



**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**

Tuesday, March 21, 2023

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 AND A MOMENT OF SILENCE

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.

Rabbi Merrill Shapiro-spoke on the invocation policy issues.

Mike Cocchiola-spoke on invocation policy issues.

Robert MacDonald-attended two weeks ago and spoke on Park safety at Ralph Carter and Holland Park. I was told someone would get back to me. Nobody got back with me. Fire Chief responded to Mr. MacDonald. Would like a response today. How much is a child's life worth?

Carol Gunthorp-spoke on the invocation policy issues.

Bob Tellar-spoke on invocation policy issues.

Mike Martin-Chair for the Board for East Flagler Mosquito Control District. Invited Council to a tour and a flight of the district area.

Donna Harkins-spoke to the invocation policy issues.

George Mayo-Pep alarm went off while he was away. Used Siri for Pep Alarm. A little difficult, kept going around and around. Please somehow fix Palm Coast Siri for push numbers.

E MINUTES

1 MINUTES OF THE CITY COUNCIL:

**MARCH 7, 2023, BUSINESS MEETING
MARCH 14, 2023, WORKSHOP MEETING**

March 7, 2023, Business Meeting: A motion was made by Council Member Klufas to approve, which was seconded by Vice Mayor Danko. Motion passed unanimously.

March 14, 2023, Workshop: A motion was made by Council Member Carli Pontieri to approve, which was seconded by Vice Mayor Danko. Motion passed unanimously.

F APPOINTMENTS

2 APPOINTMENT TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB)

Ms. Smith, City Clerk provided a brief overview to this item. Council voted unanimously by voting sheets, which are attached to these minutes, for David Ferguson to serve on this Board.

3 APPOINTMENTS TO THE BEAUTIFICATION AND ENVIRONMENTAL ADVISORY COMMITTEE (BEAC)

Ms. Smith, City Clerk presented an overview to this item. One applicant was in attendance and the other emailed the Clerk he was unable to attend due illness.

City Council unanimously appointed both applicants to the Beautification and Environmental Advisory Committee.

G RESOLUTIONS

4 RESOLUTION 2023-XX ACCEPTING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, AS PRESENTED BY JAMES MOORE & CO., P.L.

R20230028

City Attorney read the title into the record.

Mr. Webb Shephard, from James Moore Co., presented the annual audit for 2022 to City Council.

Council held a discussion with Mr. Shepard: Council topics included: size of firm, how many local governments does the firm handle, future bidding process in a

few years, rating offered is the highest rating that can be offered, why the City is deemed to have a favorable audit (financial position) financial assessment, even though the long-term debt has increased by \$1.5 mil.

For public reference there is positive growth of our community section, on page 10, which provides an economic outlook describing the positive notes our city has improved upon and page 30, which provides the government-wide overall financial analysis.

City Council each provided a thank you to the auditor.

Public Comments:

Mike Martin-would like a copy of report.

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

5 RESOLUTION 2023-XX APPROVING THE SUBMISSION OF A FLORIDA INLAND NAVIGATION DISTRICT (FIND) GRANT APPLICATION FOR THE CONSTRUCTION OF PHASE 2 WATERFRONT PARK BOAT AND KAYAK LAUNCH PARKING EXPANSION

R20230034

City Attorney read the title into the record.

Mr. Cote presented to City Council on this item.

Council thanked FIND for their support and assistance as well as staff.

Public Comments:

Robert MacDonald-a grant is money from someone, and it does not have to be paid back; questioned on matching funds?

The Mayor explained what a match is in government grants. There are different scales applied in grants.

Mike Martin-spoke of the grant issue brought up by Mr. MacDonald to help clarify.

Council Member Carli Pontieri provided a suggestion to show the costs broken down in the future.

Mayor Alfin suggested Mr. Stappleford from FIND speak with Mr. MacDonald on this issue.

Mr. Stappleford provided an overview to the grant match issue. This is a state 50/50 grant.

Pass

Motion made to approve by Council Member Carli Pontieri and seconded by Council Member Klufas

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

6 RESOLUTION 2023-XX APPROVING AMENDING THE PARKS & RECREATION FEE STRUCTURE

R20230029

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

City Attorney read the title into the record.

Mr. James Hirst and Ms. Brittany McDermott presented a brief overview to this item.

Council topics discussed: Cost recovery at the Tennis Center, Southern Recreation Center and the Aquatics comes up short, but the programs are making up for that, encouraging cost recovery. Also, discussed additional usage at the pool.

Public Comments:

There were none.

H CONSENT

There were no public comments on the consent agenda.

7 RESOLUTION 2023-XX APPROVING THE EAST FLAGLER MOSQUITO CONTROL DISTRICT LOW LEVEL FLIGHTS AND TO AUTHORIZE THE APPLICATION OF INSECTICIDES APPROVED AND LABELED FOR MOSQUITO CONTROL BY CLARKE ENVIRONMENTAL MOSQUITO MANAGEMENT

R20230030

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

- 8 RESOLUTION 2023-XX APPROVING PIGGYBACKING THE ORANGE COUNTY CONTRACT WITH XYLEM WATER SOLUTIONS USA, INC., FOR THE PURCHASE OF FLYGT PUMPS, PARTS, AND REPAIRS**

R20230032

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

- 9 RESOLUTION 2023-XX APPROVING AMENDING THE AGREEMENT WITH PAYMENTUS CORPORATION REVISING THE MASTER SERVICE AGREEMENT FOR ELECTRONIC PAYMENT SERVICES**

R20230031

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

- 10 RESOLUTION 2023-XX APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) RELATING TO HURRICANE NICOLE EXPENSES**

R20230027

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

11 RESOLUTION 2023-XX APPROVING PIGGYBACKING THE GENERAL SERVICES ADMINISTRATION CONTRACT WITH CIVICPLUS, LLC FOR PARKS & RECREATION MANAGEMENT SOFTWARE

R20230033

Pass

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

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Carli Pontieri, Council Member Cathy Heighter

I PUBLIC PARTICIPATION

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

Robert MacDonald-spoke on Moment of Silence. Would like it to be for all our service members of our Country, police officers and fire fighters.

J DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Danko-Parks & Recreation Survey. Had a lot of people contact him this weekend regarding the question "Are you male, female, or what do you identify as?" What you identify as has nothing to do with what is in that survey. Pointless, this is woke indoctrination to me. It needs to stop. I will not embrace this insane liberalism. Never wants to see a question like that again. Many let him know they were upset by this question. Vice Mayor Danko made a motion that City Council review the surveys before it is put out to the public, so they can discuss any issues with the City Manager. Council Member Carli Pontieri would like to see it as part of a workshop regarding surveys.

Council held a discussion on timeline and Council's review of surveys.

Mayor Alfin agrees it should be reviewed by Council as well. He took exception with the length of the survey. Council Member Heighter agrees it should be reviewed by Council. Council Member Klufas agrees as well.

Motion passed unanimously.

Council Member Carli Pontieri-congratulated three graduates from Drug Court she attended last week. Mentioned it is a great program offered by the County. Council Member Carli Pontieri had also received comments from the public on the Harborside project and the fueling station and the Marina-can it be bulldozed. She followed up with Ray Tyner and Jason DeLorenzo. Mr. Tyner replied with

the guidance from the terms in the Master Planned Development regarding Lot 1 and Lot 2. Explained any change would require an amendment through PLDRB. Mayor confirmed this relates to the restaurant lot as well.

Safety concerns regarding park safety. She met with the City Manager and the Assistant City Manager and there are safety mechanisms put in place. They are being patrolled and monitored by the Sheriff's Office.

April is Child Abuse Prevention Month. On March 31, 2023, it is National Wear Blue Day to raise awareness to Child Abuse Prevention, (as well as through the first week of April). There is a virtual Teen Town Hall addressing bullying, dating violence, sexting, and human trafficking on March 30, 2023.

Mayor Alfin saw a media report that Flagler County is the 2nd safest City in the State of Florida. Each Council is dedicated to improving safety.

Council Member Heigher-attended the Drug Court. She stated it was a privilege to attend. Also, spoke with a judge at the ceremony, the possibility to have a Veteran's Court here in Flagler County. Addressed Mr. MacDonald stating her appreciation for honoring our veterans and any of those that service our Country in the Moment of Silence.

Council Member Klufas-Echoed all the comments. And tonight, is Food Truck Tuesday.

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

12 REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR FEBRUARY 2023

Ms. Johnston thanked Council for their guidance on the survey.

Ms. Johnston reminded Council the reporting of emergency and sole source purchasing in in the packet.

M ADJOURNMENT

The meeting was adjourned at 10:31 a.m.

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

13 AGENDA WORKSHEET AND CALENDAR