



City of Palm Coast Minutes City 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 7, 2024

6:00 PM

City Hall - Community Wing

City Staff

Lauren Johnston, Acting City Manager

Marcus Duffy, 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 6 p.m.

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

C. ROLL CALL

City Clerk Kaley Cook called the roll. Council Member Heighter was absent, and Council Member Pontieri appeared virtually.

D. PROCLAMATIONS AND PRESENTATIONS

1. PRESENTATION - 2024 LEGISLATIVE SESSION OVERVIEW AND 2025 LEGISLATIVE PRIORITY DISCUSSION

Jason DeLorenzo, Chief of Staff, introduced the item.

Laura Boehmer, Partner with the Southern Group, presented the topic to City Council.

Topics presented included: Session Stats, State Budget Highlights, City of Palm Coast Budget Items, Budget Highlights, Key Legislation Passed, Tax Package, Key Legislation Failed, and Next Steps.

City Council held discussion on the following topics: titles of appropriations for existing infrastructure, affordable housing and new legislation, exemptions, results from this session versus prior years, and congratulations and thanks for all the hard work.

Council Member Pontieri requested future information from staff on policies, procedure, or code updates that need to be made based on approved legislation.

Acting City Manager Lauren Johnston shared that staff is actively working with the City Attorney to draft a memo to City Staff and City Council on how to satisfy requirements.

Ms. Boehmer and Mr. Delorenzo provided details as requested.

2. PRESENT CERTIFICATES TO GRADUATING STUDENTS OF THE CITY OF PALM COAST'S CITIZENS ACADEMY CLASS

Brittany Kershaw, Director of Communications & Marketing, provided a background of the item.

Lauren Johnston, Acting City Manager, presented the certificates to the graduates.

Mayor Alfin shared closing comments and a challenge for the graduates.

Participant Ed Fuller shared comments about the academy and compliments.

3. PROCLAMATION - MAY 2024 AS NATIONAL PRESERVATION MONTH

Council Member Klufas presented the Proclamation to members of the Palm Coast Historical Society.

Kathy Reichard-Ellavsky, President of the Palm Coast Historical Society, shared comments and recognized Art Dyke, Elaine Studnicki, and Sisco Deen.

Ed Siarkowicz shared comments about Sisco Deen and his contributions to the community.

Family members of Mr. Deen shared comments.

4. PROCLAMATION - MAY 2024 AS NATIONAL TENNIS MONTH

Council Member Klufas presented the Proclamation to members of the Palm Coast Friends of Tennis.

Stephen Zoutman, Southern Recreation Center Supervisor, and Agnes Lightfoot, President of Friends of Tennis, shared comments on the topic.

5. PROCLAMATION - THE WEEK OF MAY 1-7, 2024, AS ELKS NATIONAL YOUTH WEEK

Mayor Alfin presented the Proclamation to members of the Elks Lodge.

Representatives of the Elks Lodge shared comments and thanks.

6. PROCLAMATION - THE WEEK OF MAY 5-11, 2024, AS PUBLIC SERVICE RECOGNITION WEEK

Mayor Alfin presented the Proclamation to City staff.

Tim Wilsey, Human Resources Manager, shared comments on the topic.

E. 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.

Jeffery Seib discussed State Legislative Process and its importance, concerns for transparency, and residents' needs.

Bruce Stone discussed recent posts to the website, traffic concerns due to tree limbs, homes being built on Cimmaron Drive, traffic concerns on Cimmaron, and responded to Council comments.

James Deen shared about reading a new article, discussed traffic congestion, a need for a center turn lane, repaving on SR 100, building projects, and urged Council to stop building homes.

Kandi Stevens discussed standards and stated that people are looking, discussed traffic concerns, water plant capacity, provided recommendations to slowing down on building, to stop spending infrastructure dollars on westward expansion, and discussed homelessness.

Donna Keeler stated that we have to take care of what we already have, was not in favor of westward expansion and advertisements encouraging moving to Palm Coast, and discussed homelessness.

Steve Carr discussed a new traffic study, traffic studies over the years, asked if there has been any resolution to residential neighborhood complaints of speeding and excessive traffic, and asked what is necessary for action to be taken.

Leslie Johnson, Flooded in Flagler, stated that something is wrong, people are not being served, and discussed the need to come up with a solution, inspection types, inspectors, accountability, and coming to a resolution.

Gary Kunnas discussed an email from Brad West related to dredging and prior discussions on half cent sales tax. Mr. Kunnas provided the conversation from Mr. West which has been attached to these minutes.

Jeremy Davis discussed witnessing a motorcycle wreck and commended the Sheriff's Office and Fire Department for their quick response. Mr. Davis shared that he feels helpless and asked how Council would feel if they were in his situation.

Jeff (no last name provided) discussed building and lot clearing, water treatment plant capacity, and displaced wildlife.

Mayor Alfin asked Ms. Johnston to comment on upcoming meeting regarding road safety.

Ms. Johnston shared about several upcoming presentations to City Council.

Council Member Klufas responded to various public comments regarding traffic, homelessness, inspections, and to provide clarity for comments stated.

Council Member Pontieri echoed the comments of Council Member Klufas, discussed homelessness and shared efforts on the topic, was hopeful about coming to a resolution, and suggested a potential workshop in the future. Additionally, Council Member Pontieri discussed traffic as a priority, study results, and next steps.

Mayor Alfin requested a report from Flagler County Sheriff's Office on the data that they may have available on the topic of homelessness.

F. MINUTES

7. MINUTES OF THE CITY COUNCIL: APRIL 16, 2024, BUSINESS MEETING APRIL 23, 2024, BUDGET WORKSHOP

Pass

Motion made to approve the minutes of the April 16, 2024, Business Meeting by Vice Mayor Danko and seconded by Council Member Klufas

Motion made to approve the minutes of the April 23, 2024, Budget Workshop 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 Theresa Pontieri

G. ORDINANCES SECOND READ

8. ORDINANCE 2024-12 AMENDING SECTION 2.05.02 NEIGHBORHOOD MEETING REQUIREMENTS, SUBSECTION B NOTIFICATION REQUIRED OF THE UNIFIED LAND DEVELOPMENT CODE OF ORDINANCES OF THE CITY OF PALM COAST

Assistant City Attorney Jeremiah Blocker introduced himself and Attorney Lisa Miles.

Assistant City Attorney Lisa Miles read the title into the record.

Ray Tyner, Deputy Chief Development Officer, provided a background of the item.

Council Member Klufas asked for clarification of the notices.

Mr. Tyner provided a response.

Mr. DeLorenzo discussed the process and history of the item.

Mayor Alfin asked staff to footnote that if there are residents within a single community that staff make an effort to notify the homeowners within the 500 ft radius that they may advise their neighbors.

Public Comment:

Peter Johnson discussed the number as arbitrary, issues with the notification, and shared confusion as to why the City can't notify an entire community.

Ron Kuba discussed elevated lots, existing lots, and changes to the Code.

Mayor Alfin asked the City Attorney about legalities of moving outside of the legal boundary.

Assistant Attorney Blocker shared information related to the notification requirements.

Council Member Pontieri stated that what has been done is the best solution and that this is more than a lot of similar cities and counties, and discussed the responsibility of the Homeowners Association.

Pass

Motion made to be adopted on second 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 Theresa Pontieri

H. RESOLUTIONS

9. RESOLUTION 2024-68 APPROVAL OF A FLORIDA DEPARTMENT OF TRANSPORTATION STATE-FUNDED GRANT AGREEMENT FOR THE DESIGN OF OLD KINGS ROAD SOUTH PHASE TWO PROJECT

Assistant City Attorney Lisa Miles read the title into the record.

Carl Cote, Director of Stormwater & Engineering, presented the topic to City Council. Topics presented included: Project Limits, Legislative Priority, and Council Action.

Mayor Alfin was in favor of the project, shared about the history of the road, and asked how long the process will take.

Mr. Cote responded that the process is over a year long and shared additional details about the process.

Ms. Johnston shared that this item addresses some of the citizen comments heard this evening.

Mayor Alfin asked when an update can be expected.

Mr. Cote responded the beginning of June and shared the current step in the process.

Mr. Cote shared additional items addressed with the project.

Council Member Pontieri commented that this is a testament to how impact fees are being used, their importance, and the projects that are being completed with them.

Public Comment:

James Deen discussed the need for turning lanes and lane expansions.

Mr. Cote provided the details of the project.

Mr. Davis shared a comment on the design of the swale system.

Pass

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

Approved - 4 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri

I. CONSENT

Council Member Pontieri discussed item I 14 and asked if everyone was okay following the crash.

Mr. DeLorenzo responded yes, but that the vehicle was severely damaged.

Public Comment:

There were none.

Pass

Motion made to to be adopted on consent 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 Theresa Pontieri

- 10. RESOLUTION 2024-67 APPROVING PIGGYBACKING THE CONTRACT BETWEEN QUADMED, INC., AND OSCEOLA COUNTY, FLORIDA**
- 11. RESOLUTION 2024-65 APPROVING PIGGYBACKING THE BREVARD COUNTY, FLORIDA CONTRACT WITH EFE, INC., TO UTILIZE THE TERMS, CONDITIONS, SCOPE, AND PRICING OF THE AGREEMENT FOR AGRICULTURAL EQUIPMENT OEM REPLACEMENT PARTS AS NEEDED**
- 12. RESOLUTION 2024-66 APPROVING PIGGYBACKING THE OSCEOLA COUNTY, FLORIDA CONTRACT WITH EFE, INC., TO UTILIZE THE TERMS, CONDITIONS, SCOPE, AND PRICING FOR JOHN DEERE OEM PARTS AND SERVICES AS NEEDED**

13. **RESOLUTION 2024-64 APPROVING A PIGGYBACK CONTRACT WITH DEPARTMENT OF MANAGEMENT SERVICES, AN AGENCY OF THE STATE OF FLORIDA, WITH EMPIRE OFFICE/STEELCASE, INC., FOR THE PURCHASE AND INSTALLATION OF FURNITURE AND EQUIPMENT CITYWIDE ON AN AS-NEEDED BASIS**
14. **RESOLUTION 2024-69 APPROVING PIGGYBACKING FLORIDA SHERIFF'S ASSOCIATION CONTRACT WITH BOZARD FORD TO PURCHASE ONE (1) 2023 FORD F350**

J. PUBLIC PARTICIPATION

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

George Mayo asked if State Legislation was approved regarding vacation rentals.

Mayor Alfin provided a response on information that was shared earlier in the meeting by The Southern Group.

Mayor Alfin continued his comments regarding traffic signal timing, traffic congestion on Belle Terre Parkway, and Federal initiatives to remove materials from water systems.

Jeremy Davis provided an update on a phone call received from the home developer who is building next to his home.

Ed Fuller shared about an event at the Sheriff's Ops Center in honor of fallen heroes and upcoming 'Touch a Truck' event. Additionally, Mr. Fuller discussed the connection between stormwater drainage, public works, and public safety. Mr. Fuller encouraged a reconstructed thought process to understand that public safety included stormwater drainage and roadways.

K. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Pontieri congratulated graduates of the Citizens Academy, thanked staff for a stupendous job of putting the program together, shared prayers for the recent passing of a woman and child in an accident on I-95, and shared a reminder to be mindful on roadways. Additionally, Council Member Pontieri stated that since last meeting, a fellow Council Member has been sharing false information about her, and City Council's intentions, doing personal attacks, and sought to put a stop to the behavior as it inhibits the work that City Council is doing. Council Member Pontieri responded to comments of a City Council Members from social media and found it to be incumbent upon Council Members to find cuts or alternative revenue sources. Council Member Pontieri discussed various Council Members campaigning and made a plea to her colleagues to keep in mind what their job is over the next 6 months.

Mayor Alfin stated that all have enjoyed engagement with community and asked if the City Council would agree to double-down on the frequency of Town Halls once City staff is able to iron out the details. City Council concurred.

Mayor Alfin called on City Council for consensus to bring Ralph Carter Park as a discussion to a future workshop. Mayor Alfin read a letter into the record, which has been attached to these minutes. City Council concurred to bring the item forward at a future workshop.

Council Member Pontieri discussed the important interests on both sides, is an advocate of kids playing organized sports, and discussed staff strides trying to pacify both sides.

Council Member Klufas sought to quantify the amount of displeasure to ensure that we are not catering a few loud residents and to determine who is being affected.

Vice Mayor Danko asked Ms. Johnston to address a public comment related to advise to sue a neighbor.

Ms. Johnston provided the most recent update from staff.

Council Member Klufas discussed treating those as you would want to be treated, and resonated with the comments of Council Member Pontieri.

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. Johnston discussed items to bring back to City Council including homelessness, draft schedule of Town Halls, and Ralph Carter Park.

Additionally, Ms. Johnston provided a response to Mr. Mayo on traffic signal optimization and that timing may be off due to current resurfacing of the road.

Lastly, Ms. Johnston referenced a letter regarding an upcoming utility construction project.

Jim Melley, Utility Systems Manager, provided an update regarding upcoming infrastructure improvements in the area of Florida Park Drive.

Mayor Alfin asked if staff has the ability to check on residents in that section of the road to see if they have a transportation special need.

Mayor Alfin asked about signage.

Mr. Melley shared that message boards will be out in the area with a 2-3 week notice, discussed communication efforts, and handouts.

Mayor Alfin recommended that City Council volunteer to hand out the notices with staff.

N. ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

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