



**City of Palm Coast  
Minutes  
COUNCIL WORKSHOP**

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 14, 2023**

**9:00 AM**

**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 9:00 a.m.*

**B PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE**

**C ROLL CALL**

*Deputy City Clerk Kaley Cook 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.

*Chantel Preninger spoke about the proposed invocation policy.*

*Edward Shaw asked about drag shows in schools.*

*Dave Flynn suggested traffic improvements on Old Kings Road.*

*Bruce Stone spoke on the topic of public comments and also increased safety measures.*

*Steve Carr spoke about resident traffic complaints.*

*Mayor Alfin asked City Manager Bevan to address some of the questions posed by public speakers.*

*Ms. Bevan provided a response to the requests for information.*

*Council Member Klufas shared details of the Old Kings Road widening project and the phased approach taken.*

## **E APPOINTMENTS**

### **1 APPOINTMENT TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB)**

*Virginia Smith, City Clerk, provided a background of the item.*

*Council held interviews consisting of a 3-minute background and interest in the board by the applicant and a question-and-answer session with the following applicants: David Ferguson and Mark Stancel.*

*This item will come back to Council at the March 21, 2023, Business Meeting for the appointment.*

## **F PRESENTATIONS**

### **2 PRESENTATION - PARKS & RECREATION FEE STRUCTURE BACKGROUND AND FUTURE ANALYSIS DISCUSSION**

*James Hirst, Parks & Recreation Director, and Brittany McDermott, Deputy Director of Parks & Recreation, presented the topic to Council.*

*The following topics were presented: aquatics center market research for daily admission and resident surveys, tennis and pickleball programs, community input meetings, market research for the Southern Recreation Center and proposed facility rates, community room fees, and future presentations coming to Council.*

*Council held discussion on the following topics: consider ways to attract new users to city facilities, cost recovery, budgeting projections, scholarship programs, income and/or family size fee structure, composition of user base and effectiveness of outreach programs, compliments to staff, difference in fees for tennis and pickleball, community reaction to rate structure, tennis lessons, and quality of courts.*

*Request from Council Member Carli Pontieri to view the cost recovery and see projections based on the new fee structure.*

## **G RESOLUTIONS**

### **3 RESOLUTION 2023-XX APPROVING THE CITY COUNCIL MEETING INVOCATION POLICY**

*Neysa Borkert, City Attorney, read the title into the record. Ms. Borkert presented the topic to Council.*

*Topics presented included: The Establishment Clause, case law, and invocation policy provisions for discussion.*

*Council held lengthy discussion on this item. Discussion was held on the following topics: review of invocations before they are presented, concern of divisiveness, discussion on process for all meetings versus only Business Meetings. legal requirements of particular aspects, scheduling of speakers, definition of Community Leaders, moment of silence if an invocation presenter is*

*unavailable the day of the meeting, suggestion to update wording to Community Religious Leader, concern for the logistics of the proposed policy, audience for the invocation, suggestions for wording, operations of advertising this item to the community, analysis of staff time, and potential start time for implementation.*

*Council Member Carli Pontieri will continue the conversation with City Attorney Borkert.*

*Mayor Alfin asked for this item to be brought back for a vote at the next business meeting.*

*Ms. Borkert asked if this item can be brought back at the next business meeting after 3/21. Council concurred.*

*During this item, City facilities lost internet connection and livestream capabilities. The livestream of the meeting ended at approximately 10:44 a.m.*

## **H PUBLIC PARTICIPATION**

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

*6 residents spoke in favor of the proposed Invocation Policy.*

*Mayor Alfin asked a public speaker to talk with City Attorney Borkert about the legal requirements of City Council on the topics discussed in their public comment.*

## **I DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*Council Member Danko shared a response to a public comment.*

*Council Member Carli Pontieri responded to a public comment that she will continue research on the proposed Invocation Policy.*

*Council Member Heigher thanked the speakers for their comments.*

## **J DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*There were none.*

## **K DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*City Manager Bevan spoke about fire risks and invited Fire Chief Berryhill to share additional information.*

*Chief Berryhill provided an update on fire conditions.*

## **L ADJOURNMENT**

*The meeting was adjourned at 11:08 a.m.*

*Respectfully submitted by: Kaley Cook, Deputy City Clerk*