



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

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, May 3, 2022

6:00 PM

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 6:00 p.m.

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.

Wayne Friday, 27 Rainstone- unruly people disturbing the peace in his neighborhood with motorcycles. Trash all over. Wants to be part of a solution. The unruly people are making a game out of intimidating them and coming around while the residents sleep. R section safety concerns.

Paula Lewis, C section-limiting the amount of vacation rentals in our community. Rental limitations?

Bruce Stone, Cimmaron Drive-garbage issues - missing pick-ups on Cimmaron Drive. Spoke with Waste Pro and is looking to see if the City will do anything about this. Cimmaron Drive safety issues - cars driving fast. Also bothered by the Republican Party-why do we allow people with backgrounds to run for office.

Mike Cellura-C section Airbnbs. Running a business in a residential area. These produce noise and we need to address it.

Patrick Hennigan, R section-motorcycles, dirt bikes and speeding in the R section is out of hand. Kids are playing and all it will take is for the child to go out and get run over. I do not see law enforcement during the day. This is going on for three weeks. These people are going crazy on these back streets. More money on law enforcement and street patrol.

John Erpelding-where do you get the gall for the increase? Where do I sign the recall petitions? Animals in food sections of grocery stores and restaurants. Codes against animals. Can code enforcement enforce violations against federal and state laws. Building in this City and water requirements. Where is the water coming from?

Jim Evans-vending fees at festival. Why an entrance fee and then more fees once you get in?

Steve Carr-traffic issues on Florida Park Drive and violation of our ordinances.

Jim Moore-I see code enforcement going up and down the road six and eight times a day. There is a house at 36 Rickenbacker-no weather head; electric is on ground and someone lives in the house. Houses being built and swale issues. Water conservation and current building issues.

Ron Pulley-on social media, is there a problem with putting more cell towers in the City? The data side is horrible. How about a tower at the golf course?

Al Krier-Safety on Cimmaron. Submitted the last of the petition program.

Jeff Nay-many residents are upset and disgusted. We have all unanimously voted all of you out.

VM Branquinho offered to meet with the residents from the R section that made comments.

CM Klufas provided a response for cell towers.

CM Danko-requested the City Manager look into the safety issues with the house at 36 Rickenbacker.

CM Fanelli thanked the resident for bringing the safety issues in the R section forward.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
APRIL 19, 2022 BUSINESS MEETING
APRIL 26, 2022 SPECIAL BUDGET WORKSHOP**

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

F. PROCLAMATIONS AND PRESENTATIONS

- 2. PROCLAMATION - NATIONAL PRESERVATION MONTH**

VM Branquinho presented this Proclamation.

- 3. PROCLAMATION - NATIONAL TRAVEL AND TOURISM WEEK MAY 1, 2022 THROUGH MAY 7, 2022**

CM Klufas presented this Proclamation.

4. PROCLAMATION - PUBLIC SERVICE RECOGNITION WEEK MAY 1, 2022 THROUGH MAY 7, 2022

Mayor Alfin presented this Proclamation.

5. PROCLAMATION - PROFESSIONAL MUNICIPAL CLERKS WEEK MAY 1, 2022 THROUGH MAY 7, 2022

Mayor Alfin presented this Proclamation.

6. PROCLAMATION - ARBOR DAY MAY 7, 2022

VM Branquinho presented this Proclamation.

7. PROCLAMATION - MONARCH BUTTERFLY DAY MAY 7, 2022

CM Fanelli presented this Proclamation.

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

Mayor Alfin presented the certificates to the graduates.

G. RESOLUTIONS

9. RESOLUTION 2022-XX APPROVING A CONCESSION LEASE AGREEMENT WITH THE GREEN LION CAFÉ, LLC FOR FOOD AND BEVERAGE CONCESSIONS AT PALM HARBOR GOLF COURSE

City Attorney read the title of the Resolution into the record. Mr. DeLorenzo and Ms. Downing Manfre presented to City Council on this item.

Council held a lengthy discussion on the analysis and the proposed lease.

John Ferguson, Attorney Representative-agrees with the Mayor's analysis regarding the contract that it must be good on both sides. Spoke of the options proposed on both sides.

Chris Marlow-you don't want to lose money, you want to break even. Proposed 50% of water and they pay the propane. The rent increased so in three years you are making a profit.

Further in the meeting, the proposal to pay half the water bill was clarified by the City Attorney with Mr. Marlow.

Public Comments:

Robert MacDonald-told the Green Lion they are crazy, they do not own the golf course or the building; why does the tenant pay for the water meter to be installed. Mind boggling that the City is losing money on something we own that we rent out.

Chantelle Preninger-why is the City charging so little rent and paying utilities? Who pays the water bills? Residents? Let them pay their own rent and utilities.

Walt Hooker-Green Lion is a great place to have a meal. Rent should be based off of the Fair Market Analysis. Suggested using a percentage value instead of actual dollars.

Gary Kunis-water meters-two mini meters is all you need.

After public comments Council held another discussion on the proposed lease.

Mayor Alfin looked for consensus to be neutral in that it does not cost the City any additional expenses (net zero).

Attorney Borkert clarified the terms moving forward.

Mayor Alfin looked for a nod from tenants Counsel. Attorney Ferguson agreed on behalf of his client to get to net zero.

Attorney Borkert provided options for City Council.

Motion by CM Danko to give staff 30 or 45 days to bring back the goal to City Council, which was seconded by CM Klufas.

VM Branquinho provided further discussion on the motion in opposition to the motion.

Motion passed 4-1, with Vice Mayor Branquinho dissenting.

10. RESOLUTION 2022-XX APPROVING THE CITY COUNCIL STRATEGIC ACTION PLAN

R20220062

City Attorney read the title of the Resolution into the record. Ms. Johnston presented to City Council on this item.

Public Comments:

Mark Lewis-glad to see the salt water canals are on the plan.

Greg Blose-Chamber always supports the Strategic Action Plan. Great job working together.

Chantelle Preninger-wanted to know what the Strategic Action Plan is. Ms. Johnston briefly described the Strategic Action Plan.

Pass

Motion made to approve as amended 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

11. RESOLUTION 2022-XX APPROVING A CONTRACT WITH CUSTOM BUILT MARINE CONSTRUCTION, INC., FOR THE BELLE TERRE PATHWAY/BRIDGE REHABILITATION PROJECT

R20220061

City Attorney read the title of the Resolution into the record. Mr. Cote and Mr. Morales presented to City Council on this item.

Public Comments:

Robert MacDonald-the wooden bridge that is right before Belle Terre Elementary? That bridge was closed for a couple of months.

Pass

Motion made to approve by Council Member Danko 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

H. CONSENT

12. RESOLUTION 2022-XX APPROVING PIGGYBACKING THE CITY OF BOYNTON BEACH, FL WITH FORTILINE WATERWORKS TO PURCHASE BRASS FITTINGS AND ACCESSORIES

R20220059

Pass

Motion made to to be adopted on consent 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

13. RESOLUTION 2022-XX APPROVING A CONTRACT WITH NU-PIPE FOR THE BELLE TERRE TRENCHLESS PIPE REHABILITATION PROJECT

R20220060

Pass

Motion made to to be adopted on consent 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

14. RESOLUTION 2022-XX APPROVING AN EXTENSION OF THE MASTER SERVICES AGREEMENT WITH AMERICAN JANITORIAL INCORPORATED THROUGH SEPTEMBER 30, 2022 FOR CUSTODIAL & CLEANING SERVICES

R20220058

Pass

Motion made to to be adopted on consent 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

I. PUBLIC PARTICIPATION

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

Robert MacDonald-Green Lion owners have left. Loss at the Green Lion, are we still going to lose \$3K per month? Please explain how we can use public funds for something we own and rent out?

Eileen Clay-there may be mold upstairs? Could not go on a tour of City Hall upstairs.

Ms. Bevan replied the carpets were recently cleaned and there was residue from that in the air. Mr. Mancill also provided an overview regarding the AC cycles.

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

VM Branquinho-gave accolades to Ms. Kershaw on her quality of work at the City events. Also a resident in his neighborhood picks up trash in his neighborhood. This gentleman needs kudos. He would not give me his name. Another resident stated on a blog there was sunshine violations occurring over salary raises.

Council thanked the Citizen's Academy graduates for staying the course.

CM Fanelli added Happy Mother's Day and if you see an educator, it is also Teacher Appreciation week.

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

M. ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

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

15. WORKSHEET