



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 Cathy Heighter
Council Member Nick Klufas
Council Member Theresa Pontieri

Tuesday, August 8, 2023

9:00 AM

COMMUNITY WING

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.
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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 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.

Jeffrey Seib spoke about resident comments during the August 1, 2023, meeting in which residents called for a forensic audit. Mr. Seib clarified what a forensic audit is and shared thoughts and recommendations.

Bruce Stone spoke about City Council wanting this to become a big City and shared concerns.

Robert MacDonald asked for the status of developing Belle Terre pedestrian bridge. Additionally, Mr. MacDonald asked for the exact Stormwater bill and how many houses we have. Mr. MacDonald also shared concern for the process of the Volunteer Firefighter Pension Board appointment which occurred at the August 1, 2023, meeting.

Celia Pugliese thanked Council Member Klufas for his reply and gave credit to City Council for getting through their agenda packets. Ms. Pugliese agreed with the comments of Mr. MacDonald and wants a status of repair for the Belle Terre pedestrian bridge. Additionally, Ms. Pugliese spoke about two traffic calming islands for Florida Park Drive.

Steve Carr shared concern about speeding on Florida Park Drive.

Andrew Werner spoke about taxation and separation of powers, leadership and communication, support for Town Halls, and a challenge to Mayor and City Council to work together to run the City.

Ed Fuller spoke about the importance of words and being civil. Mr. Fuller also shared thanks to various City departments.

Gene Dowd thanked all first responders, spoke about state grants, and shared comments related to prior Council Meeting public comments.

Mayor Alfin asked if Ms. Bevan could provide an update on the Belle Terre Pedestrian Bridge project status.

Ms. Bevan asked Mr. Morales, project manager, to provide details.

Carmelo Morales provided an update on the project.

Mayor Alfin asked for weekly updates to be brought to City Council to include a brief summary of what is left to do. Council concurred.

Council Member Pontieri asked if this is a contractor that is being used for other projects.

Mr. Morales responded yes, the contractor is also working on the L4 weir project.

Ms. Bevan reiterated that there were many comments on public safety and shared that Commander Reynolds may have an update to provide.

Commander Reynolds shared an update from the Flagler County Sheriff's Office.

Council Member Klufas shared comments on the forensic audit and asked Council why they are asking for a forensic audit. Council Member Klufas asked where exactly the reasoning is for a forensic audit.

Mayor Alfin responded that the question is appropriate, and he has a different understanding as well. Mayor Alfin shared that he will ask Council to reel back the direction that was given at the last meeting on the discussion of a forensic audit.

Vice Mayor Danko stated that the request came from a citizen and that Council agreed to look at the topic and instructed staff to come back to Council with a cost. Vice Mayor Danko shared that he does not see any "fire" per say, but that Council should keep their commitment.

Mayor Alfin shared his understanding of the discussion on a forensic audit.

Council Member Klufas discussed the audits that the City is mandated to undergo and asked what Council is trying to define to have audited.

Mayor Alfin asked Ms. Borkert for an update so that Council is all on the same page.

Attorney Borkert relayed her understanding of what City Council wants to hear and shared that the City Manager can speak to how City staff will handle the process.

Council Member Klufas asked if there are any issues that indicate the need for a forensic audit.

Council Member Pontieri responded that she does not believe there is any criminal activity or improprieties but that residents are looking for transparency and understanding. Council Member Pontieri was in support of other mechanisms that may accomplish the same goal.

Mayor Alfin shared that the City currently conducts an audit with a top firm, licensed by the State, every year and the audit is available to the public. Mayor Alfin agreed that the information is transparent and shared that the information is available on the City's website and by request. Mayor Alfin suggested to write the City Manager for any needs beyond what is available and alert the City Manager of things they do not see in the audit.

Vice Mayor Danko stated that he believes if a consensus was given to the public then Council should follow through and shared an interest in finding out what a forensic audit is.

Mayor Alfin asked Ms. Bevan if a plan is in mind.

Ms. Bevan shared about staff efforts thus far and shared about the annual audit process that is occurring and that the information is available to Council throughout the process.

Council Member Heighter shared comments related to the forensic audit and that Council might be able to learn something from the audit.

Council Member Klufas reiterated his comments and support for staff.

Mayor Alfin asked Ms. Bevan to discuss the plan.

Ms. Bevan shared about the efforts thus far and about the information available to Council through the annual audit process.

Vice Mayor Danko asked if Council is still moving forward with getting costs.

Mayor Alfin reiterated Ms. Bevan's comments regarding the process.

Council Member Klufas spoke about Whiteview Parkway, the danger of the road, history of related items.

Council Member Pontieri spoke about the Strategic Action Plan and Council priorities.

Mayor Alfin shared that the Strategic Action Plan is the blueprint for the upcoming budget cycle.

E PRESENTATIONS

1 PRESENTATION - SALTWATER CANAL UPDATE

Carmelo Morales, Stormwater Engineer III, provided a background of the item.

Terry Cake, representative of Taylor Engineering, presented the update to Council.

Topics presented included: permit and design review, data collection, bathymetric survey, seawall survey, erosion, seawall damage, shoreline protection, sediment sampling and analysis, feasibility of additional dredging, identify and evaluate potential funding sources, develop preliminary assessments, and timeline and costs.

Council held discussion on the following topics: define shoaling, source of shoaling, locations which are less than 6 feet, public access, permitting, cost estimate, how we would proceed and who can complete the dredging, spot dredging and maintenance schedule, depth in finger canals, resiliency grants, low tide versus high tide, Department of Environmental Protection (DEP) regulations, and public outreach on this item.

Mr. Cake provided responses to Council questions.

Council Member Pontieri discussed grants and using the access points for public safety.

Mr. Cake stated that the next steps are to work with DEP on permitting, working with Palm Coast to determine dredging locations and depth, and then move forward with design and cost estimates.

Attorney Borkert shared details of license and easement agreements for property owners.

Council held lengthy discussion on the process and manner of addressing the dredging.

Mayor Alfin asked Mr. Cake what information is needed from Council to move forward with the discussion with DEP.

Mr. Cake replied that they can move forward with DEP. Mr. Cake also shared that Taylor Engineering will need to know what area the City would like dredged, at what depth, and how to define what needs to be dredged.

Mayor Alfin asked for a recommendation on how City Council can provide that level of detail.

Council provided consensus to go to the DEP for the cost of permitting.

Ms. Bevan asked staff if the next step is budgeted for in the next fiscal year.

Mr. Morales responded no.

Mayor Alfin asked for the timeline.

Mr. Cake responded that a couple of weeks will be needed.

Council Member Klufas recommended public input on what issues people are experiencing.

Council Member Pontieri recommended asking staff to come up with a survey that goes to residents that are on the canals. Council concurred.

2 PRESENTATION - PARKS & RECREATION MASTER PLAN - GOALS AND OBJECTIVES

Brittany McDermott, Deputy Director of Parks & Recreation, opened the item.

Art Thatcher, representative of Berrydunn, presented the topic to Council. Topics presented included highlights of project phases, engagement, social pinpoint and online engagement, research methods, recurring themes, and goals.

Council held discussion on the following topics: nontraditional sports and activities, analyzing public/private partnership, determination between Palm Coast and the County to determine who will handle the items, adequate preparation for the heat, and suggestion for cool zones.

Mr. Thatcher provided a response to Council questions.

3 PRESENTATION - 2023 LEGISLATIVE SESSION OVERVIEW AND 2024 LEGISLATIVE PRIORITY DISCUSSION

Jason DeLorenzo, Chief of Staff opened the item.

Laura Boehmer and Oscar Anderson, of The Southern Group, presented the topic to Council. Topics presented included: session bill statistics, budget highlights, housing funding, City of Palm Coast budget priorities, key legislation, tax package, and what is next.

Council held discussion on the following topics: theme of vetoed items, collaborative discussion with the County on proposed legislative priorities, Airbnb and vacation rentals, lessons learned from the last session that can be applied for the future, suggestion to bring similar projects together, and the suggestion to include the land acquisition in the regional requests.

Mr. DeLorenzo provided a response on the coordination of the legislative priorities to date and vacation rentals.

Mr. DeLorenzo presented the 2024 Legislative Priorities. Mr. DeLorenzo asked for a consensus on each of the priorities. Consensus was provided to staff for the 2024 Legislative Priorities.

4 PRESENTATION - CONTRACT WITH FLAGLER COUNTY SHERIFF'S OFFICE FOR LAW ENFORCEMENT SERVICES

Lauren Johnston, Assistant City Manager, presented the topic to Council.

Topics presented included: a history of the partnership with Flagler County Sheriff's Office, personnel, terms of the agreement, and next steps.

Council held discussion on the following topics: relation to the 5-year plan, total increase in the contract for this year, encouragement for the City to take care of employees the same way that contractors do, and the recommendation to have a process when Council needs to make requests on behalf of residents.

Mark Strobridge, Flagler County Sheriff's Office Chief of Staff, provided a response to Council questions.

5 PRESENTATION - 2023 SUMMER INTERN PROJECT

The 2023 Summer Interns presented the topic to Council. Topics presented included: summary of results, employee data, supporting graphs, explanation of results, improving recruitment, employee benefits, and recommendations for increased retention.

Council Members shared comments on the presentation and encouragement for the interns.

Council Member Pontieri asked if there is anything that we can do to be fiscally conservative in terms of recruitment.

Mr. Keltner recommended teaching younger generations about the importance of the benefits that the City offers.

Council recessed at 12:40 p.m. Council reconvened at 12:58 p.m.

6 PRESENTATION - PROPOSED FISCAL YEAR 2024 GENERAL FUND BUDGET

Helena Alves, Director of Financial Services, and Gwen Ragsdale, Budget & Procurement Manager, presented the topic to Council.

Ms. Bevan shared details of the budget process and reductions that have been made.

Topics presented included: General Fund Budget, City Manager Budget, City Clerk Budget, City Attorney Budget, Communications and Marketing Budget, Human Resources Budget, Financial Services Budget, Construction & Engineering Budget, Planning Budget, Code Enforcement Budget, Business Tax Budget, Economic Development Budget, Public Safety Budget, Streets

Maintenance Budget, Parks & Recreation Budget, Non-Departmental Budget, and where to find additional information.

Council held discussion on the following topics: removal of advertisement from the Communication Budget, line items that were reduced, allocating funds from the Maintenance Operations Center (MOC) towards pavement management, alternate revenue sources, franchise fee, and staffing at the Southern Recreation Center.

Council held lengthy discussion on the possibility of reallocating funds from the MOC to fund pavement management. Council discussed the future cost implications, timeline for the MOC, and safety concerns.

Mayor Alfin recommended that Council review details before the next budget meeting.

Ms. Bevan shared comments looking into next year.

Council held lengthy discussion on budget and preparing for the future.

7 PRESENTATION - CAPITAL, INTERNAL SERVICES, SPECIAL REVENUE FUNDS, AND PROPOSED BUDGET FOR ALL REMAINING FUNDS

Helena Alves, Director of Financial Services, and Gwen Ragsdale, Budget & Procurement Manager, presented the topic to Council. Department Directors presented various funds.

Topics presented included: presentation overview, Capital Funds, Fleet and Facilities Management Funds, Information Technology, Internal Services Fund, All Remaining Funds, and where to find additional information.

Council held discussion on the following topics; Splash pad expenditures, general fund transfer related to Capital Projects, wetlands, funds saved for the MOC, cost increases for the MOC, safety concerns, estimated costs for Phase 1 and real life consequences for using the saved funds towards roads, impact fee reviews, legislation related to impact fees, land available and marketing efforts, interest in City-owned property, outsourcing facilities maintenance projects, truck costs and looking at other brands, piggybacking contracts for fleet vehicles, review of health insurance costs, and increase in claims.

Mr. DeLorenzo shared a response regarding marketing efforts and land available for commercial development.

Council held lengthy discussion on land available and commercial development.

8 PRESENTATION - BACKYARD CHICKENS PILOT PROGRAM

Barbara Grossman, Code Enforcement Manager, presented the topic to Council.

Topics presented included: a background of the item, update regarding the community chicken option previously discussed by Council, pilot program for backyard chickens, and pilot program benefits.

Attorney Borkert provided an update regarding the legal research conducted on community chickens.

Council held discussion on the following topics: resident concerns, recommendation of putting the topic on a ballot, recommendation for approval from surrounding neighbors, size and setback specifications, fence height, current code and legalities, retail sales, and Florida as a Right to Farm State.

Council Member Pontieri shared comments and support for the pilot program.

Council Member Heigher shared about a meeting with stakeholders and shared about many of the comments she received. Council Member Heigher recommended the possibility of the topic being placed on the ballot.

Council Member Klufas shared comments on the expectations for current residents.

Council held lengthy discussion on resident comments and potential of putting this item on the ballot.

Ms. Grossman provided responses to Council questions.

Mayor Alfin recommended that this item go to a Town Hall.

Attorney Borkert shared details of how land-use changes are processed.

Council held discussion on potential Ordinance language limiting the number of permits.

Mayor Alfin and Attorney Borkert held discussion on special exceptions and allowable use through the existing code.

Discussion was held on the land development code.

Mayor Alfin shared that the direction for staff is to determine the cost and timeline for a survey.

9 RESOLUTION 2023-XX 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.

Jose Papa, Senior Planner, and Jacqueline Gonzalez, Site Development Coordinator, presented the topic to Council. Topics presented included: action item, examples of projects and programs, recommendations, and next steps.

Council held discussion on the following topics: consistency of allocations, recommendations for fund allocations, support for the recommendations discussed, and request for halfway point update.

F PUBLIC PARTICIPATION

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

Mike Norris spoke about Airbnbs, prior Council discussion on the topic, and related legislature. Mr. Norris also spoke about the backyard chicken item and putting items on the ballot.

Nathan Phelps spoke about the community chicken discussion, efforts by stakeholders thus far, and property rights.

Josh Fabean spoke about property rights and backyard chickens.

Dani (no last name provided) spoke about property rights, community chickens, and backyard chickens.

Sarah Callahan shared that she moved from Atlanta where chickens were allowed. Ms. Callahan shared about experiences during Covid and support for eating organically and locally. Ms. Callahan responded to comments made by Council on the backyard chicken item.

Gene Dowd shared comments on items presented today to include Stormwater fund allocations and support for road funding, affordable housing, increase in Sheriff contract and funding, and encouragement to the City Council to reconsider the backyard chicken item.

Jim Powell, President and Founder of Inter-United Soccer Club, and owner of Ragga Surf Café, shared that he moved here for the conservation, parks, and beauty. Mr. Powell feared that we are on the cusp of losing those things. Additionally, Mr. Powell spoke about the vision of Palm Coast and that it is not clear.

Mike Norris spoke about saltwater canals and shared County efforts for Stormwater. Mr. Norris urged Council to consider mandatory seawalls on vacant lots and recommended talking to the County to see what portion of money is going to go to Palm Coast.

Mike Norris spoke about legislative priorities and the need for industry in Palm Coast.

G DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Danko shared a news article and information regarding the efforts of Special Agent Daniel Alfin, Mayor Alfin's son, and his partner Laura Schwarzenberger.

Mayor Alfin shared comments on the topic of child exploitation.

Council Member Heighter responded to the community stakeholders for backyard chickens. Council Member Heighter shared that she can understand their frustrations and spoke about efforts she has taken to make neighbors comfortable. Council Member Heighter hoped for a remedy and thanked residents for sharing their views.

H DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

There were none.

I DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

There were none.

J ADJOURNMENT

This meeting was adjourned at 4:24 p.m.

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