

CITY OF PALM COAST
COUNCIL BUSINESS MEETING
HYBRID MEETING
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, MARCH 2, 2021
6:00 P.M.

Mayor Milissa Holland
Vice Mayor Eddie Branquinho
Council Member Victor Barbosa
Council Member Ed Danko
Council Member Nick Klufas

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 6:00 pm.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

City Clerk Virginia Smith called the roll. All members were present.

D. PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.
- (3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
 - (a) direct all comments to the Mayor;

- (b) make their comments concise and to the point;
 - (c) not speak more than once on the same subject;
 - (d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (e) obey the orders of the Mayor or the City Council; and
 - (f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Robert MacDonald spoke of his issues with Council Member Barbosa and his position regarding commercial vehicles. Mr. MacDonald doesn't agree with this changing the Code in the manner Mr. Barbosa would like. Mr. MacDonald reminded Council Member Barbosa that he was elected to serve all the residents.

Pat O'Brien agrees with previous speaker that we need to maintain our beauty in our community; keep the trucks out.

Jules Kwiatkowski of East Flagler Mosquito Control District spoke of abandoned babies. He thought all fire stations should have the ability to accept babies when the mother of the child cannot properly take care of the infant.

Mayor Holland thanked the speakers for their comments and provided an overview to the Strategic Action Plan process and Council's suggested changes to any item a Council Member wishes to change. She asked the public to stay informed and committed to participating. Mayor Holland thanked Mr. Kwiatkowski for his comments and requested Chief Forte get with him on the issue for babies.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL FOR FEBRUARY 16, 2021 BUSINESS MEETING

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

F. PRESENTATIONS AND PROCLAMATIONS

2. PRESENTATION – INDIAN TRAINS SPORTS COMPLEX UPGRADE

Ms. Johnston and two representatives of President Palm Coast Little League, along with Pete Schoembs presented Council on this item. Enhancements in Phase One included two softball fields and two t-ball fields, renovations for bathrooms and concession stands. Mr. Schoembs spoke to the safety concerns regarding fly balls hitting the children playing and the spectators. He would like the City to address the safety concerns.

Mayor Holland thanked the Palm Coast Little League for all their years of service and spoke of the number of children and families that have received the positive impact of this volunteer organization. Council all agreed that the safety concerns should be addressed.

3. PRESENTATION 2020 REGIONAL AWARD FOR EXCELLENCE IN RESILIENCE

Ms. King from NEFRC presented the Regional Award for Excellence in Resilience for the City's Floodplain and Stormwater Management Program to Denise Bevan and Jordan Myers. She informed Council that there are only three other communities in the State of Florida that have a rating like the City of Palm Coast.

G. ORDINANCES (Second Reading)

4. ORDINANCE 2021-XX SLOW WAY ROAD CLOSURE

City Attorney Reischmann read the title into the record.

Public Comment

Mark Owen opposes the closure and sighted safety concerns.

Shirley Anderson spoke on behalf of her mother. Her mother has had the same mailbox for a number years. If the road closes her mother will need to drive six miles to get to her mailbox. Her mother and father purchased an easement to get out of her property as it was landlocked.

Ms. Pennington also came to speak on behalf of her mother. Her mother uses a golf cart to get around the neighborhood and the closures would make it difficult for her to visit friends.

Latonya Tonkiton had an issue with closing the road. She suggested having a transponder for residents to open gate to be able to traverse through.

Mike Catalano spoke on behalf of his mother. He opposes the closure because it is the only way out from his mother's home is go to US 1 and the round about. He suggested a speed bump. He believes the issue was caused because of work being done to repair a pipe on Seminole Woods that took over three months to complete.

Theresa Budka lives on Sloganeer Trail and her household was not notified of the neighborhood meetings and she did not receive an email. She opposes closure and questions the notification system.

Daniel Sieman explained that he was the resident that called in the complaint on the pipe to save lives. The road closure last year from the pipe repair is what is causing this issue. Let's make it right and fix their yards and have a different solution to closing the road..

Agnes Lao opposes closure of the road and does not feel safe driving on the City roads or US 1. She feels the detour for the road closure caused the issues. She asked Council to reconsider.

Lav lives on Sloganeer; opposes closing the road. He felt there is a whole community back there that you will punishing many for the actions of a few. He asked Council to reconsider.

Ms. Holley reported on too many cars cutting through beginning early in morning and late into the night. The road is a danger to the people that live there.

Beatrice Stone is in favor of closing the road. There is always trash, traffic, beer cans and litter. The only way out is on US 1 at the round-about. There are high speed drivers and large vehicles. She suggested notifying the map companies that this is not an appropriate route..

Michael Stone spoke of the White Eagle fire and what they needed to do to evacuate. He indicated Slow Way was their evacuation route. He suggested traffic control efforts.

George Mayo asked if anyone in the City discussed this with the postal service. It is a bigger deal than what you think.

Brian Butka lives on Sloganeer Trail. He opposes the closing of the road. During the Seminole Woods road closure, traffic was heavy. He asked City Council to hear the voices of the residents in the area.

Mayor Holland requested Mr. DeLorenzo respond to the citizens concerns. Mr. DeLorenzo provided responses to the citizen's issues.

Mr. DeLorenzo reviewed the history of the item and the complaint pre-dates the Seminole Woods closure. He spoke of the neighborhood meetings explained the City's Traffic Engineer did go to observe the traffic patterns after the meeting. The traffic engineer spoke to the Sheriff's Department and the Fire Departments and if it would caused delayed service times.

Vice Mayor Branquinho told the citizens that he is here to listen to your concerns. He just heard 16 concerns for closing the road.

Vice Mayor Branquinho concerned for the 86 year old that has to drive to her mail box now. He asked for more information; not comfortable voting on this item.

Motion by Council Member Branquinho, seconded by Council Member Klufas to table item for further staff discussion. Council Member Klufas would like updated traffic information.

Council Member Barbosa felt that the road was a safety concern.

Council Member Danko also visited the site and saw a lot of traffic. He asked if in the event of a hurricane or fire, can the City make it standard operating procedure to open that gate? Chief Forte stated yes, the gate will be open for emergency services. Mr. DeLorenzo assured Council Member Danko that bikes will be able to be walked through the gate.

Mayor Holland spoke of her history on the City Council but also her tenure on the Flagler County Board of County Commissioners and during that tenure on either board, the issue of Slow Way had not come before her. She would like to hear more information from the Traffic Engineer. She asked staff to notify residents by mail in the future.

Motion by Vice Mayor Branquinho, seconded by Council Member

The motion carried unanimously.

H. ORDINANCES (First Reading)

5. ORDINANCE 2021-XX COLBERT LANDINGS NORTH PARCEL REZONING - APPLICATION # 4610

City Attorney Reischmann read the title into the record. Reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communications. There were none. Items 5 and 6 were presented together.

Council held a brief discussion on the item. Mayor Holland requested the School be informed and able to participate in the planning process for these new developments. The School Board's Planner is on the Planning Board and is part of the process from the beginning to the end of the project.

Mr. Matt Lahti from Gulfstream Design Group on behalf of the applicant presented to Council on this development.

Public Comment

There were none.

Motion by Council Member Branquinho, seconded by Council Member Klufas to adopt the Ordinance on first reading. The motion carried unanimously.

6. **ORDINANCE 2021-XX COLBERT LANDINGS SOUTH PARCEL REZONING - APPLICATION # 4610**

Attorney Reischmann read the title into the record. Reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communications. There were none. Items 5 and 6 were presented together.

Public Comment

There were none.

Motion by Council Member Klufas, seconded by Vice Mayor Branquinho to approve the ordinance on first reading. The motion carried unanimously.

RECESS CITY COUNCIL AND CALL THE SR 100 CRA BOARD TO ORDER

7. **SR 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY RESOLUTION 2021-XX APPROVING THE TERMS AND CONDITIONS OF A LOAN AGREEMENT AND PROMISSORY NOTE WITH JACKSONVILLE UNIVERSITY**

Mayor Holland recessed City Council meeting at 7:27 p.m.

Chair Holland called the CRA Board to order at 7:27 p.m.

Board Member Danko made it clear that he was opposed to the financial arrangement with Jacksonville University.

Public comments:

There was no public comments.

Motion by Board Member Branquinho, seconded by Board Member Klufas, to adopt Resolution 2021-20. The motion carried four to one with Board Member Danko voting no.

Motion by Board Member Branquinho to adjourned CRA meeting at 7:28 p.m.

Mayor Holland reconvened the City Council Meeting at 7:28 p.m.

ADJOURN THE SR 100 CRA BOARD AND RECONVENE CITY COUNCIL

I. RESOLUTIONS

8. RESOLUTION 2021-21 APPROVING THE JACKSONVILLE UNIVERSITY AND THE CITY OF PALM COAST ECONOMIC DEVELOPMENT GRANT AGREEMENT

Mayor Holland reconvened the Council Meeting to order at 7:28 p.m.

Mayor Holland read the title of the resolution in to the record.

Motion by Council Member Klufas, seconded by Vice Mayor Branquinho, to adopt Resolution 2021-21. The motion carried four to one with Council Member Danko voting no.

Public Comment

No comments were received.

9. RESOLUTION 2021-22 AUTHORIZING THE EXECUTION OF THE STATE REVOLVING FUND LOAN AGREEMENT FOR THE CONSTRUCTION OF THE E SECTION IMPROVEMENT PROJECT

Mayor Holland read the title into the record. She asked for comments from Council. There were none.

Public Comments:

There were no comments.

Motion by Council Member Klufas, seconded by Vice Mayor Barbosa to adopt Resolution 2021- 22. The motion carried unanimously.

Public Comments:

There were no comments.

10. RESOLUTION 2021-29 APPROVING THE SUBMISSION OF A FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM APPLICATION FOR THE CONSTRUCTION OF PHASE A, PART 2 ITEMS ASSOCIATED WITH ADDING WATER ACCESS AT WATERFRONT PARK

Mayor Holland read the title into the record. She asked for comments from Council. There were none.

Public Comments:

There were no comments.

Motion by Council Member Klufas, seconded by Vice Mayor Barbosa to adopt Resolution 2021- The motion carried unanimously.

11. RESOLUTION 2021-27 APPROVING ADDITION TO THE EXISTING WORK ORDER WITH MCKIM & CREED, FOR ENGINEERING SERVICES ASSISTANCE FOR SIX OF THE FEMA GENERATOR PROJECTS

Mayor Holland read the title into the record. She asked for comments from Council. There were none.

Public Comments:

There were no comments.

Motion by Council Member Klufas, seconded by Vice Mayor Branquinho to adopt Resolution 2021-27. The motion carried unanimously.

J. CONSENT AGENDA

12. RESOLUTION 2021-XX APPROVING THE PURCHASE OF MATERIALS, EQUIPMENT, CONSULTING SERVICES AND RELATED EXPENSES FOR CITY NETWORK EQUIPMENT UPGRADES
13. RESOLUTION 2021-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC. FOR E-SECTION DRAINAGE IMPROVEMENT PROJECT
14. RESOLUTION 2021-XX APPROVING A CONTRACT WITH APM CONSTRUCTION CORPORATION, FOR CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT #1 ADMINISTRATION BUILDING PROJECT
15. RESOLUTION 2021-XX APPROVING A WORK ORDER WITH MCKIM & CREED, TO PROVIDE AN IRRIGATION STUDY FOR THE PALM HARBOR GOLF COURSE IRRIGATION SYSTEM
16. RESOLUTION 2021-XX APPROVING A WORK ORDER WITH CPH, INC., TO PROVIDE ENGINEERING DESIGN SERVICES FOR THE P-1 WEIR CONTROL STRUCTURE REPLACEMENT PROJECT
17. RESOLUTION 2020-XX APPROVING A CONTRACT WITH ELITE MARINE CONSTRUCTION, FOR THE REPAIR/REPLACEMENT OF A SEAWALL LOCATED ALONG THE CITY ROW OF 51 FARADAY LAND AND 1 FANWOOD COURT
18. RESOLUTION 2021-XX APPROVING MASTER PRICE AGREEMENTS WITH ENVIRONMENTAL LAND SERVICES INC., OF BUNNELL, FL AND 4C'S TRUCKING AND EXCAVATION, INC., FOR ROAD MATERIALS (ROAD BASE, STONE, SHELL AND ROCK

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

PUBLIC PARTICIPATION

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

There were no public comments.

J DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Branquinho lost a good friend who was involved in the community and church and sends condolences to the husband and the family.

Council Member Barbosa wanted to assure the public that he speaks to all residents but as a small business owner, other business owners approach him.

Council Member Danko suggested that the Mayor and Vice Mayor go out and visit the Slow Way area.

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

Nothing at this time.

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

Mr. Morton was absent due to a family emergency.

M. ADJOURNMENT

The meeting was adjourned at 7:35 PM

Respectfully submitted by: Virginia A. Smith, MMC

City Clerk