

CITY OF PALM COAST
COUNCIL BUSINESS MEETING
HYBRID MEETING
160 LAKE AVENUE
PALM COAST, FL 32164
TUESDAY, APRIL 20, 2021
9:00 A.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 9:00 AM

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.

Vince Ligouri discussed a recent meeting he attended with Mr. Morton, Virginia Smith, Barbara Grossman, and Bill Reischmann on the topic of tree aerial intrusion and cost for removal. Mr. Ligour shared statements from City Attorney Bill Reischmann that it is within City purview to expand the ordinance for tree and limb removals.

Debra Signs asked Council to consider a bike path on Cimarron Drive due to difficult walking conditions alongside the road.

Anonymous speaker discussed issues walking along Cimarron Drive including deteriorating and slanting road, uneven grass, and high traffic. The speaker requested that something be done to improve walking safety in the area of Cimarron Drive.

Jim Petochnik discussed a need for a pedestrian path along Cimarron Drive. Mr. Petochnik explained that years ago he used to be able to walk and bike along Cimarron Drive with no problem. However, with the housing boom and an increase in traffic, it has become dangerous to walk along Cimarron Drive.

James Moore shared concerns for sidewalk conditions on Rymfire Drive including standing water and mildew. Additionally, Mr. Moore shared concern for using tax dollars to fund pickleball courts, and informed Council of issues for hearing impaired in the Council Chambers.

Robert Skove opposed spending for a tennis and pickleball facility and included a petition signed by 70 residents. Mr. Skove asked Council why there is not more information or input from residents, and why the suggested improvements from Parks & Recreation were not prioritized.

Patricia Block, resident of Cimmaron Drive, urged Council to consider a bike path at Cimmaron Drive to improve safety for residents.

Henry Monsegur opposed using tax dollars for the tennis and pickleball courts and also requested street lighting in neighborhoods, especially near Boulder Rock Drive.

Responses to Public Comments:

Mayor Holland asked Council for consensus to add the proposed amendment to the Public Nuisance Ordinance to a future agenda. Council concurred. In regards to the issues raised at Cimarron Drive, Mayor Holland shared that a staff engineer has been asked to review the issue and bring solutions to council.

Mayor Holland asked City Manager Matt Morton to have staff review sidewalk concerns on Rymfire Drive.

Mayor Holland responded to comments related to the proposed tennis and pickleball facilities to explain that funding for amenities will be presented at future meetings.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL FOR
APRIL 6, 2021 BUSINESS MEETING
APRIL 13, 2021 WORKSHOP MEETING
Motion by Vice Mayor Branquinho, seconded by Council Member Klufas to accept the minutes as presented. The motion carried unanimously.

F. PROCLAMATIONS

2. PROCLAMATION – CRIME VICTIM’S RIGHTS WEEK APRIL 18, 2021-APRIL 24, 2021
Council Member Klufas presented this Proclamation to representatives of the Family Life Center-Flagler.
3. PROCLAMATION - SEXUAL ASSAULT AWARENESS MONTH
Vice Mayor Branquinho presented this Proclamation to representative of the Family Life Center-Flagler.
4. PROCLAMATION - MAY AS CIVILITY MONTH
City Attorney Bill Reischmann presented this Proclamation.
5. PROCLAMATION - ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK
City Clerk Virginia Smith presented this Proclamation and thanked the Clerk's of Palm Coast for their service and dedication to the City of Palm Coast.

G. ORDINANCES (Second Reading)

6. ORDINANCE 2021-XX SLOW WAY ROAD CLOSURE
City Attorney Reischmann read the title into the record.
Mr. Morton gave a brief summary of the item.
Mr. Michael Grunewald presented to Council on the closure of Slow Way.

Vice Mayor Branquinho discussed a recent visit to Slow Way and shared concerns of insufficient room for large vehicles to turn around at the closure, requiring them to reverse back on to US-1 or causing increased traffic on the neighboring roads. Vice Mayor Branquinho opposed closure of Slow Way.

Council Member Klufas discussed having previously seen commercial vehicles on Slow Way, but agreed with Vice Mayor Branquinho that there is potential for issues with insufficient room for vehicles to turn around if Slow Way were closed.

Mayor Holland requested staff's reasoning behind closure of Slow Way rather than other potential options.

Mr. Morton explained that staff stayed consistent with the initial option presented to Council, which was closure of Slow Way, but explained that a thorough alternatives analysis has not been completed.

Council Member Barbosa suggested a no through traffic sign.

Council Member Danko shared traffic concerns and is in favor of closure.

Jason Delorenzo, Chief Development Office, discussed that if Council were in favor of the closure of Slow Way, that City Staff would coordinate with the County and gps mapping to reflect the closure.

Mayor Holland stated that she is in favor of discussion with County partners and requested that staff come to Council with a full review.

Council Member Barbosa motioned to table the item, seconded by Vice Mayor Branquinho.

Council Member Danko requested a time limit for this to come back to Council.

Mr. Morton responded that staff will speak with County partners and deliver additional options to Council and explained that it is not possible to set a timeframe at this time.

Mayor Holland requested this be a priority and requested official input from Flagler Sheriff's Office and the other county entities.

Motion by Council Member Barbosa, seconded by Vice Mayor Branquinho, to table the item. The motion carried unanimously.

ORDINANCES (First Reading)

7. ORDINANCE 2021-XX A FUTURE LAND USE MAP AMENDMENT FOR 3.8+/- ACRES FOR PROPERTY KNOWN AS AIRPORT COMMONS FROM FLAGLER COUNTY DESIGNATION OF COMMERCIAL: HIGH INTENSITY TO CITY DESIGNATION OF MIXED USE

City Attorney Reischmann read the title into the record.

Mr. Morton gave a brief summary of the item.

Jose Papa presented item 7 and 8 together.

Public Comment

There were no public comments.

Motion by Vice Mayor Branquinho, seconded by Council Member Danko to adopt the ordinance. The motion carried unanimously.

8. ORDINANCE 2021-XX ZONING MAP AMENDMENT FROM FLAGLER COUNTY DESIGNATION OF COMMERCIAL-2 TO CITY DESIGNATION OF GENERAL COMMERCIAL (COM-2)

City Attorney Reischmann read the title into the record.

Mr. Morton gave a brief summary of the item.

This item was presented with Item 7.

Public Comments:

There were no comments.

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

RESOLUTIONS

9. RESOLUTION 2021-54 APPROVING POINTE GRAND APARTMENTS MASTER SITE PLAN, APPLICATION # 4633

City Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communication.

Council Member Danko received several emails and in person discussions were held on this item.

Mr. Bill Hoover presented to Council on this item.

Applicant representative H Walker provided a transportation analysis to council to include the study area, existing conditions, segment analysis, project traffic, traffic projections, turn lane evaluation, operational analysis, alternative mode analysis, and crash data review.

Public Comments:

Steve Carr stated that the traffic analysis does not consider the impact to quality of life to residents in the area to include noise.

Motion by Council Member Klufas to approve the resolution.

City Attorney Bill Reischmann provided Council with an overview of the law for this item.

Mayor Holland spoke of property rights.

Vice Mayor Branquinho reiterated that his concern is high density housing.

Council Member Danko clarified and seconded the motion.

Council Member Klufas represented his motion to approve resolution 2021-54, seconded by Council Member Danko. This motion passed 3-2.

CONSENT AGENDA

There were no public comments.

10. RESOLUTION 2021-55 APPROVING CONTINUING SERVICES AGREEMENTS FOR GRANT ADMINISTRATION SERVICES
11. RESOLUTION 2021-56 APPROVING A FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP) AGREEMENT FOR THE CONSTRUCTION OF THE LEHIGH TRAILHEAD PROJECT
12. RESOLUTION 2021-57 APPROVING PIGGYBACKING THE STATE TERM CONTRACT NO. 92121500-20-1 FOR SECURITY GUARD SERVICES WITH GIDDENS SECURITY CORPORATION AND COST FOR SERVICES IN THE AMOUNT OF \$26,500 FOR THE REMAINDER OF FY 2021
13. RESOLUTION 2021-58 APPROVING AN INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY CLERK OF COURTS FOR FIBERNET INTERNET AND TRANSPORT SERVICES
14. RESOLUTION 2021-59 APPROVING THE THRID AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE FLAGLER COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES
15. RESOLUTION 2021-60 APPROVING PIGGYBACKING THE FLORIDA SHERIFFS ASSOCIATION CONTRACT WITH THOMPSON PUMP & MANUFACTURING CO., INC., FOR THE PURCHASE OF A THOMPSON PUMP
16. RESOLUTION 2021-61 PIGGYBACKING THE OMNIA PARTNERS CONTRACT WITH BSN SPORTS, LLC, FOR CITYWIDE ATHLETIC SUPPLIES
17. RESOLUTION 2021-62 APPROVING MASTER SERVICES AGREEMENTS WITH 4C'S TRUCKING AND EXCAVATION, INC. AND G.E.M. STONE CONTRACTORS, INC. FOR WATER SERVICE INSTALLATION SERVICES
18. RESOLUTION 2021-63 APPROVING MASTER PRICE AGREEMENTS WITH FLAGLER POWER EQUIPMENT AND L&B HOMES DBA ST. JOHNS SALES AND SERVICE FOR MOWER PARTS AND HANDHELD OUTDOOR EQUIPMENT

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

PUBLIC PARTICIPATION

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

Steve Carr shared with Council that his mailbox on Florida Park Drive has been struck by traffic for the third time. Mr. Carr shared concerns for long term health impacts from traffic fumes and dust for residents in the Florida Park Drive area. Additionally, Mr. Carr requested to know why neighbor's trees and plants had to be moved back 5 feet.

K DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Branquinho requested Council approval to attend the first two June meetings via Zoom while away for humanitarian efforts. Council concurred. Additionally, Vice Mayor Branquinho discussed a recent visit to Holland Park and complimented the amenities. Vice Mayor Branquinho conversed with resident on this visit and received comments on the importance of amenities in our City.

Council Member Klufas agreed with Vice Mayor Branquinho and suggested keeping a focus on amenities and focus on the people who do utilize these amenities.

Council Member Barbosa discussed spending 5 hours on Florida Park Drive witnessed aggressive driving and traffic concerns on Florida Park Drive.

Council Member Danko provided Council with a handout regarding litter. Council Member Danko spoke of prior meetings with Mr. Morton, City Attorney Bill Reischmann, and Flagler County Sheriff Rick Staly. Council Member Danko requested consensus to move forward with a proposed ordinance regarding littering.

Mayor Holland requested additional details regarding Sheriff approval and utilization of sheriff's office staff for enforcement. Mayor Holland requested a presentation from City Staff of efforts already in place and suggested promoting the current efforts in place.

Mr. Morton provided details regarding current City efforts and staff responsible for litter cleanup, to include 1 full time staff member and mowing crews that remove litter.

Mayor Holland requested an update on the school bus stops being added to an Ordinance, as previously discussed. Attorney Reischmann provide an update.

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

Nothing at this time.

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

Nothing at this time.

19. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR MARCH 2021

N. ADJOURNMENT

The meeting was adjourned at 11:14 a.m.

Respectfully submitted by: Virginia A. Smith, MMC
City Clerk