



**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 Ed Danko  
Council Member Theresa Carli Pontieri  
Council Member Cathy Heighter  
Council Member Nick Klufas**

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**Tuesday, March 7, 2023**

**6:00 PM**

**COMMUNITY WING**

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**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 AND A MOMENT OF SILENCE**

**C ROLL CALL**

*City Clerk called the roll. Council Member Klufas was absent.*

**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.

*Mike Martin-City Charter review. Mr. Martin provided a handout, which is attached to these minutes.*

*Vince Ligouri-Provided a Citizen's Creed to Council.*

*Robert MacDonald-Why is there no security at the city parks?*

*Courtney MacDonald-Takes a village to raise our children. Security in parks.*

*Bruce Stone-Cimmaron Drive safety. Safety issues everywhere.*

*Andrew Warner-Request Council allow domestic chickens within city limits.*

*Gary Kunnas-A resident involved in a hit and run accident; she rents from someone who is evicting her. Asked for help from the City regarding Section 8 housing assistance. Second topic: Concrete dust.*

*Josh Nedeiam-Requests Council allow domestic chickens within city limits.*

*Nathan Phelps-Request Council to allow chickens within city limits.*

*Ms. Bevan requested that the Director of Parks & Recreation reach out to the resident and family to discuss the security topics.*

*Council Member Carli Pontieri suggested our residents look for and attend our strategic planning workshops.*

**E MINUTES**

**Pass**

**Motion made to approve by Vice Mayor Danko and seconded by Council Member Carli Pontieri**

**Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter**

- 1 APPROVE MINUTES OF THE CITY COUNCIL:  
FEBRUARY 21, 2023, BUSINESS MEETING**

**F PROCLAMATIONS**

- 2 PROCLAMATION - THE WEEK OF MARCH 6, 2023, AS FLOOD AWARENESS WEEK**

*Mayor Alfin presented this Proclamation to Ms. Jordan Myers, City Environmental Planner, who is part of the Flood Plain Management Team.*

- 3 PROCLAMATION - MARCH 2023 AS MULTIPLE MYELOMA AWARENESS MONTH**

*Mayor Alfin presented this Proclamation to representatives of the Palm Coast Support Group for Multiple Myeloma. Mr. Levine announced that the longevity of living with multiple myeloma has increased but currently there is still no cure.*

**G ORDINANCES SECOND READ**

- 4 ORDINANCE 2023-XX ESTABLISHING THE COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION #5308**

**O20230002**

*City Attorney Borkert read the title into the record. This is second read for this Ordinance so no update from staff. Council held a brief discussion on this item.*

*Public Comment:*

*Jennifer Kliniski, Counsel representing the Community Development District addressed the Council's comments.*

*Sally Arnold-Citizens monitoring development. We oppose CDD's. There is no benefit to the City. It is critical for the developer.*

**Pass**

**Motion made to be adopted on second reading by Vice Mayor Danko and seconded by Council Member Carli Pontieri**

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Carli Pontieri, Council Member Cathy Heigher

**H RESOLUTIONS**

**5 RESOLUTION 2023-XX APPROVING A MASTER PRICE AGREEMENT WITH ARGOS USA, LLC FOR 4000 PSI CONCRETE WITH FIBER MESH**

**R20230026**

*City Attorney Borkert read the title into the record. Mr. Cote provided Council with an overview to this item.*

*Topics discussed by Council-Increase in cost of the concrete due to inflation, availability of a consortium of buyers for concrete to save money, and if there was an increase, how much could it increase.*

*Public Comment  
There were none.*

**Pass**

**Motion made to approve by Vice Mayor Danko and seconded by Council Member Carli Pontieri**

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Carli Pontieri, Council Member Cathy Heigher

**6 RESOLUTION 2023-XX APPROVING FUND AGREEMENTS WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR STATE ROAD 100 PROJECTS FROM NORTH PALMETTO STREET TO EAST OF OLD KINGS ROAD SOUTH**

**Pass**

**Motion made to deny Motion by Vice Mayor Danko and seconded by Council Member Carli Pontieri**

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Theresa Carli Pontieri, Council Member Cathy Heigher

*City Attorney Borkert read the title into the record. Mr. Mike Grunewald provided Council with an overview to this item.*

*Council held a discussion on this item relating to painting of poles vs. not painting.*

*Mr. Cote spoke of the history of black mast arms throughout the City and previous agreements with FDOT.*

*Public Comment*

*Mike Martin-Citizens look to you to make good governance. A sidewalk under the overpass is only used by homeless collecting money.*

*Council concurred it was not the right time to paint poles.*

*Staff requested clarification on approval of one agreement versus the two. Mayor Alfin suggested bringing back the one agreement for Council's consideration.*

**I PUBLIC PARTICIPATION**

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

*Mike Martin-Remediation on arsenic that is present on the old Matanzas Golf Course. Have been told that the City is not getting involved as there is no expertise on remediation issues.*

*Mark Stancel-BJ's status.*

*Denise Calderwood-Regarding remediation on a golf course. The County and City are under a grant agreement relationship relating to Brownfield remediation.*

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

*Vice Mayor Danko-Welcomed Mayor Alfin back.*

*Council Member Carli Pontieri-Echoed Vice Mayor's welcome. Also, proposes a City Charter review on a workshop. Mayor Alfin supports that initiative.*

*Mayor Alfin thanked everyone for the well wishes.*

**K DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*Legislative updates SB 102 Affordable Housing-Special order calendar for tomorrow. Good chance to pass preempting local governments from regulating rent control and housing application approval for certain housing developments.*

*HB 1331-Municipal utilities and caps on service charges. Currently the City does charge outside the city limits and this bill proposes to limit it to a 10% surcharge and restricts transfer of funds into the general fund.*

*SB 1240 relates to land and water management bill adopting regulating for discharge.*

*Mayor Alfin asked for the potential effects on revenue if HB 1331 becomes law. Ms. Bevan will review and get back to Council.*

**L DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*Welcomed the Mayor back.*

**M ADJOURNMENT**

*The meeting was adjourned at 7:28 p.m.*

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