

Jack Carall-felt the miscommunication of all the discussion regarding Coastal Cloud, falls on the media. The media is supposed to fact check. Don't blame anyone and don't ask people to come here to verify...the paper needs to do that.

Jill Woolbright resident since 1989 and has been through all the changes. Worked as a teacher here in Flagler for 29 years. Very excited about Coastal Cloud and the relationships they have with the School Board. The culture has changed. Kudos to the City.

Ed Fuller felt the headline regarding Coastal Cloud and an economic development issue. Bad press ruins a company. He hoped to sponsor a Coastal Cloud Day.

George Mayo felt the the City treats their citizens very well. Sorry this is happening to Coastal Cloud.

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

Council Member Cuff spoke of the frustration of being in the public eye. He felt it was a shame that so many of the comments regarding the Coastal Cloud issue were made anonymously and felt it would be better served to talk to the individual face to face or through an email and not on social media.

Council Member Branquinho speaking to Coastal Cloud, you showed fortitude. You are guilty of nothing but being kind. He apologized to Citizen's Academy for missing his night as he had an emergency.

Vice Mayor Klufas-thanked Coastal Cloud for coming tonight. He congratulated all graduates of the Citizens Academy. The event of the year-March 7 from 8 am to 10 am Pickleball with the Mayor and the Vice Mayor.

Council Member Howell-hello again to the graduates; he asked Sam to stand and introduced him as a student of Teens in Flight. He provided an overview to the class he is attending at Harvard.

Mayor Holland congratulated the graduates. She thanked staff for their patience through tonight's meeting. She hoped all would sign up for Palm Coast Connect.

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. Morton spoke of how kindness and those values are contagious. He is proud to be part of this community. Community makes it possible. Congratulations to the work being done in this community.

8. UPDATES ON THE COVID - 19 VIRUS

Fire Chief Forte and Captain Ascone with Jonathan Lord, the Flagler Emergency Manager presented updates to the COVID - 19 virus.

ADJOURNMENT

The meeting adjourned at 8:36 p.m.

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