



**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, June 20, 2023

9:00 AM

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.
- 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 a.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 provided the rules and procedures of public comment.

Carol Brassfield spoke about a dog attack and process of the City of Palm Coast animal control.

Robert MacDonald asked for an explanation on why certain businesses are allowed to operate from a roadside stand. Additionally, Mr. MacDonald thanked the City for allowing him to hold a moment of silence last week in remembrance of the Pulse Nightclub shooting.

George Mayo share condolences for Ms. Brassfield and encouraged interviewing the City employee involved in the case. Additionally, Mr. Mayo spoke about preemption and encouraged individuals to familiarize themselves with the topic. Mr. Mayo also spoke about restrooms at the Community Center and suggested increasing height of the toilets to an ADA approved level.

Vice Mayor Danko spoke about Ms. Brassfield's comments and expressed concern for the process.

Mayor Alfin recognized City staff and shared about a news release regarding the City receiving State funding for critical projects and shared about intended purposes to be funded through the dollars to be received.

E MINUTES

- 1 MINUTES OF THE CITY COUNCIL:
JUNE 6, 2023, BUSINESS MEETING
JUNE 13, 2023, WORKSHOP MEETING**

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 Heigher

F PROCLAMATIONS AND PRESENTATIONS

- 2 PROCLAMATION - JULY 2023 AS PARKS & RECREATION MONTH**

Mayor Alfin presented the proclamation to members of the Parks & Recreation department.

Dennis Redican shared thanks to staff, and additional information regarding Parks & Recreation programs.

A video highlighting Parks & Recreation staff was shared.

- 3 PROCLAMATION - JULY 2023 AS CHRISTMAS COME TRUE MONTH**

Council Member Klufas presented the proclamation to Ms. King, founder of Christmas Come True.

Ms. King thanked Council and shared additional information about the organization.

- 4 PRESENTATION - THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) DISTINGUISHED BUDGET AWARD**

Council Member Klufas shared information regarding the award. Mayor Alfin presented the award to Helena Alves, Director of Financial Services, Gwen Ragsdale, Budget & Procurement Manager, and Raelene Bowman, Budget Coordinator.

Mayor Alfin shared about a video related to Financial Services and encouraged residents to view the video.

5 PRESENTATION - PARKS & RECREATION MASTER PLAN FINDING SUMMARY

Brittany McDermott, Deputy Director of Parks & Recreation, introduced the item and shared efforts to date.

Art Thatcher, manager with Berrydunn, presented the finding summary to Council. Topics presented included: information about Berrydunn, highlights of project phases, projected geographic area, historical and projected growth, participation in recreation activities, project approach, public engagement, budgeting priorities, key themes, facilities and amenities, importance and needs, mapping locations and quality of components, neighborhood areas and high value areas, trail assessment, and next steps.

Council held discussion on the following topics: vehicle selection and electric vehicles as presented, definition of terms within the presentation, County concurrence that the report contains a robust collection of information for next steps, beach access and relevance to neighboring municipalities, trail systems, demographics of survey respondents, timeline for list of recreation needs for the future, transportation to Parks & Recreation centers, and connection to the Comprehensive Plan.

Mr. Thatcher provided responses to Council questions.

G ORDINANCES FIRST READ

6 ORDINANCE 2023-XX ADOPTING PROCESSES AND PROCEDURES FOR RECALL, CITIZEN INITIATIVE, AND REFERENDUM, PROVIDING PROCEDURES FOR PETITION AND ORGANIZING A POLITICAL COMMITTEE

Attorney Borkert read the title into the record and shared that there were no changes to the item.

Council Member Pontieri asked if there is a reason we are keeping this just to the general election as listed in the Power of Initiatives section.

Attorney Borkert responded yes, it is what is pursuant to the Charter.

Council Member Pontieri asked if petitions and an appeal process are outlined in the process.

Attorney Borkert provided a response that it is not in this process, but that it is in the procedure of the Supervisor of Elections Office.

Council Member Pontieri spoke about adding a reference to that process in Section 2-806.

Attorney Borkert responded that she can go back to the Supervisor of Elections Office to speak about the appropriate reference before second reading.

*Public Comment:
There were none.*

Pass

Motion made to be approved on first reading 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 Heigher

H RESOLUTIONS

7 RESOLUTION 2023-59 APPROVING A WORK ORDER WITH ENGLAND, THIMS & MILLER, INC., FOR ENGINEERING SERVICES FOR THE MATANZAS WOODS PARKWAY TO PALM COAST CONNECTOR ROADWAY

Attorney Borkert read the title into the record.

Carl Cote, Director of Stormwater & Engineering, presented the topic to Council. Topics presented included: Legislative Priority, project status, project limits, and Council actions.

Council held discussion on the following topics: thanks to the Department of Transportation, length of time to complete this phase, concern for conservation, encouragement to look at a 3-year contract, and acquisition of the right-of-way.

Public Comment:

Robert MacDonald spoke about the right-of-way that was partially obtained and asked what will happen if we don't receive the other half. Mr. MacDonald also spoke about the qualifications of the company selected and length of project for the sidewalk going over Belle Terre.

Attorney Borkert shared Florida Statutes regarding bids and selection process.

Mr. Cote shared additional information on the process and selection of the consultant.

Steve Carr spoke about the project status, 4-laning, and impacts to Palm Harbor.

Mr. Cote provided a response.

Council Member Pontieri made a motion to approve the Resolution with the amendment of making the initial term 3 years, with two 1-year extensions.

Mayor Alfin called for a roll call vote.

Pass

Motion made to approve as amended by Council Member Pontieri 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 Heigher

I CONSENT

Public Comment:

There were none.

Pass

Motion made to be adopted on consent 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 Pontieri, Council Member Cathy Heigher

- 8 RESOLUTION 2023-61 APPROVING A CONTRACT WITH JBROWN PROFESSIONAL GROUP INC., FOR PLANNING SERVICES TO UPDATE THE COMPREHENSIVE PLAN**
- 9 RESOLUTION 2023-63 APPROVING A LAND PURCHASE AGREEMENT WITH THE PROPERTY OWNERS OF 6 LUDLOW LANE E FOR FUTURE ROADWAY USES**
- 10 RESOLUTION 2023-60 APPROVING A LAND PURCHASE AGREEMENT WITH THE PROPERTY OWNER OF 264 BIRD OF PARADISE DRIVE FOR FUTURE ROADWAY USES**
- 11 RESOLUTION 2023-62 APPROVING A LAND PURCHASE AGREEMENT WITH THE PROPERTY OWNERS OF 266 BIRD OF PARADISE DRIVE FOR FUTURE ROADWAY USES**

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 asked why he received a letter from attorney Jennifer Nix saying that the dangerous dog case was closed.

Attorney Borkert provided a response regarding case closure and the process.

Vice Mayor Danko shared concern regarding the employee involved in the case.

Ms. Bevan provided a response regarding staffing matters and current state of the review of the matter.

Council Member Pontieri extended condolences to Ms. Brassfield and thanked staff and State Representatives for state appropriations. Additionally, Council Member Pontieri shared comments on Christmas Come True. Council Member Pontieri encouraged Council Members to reach out to staff to resolve problems.

Council Member Heigher clarified her comments from a prior meeting regarding affordable housing. Additionally, Council Member Heigher thanked Council Members for their comments regarding her mother's memorial service.

Council Member Klufas extended condolences to Council Member Heigher.

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

12 REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR MAY 2023

Ms. Bevan shared about an emergency purchase as included within the packet.

N ADJOURNMENT

The meeting was adjourned at 10:51 a.m.

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