



**City of Palm Coast
Minutes
COUNCIL MEETING
AMENDED AGENDA**

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

**Mayor David Alfin
Vice Mayor Eddie Branquinho
Council Member Victor Barbosa
Council Member Ed Danko
Council Member Nick Klufas**

Tuesday, September 21, 2021

9:00 AM

COMMUNITY WING

City Staff

Denise Bevan, Interim 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 at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- All pagers and cell phones are to remain OFF while City Council is in session.

A. CALL TO ORDER

Mayor Alfin called the meeting to order at 9:00 am. All members were present.

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.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

Courtney MacDonald thanked Council and staff for all they do for this City.

Mike Cocchiola thanked Council as well for all they do and to please keep our City as safe and beautiful as it is.

Robert MacDonald spoke about overgrown trees on Belle Terre heading south just before the schools. Mr. MacDonald spoke of an employee who said they would go visit and determine if these trees need to be cut. They still have not been cut. Additionally, Mr. MacDonald asked Council what is going on with Royal Palms between Belle Terre and Rickenbacker and suggested illuminating the intersection turning lane that is blocked. Mr. MacDonald spoke about public comments from a prior meeting on the subject of Graffiti on bridges.

Resident Corey spoke of pedestrian access on Cimmaron Drive.

Gwen Christiansen shared about continued pedestrian safety issues on Cimmaron Drive and spoke about steps in the process for improvements.

George Mayo reiterated comments from the first two speakers to compliment Council and staff and asked Council to not make any future cuts to the Public Works department. Mr. Mayo spoke of trucks and trailers utilizing Belle Terre Parkway as a cut through to US1 and shared concern. Mr. Mayo also discussed the rules regarding signage in the area of Marina Del Palma.

Steve Carr shared about traffic concerns on Florida Park Drive and asked Council to look for a plan.

Edith Campins asked Council to give careful consideration to the items on today's agenda.

Anna Maria Long asked Council to end elitist mentality in regards to the vehicle signage Ordinance being considered. Ms. Long also shared about the opportunity for continued growth from the changes.

Doyle Lewis spoke about commercial vehicles to share that there are designated commercial and residential areas for a reason and was not in favor of the proposed change.

Tony Ezzell spoke of swale and yard issues. Mr. Ezell asked Council for assistance with resolving the issues.

Response to Public Comments:

Mayor Alfin responded to Public Comment to provide for his policy of responding to comments and will defer to the Interim City Manager to provide a detailed comprehensive response.

Council Member Danko added details to Mr. Ezzell's comments and requested the City Manager speak with Mr. Ezell.

Council held discussion on procedure for public comments on items in the agenda.

Attorney Reischmann provided an overview to public comment procedures.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
MINUTES OF THE SEPTEMBER 7, 2021 SPECIAL BUDGET WORKSHOP
MINUTES OF THE SEPTEMBER 7, 2021 SPECIAL BUSINESS MEETING
MINUTES OF THE SEPTEMBER 9, 2021 SPECIAL BUDGET HEARING
MINUTES OF THE SEPTEMBER 14, 2021 WORKSHOP**

Pass

Motion made to approve by Vice Mayor Branquinho and seconded by Council Member Klufas

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

F. PROCLAMATIONS

- 2. PRESENTATION - GOOD SAMARITAN RECOGNITIONS**

Vice Mayor Branquinho presented the certificates of appreciation to the Good Samaritans.

- 3. PRESENTATION EMPLOYEE RECOGNITION**

Ms. Renina Fuller presented the employee recognition accolades and a video.

Mayor Alfin thanked staff for all they do.

4. PROCLAMATION - RAISE THE PINK FLAG WITH THE PINK ARMY MONTH

Mayor Alfin presented this Proclamation to representatives of Advent Health Pink Army.

Wally D'Aquino, CEO thanked Council for their willingness to always partner with us on the Pink Army campaign.

Tony Papandrea, Chairman of Advent Health Palm Coast Foundation, provided further information about breast cancer awareness and thanked all corporations in Palm Coast for partnering with Advent Health.

G. ORDINANCES FIRST READ

5. ORDINANCE 2021-XX AMENDING THE UNIFIED LAND DEVELOPMENT CODE CHAPTER 10.02 FLOODPLAIN MANAGEMENT

City Attorney Reischmann read the title into the record. Ms. Jordan Myers, Environmental Planner presented to Council on this Ordinance.

*Public Comment
There were none.*

Pass

Motion made to Approved on first reading by Council Member Barbosa and seconded by Council Member Klufas

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

6. ORDINANCE 2021-XX REPEALING AND REPLACING CHAPTER 2, ARTICLE 1, DIVISION 3 OF THE CITY OF PALM COAST CODE OF ORDINANCES

City Attorney Reischmann read the title into the record.

Mr. Casey Luedke, Procurement Coordinator, presented to Council on the proposed changes to the Procurement Ordinance.

Council Member Danko shared support for the proposed change for part of the proposed change, but opposed the change of \$30,000 to \$50,000 for Council approval.

Council Member Barbosa believed the thresholds should remain as they are.

Council Member Klufas shared support for the proposed changes and they allow for better efficiency.

Vice Mayor Branquinho supported the proposed changes.

Mayor Alfin shared thoughts and support for the proposed changes. The key buzz words are efficiency and time savings – Mayor Alfin shared that he supports finding ways to save budget monies.

Public Comment:

There were none.

Pass

Motion made to Approved on first reading by Vice Mayor Branquinho and seconded by Council Member Klufas

Approved - 3 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Nick Klufas

Denied - 2 - Council Member Victor Barbosa, Council Member Ed Danko

- 7. ORDINANCE 2021-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 70.2+/- ACRES OF PROPERTY FROM MIXED USE TO RESIDENTIAL WITH A SITE SPECIFIC POLICY TO LIMIT DEVELOPMENT TO 227 RESIDENTIAL DWELLING UNITS (SEMINOLE TRAILS)**

City Attorney Reischmann read the title into the record.

Mr. Jose Papa, Senior Planner presented to Council on this item.

Applicant, Walker Douglas, of Douglas Properties, provided Council with a brief overview to the reduction in potential impacts.

Public Comment

There were none.

Pass

Motion made to Approved on first reading by Council Member Barbosa and seconded by Council Member Danko

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

- 8. ORDINANCE 2021-XX AMENDING THE ZONING MAP DESIGNATION FOR A 70.2+/- ACRE PARCEL FROM MASTER PLANNED DEVELOPMENT (MPD) TO SINGLE-FAMILY RESIDENTIAL-1 (SEMINOLE TRAILS)**

City Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council this is a quasi-judicial item and called for any ex-parte communications. There were none. Mr. Jose Papa presented to Council under item 7.

Public Comment
There were none.

H. ORDINANCES SECOND READ

9. **ORDINANCE 2021-20 SECRET GARDENS, APPLICATION NO. 4816 TO REZONE 52.4 +/- ACRES FROM THE GENERAL OFFICE (OFC-2) ZONING DISTRICT TO THE HIGH INTENSITY COMMERCIAL (COM-3), PRESERVATION (PRS) AND PUBLIC/SEMI-PUBLIC (PSP) ZONING DISTRICTS**

City Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council this is a quasi-judicial item and called for any ex-parte communications. There were none.

Mr. Tyner provided Council with a brief update for second read.

Public Comment
There were none.

Pass

Motion made to Adopted on second reading by Council Member Barbosa and seconded by Council Member Klufas

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

10. **ORDINANCE 2021-21 SEMINOLE POINTE, APPLICATION NO. 4820 TO REZONE 71.74 +/- ACRES FROM THE MASTER PLANNED DEVELOPMENT (MPD) AND GENERAL COMMERCIAL (COM-2) ZONING DISTRICTS TO THE MULTI-FAMILY RESIDENTIAL-2 (MFR-2) AND HIGH INTENSITY COMMERCIAL (COM-3) ZON**

City Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council this is a quasi-judicial item and called for any ex-parte communications. There were none.

Vice Mayor Branquinho declared conflict.

Public Comment
There were none.

Pass

Motion made to Adopted on second reading by Council Member Klufas and seconded by Council Member Barbosa

Approved - 3 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas

Denied - 1 - Council Member Victor Barbosa

I. RESOLUTIONS

11. RESOLUTION 2021-29 APPROVING THE TERMINATION OF THE SEMINOLE POINTE MASTER PLANNED DEVELOPMENT AGREEMENT (MPD)

City Attorney Reischmann read the title into the record.

Vice Mayor Branquinho declared a conflict of interest.

Ray Tyner, Deputy Chief Officer provided Council with an overview to this item.

Public Comment

There were none.

Pass

Motion made to approve by Council Member Klufas and seconded by Council Member Barbosa

Approved - 4 - Mayor David Alfin, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

J. OTHER BUSINESS

12. COUNCIL DECISION AND DIRECTION TO STAFF ON WHETHER TO AMEND THE COMMERCIAL VEHICLE ORDINANCE IN CHAPTER 44, ARTICLE II

Council Member Barbosa clarified the action to be taken by Council regarding a code change.

Council Member Danko shared about receiving a bunch of emails and clarified that the change relates to vehicles that are currently allowed in residential areas. The change would allow the same allowed vehicles to not have to use magnets and tarps to cover commercial names.

Council Member Klufas spoke about having received emails as well, but the majority were opposed to this measure.

Public Comments:

Mike Cocchia opposed the change.

Stephen Swarner supported the change.

Pam Richardson opposed the change.

Jeffrey Seib opposed the change.

Dorothy Sperber opposed the change.

Garrett Decker supported the change.

Mary Vasilevsky supported Council Member Klufas' approach to a study for gauging the resident support or opposition.

George Mayo opposed the change.

Doyle Lewis opposed the change.

Mayor Alfin provided a statement regarding the issue and was in favor of maintaining the code as is.

Mayor Alfin passed the gavel to Vice Mayor Branquinho to make a motion. Motion made by Mayor Alfin, seconded by Council Member Klufas to leave the code as is.

Council held lengthy discussion on the motion.

Mayor Alfin asked for a roll call vote.

Attorney Reischmann provided an overview to the discussion held and read from the code to further describe commercial vehicle.

After the vote the gavel was passed back to the Mayor.

13. APPOINT A MEMBER TO FLAGLER COUNTY HOUSING TASK FORCE/AFFORDABLE HOUSING ADVISORY COMMITTEE

Motion to appoint Ms. Vasilevsky.

14. APPOINT ONE MEMBER TO THE DISTRICTING COMMISSION

Virginia Smith, City Clerk, provided a background of the item. Motion to appoint Mr. Mitrano to the Districting Commission. Mayor Alfin called for a roll call vote. Motion passes 4-0 with Vice Mayor Branquinho voting no.

K. CONSENT

There were no public comments.

15. RESOLUTION 2021-130 ADOPTING GUIDELINES FOR NAMING OF PUBLIC FACILITIES

16. RESOLUTION 2021-131 APPROVING PIGGYBACKING THE CITY OF ST. AUGUSTINE WITH ENGINEERED SPRAY SOLUTIONS, INC., FOR GRAVITY SEWER MANHOLE SEALING AND COATING ON AN AS NEEDED BASIS

17. RESOLUTION 2021-132 APPROVING A MASTER SERVICES AGREEMENT WITH HARN R/O SYSTEMS, INC. FOR NANOFILTRATION MEMBRANE REPLACEMENT PROJECT

18. RESOLUTION 2021-133 APPROVING A MASTER PRICE AGREEMENT WITH FERGUSON WATERWORKS TO PURCHASE VARIOUS UTILITY SUPPLIES

Pass

Motion made to Adopt on consent by Council Member Klufas and seconded by Council Member Danko

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas

L. PUBLIC PARTICIPATION

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

George Mayo shared about an article he read on the topic of traffic concerns and the resolution to pain 3D speedbumps to slow traffic.

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

Nothing at this time.

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

Council Member Danko liked the idea of the painted speed bumps which then become real speedbumps. Additionally, Council Member Danko asked for clarification on realtor signs to ask if Council can create an Ordinance allowing for a timeframe that realtors can put up signs.

City Attorney Reischmann responded that it is possible, but the City would not be able to regulate the content on the signs. The time, place, and manner of a sign can be regulated but not the content.

Council Member Danko also asked the City Manager if masking is required at the Community Center while providing details of event messaging.

Council Member Barbosa asked Code Enforcement staff why a property owner received a violation for a tenant that parked his vehicle elsewhere.

Mayor Alfin shared a request from local media regarding local businesses. Mayor Alfin requested all to be kind to service workers. Additionally, Mayor Alfin shared about Food Truck Tuesday and offered congratulations to Representative Paul Renner who has been elected to speaker elect to the Florida Legislature.

Council Member Klufas congratulated staff on a successful Arbor Day. Additionally, Council Member Klufas reminded Council that decorum matters.

Vice Mayor Branquinho congratulated Paul Renner and the Samaritans recognized in the meeting.

Council held additional discussion.

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

Ms. Bevan shared about emergency and sole source purchases, 4 tropical disturbances, and also the closure of Royal Palms Parkway.

Carmelo Morales provided the overview to the Royal Palms Parkway closure.

Attorney Reischmann presented to Council regarding his duties and parliamentary law.

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

P. ADJOURNMENT

The meeting was adjourned at 11:58 am

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