



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 21, 2024

9:00 AM

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 9 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 with Council Member Pontieri appearing virtually.

D. PROCLAMATIONS AND PRESENTATIONS

1. PROCLAMATION - THE WEEK OF MAY 19 - 25, 2024, AS NATIONAL PUBLIC WORKS WEEK

Mayor Alfin presented the Proclamation to members of Public Works. A video was shared highlighting the department.

2. PROCLAMATION - MAY 2024 AS WATER SAFETY MONTH

Council Member Klufas presented the Proclamation to members of Parks & Recreation staff.

Aly Rock-Yanochko, Aquatic Center Recreation Supervisor, shared about upcoming events.

3. PRESENT CERTIFICATES TO THE LEADERSHIP INTERN TRAINING EXPERIENCE (LITE) TEAM

Mayor Alfin opened the item.

Lauren Johnston, Acting City Manager, shared about the program.

Ms. Johnston and Mayor Alfin presented the graduates with their certificates.

Crystal Garner, a graduate of the program, shared comments about her experience and the program.

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.

Robert MacDonald discussed public comments, the topic of right and wrong, comment cards, provided suggestions for one-on-one meetings with the Mayor and Directors to attempt to get problems resolved, and handicap accessibility at parks.

Steve Carr discussed speeding and excessive traffic on Florida Park Drive and sought to know what the City intends to do.

Mayor Alfin asked Ms. Johnston to address that comment at the end of public comment.

Jefferey Seib discussed rapid growth in Palm Coast, increase in severity as we grow unless addressed, freshwater supply issues, protecting natural assets, City budget, preserving green open spaces, concern with westward expansion, and presentations held in years past.

Jeremy Davis discussed a recent rainstorm and flooding in his back yard, wanted staff to take photos during the storm to see what he is experiencing, a neighboring home built higher than his, and potential lawsuit.

Mr. Siegfried discussed a Code violation for a boat being on his property and wanted to understand why.

Ms. Johnston responded to public comment to share that staff will work towards scheduling a meeting with Mr. MacDonald regarding accessibility at parks, and about an upcoming neighborhood speed study presentation.

Mayor Alfin discussed initiatives related to the project and sharing the information with the public.

Ms. Johnston shared details of a visit from Mr. DeLorenzo to Mr. Davis' home and that staff is still working on mitigation options with the builder of the neighboring property.

Council Member Pontieri gave thanks to Public Works for the work that they do on special projects, discussed the importance of water safety and swim lessons, and shared congratulations to LITE team graduates.

Council Member Heigher commented on the Public Works Proclamation and thanked staff for all of the work that they do to keep Palm Coast a beautiful city.

F. MINUTES

4. MINUTES OF THE CITY COUNCIL: MAY 7, 2024, BUSINESS MEETING

MAY 14, 2024, WORKSHOP MEETING

Pass

Motion made to approve the May 7, 2024, Business Meeting Minutes by Vice Mayor Danko and seconded by Council Member Klufas

Motion made to approve the May 14, 2024, Workshop Meeting Minutes 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

G. RESOLUTIONS

5. RESOLUTION 2024-71 TOWN CENTER TRACT 8 TECHNICAL SITE PLAN TIER 3 - APPLICATION NO. 5598

Attorney Duffy read the title into the record.

Bill Hoover, Senior Planner, presented the topic to City Council. Topics presented included: distant aerial, close up aerial, Future Land Use Map, Zoning Map, Town Center DRI/PUD, overall site plan, closeup of development area of site plan, site development requirements, five review criteria from the Land Development Code, public participation, Planning and Land Development Regulation Board, next steps, and recommendation.

Ray Spofford, Vice President of Planning with England-Thims & Miller, and Nick Everly, Senior Director of Land Planning and Entitlements with Hillpointe, presented the topic to City Council. Topics presented included: details about the development, location, master site plan, recreation plan, and summary.

City Council held discussion on the following topics: traffic concerns and mitigation, request for definition between active and passive recreation areas, need for turning lanes, and a discussion on the timing of turn lanes construction.

Mr. Spofford provided a response to Council comments and questions.

Council Member Pontieri made a motion to approve the site plan with the inclusion that turn lanes be constructed at 50% completion, rather than at the issuance of the last certificate of occupancy.

Discussion was held with the applicant on the details of the motion.

Mr. Spofford shared information and that they are agreeable to the details of the motion.

Vice Mayor Danko seconded the motion.

Phong Nguyen, Senior Planner, shared traffic details and recommended that Council include a requirement for development improvements to include a southbound left turn and northbound right turn lane.

Council Member Pontieri amended the motion to include the recommendation of Mr. Nguyen. Vice Mayor Danko seconded the amended motion.

Mayor Alfin discussed awareness of a housing development located behind the Imagine School at Town Center and shared that this will decrease their traffic as well.

Mr. Spofford shared project timeline and details related to the turn lanes.

Mr. Nguyen shared efforts to date and timing of the item.

Council Member Pontieri thanked the applicant for exceeding the minimum requirements highlighted and for being willing to work with staff.

*Public Comment:
There were none.*

Attorney Duffy called for any ex parte communications. 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

6. RESOLUTION 2024-XX APPROVING A MASTER SERVICES AGREEMENT WITH GRAYROBINSON FOR CODE BOARD ATTORNEY SERVICES

Attorney Duffy read the title into the record.

Barbara Grossman, Code Enforcement Manager, and Liliana Filipe, Code Enforcement Specialist, presented the topic to City Council.

Topics presented included: difference in services, bid evaluations, and recommendation.

City Council held discussion on the following topics: the topic for consideration, statutes, cost difference, expenses handled by staff, continued negotiations, comparison of firms who submitted proposals, concern for the firm proposed and potential conflicts of interest, schedule and caution of delaying work, and current hourly rate.

Attorney Duffy discussed Statutory requirements, intent to award and providing authorization to continue to negotiate, the role of the Code Board Attorney, and current representation for the board.

Jason DeLorenzo, Chief of Staff, shared details of the procurement process and the item for consideration.

Mayor Alfin asked City Council Members what they need to know in order to be comfortable with this item.

Vice Mayor Danko shared concern for the cost increase and proposed costs.

Mayor Alfin sought consensus to instruct staff to negotiate and come back to City Council.

City Council concurred with the direction proposed.

Mr. DeLorenzo shared concern for the procurement process and encouraged following the procurement process.

City Council held additional discussion on the item and provided consensus to staff to negotiate the fees and bring additional information on the topic.

*Public Comment:
There were none.*

H. CONSENT

Council Member Pontieri highlighted item 9 to share details of the change in scope and commended staff for being fiscally responsible.

*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 Heigher

- 7. RESOLUTION 2024-70 APPROVING A MASTER SERVICES AGREEMENT WITH QUINTAIROS, PRIETO, WOOD & BOYER FOR HEARING OFFICER SERVICES**
- 8. RESOLUTION 2024-72 APPROVING PIGGYBACKING THE OMNIA-UNIVERSITY OF NEBRASKA CONTRACT WITH CINTAS CORPORATION NO. 2, TO UTILIZE THE TERMS, CONDITIONS, SCOPE, AND PRICING OF THE AGREEMENT FOR WORKFORCE PRODUCTS AND SERVICES AS NEEDED**
- 9. RESOLUTION 2024-73 APPROVING ADDITIONAL FUNDING FOR EXPENSES RELATED TO PEAVY GRADE ROADWAY DESIGN AND MAINTENANCE OPERATION CENTER**

10. **RESOLUTION 2024-74 APPROVING MASTER SERVICES AGREEMENT WITH HYDRA SERVICE INC., TO SUPPLY, MAINTENANCE, AND REPAIR SERVICES FOR SULZER/ABS SUBMERSIBLE PUMPS AND RELATED EQUIPMENT**
11. **RESOLUTION 2024-75 APPROVING THE PURCHASE OF FRESHWATER MITIGATION CREDITS FOR THE MATANZAS WOODS ROADWAY EXTENSION, MAINTENANCE OPERATION CENTER, AND FIRE STATION 22 PROJECTS**

I. PUBLIC PARTICIPATION

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

There were none.

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

Mayor Alfin asked for a presentation or information related to alternative revenue streams and particularly, details of various financial instruments, and asked staff to identify those at the next meeting.

Ms. Johnston shared that the Strategic Action Plan presentation with implementation tactics will be presented by Dr. Saviak on June 18, 2024, and that staff is working with the City's financial advisors on the topic of financial instruments, which has been scheduled for June 11, 2024.

Council Member Heighter shared condolences to the family of Pastor Daisy Henry.

Mayor Alfin shared about a recent discussion with the City of Bunnell Mayor Catherine Robinson regarding Ms. Henry as a founding pillar of the community.

Council Member Pontieri asked that homestead legislation and potential implications to the budget be included in the June 11, 2024, workshop.

Discussion was held on extending an invitation to the Flagler County Property Appraiser and information sought.

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

Mayor Alfin was thankful for Mr. Duffy's return and asked Mr. Duffy to share about an upcoming local guard deployment.

L. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Ms. Johnston highlighted the emergency and sole source purchases. There were no questions.

Ms. Johnston shared about upcoming events.

12. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR APRIL 2024

M. ADJOURNMENT

The meeting was adjourned at 10:45 a.m.

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