



**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 Cathy Heighter
Council Member Nick Klufas
Council Member Theresa Pontieri**

Tuesday, May 2, 2023

6:00 PM

COMMUNITY WING

City Staff

Denise Bevan, City Manager

Neysa Borkert, City Attorney

Kaley Cook, Deputy 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.
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- 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 6:02 p.m.

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

C ROLL CALL

Kaley Cook, Deputy City Clerk, 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.

Mayor Alfin asked that Section F be heard before this item. Council concurred.

Jared Maxwell spoke about his history of coaching in Palm Coast and spoke about problems with parking, future plans for Parks, and asked Council to figure this out and put kids first. Mr. Maxwell gave compliments to Parks & Recreation staff.

John Bukowski shared concerns with Airbnb and VRBO and asked Council to take action on this issue.

Matthew Struhar, Vice President of Mad Dogs Flag Football, expressed concerns for field conditions and maintenance, lighting, and space.

William Roberts shared about sports injuries and concerns for Ralph Carter Park.

Lauren Ramirez spoke about the current state of the football fields and shared concerns. Ms. Ramirez asked for a case to be created on the football fields and to allocate the necessary funds to ensure their proper maintenance.

Donnie (no last name provided), on behalf of the Flagler Titans, spoke about safety concerns at parks and fields.

Dell Arneaud, president of Winnerz Circle Youth Sports, shared exhaustions as an organization owner, parent, and coach. Mr. Arneaud spoke about fields and

facilities in comparison to other cities. Mr. Arneaud asked the City to invest in the kids.

Matt Forrest, Physical Education Teacher and Head Football Coach at Matanzas High School, spoke about the importance of positive influences and opportunities for youth, and providing the platform, facility, and opportunity to do that.

Daniel Fish, Physical Education Teacher and Head Football Coach at Flagler Palm Coast High School, shared about his history and youth sports, and spoke about the needs for youth to be successful.

Shannon Gutierrez spoke about youth sports and families in Palm Coast.

Jason Winkler spoke about misappropriation of funds for projects and urged Council to focus on a 5-to-10-year plan now.

Council Member Danko thanked the public speakers and shared about Strategic Action Plan priorities that Council has been discussing regarding Parks & Recreation.

Mayor Alfin shared comments regarding the decorum of the public speakers this evening.

Don Shriner commented on short-term rentals in Palm Coast and shared how to send complaints to Airbnb and VRBO if residents are having problems.

Vince Ligouri spoke about franchise fees and provided suggestions.

Bruce Stone spoke about a discussion with City staff and Ormond Beach. Mr. Stone also spoke about issues on Cimmaron Drive.

Eric Olsen, Chairman of the Palm Coast Chicken Alliance, asked for an update on the discussion of chickens within Palm Coast.

Mike Solara spoke about short-term rentals and concerns.

Jonathan (no last name provided) spoke about growth in Palm Coast and shared concern for infrastructure, services, and priorities.

Martin Siegel spoke about an Airbnb next door to his home and fear of what will transpire when the home becomes fully functional.

Nathan Phelps shared support for chickens in Palm Coast. Mr. Phelps also spoke about positive impacts of disc golf and would love to see a facility in Palm Coast.

Josh Fabean shared support for chickens in Palm Coast.

Andrew (no last name provided) thanked Council for their consideration on the topic of chickens within Palm Coast. The resident also spoke about the Strategic Action Plan and growing with the community that we have. Additionally, the

resident spoke about discussion and decisions of Council in prior meetings and asked why Council considers one item of public support over the other.

Vince Ligouri spoke about the topic of chickens in Palm Coast and concern for predators.

Charlene (no last name provided) spoke about a moment of silence versus an invocation and the discussion of Council on this item.

Joanne (no last name provided) spoke about Council's prior vote on a proposed invocation policy and shared support for the item.

Mayor Alfin shared the standard practice for follow-up discussion from staff with public speakers and asked if Ms. Bevan had any comments to discuss.

Ms. Bevan shared about staff efforts and an upcoming agenda item for the discussion of neighborhood chickens. The tentative date is June 13, 2023.

Council Member Klufas shared about two bills related to short-term rentals.

Mayor Alfin shared about his support for home rule.

Council Member Pontieri thanked staff and Council for their efforts and consideration of the topic of chickens in Palm Coast and is looking forward to the June 13th meeting. Additionally, Council Member Pontieri shared support for home rule and for the public speakers in attendance for youth sports and facilities.

E MINUTES

1 MINUTES OF THE CITY COUNCIL: APRIL 18, 2023, BUSINESS MEETING APRIL 25, 2023, SPECIAL BUDGET WORKSHOP

Motion by Council Member Klufas, seconded by Vice Mayor Danko, to approve the April 18, 2023, minutes.

Motion by Vice Mayor Danko, seconded by Council Member Klufas, to approve the April 25, 2023, minutes.

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

F PROCLAMATIONS AND PRESENTATIONS

This item was heard before Section D. The Proclamations and Presentations were presented in the following order:

F2 – Public Service Recognition Week

Council Member Pontieri shared support and thanks for Public Service individuals and their families. Council Member Pontieri and Mayor Alfin presented the Proclamation to members of City staff. Ashley Fenner, Benefits Coordinator, thanked Council, on behalf of staff, for the Proclamation and recognition.

F4 – Arbor Day

Council Member Heighter presented the Proclamation to Carol Mini, Urban Forester. Ms. Mini thanked Council for the Proclamation and shared about an upcoming Arbor Day Event on May 6, 2023.

F6 – National Tennis Month

Council Member Klufas presented the Proclamation to members of the Parks & Recreation staff. George Henry, Tennis Supervisor, gave thanks to City Council and the public for their support. Mr. Henry also shared about free tennis lessons for kids and adults on May 20 and 27 from 12-2 p.m.

F3 – National Preservation Month

Mayor Alfin presented the Proclamation to the Palm Coast Historical Society. Kathy Reichard-Ellavsky, President of the Palm Coast Historical Society, shared the Palm Coast Historical Society website, and shared information from the National Trust for Preservation.

F5 – National Water Safety Month

Mayor Alfin presented the Proclamation to members of the Parks & Recreation staff. Alma Rock-Yanochko, Recreation Supervisor of Aquatics, thanked City Council and shared about an upcoming event on May 27, for Pool Safety Day.

F7 – Present Certificates to the City of Palm Coast's Citizens Academy Class

Mayor Alfin opened the item and provided a background of Citizens Academy. Brittany Kershaw, Director of Communications & Marketing, shared about the program.

Mayor Alfin and Ms. Kershaw presented the certificates to the graduates.

2 PROCLAMATION - THE WEEK OF APRIL 30, 2023, AS PUBLIC SERVICE RECOGNITION WEEK

3 PROCLAMATION - MAY 2023 AS NATIONAL PRESERVATION MONTH

4 PROCLAMATION - MAY 6, 2023, AS ARBOR DAY

5 PROCLAMATION - MAY 2023 AS NATIONAL WATER SAFETY MONTH

6 PROCLAMATION - MAY 2023 AS NATIONAL TENNIS MONTH

7 PRESENTATION - PRESENT CERTIFICATES TO THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS

G APPOINTMENT

8 APPOINT A CITY COUNCIL LIAISON TO THE FLAGLER COUNTY TRANSPORTATION DISADVANTAGED LOCAL COORDINATING BOARD

Mayor Alfin recommended Council Member Heighter for the appointment.

Council concurred to appoint Council Member Heighter for the appointment to the board.

H RESOLUTIONS

9 RESOLUTION 2023-XX APPROVING STORMWATER FEE ADJUSTMENTS

City Attorney Borkert read the title into the record.

Carl Cote, Director of Stormwater & Engineering, opened the item. Murray Hamilton, Vice President of Raftelis, presented the topic to Council. Topics presented included: council direction thus far, modifications of priorities, summary of proposed stormwater rates, and future actions.

Council held lengthy discussion on the following items: clarification of the summary of proposed stormwater rate slide, summary of capital improvements that are making up the costs for Fiscal Year 2024, which items if not done would be an introduction to a catastrophic failure, current level of service and identifying infrastructure elements that require attention at the earliest possible moment, percent increase, reserve funds, capital projects, history of the funding of these projects, future rates and projects, 3 year plan versus 5 year plan, suggestion to increase fees based on the Consumer Price Index, and proposed addition of language to the Strategic Action Plan.

Mr. Cote and Mr. Hamilton provided responses to Council questions.

Mayor Alfin asked for assistance in understanding the magnitude of the percent increase versus the rise of inflation.

Mr. Hamilton provided details and shared that the increase is not a direct reflection of inflation. Mr. Hamilton shared about deficiencies in current staffing levels and maintenance that can be performed at the current level.

Council Member Pontieri asked how long these projects have been neglected.

Mr. Cote provided details and explanations on the way the system has aged to result in the level of maintenance required.

Council held discussion of including this item in the Strategic Action Plan.

Council Member Klufas shared details on the history of this item and consideration of the impact it will have on future Council Members.

Council held discussion on a potential motion to approve this item with the caveat to review the rates each year.

Council Member Pontieri requested information on what can be done to ensure that this item does not need to be revisited after Fiscal Year 2028 to avoid large future increases.

Mayor Alfin shared about the unknowns in that scenario.

Vice Mayor Danko shared comments about approving this item with the understanding that it will be subject to yearly review.

Mayor Alfin asked Ms. Borkert if a motion can be made that requires a review.

City Attorney Borkert provided a response on the language of the motion and provided a recommendation to add to the exhibit.

Council Member Pontieri provided a recommendation for language.

Council concurred to bring this item back to Council and asked Attorney Borkert to provide suggestions for language.

Mayor Alfin asked Ms. Bevan to extend an invitation to each Council Member in 6 months to meet with Stormwater for updates.

City Attorney Borkert recapped the consensus of Council to continue this item to an upcoming workshop to include language that addresses the concerns that Council outlined. Council concurred.

10 RESOLUTION 2023-48 APPROVING THE CITY COUNCIL STRATEGIC ACTION PLAN

City Attorney Borkert read the title into the record.

Lauren Johnston, Assistant City Manager, provided a brief description of the item and referenced Exhibit A to the Resolution and provided next steps.

*Public Comment:
There were none.*

Pass
Motion made to approve by Mayor Alfin and seconded by Council Member Pontieri

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

11 RESOLUTION 2023-46 APPROVING AN INTERLOCAL AGREEMENT WITH THE RADIANCE COMMUNITY DEVELOPMENT DISTRICT TO DESIGN, PERMIT, SOLICIT, AND AWARD BIDS FOR UTILITY IMPROVEMENTS TO THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY SERVICE AREA

Attorney Borkert read the title into the record.

Carl Cote, Director of Stormwater & Engineering, and Steve Flanagan, Utility Director, presented the topic to Council.

Representatives of Radiance Community Development District were available for questions.

Topics presented included: a background of the item, area history, recent happenings, service boundaries, engineer estimated costs, project benefit highlights, past actions, and Council action.

Council held discussion on the following topics: confidence in the Florida Governmental Utility Authority (FGUA) to move projects forward and FGUA incentive to keeping to timeline.

Attorney Borkert shared that service boundaries have been established and shared additional details regarding this item and agreement.

*Public Comment:
There were none.*

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

Approved by roll call vote- 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heighter

I CONSENT

*Public comment:
There were none.*

Council Member Pontieri requested to pull item 14 from the consent agenda.

Motion by Vice Mayor Danko, seconded by Council Member Klufas to approve items 12 and 13.

12 RESOLUTION 2023-45 APPROVING PIGGYBACKING THE CITY OF ORLANDO CONTRACT WITH U.S. SUBMERGENT TECHNOLOGIES, LLC FOR STRUCTURAL CLEANING SERVICES

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 Pontieri, Council Member Cathy Heighter

13 RESOLUTION 2023-44 APPROVING A PRICE INCREASE FOR A PURCHASE ASSOCIATED WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT

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 Pontieri, Council Member Cathy Heighter

14 RESOLUTION 2023-47 APPROVING A CONTRACT WITH P&S PAVING INC., APPROVAL OF A 14% CONTINGENCY, AND APPROVAL OF A WORK ORDER FOR CEI SERVICES FOR THE MILLING AND RESURFACING OF ARTERIAL AND RESIDENTIAL ROADS THROUGHOUT THE CITY

Council Member Pontieri discussed this item and shared suggestions for micro surfacing.

Carl Cote, Director of Stormwater & Engineering, provided details regarding costs of the proposed suggestions.

Mayor Alfin asked if there is a contractor guarantee of timeline.

Mr. Cote provided a response that no, there is no guarantee and shared details of the suggestion and the difference between a temporary fix versus a structural fix.

Request to see a presentation of options.

Council Member Klufas shared recommendations and history of this item and importance of having an impartial party provide options.

Council held discussion on bringing this item back for additional information and discussion.

Council Member Klufas asked about how moving this item will affect the bid process and current bid.

Attorney Borkert shared that the bid expires after 90 days.

Mayor Alfin asked Ms. Bevan if it is possible to bring additional options before the expiration of the bid.

Ms. Bevan shared comments regarding timeline.

*Public comment:
There were none.*

Mayor Alfin asked Ms. Bevan to schedule a special workshop for items like this if it is necessary.

Pass

Motion made to approve the contract for the base bid roads by Council Member Pontieri and seconded by Vice Mayor Danko

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

J PUBLIC PARTICIPATION

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

There were none.

K DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Danko thanked the Citizens Academy graduates who stayed through the meeting.

Council Member Klufas asked for a rundown of what happened on Colbert Drive and shared resident concerns.

Chief Berryhill shared details of a development in the area where an approved burning was occurring.

Mayor Alfin thanked City staff for the recent small business expo event.

L DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

There were none.

M DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Ms. Bevan shared about the cancellation of the May 9 workshop.

N ADJOURNMENT

The meeting was adjourned at 9:31 p.m.

Respectfully submitted by: Kaley Cook, CMC