



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

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

**Mayor David Alfin
Vice Mayor Eddie Branquinho
Council Member Ed Danko
Council Member John Fanelli III
Council Member Nick Klufas**

Tuesday, November 15, 2022

9:00 AM

COMMUNITY WING

City Staff

**Denise Bevan, City Manager
Neysa Borkert, 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 and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting 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 at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while meeting is in session.
- Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A. CALL TO ORDER

Mayor Alfin called the meeting to order at 9:00 a.m.

B. PLEDGE OF ALLEGIANCE TO THE FLAG

C. ROLL CALL

Kaley Cook, Deputy 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. 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.

Mayor Alfin provided the rules and procedures of public comment.

Jim Petochick shared about the upcoming boat parade and encouraged residents to join the parade if they have a boat. Mr. Petochick thanked Council Member Fanelli for meeting with the Cimmaron safety group and shared traffic numbers in the area.

Robert MacDonald shared complementary comments regarding Council Member Fanelli and thanked him and Vice Mayor Branquinho for their time as Council Members.

George Mayo thanked Council Member Fanelli and Vice Mayor Branquinho and shared congratulations to the incoming board members. Mr. Mayo also shared about an art event in town center and its success. Additionally, Mr. Mayo provided suggestions for bathroom signage in town center.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL: NOVEMBER 1, 2022 BUSINESS MEETING

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

F. PRESENTATIONS AND PROCLAMATIONS

2. PRESENTATION OF AWARD FOR THE 2022 FMIT PARTNERSHIP

Evan Mclellan, FMIT Representative, presented the City with an award for risk and safety management.

City Manager Bevan shared compliments to City staff.

Vice Mayor Branquinho shared about conditions years ago and the improvements.

Ms. Fuller shared about safety throughout the City.

Mayor Alfin shared about becoming a model for other cities.

3. PROCLAMATION - PALM COAST HOLIDAY BOAT PARADE DAY

Mayor Alfin presented the Proclamation to members of the Palm Coast Yacht Club.

Mayor Alfin shared additional comments about the parade and hopes that residents will attend.

Sarah Yulis, Chair of the Palm Coast Holiday Boat Parade, shared additional comments. Ms. Yulis thanked Mayor Alfin, City Council, and various City Staff for their assistance with the event.

4. PROCLAMATION - NOVEMBER AS BE LOCAL, BUY LOCAL MONTH

Council Member Fanelli presented the Proclamation to local business owners.

Mayor Alfin asked Council Member Klufas to share about small businesses .

Council Member Klufas shared about the digital world we live in today and the ability to start businesses.

Council then moved to item H7.

G. ORDINANCES SECOND READ

- 5. ORDINANCE 2022-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 30+/- ACRES OF PROPERTY FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE & TIMBERLANDS AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF MIXED USE AND CONSERVATION - US 1 AND WHITEVIEW**

O20220022

City Attorney Borkert read the title into the record.

Jose Papa, Senior Planner, was available for any questions and reminded Council of the location and Planning Board recommendation.

Vice Mayor Branquinho shared the he hopes this will help to balance Palm Coast.

There were no public comments.

Mayor Alfin called for a roll call vote. The motion passed 5-0.

- 6. ORDINANCE 2022-XX AMENDING THE ZONING MAP DESIGNATION FOR A 30+/- ACRE PARCEL FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE TO CITY OF PALM COAST DESIGNATION OF HIGH INTENSITY COMMERCIAL (COM-3) AND PRESERVATION (PRS) - US 1 AND WHITEVIEW**

O20220023

City Attorney Borkert read the title into the record. Ms. Borkert called for any ex-parte communication. There were none.

Mr. Papa shared information on the topic.

Public Comment:

George Mayo spoke about a recent County Commission meeting and discussed parking density in the new Planet Fitness area. Mr. Mayo asked what high density commercial means, and suggested considering additional parking spaces.

Mayor Alfin asked if there is an initiative to underline code and zoning requirements between the City and the County. Would the comp lpan review be an appropriate time to raise these questions?

Mr. Papa responded yes, that is a great time to converse with surrounding Counties. Part of the comp plan requires interlocal collaboration.

Mayor Alfin called for a roll call vote. The motion passed 5-0.

H. ORDINANCES FIRST READ

7. ORDINANCE 2022-XX HARBORSIDE MASTER PLANNED DEVELOPMENT

This item was heard after item F4.

City Attorney Borkert read the title into the record.

Ms. Borkert shared about a request to move the forward to continued to a date certain.

Mayor Alfin opened for public comment.

Irene Balladin, owner of Palm Coast Reserve Condos, shared that owners are really concerned about safety. Ms. Balladin asked Council to think about the problem of increased traffic.

Steve Carr shared concerns of increased traffic on Palm Harbor and the overflow to traffic on Florida Park Drive.

Motion made to Table by Council Member Danko and seconded by Vice Mayor Branquinho

**Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli
III**

I. RESOLUTIONS

8. RESOLUTION 2022-XX PROVIDING AUTHORIZATION TO INITIATE LEGAL PROCEEDINGS FOR THE HOLLAND PARK SPLASH PAD

R20220150

City Attorney Borkert read the title into the record.

Attorney Borkert provided background of the item. Mr. Arnold presented information to Council on the topic.

Council held discussion on including lost value, loss of revenue, loss of use, timeline, legal fee costs, punitive damages, and cost reimbursement.

Mr. Arnold provided details.

Mayor Alfin asked that City Manager Bevan provide an update to Council at the earliest possible date for opening the park despite the proceedings.

Public Comment:

Michael Arnold asked if this would be eligible for citizens to piggyback to become a class action lawsuit?

Attorney Borkert provided details.

Mayor Alfin called for a roll call vote. The motion passed 5-0.

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

9. RESOLUTION 2022-XX APPROVING A BUDGET AMENDMENT FOR FISCAL YEAR 2021/2022 RELATING TO THE DISASTER RESERVE FUND

R20220148

Attorney Borkert read the title into the record.

Helena Alves, Finance Director, provided details to Council.

Public Comment:

Robert MacDonald asked why the City doesn't prepare for hurricanes.

Ms. Alves and Mayor Alfin provided details regarding budgeting and reserves.

Mr. MacDonald asked additional budget questions.

Ms. Alves provided answers to the financial questions.

Mayor Alfin called for a roll call vote. The motion passed 5-0.

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

10. RESOLUTION 2022-XX APPROVING A COST-SHARE AGREEMENT WITH ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE LONDON WATERWAY EXPANSION PROJECT

R20220149

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

Attorney Borkert read the title into the record.

Carl Cote, Director of Stormwater & Engineering provided details to Council.

Council Member Fanelli thanked staff for going for the grant

*Public Comment:
There were none.*

J. CONSENT

Public Comment:

Robert MacDonald spoke about an item on the consent agenda and its importance.

Mayor Alfin shared comments about how the item came to Council and that Council recognizes the importance of the item.

Pass

Motion made to to be adopted on consent by Vice Mayor Branquinho and seconded by Council Member Klufas

Approved - 5 - Mayor David Alfin, Vice Mayor Eddie Branquinho, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

11. RESOLUTION 2022-XX APPROVING PIGGYBACKING THE LAKE COUNTY CONTRACT WITH TEN-8 FIRE & SAFETY, LLC FOR TWENTY (20) NEW BUNKER GEAR JACKETS AND TWENTY (20) NEW BUNKER GEAR PANTS FOR FIRE OPERATIONS

R20220151

12. RESOLUTION 2022-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR THE REHAB AND PUMP REPLACEMENT FOR WELL SW-38 AND REPLACEMENT OF WELL SW-7

R20220152

K. PUBLIC PARTICIPATION

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

Ed Fuller thanked the City for a recent Veterans event- It was well done and dignified. Mr. Fuller thanked Vice Mayor Branquinho and Council Member Fanelli for their service. Mr. Fuller also thanked Patrick Juliano for the send off of a member who lost his life.

Robert MacDonald spoke about a City vehicle and its driving. Mr. MacDonald spoke with staff and thanked staff for doing the right job. Additionally, Mr. MacDonald provided well wishes for Vice Mayor Branquinho.

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

Council Member Fanelli shared about the boat parade.

Vice Mayor Branquinho thanked his colleagues, incoming candidates, and City of Palm Coast Directors. Vice Mayor Branquinho also thanked Fire Chief Berryhill and Flagler County Sheriff Rick Staly, and spoke about the accomplishments staff has made during his time. Vice Mayor Branquinho also wished residents happy holidays.

Council Member Klufas thanked Council Member Fanelli and Vice Mayor Branquinho for their time as Council members.

Mayor Alfin asked Ms. Bevan to speak about staff effort during the Tropical Storm Nicole.

Ms. Bevan shared comments and asked Chief Berryhill to provide updates.

Chief Berryhill provided updates to Council.

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

There were none.

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

Ms. Bevan provided the emergency and sole source purchases.

Ms. Bevan thanked Council Member Fanelli and Vice Mayor Branquino for their service as Council Members.

**13. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR
OCTOBER 2022**

O. ADJOURNMENT

The meeting was adjourned at 10:46 a.m.

Respectfully submitted by: Kaley Cook, Deputy City Clerk