



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, July 2, 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.

D. PROCLAMATIONS

1. PROCLAMATION - JULY 2024 AS PARKS & RECREATION MONTH

Mayor Alfin opened the item and asked Ms. Johnston to present the Proclamation.

Ms. Johnston presented the Proclamation to members of the Parks & Recreation Department.

A video was shared about Parks & Recreation.

James Hirst, Director of Parks & Recreation, shared thanks for the Proclamation and to staff, and shared about upcoming events.

2. PROCLAMATION - JULY 2024 AS CHRISTMAS COME TRUE MONTH

Mayor Alfin presented the Proclamation to Nadine King, Founder of Christmas Come True.

Ms. King shared about the organization and upcoming events.

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.

Mayor Alfin provided the procedure for public comment.

Attorney Duffy shared details of recent developments pertaining to short-term rentals.

Council Member Pontieri discussed the topic and sought consensus for moving forward with an Ordinance.

Council Member Klufas discussed the ability to implement a fee on short-term rental registrations.

Attorney Duffy provided a response.

Council Member Klufas discussed enforcement of the Ordinance and a mechanism for short-term rentals to fund enforcement.

Mayor Alfin stated that the purpose of the introduction was to provide context in advance of public comments.

Council Member Pontieri agreed with the comments from Council Member Klufas and shared details of a St. Johns County Ordinance.

Vice Mayor Danko discussed complaints and getting around requirements for individuals to provide their contact information.

Public Comment:

Robert MacDonald shared that he was tired of people bad mouthing the mayor and discussed the 2024 elections.

Eric Joston, Canal Community Coalition, discussed short-term rentals and not operating on a level playing field as other businesses, requirements for businesses versus short-term rentals, safety, and encouraged restrictions.

John Lukowski discussed his family's history in Palm Coast, the Governor's recent veto, shared problems with neighboring properties, and provided suggestions for short-term rentals.

Cameron Orr was glad to see recognition of Parks & Recreation, shared problems with short-term rentals, addressed issues with the Flagler County Sheriff's Office, encouraged a moratorium on short-term rentals, and better communication between Government entities.

Jeffery Seib agreed with the comments on short-term rentals, supported public comments, discussed lobbyist services, and ranking of projects and project prioritization.

John Jenis shared problems with short-term rentals around his home, shared concern for drop in home values, and businesses in residential areas.

Mike Solura discussed short-term rentals and code enforcement, requirements for registrants, and violations and fines.

Aida Furao discussed moving to the City, the relaxing atmosphere she created in her home, and shared issues with short-term rentals.

John Furao discussed issues with short-term rentals.

Caroline Johnson, Director of SMART Animal Rescue, shared that she has been working with the City to get a rainbow bridge pet memorial at Holland Park and sought consensus from City Council for the memorial for animals. Ms. Johnson provided additional details which have been attached to these minutes.

Stephanie Joston, a clinical psychologist, spoke on behalf of the Canal Community Coalition, shared concern for short-term rentals and impacts to residents and families.

Roger Cressey discussed ethical business, short-term rentals and neighbor complaints and concerns, suggested separate categorization of short-term rentals, pause licensing, and recommended a focus on Ordinance considerations.

Quinn Cressey, a history teacher and resident of the C section, asked Council to consider the financial investment of a home, protecting home values, negative impacts of short-term rentals, and shared support for economic sanctions on both the owners and the management companies.

Marty Siegel discussed a short-term rental neighboring his home and real estate agents against short-term rentals.

Eddie Shilling discussed short-term rentals on his road and the problems, fees, and violations.

Peter Johnson discussed the recent veto by the Governor, short-term rentals, and violations.

Marion Petruzzi provided a response to recent comments from staff, meetings with residents, and complaints regarding the lighting at Ralph Carter Park.

Hannah Vargo discussed the foundations of Palm Coast and hoped that we could bring people back to those values.

Mayor Alfin stated that it would be appropriate to ask staff to suggest upgraded rules and regulations for short-term rentals based on the comments of the public and asked City Council for their comments.

City Council held lengthy discussion on direction and timeline, ensuring enforcement of the rules, and supported coordination with Flagler County Sheriff's Office.

Mayor Alfin asked Ms. Johnston to provide an idea of when staff could bring the topic back to City Council.

Ms. Johnston shared that staff understands the importance of the topic, that it is tentatively scheduled for the August 13 workshop, and that the workshop may be lengthy.

Attorney Duffy discussed the timeline and the importance of the preparation that goes along with such Ordinances.

Council Member Pontieri discussed code enforcement and homeowner compliance, and the potential of a different approach for short-term rentals.

Mayor Alfin shared that the point is well said, and that the solution should be long-lasting. Additionally, Mayor Alfin shared his desire for the outcome to become a model for other municipalities.

F. MINUTES

**3. MINUTES OF THE CITY COUNCIL:
JUNE 18, 2024, BUSINESS MEETING
JUNE 25, 2024, SPECIAL WORKSHOP**

Pass

Motion made to approve the Minutes of the June 18, 2024, Business Meeting by Vice Mayor Danko and seconded by Council Member Klufas

Motion made to approve the Minutes of the June 25, 2024, Business Meeting 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 FIRST READ

4. ORDINANCE 2024-XX A PROPOSED AMENDMENT TO THE CHARTER OF THE CITY OF PALM COAST AMENDING ARTICLE VI, BUDGET AND APPROPRIATIONS TO DELETE FROM OUTDATED PROVISION RELATING TO LIMITATIONS TO COUNCIL'S CONTRACTING AUTHORITY WHICH SHALL BE CONSIDERED BY BALLOT

City Attorney Duffy read the title into the record.

Acting City Manager Lauren Johnston provided an overview of the item.

Jason DeLorenzo, Chief of Staff, presented the topic to Council. Topics presented included: Florida Statute related to charter language, current charter language, required schedule, proposed ballot language, financial protections constitutional limitations, and fiscal policy.

Attorney Blocker provided a response to topics as discussed by City Council.

City Council held lengthy discussion on the topic which included: provision language, suggestions to amended language, borrowing and payment, description of emergency purchases, education components on the topic including public/private partnerships, borrowing against impact fees, and commitments to development.

Mr. DeLorenzo and Attorney Blocker provided a response to Council questions and comments.

Public Comment:

Mike Norris discussed the concept of negative liberties, was not in favor of the Ordinance, and discussed public/private partnership.

City Council provided closing comments on the item including letting the public make the decision, debt, asking current residents to carry the burden of growth, and support for education on the topic.

Motion made by Council Member Pontieri to approve the Ordinance with an amendment to the ballot language which reads as follows; "Shall Article IV of the Charter be amended by removing provision (3)(e) related to fiscal contracting authority that limit the City's ability to enter into public private partnerships, respond to emergencies, and have the ability to address growth by having future residents contribute to infrastructure costs.

Pass

Motion made to be approved as amended on first reading by Council Member Pontieri and seconded by Vice Mayor Danko.

City Council held discussion on the motion.

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

H. RESOLUTIONS

There were none.

I. CONSENT

Public Comment:

There were none.

- 5. RESOLUTION 2024-93 APPROVING A MASTER PRICE AGREEMENT WITH WASTEWATER SOLUTIONS, INC., FOR VARIABLE SPEED TURBINE PUMPS**
- 6. RESOLUTION 2024-94 APPROVING A MASTER PRICE AGREEMENT WITH SPIRAC (USA), INC., FOR DEWATERED SLUDGE SHAFTLESS SPIRAL CONVEYOR SYSTEM**

Pass

Motion made to be adopted on consent by Vice Mayor Danko and seconded by Council Member Pontieri

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

J. PUBLIC PARTICIPATION

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

There were none.

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

Mayor Alfin deferred to the City Attorney to make a request for a meeting.

Attorney Duffy requested a shade meeting on pending litigation for July 10, 2024, at 12 p.m., and shared those who will be in attendance.

Mayor Alfin asked if virtual attendance to the meeting is permissible.

Attorney Duffy responded yes.

Council Member Pontieri thanked Parks & Recreation and Christmas Come True for everything they do in the community, recognized the City employee of the month Monica Diaz, and shared about the rainbow bridge initiative as discussed earlier in the meeting.

City Council provided consensus to bring the initiative forward on a future agenda.

Council Member Klufas shared that he was looking forward to upcoming events and wished everyone a happy and safe holiday.

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

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

Ms. Johnston shared a reminder that City offices will be closed for the Independence Day holiday. Additionally, Ms. Johnston shared that future council agendas will be lengthy as we navigate the budget and comprehensive plan review process.

Ms. Johnston stated that August 20, 2024, is the Primary Election Day and sought consensus to cancel the business meeting and hold a business meeting on August 27. Council concurred.

N. ADJOURNMENT

The meeting was adjourned at 8:06 p.m.

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



