



**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, August 16, 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

City Clerk Virginia Smith called the roll. All members were present. However due to VM Branquinho appearing via zoom, the Vice Mayor may participate but may not vote on the items presented to City Council for action.

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.

Bruce Stone-has spoken for seven years and still sees tremendous problems throughout Palm Coast; nothing is changing. I provided print outs to Council today. The handouts are attached to these minutes. Ormond Beach is installing speed humps on Granada. We need help. There is a 20 mph yellow warning sign on his street. The County informed him the City can change the sign.

Joe Runac-cell phone tower at Clubhouse Drive. This cell tower as proposed is wrong. The area proposed is a residential area. This is a permanent structure that everyone in the area will have to look at. This tower requires a special exemption and will change the nature of the entire neighborhood. His residence at 7 Courtney Ct. will be most affected. Invitation is still open for all to come look at the view from his property. The American Cancer Society says you should not live within a quarter of a mile of a tower, his residence is 300 ft.

Celia Pugliese-our neighbor Joe is very much affected. The appearance of this tower will undermine property values in this area. Who will pay for the depreciation? We will be affected by this. Health issues will be shown over time. Consider a different location for this tower. We elect you to represent us.

Rich Goellner-recently had family in town. They commented on the outstanding cleanliness of the City. Also, regarding Council meetings, he likes the idea of, if you come to the meetings with a challenge or a problem, try to offer a solution.

Steve Carr-as the City grows, the traffic grows, as do the issues with traffic. Please keep looking into the traffic problems to help residential neighborhoods. The Sheriff's office is doing a good job, but they cannot be everywhere. We need traffic calming devices in every neighborhood where there is a problem.

Dennis McDonald-Cell tower on Clubhouse. Recently there was a public hearing/neighborhood meeting with the cell tower company. They said that the

City, the Council, is telling them the only place they can put the tower is on City property. There is more to come on this. The neighborhood has organized to push back on this attempt to put in a tenant and rent out our City property. The City will benefit from this, but the property owners will have their values diminished. Diamond also said that the reason for needing this tower was solely for AT&T.

Samantha Mendez, Central Place-safety on Cimmaron Dr. She has been asking for assistance/solutions for 2 years. Feels that Council is waiting for something tragic to happen before taking their concerns seriously. Two years later we are no closer to having a safer street for the school bus stop, and the children who walk and bike along Cimmaron. It is a dangerous area. Please make Cimmaron Drive a top priority on your list.

Al Krier, Safety on Cimmaron-provided a handout on pedestrian fatalities, which is attached to these minutes. Cited statistics on pedestrian casualties in Volusia and Flagler Counties. Wants Council to get started improving safety on our streets.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
AUGUST 2, 2022 BUSINESS MEETING
AUGUST 9, 2022 WORKSHOP MEETING**

Pass

Motion made to approve by Council Member Fanelli III and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

F. PRESENTATIONS

- 2. PRESENTATION - 2022 SUMMER INTERN RECAP**

Ms. Bevan provided Council with a thorough recap of the 2022 Summer Intern Program. Brittany Kershaw presented a video about the program.

Mayor and City Council provided kudos to the youth as being our future leaders and to the City staff for managing the program so well.

G. ORDINANCES SECOND READ

- 3. ORDINANCE 2022-XX RYAN'S LANDING REZONING - APPLICATION # 5037
O20220016**

City Attorney Borkert read the title into the record. Ms. Borkert reminded Council this is a quasi-judicial item and called for any ex-parte communication. CM

Danko, CM Fanelli, CM Klufas, VM Branquinho, and Mayor Alfin all received an email.

Ms. Jordan Myers and Mr. Ray Tyner presented to Council on this item. Ms. Myers highlighted that the School Board agreed to move the bus stop location but were not sure where it would be moved.

Jay Livingston, representative for the applicant, presented to Council.

*Public Comment
There were none.*

Pass
Motion made to approve by Council Member Fanelli III and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

H. ORDINANCES FIRST READ

4. ORDINANCE 2022-XX ESTABLISHING THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION # 5110

City Attorney Borkert read the title into the record.

Ms. Jordan Myers and Mr. Ray Tyner presented on this item.

*Public Comment
Jeff Baker, 109 Spoonbill Drive-read a prepared statement. Will the HOA or the Board of the CDD be responsible for the maintenance of what is listed as the CDD's responsibility?*

Robert Myer, 117 S. Coppers Hawk Way-confident that CDD's are favorable since it reduces costs to the City. However, this particular CDD is coming in where there are already over 400 existing homes. He is not against the CDD but is concerned about the conditions it creates for the existing community. Please consider the number of homes that are already there. No more amenities are being added. We only have a pool with 11 parking spots. Would like more amenities.

Mr. Tyner provided an overview to the allowances of the CDD per State Statutes.

Applicant, Jeff Douglas on behalf of the property owners. This is a procedural establishment.

Pass
Motion made to be approved on first reading by Council Member Klufas and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

I. RESOLUTIONS

5. RESOLUTION 2022-XX APPROVING THE INTERCONNECTION AND BULK WATER AND WASTEWATER TREATMENT UTILITY AGREEMENT WITH FLORIDA GOVERNMENTAL UTILITY AUTHORITY

R20220102

Pass

Motion made to approve by Council Member Fanelli III and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

City Attorney Borkert read the title into the record. The City Attorney reminded Council this is the draft of this Agreement. This item is requesting for the City Manager to finalize and execute.

Mr. Steve Flanagan presented to Council on this item.

Public Comment

There were none.

6. RESOLUTION 2022-XX APPROVING THE 2022-2026 CONSOLIDATED ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

R20220106

Pass

Motion made to approve by Council Member Danko and seconded by Council Member Fanelli III

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

City Attorney Borkert read the title into the record.

Mr. Jose Papa presented an overview of this item to Council.

Public Comment

There were none.

7. RESOLUTION 2022-XX APPROVING THE FINAL NUISANCE ABATEMENT ASSESSMENT

R20220105

City Attorney Borkert read the title into the record.

*Public Comment
There were none.*

Pass

Motion made to approve by Council Member Fanelli III and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

- 8. RESOLUTION 2022-XX APPROVING THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR**

R20220104

Pass

Motion made to approve by Council Member Fanelli III and seconded by Council Member Danko

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

City Attorney Borkert read the title into the record.

*Public Comment
There were none.*

J. CONSENT

There were no public comments.

- 9. RESOLUTION 2022-XX APPROVING AN AMENDMENT TO THE INVESTMENT POLICY**

R20220103

Pass

Motion made to to be adopted on consent by Council Member Fanelli III and seconded by Council Member Klufas

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

10. RESOLUTION 2022-XX APPROVING THE CONTRACT FOR PURCHASE AND SALE WITH JTL GRAND LANDINGS DEVELOPMENT LLC

R20220101

Pass

Motion made to to be adopted on consent by Council Member Fanelli III and seconded by Council Member Klufas

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

11. RESOLUTION 2022-XX APPROVING THE SEMINOLE TRAILS LAND EXCHANGE AGREEMENT

R20220107

Pass

Motion made to to be adopted on consent by Council Member Fanelli III and seconded by Council Member Klufas

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

12. RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH CARMEUSE LIME & STONE FOR HIGH CALCIUM BULK QUICKLIME

R20220099

Pass

Motion made to to be adopted on consent by Council Member Fanelli III and seconded by Council Member Klufas

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

13. RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH MERRELL BROTHERS, INC. FOR WASTEWATER RESIDUALS MANAGEMENT SERVICES

R20220100

Pass

Motion made to to be adopted on consent by Council Member Fanelli III and seconded by Council Member Klufas

Approved - 4 - Mayor David Alfin, Council Member Ed Danko, Council Member Nick Klufas, Council Member John Fanelli III

K. PUBLIC PARTICIPATION

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

There were no public comments.

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

Mayor Alfin-starting to use a quote which was inspired by the interns - Look what we can accomplish when we can all work together.

Thanked Ms. Lauren Johnston and staff for presenting our grant request to the TDC and announced that they were successful in obtaining \$740K to go towards finishing the Southern Recreation Facility.

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

Last night the Board of County Commissioners extended the ILA to November 9, 2022. It will not terminate September 1, 2022.

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

Reported on sole sourcing, and mentioned as a reminder, that we are in Hurricane season, and it is a good idea to have a plan and to be prepared.

14. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR JULY 2022

O. ADJOURNMENT

The meeting was adjourned at 10:15 am.

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

15. AGENDA WORKSHEET AND CALENDAR