



**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**

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**Tuesday, August 15, 2023**

**9:00 AM**

**COMMUNITY WING**

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**City Staff**

**Denise Bevan, City Manager  
Neysa Borkert, City Attorney  
Kaley Cook, 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 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.

*Robert MacDonald spoke about last week's Council Workshop meeting and times of public comment during Council Meetings.*

*Mayor Alfin asked Attorney Borkert to provide information since the question related to procedure.*

*Attorney Borkert provided the procedure for public comment.*

*Mayor Alfin asked for a consensus from City Council, to discuss public comment on an upcoming agenda item related to policy and procedure. Council concurred.*

*Mayor Alfin asked Ms. Bevan to have this item included in a future workshop.*

*Ken McDowell spoke about a prior demand for a forensic audit and shared the discussion during last week's Council meeting. Mr. McDowell stated that he is again demanding a forensic audit.*

*Patricia Pasternack shared concern for speed on Ryan Drive and asked the city to consider speed bumps.*

*Jan Manella spoke about traffic impacts on Seminole Woods with the current projects in the area. Ms. Manella hoped the City would consider making Seminole Woods a 4-lane road to accommodate traffic increase.*

*Mayor Alfin asked Commander Reynolds, Sheriff's Office Liaison, to speak on these comments at the end of public comment.*

*Robert Meyer wanted to recognize Andrea Mudryk, Project Manager I, and Carmelo Morales, Stormwater Engineer III, for their assistance with understanding Stormwater Fees for Grand Landings. Additionally, Mr. Meyer spoke about Stormwater use and fees in Grand Landings.*

*Dennis McDonald spoke about a forensic audit, zoning, and consideration to projects around the Flagler County Airport, and the location and protection of wells during the westward expansion.*

*Clemente Tullio spoke about nuisance abatement and fire mitigation and asked how the fees are determined. Additionally, Mr. Tullio spoke about contact methods and asked how to have his name removed from the Nuisance Abatement list on today's agenda.*

*Anna Sevacha supported the City's agreement for forensic audit requested by residents.*

*Vice Mayor Danko spoke about the forensic audit and discussions of Council over the last few meetings. Vice Mayor Danko was in favor of asking staff to find a forensic auditor and bringing additional information to Council.*

*Mayor Alfin spoke about the definition of a forensic audit and Council discussion thus far. Mayor Alfin shared his understanding of the process and need to define the scope of the forensic audit. Mayor Alfin asked if Council should receive public input to determine the scope of the audit.*

*Council held lengthy discussion on defining the scope, definition of a forensic audit, and process of moving forward.*

*Mayor Alfin asked for a consensus from City Council to ask staff to reach out to a firm to determine what a firm would require from the City in order to conduct a forensic audit.*

*Council Member Heigher shared that all Council Members have admitted that they don't know what it would take to conduct a forensic audit and was in favor of collecting additional information on conducting a forensic audit and bringing the decision back to constituents.*

*Council Member Pontieri discussed the history of this topic and was in favor with moving forward as discussed.*

*Mayor Alfin provided direction to Ms. Bevan, City Manager, to provide consensus from the dais to bring forward an expert that would be able to clarify the definition of a forensic audit, the scope, and if possible, a range of expense at the next possible agenda. Mayor Alfin asked Ms. Bevan to provide an update each week on the process.*

*Commander Reynolds shared efforts of Flagler County Sheriff's Office and asked residents to report the issues. Commander Reynolds shared how to report the information.*

## **E. MINUTES**

**1. MINUTES OF THE CITY COUNCIL:  
AUGUST 1, 2023, BUSINESS MEETING  
AUGUST 8, 2023, WORKSHOP MEETING**

*Motion by Council Member Pontieri, seconded by Council Member Klufas, to approve the August 1, 2023, Business Meeting Minutes.*

*Motion by Council Member Pontieri, seconded by Council Member Klufas, to approve the August 8, 2023, Workshop Meeting Minutes.*

**F. PROCLAMATIONS**

**2. PROCLAMATION - AUGUST 31, 2023, AS INTERNATIONAL OVERDOSE AWARENESS DAY**

*Council Member Heighter presented the Proclamation to members of the Flagler County Drug Court Foundation.*

*Michael Feldbauer thanked Council for the Proclamation, shared about an event on August 31 for a walk over the bridge, and discussed overdoses in Palm Coast. Mr. Feldbauer introduced members of the Foundation.*

*Mayor Alfin asked if it would appropriate to offer the Proclamation at an upcoming drug court graduation. Mr. Feldbauer was in favor of the idea and shared that he will bring the idea to the drug court.*

**G. ORDINANCES SECOND READ**

**3. ORDINANCE 2023-10 VOLUNTARY ANNEXATION OF 330.8 ACRES SOUTH OF FLAGLER COUNTY AIRPORT ON THE NORTH/WEST SIDE OF SEMINOLE WOODS BOULEVARD**

*Attorney Borkert read the title into the record.*

*Ray Tyner, Deputy Chief of Community Development, shared a brief background of the item. Jose Papa, Senior Planner, provided a description of the item. There were no changes to the item since first reading*

*Mayor Alfin asked for a description of voluntary annexation.*

*Mr. Papa provided a description.*

*Public Comment:*

*Bob Myer spoke about 44 acres that are currently within Grand Landings.*

*Mr. Papa shared information on the 44 acres discussed by Mr. Myer.*

*Dennis McDonald spoke about noise, federal regulations, zoning regulations related to the airport, and complaints from new residents in the area of the airport.*

*Mayor Alfin asked Mr. Tyner to summarize discussions with the County.*

*Mr. Tyner shared information related to the public comment.*

*Mayor Alfin asked Mr. Tyner if staff has communication with the County to be aware of what they are, or are not, doing.*

*Mr. Tyner responded yes.*

*Jan Manella asked for clarification on if the 44 acres is taking land away from the current Grand Landings master plan.*

*Mr. Papa responded no and provided additional information.*

*Council Member Klufas provided a reminder that the item is just an annexation, not a rezoning, and that the two are separate issues.*

*Council Member Pontieri stated that it might be worthwhile to review a noise Ordinance for the airport.*

*Mayor Alfin stated that he would like to know what our cans and cant's are in proximity to the airport. Mayor Alfin recommended an agenda item where City Council could learn more.*

*Ms. Bevan shared that staff has a great relationship with County partners and that a presentation has been scheduled to come to City Council.*

*Mayor Alfin called for a roll call vote.*

**Pass**

**Motion made to be adopted on second reading 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**

## **H. ORDINANCES FIRST READ**

### **4. ORDINANCE 2023-XX BELLE TERRE ESTATES MASTER PLANNED DEVELOPMENT (MPD) - APPLICATION NO. 5302**

*Attorney Borkert read the title into the record and called for any ex parte communications. There were none.*

*Bill Hoover, Senior Planner, presented the topic to Council.*

*Topics presented included: area location, close-up aerial, future land use map, zoning map, Master Planned Development, conceptual plan, townhome details, townhome lot details, commercial analysis on availability to serve neighborhood,*

*workforce housing and differentiating housing types, five review criteria, staff analysis, Key Master Planned Development Criteria, public participation, Planning & Land Development Regulation Board recommendation and conditions, and next steps.*

*Council held discussion on the following topics: driveway requirements, landscape requirements, public dog park space, responsibility of the maintenance of the public dog park, concurrency requirements, staff agreement that the park size is sufficient, park hours and lighting, and technologies of the dog park.*

*Mr. Tyner and Mr. Hoover provided responses to Council questions.*

*Council held discussion with Mr. Hoover and Mr. Tyner on commercial development, lot designation, potential of mixed-use to be rezoned, rezoning process, and projects currently ongoing in the area.*

*Mayor Alfin reminded Council to provide input on the Comprehensive Plan.*

*Council Member Heigher asked for information on the Comprehensive Plan and how to have discussions regarding the comprehensive plan.*

*Council Member Klufas asked for clarification on if Council Members are not able to consider possible future rezonings of adjacent properties in their decision on the topic.*

*Attorney Borkert provided a response on City Council's review criteria which is set forth in the code.*

*Christina Evans, from Matthews DCCM, on behalf of the applicant, presented the topic to Council. Topics presented included location, future land use map, dog park plans, townhome plans, and planning board approval.*

*Joey Posey, Attorney for the landowner, shared information related to the project.*

*Mayor Alfin asked about declined interest from Commercial Businesses.*

*Mark Goldschmidt, property owner, shared information regarding commercial development for the property. Mr. Goldschmidt shared challenges of the traffic count in comparison to State Road 100.*

*Mayor Alfin asked when the timing of the dedication of the public park.*

*Mr. Hoover stated that the Master Planned Development agreement states that the park has to be completed prior to the issuance of a certificate of occupancy.*

*Mayor Alfin discussed maintenance and liability of the park.*

*Mr. Tyner responded to Mayor Alfin to provide information related to the donation and development process in conjunction with the parks maintenance preparation.*

*Council Member Pontieri asked about the public benefit of making the lots smaller and going against the Land Development Code (LDC).*

*Mr. Tyner spoke about public benefit and the Land Development Code.*

*Council Member Pontieri proposed that a certain percentage of the townhomes deviate from that code.*

*Mr. Tyner discussed the Land Development Code and that it does call out for Master Planned Development (MPD) agreements and the right to put up to 15 units per acre.*

*Mr. Posey shared that the applicant is happy to look into Council Member Pontieri's suggestion and discussed units per acre, entitlements, zoning, and meeting the compatibility of the comp plan.*

*Council Member Pontieri asked when the commercial infrastructure must be complete.*

*Mr. Posey shared a response regarding actively engaging tenants.*

*Council Member Pontieri clarified the question to include a timeline for the land to be cleared.*

*Mr. Posey shared that the commercial infrastructure will be simultaneous with the project.*

*Council Member Pontieri shared that she would like to see the MPD amended to state the progression of the commercial pieces.*

*Mr. Posey shared that the client is happy to put the clarification in the agreement.*

*Mayor Alfin confirmed the Council direction provided.*

*Council Member Klufas applauded Council Member Pontieri for great concerns. Additionally, Council member Klufas discussed affordability and diversity of housing.*

*Council Member Heigher encouraged the builder to consider the possibility of some workforce housing units.*

*Mr. Posey shared a response on workforce housing.*

*Vice Mayor Danko loved the design and concept.*

*Public Comment:*

*Nicole Durenberger spoke about the single-family homes to be built, jobs, and asked if there is a board of people who can put effort into recruiting commercial companies.*

*Mayor Alfin recommended that Ms. Durenberger speak to Ms. Bevan and Economic Development staff.*

*Dennis McDonald shared that there is a nice mix of properties, but the biggest complaint is parking. Mr. McDonald suggested restrictions to mandate parking within garages. Additionally, Mr. McDonald spoke about planning and commercial developments.*

*Ken McDowell asked for an explanation of affordable housing. Mr. McDowell asked for every City employee and elected officials to take advantage of the State Attorney, Department of Law Enforcement, and/or Auditor General, and become a whistleblower.*

*Vice Mayor Danko and Council Member Heighter shared comments on workforce housing.*

*Council Member Pontieri thanked staff and the applicant for the work on this.*

*Mayor Alfin called for a roll call vote.*

**Pass**

**Motion made to be approved on first reading by Vice Mayor Danko and seconded by Council Member Klufas**

**Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Cathy Heighter**

**Denied - 1 - Council Member Theresa Pontieri**

**5. ORDINANCE 2023-XX 2023 AMENDMENT TO THE MARINA VILLAGE MASTER PLANNED DEVELOPMENT (MPD) - APPLICATION NO. 5448**

*Attorney Borkert read the title into the record and called for any ex parte communications. There were none.*

*Bill Hoover, Senior Planner, presented the topic to Council. Topics presented included: location map, close up aerial, Future Land Use Map, zoning map, background, table showing proposed key MPD changes, proposed carport design, MPD tract map, MPD conceptual plan, staff analysis, key development criteria from the Land Development Code, public participation, next steps, and Planning and Land Development Regulation Board recommendations.*

*Council held discussion on the following topics: tract 6, green space, fueling station, and fueling permit process.*

*Mr. Tyner and Mr. Hoover provided a response to Council questions.*

*Mike Chiumento, on behalf of the applicant, presented to Council. Topics presented included: summary of key components and history of project, phases of the project, design, and vision.*



*Council Member Pontieri asked if the fuel permits have already been obtained.*

*Mr. Chiumento shared that the applicant has a permit to do the basin and the marina.*

*Doug Jefford, with Lighthouse Holdings, stated that the project will be a full-service marina including boat service, fuel, ship store, dry storage, and open to the public. Additionally, Mr. Jefford spoke about the timeline of applying for fuel tank permits.*

*Mayor Alfin spoke building the marina with resiliency in mind should there be a storm surge.*

*Mr. Jefford understood Mayor Alfin's comments and share design details.*

*Council Member Klufas asked if the waters are tidal controlled.*

*The representatives responded yes.*

*Council Member Pontieri asked who will be responsible for maintenance.*

*Mr. Chiumento responded that an association and/ or the commercial owner of the marina facility.*

*Mayor Alfin requested information related to kiln dust to be included for the second reading of the item.*

*Council Member Klufas emphasized the quality and vision of the project.*

*Council Member Pontieri shared concerns regarding greenspace and would like to see the townhomes comply with the Land Development Code.*

*Mr. Tyner responded to Council Member Pontieri to share that staff can work with the applicant to try to get more assurances within the development agreement on what the applicant has illustrated.*

*Vice Mayor Danko spoke about building the hotel.*

*Mayor Alfin discussed building the hotel and business model to support it and the importance of the fuel station. Mayor Alfin reiterated the assurances requested by Council Member Pontieri.*

*Public Comment:*

*Dennis McDonald spoke about reducing commercial but increasing residential, silica dust, and a federal lawsuit on the property.*

*Council Member Pontieri asked questions related to the MPD on the topics of model homes and a rental program.*

*Mr. Chiumento responded to questions regarding buffers, residential uses and rental program.*

*Council Member Pontieri recommended that staff and the applicant go back to the drawing board to make sure that the project to ensure that there aren't too many residential units and making sure that the townhomes are within the Land Development Code if possible.*

*Mayor Alfin discussed Council Member Pontieri's experience at the collaborative meeting of cities within Flagler County and spoke about the positive economic impact for Palm Coast, unincorporated Flagler, and Flagler Beach.*

*Mayor Alfin called for a roll call vote.*

**Pass**

**Motion made to be approved on first reading by Vice Mayor Danko and seconded by Council Member Klufas**

**Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Cathy Heigher  
Denied - 1 - Council Member Theresa Pontieri**

## **I. RESOLUTIONS**

### **6. RESOLUTION 2023-78 APPROVING AN AMENDMENT TO THE DRMP, INC., CONTRACT FOR DESIGN MODIFICATIONS FOR THE OLD KINGS ROAD NORTH WIDENING PHASE II DESIGN**

*Attorney Borkert read the title into the record.*

*Carl Cote, Director of Stormwater & Engineering, presented the topic to Council.*

*Topics presented included: FDOT development process, project limits, and project development process.*

*Mayor Alfin asked if there will be any conversation through TPO or DOT on traffic calming.*

*Mr. Cote provided response on analyses used to determine traffic signals.*

*Mayor Alfin congratulated staff on obtaining funding and spoke about the timeline and efforts that go into such projects.*

*Public Comment:  
There were none.*

*Mr. Cote closed with comments regarding impact fees.*

**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**

**7. RESOLUTION 2023-77 APPROVING A WORK ORDER WITH DRMP, INC., FOR ADDITIONAL DESIGN SERVICES FOR THE BELLE TERRE SAFETY IMPROVEMENT PROJECT**

*Attorney Borkert read the title into the record.*

*Carl Cote, Director of Stormwater & Engineering, presented the topic to Council. Topics presented included: intersection improvements, Belle Terre Parkway and Pritchard Drive, Belle Terre Parkway and Whiteview Parkway, Belle Terre Parkway and Royal Palms Parkway, and Council Action.*

*Mayor Alfin asked Ms. Bevan to comment on the prioritization by Council related to the concern for safety on roads.*

*Ms. Bevan shared Council priorities, Belle Terre project, accident reports from Commander Reynolds, and where we should be most thoughtful on prioritizing projects.*

*Mayor Alfin hoped that the media would help to inform residents to know that dollars are being carefully spent to improve the safety along the roadways.*

*Council Member Pontieri spoke about the utilization of impact fees to fund roadway safety improvements.*

*Council thanked staff for their efforts.*

*Public Comment:*

*Tony Amaral spoke about impact fees and requirement to expand. Additionally, Mr. Amaral suggested not doing projects during high traffic times.*

*Mayor Alfin asked Ms. Bevan to address the issue with staff.*

*Ms. Bevan responded and deferred to Mr. Cote for additional information.*

*Mr. Cote discussed project scope, traffic plan, staging, sequencing, and working on the best plan to minimize traffic impacts.*

*Vice Mayor Danko asked if it is a huge cost to work overnight.*

*Mr. Cote spoke about typical overnight projects and quality of work.*

**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**

*Council recessed at 12:31 p.m. Council reconvened at 12:52 p.m.*

**8. RESOLUTION 2023-83 AUTHORIZING THE CITY MANAGER TO SIGN HAZARD MITIGATION GRANT PROGRAM ASSISTANCE APPLICATIONS, AS REQUESTED BY THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT**

*Attorney Borkert read the title into the record.*

*Maeven Rogers, Chief Resiliency & Sustainability Officer, and Garann Hopkins, Environmental Specialist, presented the topic to Council. Topics presented included: background of the item, details of the Hazard Mitigation Grant Program, details of the projects, and timeline.*

*Council held discussion on the following topics: improved Stormwater drainage and additional area and the positive impacts to the Woodlands area.*

*Mayor Alfin asked City Manager to write a letter to Mr. Guthrie, Executive Director, Florida Division of Emergency Management, for thanks on assistance with this item.*

*Public Comment:  
There were none*

**Pass**

**Motion made to approve 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 Heigher**

**9. RESOLUTION 2023-79 APPROVING A CONTRACT WITH CUSTOM BUILT MARINE CONSTRUCTION, INC., A WORK ORDER WITH DRMP, INC., FOR CONSTRUCTION INSPECTION SERVICES (CEI), AND A PROJECT CONTINGENCY FOR THE CONSTRUCTION OF LONDON WATERWAY EXPANSION PROJECT**

*Attorney Borkert read the title into the record.*

*Carmelo Morales, Stormwater Engineer III, presented the topic to Council. Topics presented included: background of the item, project background, purpose, and consultant selection.*

*Council held discussion on the following topics: initial bid timeline, engineer estimate, cost savings for portions of the contract, timeline, and start date.*

*Mr. Morales provided response to Council questions.*

*Council Member Pontieri shared concern for the difference between the bid and contract amount.*

*Council Member Klufas asked for the amount of the engineer estimate.*

*Mr. Morales responded 4.5 million.*

*Mr. Cote provided additional information on the topic to include companies with the ability to bid on the project, ARPA funds, and project scope.*

*Council Member Pontieri asked how long we have to use the ARPA funds.*

*Mr. Cote provided the timeline and additional funds tied to this project.*

*Council Member Klufas and Council Member Pontieri held discussion on the variance between the engineer estimate and the bids.*

*Council Member Pontieri shared concerns and that she will be watching this contract.*

*Vice Mayor Danko asked how many projects come in higher than the engineer estimate.*

*Mr. Morales provided information on increases in recent examples.*

*Council Member Pontieri spoke about the contingency within the Resolution and asked what amount would have to come back to Council for consideration for approval.*

*Ms. Bevan responded that the contingency is approved through Council's action on the item.*

*Council Member Pontieri stated that she would like anything over \$50,000 requested as part of the contingency to come back to Council.*

*Mayor Alfin asked if there is a limit already in place.*

*Council held discussion on the City Manager contingency and the contingency approval within the item Resolution.*

*Council Member Klufas shared concern should an increase not be approved, and the impacts that would have on completion of the project.*

*Mayor Alfin asked if there is a professional organization that exists to help vet out big deltas in construction costs.*

*Mr. Cote shared a response on typical handling of contingencies.*

*City Council held lengthy discussion on project contingency and bringing items to Council for approval.*

*Attorney Borkert provided details of the contract and the need to change the form contract to meet Council's request. Ms. Borkert discussed the current process for the City Manager to report once a month on any change orders that have been approved for this specific contract that are over \$50,000.*

*Ms. Bevan clarified the threshold to be brought to City Council.*

*Attorney Borkert shared her understanding to be that if staff pulled from the contingency for the amount of more than \$50,000, then Council requests to be informed.*

*Council Member Pontieri responded yes and shared that she would like to see the information presented like the sole source purchases are reported.*

*Mayor Alfin discussed the legitimacy of the request and the need for Council to be as well informed as possible. Mayor Alfin did not believe that the process interferes with staff's execution of the project. Mayor Alfin supported the request that City Council be updated, through the City Manager, when we have passed through the previously approved contingency.*

*Ms. Bevan shared support for City Council's request from a communication standpoint and shared that previous City Council has expected updates from staff. Additionally, Ms. Bevan recognized that the public is eager to know what is going on and spoke about a capital project map viewer that residents can access. Ms. Bevan shared a concern for the possibility of derailing the project.*

*Attorney Borkert advised that providing the City Manager with direction through consensus that City Council wants to be informed as discussed is sufficient and did not need to be included in the motion. City Council concurred.*

*Public Comment:*

*There were none.*

*Council Member Klufas thanked Mr. Morales for the feedback during the item.*

*Mayor Alfin shared that this gives City Council members the opportunity to talk to the public about difficulties and efforts of the project.*

**Pass**

**Motion made to approve 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 Heigher**

**10. RESOLUTION 2023-81 APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL FISCAL YEAR (FFY) 2023 (FY 2023/24) ANNUAL ACTION PLAN**

*Attorney Borkert read the title into the record.*

*Mr. Papa provided a brief background of the item. There were no changes to this item.*

*Public Comment:*

*There were none.*

**Pass**

**Motion made to approve by Vice Mayor Danko 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 Heighter**

**11. RESOLUTION 2023-74 APPROVING FINAL NUISANCE ABATEMENT ASSESSMENT**

*Attorney Borkert read the title into the record.*

*Liliana Filipe, Code Enforcement Clerk, and Barbara Grossman, Code Enforcement Manager, provided a brief update on the topic to Council.*

*Public Comment:*

*There were none.*

**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 Pontieri, Council Member Cathy Heighter**

**12. RESOLUTION 2023-75 APPROVING A CONTRACT WITH LASSITER TRANSPORTATION GROUP (LTG) FOR CONSULTANT SERVICES TO COMPLETE A TRANSPORTATION IMPACT FEE STUDY AND UPDATE THE TRANSPORTATION IMPACT FEE SCHEDULE**

*Attorney Borkert read the title into the record.*

*Mr. Tyner opened the item and provided a brief description. Phong Nguyen, Senior Planner, presented the topic to Council. Topics presented included: impact fee background and purpose, study objectives, study tasks, and schedule.*

*Council held discussion on the following topics: definition of affordable housing and relation to transportation, timeline, and items to be included within the study.*

*Public Comment:*

*There were none.*

**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 2023-80 APPROVING THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR**

*Attorney Borkert read the title into the record.*

*Shannon Boone, Chief Accountant, presented the topic to Council.*

*Public Comment:*

*There were none.*

**Pass**

**Motion made to approve by Vice Mayor Danko 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 Heighter**

**14. RESOLUTION 2023-76 APPROVING FIREHOUSE SUBS PUBLIC SAFETY GRANT FOR POLARIS RANGER CREW XP1000 WITH LIGHTS AND SIREN KIT FOR \$34,881.33**

*Attorney Borkert read the title into the record.*

*Chief Berryhill provided details of the item. Council thanked Lieutenant Juliano for efforts towards the grant.*

*Public Comment:*

*There were none.*

**Pass**

**Motion made to approve 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 Heigher**

**J. CONSENT**

*Council Member Pontieri commented on the Sheriff's contract within the consent agenda.*

*Public Comment:*

*There were none.*

- 15. RESOLUTION 2023-73 APPROVING PIGGYBACKING THE OMNIA KANSAS CITY CONTRACT WITH GRAYBAR ELECTRIC COMPANY, INC., FOR THE PURCHASE OF MISCELLANEOUS ELECTRICAL SUPPLIES AS NEEDED**
- 16. RESOLUTION 2023-82 APPROVING PIGGYBACKING THE CITY OF CASSELBERRY CONTRACT RFP 2023-1027 FOR GENERATOR MAINTENANCE AND REPAIR**
- 17. RESOLUTION 2023-84 APPROVING AN INTERLOCAL AGREEMENT WITH FLAGLER COUNTY SHERIFF'S OFFICE FOR THE PROVISION OF LAW ENFORCEMENT SERVICES**

**Pass**

**Motion made to approve on consent by Vice Mayor Danko 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**

**K. PUBLIC PARTICIPATION**

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

*Gene Dowd shared that it is obvious that Palm Coast abides by sunshine laws. Additionally, Mr. Dowd spoke about the City Attorney's responsibility and asked who the attorney represents.*

*Mayor Alfin and Attorney Borkert provided a response on the responsibility and duties of the City Attorney.*

**L. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*Vice Mayor Danko asked when the sign ordinance be coming to Council.*

*Ms. Bevan shared that the item has been scheduled for a future workshop.*

*Council Member Pontieri provided an updated on a DJJ meeting and also spoke about requesting an FAA study for the Flagler County Airport.*

*Ms. Bevan shared that Flagler County Airport representatives will be coming to Council in October and that staff can work with the representatives directly.*

*Council Member Pontieri made a motion to move \$2.5 million from the general fund, designated for the Maintenance Operations Center (MOC) to the Street Improvements/ Pavement Management Program. The motion was seconded by Vice Mayor Danko.*

*Mayor Alfin discussed prior Council discussion on these topics raised by Council Member Pontieri.*

*Council Member Heigher discussed the funds Council Member Pontieri shared about to ask if the funds would go to residential roads, should they be acquired.*

*Mr. Cote provided information about funding.*

*Council Member Heigher shared about a resident request to review residential roadways and shared concerns.*

*Council held discussion on pavement management options.*

*Council Member Klufas shared his impression that Council was going to get details of the long-term impacts of moving those funds and essentialness of the MOC.*

*Council Member Pontieri responded to Council Member Klufas to share that we're asking the State for appropriations for the MOC.*

*Mr. Cote shared that the State appropriations are for the second phase of the project.*

*Mayor Alfin discussed original allocations and respected the urgency and also the safety element. Mayor Alfin stated that he stands behind staff in their original presentation.*

*Public Comment:*

*There were none.*

*Mayor Alfin called for a roll call vote.*

**Pass**

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

**Approved - 3 - Vice Mayor Ed Danko, Council Member Theresa Pontieri, Council Member Cathy Heigher**

**Denied – 2- Mayor Alfin, Council Member Klufas**

*Council Member Heighter spoke about overflowing garbage on Palm Coast Parkway and high grass on Whiteview, and resident problems getting through to staff.*

**M. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*There were none.*

**N. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

**18. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR JULY 2023**

*Ms. Bevan asked Mr. Mancill to respond to Council Member Heighter's comments. Mr. Mancill shared about the mowing rotations and staffing vacancies.*

*Council Member Pontieri asked if we have any public notification on the grass growth.*

*Mr. Mancill responded that staff can work on increased messaging.*

*Ms. Bevan discussed contact methods for customer service.*

*Ms. Bevan shared about the Sole Source Purchases for July 2023.*

*Ms. Bevan shared about a major road closure on Pine Lakes Parkway, communications efforts, and words of support for field staff.*

*Ms. Bevan shared that Kaley Cook was appointed as City Clerk.*

**O. ADJOURNMENT**

*The meeting was adjourned at 2:42 p.m.*

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