



**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, June 4, 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. All members were present with Vice Mayor Danko and Council Member Pontieri appearing virtually.

D. PRESENTATIONS

1. PRESENTATION - RALPH CARTER PARK UPDATE

James Hirst, Director of Parks & Recreation, presented the topic to Council.

Topics presented included: background, importance of youth sports, park improvements/timeline, current field inventory, and new schedule.

City Council held discussion on the following topics: maximum allocation of the fields, graphs presented, timeline for rehabilitation of fields, problem solving for complaints received, thanks to staff for their efforts, plan to add lights to other fields, traffic and parking, timeline for submission of grant, managing expectations, space and westward expansion, well-wishes to the teams playing, attempts to find solutions, and a request for staff to share discussions with neighbors surrounding the park.

Ms. Johnston provided a response related to grants for field lighting, parking, and discussions with the superintendent of Flagler County Schools.

Public Comment:

Celia Pugliese supported the presentation and Parks & Recreation, discussed usage of Belle Terre Swim & Racquet facility, low-income residents and an affordable membership, and pools as a positive addition to Parks & Recreation.

Marion Petruzzi, neighborhood watch leader for the R-Section, and spokesperson for residents for 13 years, discussed the history of the park, a recent study of parks, noise and light pollution, concerns for safety, actions taken, requested scheduling a meeting at Ralph Carter Park during the evening, with all lights on to ensure there is no light pollution.

Jarrold Maxwell, President of Mad Dogs Football, thanked Parks & Recreation and City Council for fighting for the kids and for the need of the park.

Taurean Wilson stated that he has experience in juvenile justice and prevention, mental health, risk factors, and protective factors, and asked what Council wants to invest in.

Council Member Klufas appreciated everyone in attendance, understood the criticality of youth programs, and commended parents for taking time and energy to contribute to a program that is bigger than any individual.

Council Member Pontieri seconded the comments of Council Member Klufas and thanked parents, volunteers, and staff.

Vice Mayor Danko agreed with the comments of Council Member Klufas.

Mayor Alfin asked that City Council be notified when the park is reopened and receive a regular report on how the park is doing until other fields come online.

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.

Public comment was held after item F2.

Jefferey Seib discussed tree covering and green spaces, buffer, membership as Tree City, USA, poor enforcement of Ordinances, deed restriction requirements, and the benefits of trees and green plants.

Chip Howdon discussed unequal treatment to residents for City services, specifically related to yard waste pickup, disaster yard waste pickup on residential property, and options available for reimbursement and pickup.

Mayor Alfin asked Ms. Johnston to follow up with the public speaker.

James Deen discussed the installation of warning sign for a hospital turning lane, repaving of State Road 100 and progress of right turn lanes, continuous turn lanes, projects approved, time estimates, traffic, family friendly retail stores on State Road 100, and urged Council to stop building houses.

Lisa Janice discussed an influx of short-term rentals, why they don't have to notify neighbors, noise concerns, contact made to owners of the homes, and contact made to Fire, Code Enforcement, and Flagler County Sheriff's Office.

Mayor Alfin asked the speaker to leave their contact information with staff so that they may receive information about new State legislation on the topic.

Roger Cressy discussed recently moving into the area, surrounded by Airbnbs, suffering from problems of noise and light pollution, restrictions on numbers, and stringent controls.

Mayor Alfin asked the speaker to leave their contact information with staff so that they may receive information about new State legislation on the topic.

Marty Seigel echoed the sentiments of recent speakers, discussed regulation on the number of people staying in Airbnbs, and taking away from enjoyment of retirement.

Pat Kegan, Collingdale Court, discussed businesses in residential area, asked that Ordinances be enforced, and encouraged a moratorium on Airbnbs.

Peter Johnson shared complaints he has heard about Airbnbs, code enforcement, State legislature, collaboration with Flagler County Sheriff's Office, strain on resources, and operating under homestead exemption.

Gary Kunnas discussed canal enforcement, Code Enforcement and cases, and fines.

Celia Pugliese discussed short-term rentals, local managers versus larger corporations, TDC tax, enforcement of the allowable amount of people in a single-family home, and charging appropriate fees.

Jeremy Davis shared that he has yet to meet his neighbor, discussed swales and drainage, sought answers, and felt that City Council caused the situation.

Joe Alameda, discussed short-term rentals, trash, bins at the end of their driveway, trouble with submitting a case, code enforcement, taxes, and encouraged short-term rentals to pay a water bill at a commercial rate rather than resident rate.

Mike Slura discussed a short-term rental with LLC information on the property appraiser website, City enforcement of codes, concern for speeds in canals, boat safety, and Flagler County Sheriff Office enforcement.

Mayor Alfin asked Attorney Duffy to draft a summary of new legislation regarding short-term rentals and distribute it to City Council Members.

Mayor Alfin asked Ms. Johnston, Acting City Manager, to bring the topic back as a future agenda item once the summary has been made available.

Council Member Pontieri responded to public comment to share details of short-term rentals, enforcement of codes, and State preemption.

Vice Mayor Danko echoed the comments of Council Member Pontieri.

Council Member Klufas concurred that the City's hands are tied by County and State regulations, shared about Tourism Development Council (TDC) meetings and updates received, and encouraged residents to share information with the

Flagler County Tax Collected if homestead exemptions are being used improperly.

Council Member Heigher was sympathetic with the residents experiencing issues and urged residents to contact Code Enforcement.

Mayor Alfin asked Ms. Johnston to help follow-up on the issue.

Ms. Johnston responded yes, and that staff will work with Code Enforcement and the Flagler County Sheriff's Office.

F. MINUTES

- 2. MINUTES OF THE CITY COUNCIL:
MAY 21, 2024, BUSINESS MEETING
MAY 28, 2024, SPECIAL WORKSHOP MEETING**

Pass

Motion made to approve the May 21, 2024, Business Meeting Minutes by Vice Mayor Danko and seconded by Council Member Klufas

Motion made to approve the May 28, 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 Heigher

G. RESOLUTIONS

- 3. RESOLUTION 2024-76 APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PALM COAST AND THE FLAGLER COUNTY SCHOOL DISTRICT**

Attorney Duffy read the title into the record.

James Hirst, Director of Parks & Recreation, discussed the topic with City Council.

Joshua Walker, Supervisor of Human Resources, and Dave Freeman, Chief of Operational Services, for Flagler County Schools, were available.

Discussion was held on the approval for Council's consideration.

Mayor Alfin appreciated collaboration between the City and Flagler County Schools.

*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

- 4. RESOLUTION 2024-80 APPROVING A CONTRACT WITH MASCI CONSTRUCTION, INC., A WORK ORDER FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES, AND A PROJECT CONTINGENCY FOR THE ARTERIAL RESURFACING PROJECT**

Attorney Duffy read the title into the record.

Carl Cote, Director of Stormwater & Engineering, provided a description of the item.

Mayor Alfin asked Mr. Cote to describe an arterial roadway.

*Public Comment:
There were none.*

Pass

Motion made to approve by Council Member Klufas and seconded by Council Member Heigher

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heigher

H. CONSENT

*Public Comment:
There were none.*

- 5. RESOLUTION 2024-81 APPROVING A CONTRACT WITH GENTRY SOD FARMS FOR SOD REPLACEMENT FOR THE RALPH CARTER PARK REHAB AND RENEWAL PROJECT**
- 6. RESOLUTION 2024-78 APPROVING PIGGYBACKING THE LANCASTER COUNTY, NEBRASKA CONTRACT WITH URETEK USA, INC., FOR SOIL STABILIZATION SERVICES AS NEEDED**
- 7. RESOLUTION 2024-77 APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR CONSTRUCTION AND TESTING OF WELL SW-147 AND CONSTRUCTION AND TESTING OF TWO (2) BRACKISH MONITORING WELLS**

8. RESOLUTION 2024-79 APPROVING PIGGYBACKING THE NASPO MASTER AGREEMENT 43210000-23-NASPO-ACS CONTRACT WITH DELL MARKETING L.P., FOR COMPUTER EQUIPMENT PURCHASES

Pass

Motion made to adopt the consent agenda by Vice Mayor Danko and seconded by Council Member Heighter

Approved - 5 - Mayor David Alfin, Vice Mayor Ed Danko, Council Member Nick Klufas, Council Member Theresa Pontieri, Council Member Cathy Heighter

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

Council Member Heighter congratulated Island Flavors on their recent opening, ribbon cutting, and recommended residents to visit the new restaurant.

Council Member Pontieri shared about an upcoming Children's Business Fair event.

Vice Mayor Danko echoed the comments of Council Member Heighter.

Mayor Alfin shared about the privilege and honor of visiting national guard readiness center.

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

There were none.

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

There were none.

M. ADJOURNMENT

The meeting was adjourned at 7:24 p.m.

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