



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, August 6, 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.
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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 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. 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 presented a Proclamation for Purple Heart Month.

Mayor Alfin provided the rules and procedure of public comment.

Roger Cressey, representative of Canal Community Coalition, looked forward to future Ordinances, provided a general statement about the City Manager, discussed a productive meeting, and shared member recommendations. Mr. Cressey asked City Council to expeditiously work on a short-term rental ordinance, shared good practices, and that he was looking forward to Palm Coast leading the way in Florida.

Kurt Wittington, new resident of Palm Coast, shared about loud vehicles in residential areas, vehicle modifications, and encouraged a proposed Ordinance for objective decibel rating for vehicles.

Wendy Chumachi, long time board member and past president of Vero Beach Humane Society, shared concerns for the Flagler County Humane Society, their executive board, nonprofit rules, facility being over capacity, and provided suggestions.

Anne Thompson, volunteer at Flagler Humane Society and dog trainer, shared about training services offered, recent events, negligence, lack of communication, believed it to be a time for change at the shelter, discussed the

need for an additional shelter, dog evaluation, and discussed euthanasia practices at Flagler Humane Society.

Cameron Orr, volunteer dog walker at Flagler Humane Society and former Board member, discussed a prior program for volunteers to air grievances, lack of action, and recent volunteer termination. Additionally, the resident shared about explosive growth in Palm Coast and Flagler County and the need to expand and recommended a municipal shelter and support for nonprofits.

Kathy Saris, prior volunteer with the Flagler Humane Society, who was recently terminated, shared recent events and euthanasians, actions of the Flagler Humane Society, and requested a forensic audit of the money the city gives them.

Sue Rowe sought to bring awareness to the neglect of Flagler Humane Society, recent actions, kill shelter versus no kill shelter, funding, encouraged County and City surprise visits to the Humane Society, and accountability for the organization.

Jeffery Seib discussed setting a tax millage rate, increasing rates, increased costs, millage rate recommendations, achieving such rates, and provided recommendations.

Ken McDowell stated that 1 year and 6 days ago he demanded a forensic audit be conducted, shared details of the conversations that occurred thereafter, inaction on the topic, and demanded that Council approve and fund a forensic audit.

Angie (no last name provided) demanded a forensic audit and discussed purchases.

John McCloskey thanked Mayor, City Council, and City Manager for listening to the Canal Coalition, encouraged other families to move to Palm Coast, keep Ordinances to be developed at the forefront, short-term rental and issues.

Peter Bisette supported an Ordinance for short-term rentals and encouraged fees for long- and short-term rentals.

James Deen shared complaints about loud cars and wanted to be able to make complaints, discussed State of Florida appropriations, supported a forensic audit, urged Council to stop approving homes, and wanted Flagler Beach to find their own money to repair the beach.

Joe Runac discussed the Comprehensive Plan 2050, change for installation of cell phone towers only requiring administrative review, issues with prior locations, updates to 2017 Wireless Master Plan, distance requirements in other cities, and encouraged addressing these items in the Comprehensive Plan 2050 review.

Kandie Stevens shared issues with the Humane Society, encouraged having an emergency animal hospital, discussed issues with short-term rentals,

encouraged a limit on vehicles and not allowing construction vehicles, supported a forensic audit to save money that can be used towards other things, and shared about a nonpartisan voting parade.

Celia Pugliese discussed the Comprehensive Plan 2050 review and that she believes it should be approved by a new Council, discussed policies listed, distance requirements for cell towers, review for cell tower locations, encouraged a municipal shelter, and asked the City to get involved.

George Mayo discussed a recent tropical storm, location for sandbags and lack of information about Palm Coast, asked if the City can notify local news outlets of locations, and shared about visibility issue of signs for the school zone near Buddy Taylor.

Robert MacDonald discussed lack of handicap accessibility for parks, shared information, and discussed lack of funds and projects that the City has funded.

Jeremy Davis supported a forensic audit, discussed citizen comments he has shared, and did not support the comments of City Council.

Mayor Alfin asked Ms. Johnston to discuss sandbags.

Ms. Johnston shared about where sandbag location information was posted and encouragement from Jonathan Lord, Flagler County Emergency Management Director, for municipalities to support private businesses and utilize those services first.

Mayor Alfin asked for details of the emergency management meetings.

Ms. Johnston shared about internal meetings in which the Flagler County Emergency Management staff provided a briefing and updates.

Vice Mayor Danko asked to confirm that a presentation on the forensic audit will be coming to City Council next month.

Ms. Johnston responded yes, and that the consultant will be providing a presentation.

Vice Mayor Danko responded to public comment to share details of the Flagler Beach proposed tax, loud vehicles, and asked for available options.

Ms. Johnston shared about the City's noise ordinance and related details, and asked the public speaker to complete a comment card so that City staff may follow up.

Discussion was held on providing the information to the Flagler County Sheriffs Department.

Mayor Alfin asked Commander Finn, Flagler County Sheriff's Office Liaison, to assist the resident.

Vice Mayor Danko responded to comments regarding the Flagler County Humane Society, a recent Flagler County Board of County Commissioners meeting, and encouraged a joint City/County initiative.

Mayor encouraged discussion on the item at a future joint Cities/County workshop.

Vice Mayor Danko responded to a public comment regarding the splash pad to share that the City is still in litigation.

Council Member Klufas thanked both resident groups who discussed short-term rentals and the Humane Society for their unified voice, and that he may be reaching out for more details. Additionally, Council Member Klufas looked forward to keeping the short-term rental ordinances in the forefront.

Council Member Pontieri echoed the comments of Council Member Klufas and the unification and respect of public comments, supported addressing the Humane Society, and scheduling the discussion tentatively on the 9/20 joint meeting, encouraged working with the County to set a meeting on the topic, and shared details of the Flagler County Board of County Commissioners (BOCC) recent meeting and discussion on the topic. Additionally, Council Member Pontieri discussed short-term rentals (STR) and sought to add the topic to an earlier agenda.

Council Member Pontieri advocated to keep two workshops per month, year-round.

Discussion was held on bringing the short-term rental ordinance forward at the 9/3 Business Meeting.

Consensus was provided to bring the short-term rental item forward at the September 3, 2024, Business Meeting.

E. MINUTES

1. MINUTES OF THE CITY COUNCIL: JULY 16, 2024, BUSINESS MEETING JULY 23, 2024, WORKSHOP MEETING

Pass

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

Motion made to approve the July 23, 2024, Workshop 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

F. ORDINANCES SECOND READ

2. ORDINANCE 2024-14 VOLUNTARY ANNEXATION OF APPROXIMATELY 31.680 ACRES OF PROPERTY OWNED BY BJ'S WHOLESALE CLUB, INC., AND SEMINOLE WOODS INVESTMENTS, LLC

Phong Nguyen, Senior Planner, provided an overview of the item.

Mayor Alfin encouraged the City Manager and County Administrator to continue their efforts on traffic in the area and to reach out to the TPO to identify that we are aware this is a congested area.

*Public Comment:
There were none.*

Mayor Alfin asked Attorney Duffy to read the title into the record.

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

G. RESOLUTIONS

3. RESOLUTION 2024-111 LIVE LIKE CAMERON ANNUAL PROMOTION OF CHILDHOOD CANCER AWARENESS

Attorney Duffy read the title into the record.

Jackie Gonzalez, Site Development Coordinator, presented the topic to City Council.

Melissa Fulling, Founder of Live Like Cameron, shared comments, and an invitation to an upcoming 5K.

Council Member Klufas shared about his experience with Matthew, a resident in attendance to support the item.

Additional representatives shared support and comments on the item.

*Public Comment:
Celia Pugliese shared support for the item.*

Pass

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

Council Member Pontieri commended the children and families and shared about her family's experience with childhood cancer.

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

4. RESOLUTION 2024-109 APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FEDERAL FISCAL YEAR (FFY) 2024 (FY 2024/25) ANNUAL ACTION PLAN

Attorney Duffy read the title into the record.

Jose Papa, Senior Planner, presented the topic to Council. Topics presented included: background, items that need to be completed for funding, objectives of the program, example projects/programs, allocation of funds, recommendation, and next steps.

Mayor Alfin asked if kids are being turned away.

Mr. Hirst responded no and shared details.

Mayor Alfin asked if the program is likely, or not, to find its way under the umbrella of the Live Local legislation in the future.

Mr. Papa provided a response and differences in the programs.

Mayor Alfin asked if staff have been able to get a sufficient number of volunteers.

Mr. Papa responded that there were no issues.

Public Comment:

Celia Pugliese asked what the \$35,000 administration line item is for.

Mr. Papa provided a response on the funds and staff time administering the program.

Ms. Pugliese discussed employee salaries and did not support paying additional.

Mr. Papa shared position funding and staff hours spent on grants being funded by the grant.

Pass

Motion made to approve 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

5. RESOLUTION 2024-110 COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING ASSISTANCE PLAN

Attorney Duffy read the title into the record.

Jackie Gonzalez, Site Development Coordinator, presented the topic to Council. Topics presented included a background and details of the updates.

Mayor Alfin asked if this would find its way into a housing partnership program, or if the programs always stay intact, and asked how many homes are impacted on average in the cycle.

Ms. Gonzalez responded between 10-15 homes per year.

Mayor Alfin was in favor of funding bigger initiatives and formal housing partnerships.

Council Member Klufas thanked staff for streamlining the process so that the City can provide help to those who need it.

Council Member Pontieri discussed the update to change orders and asked if there is something that can be done to limit the amount above the original contract price, and expressed concern for carte blanche increases.

Ms. Gonzalez provided a response related to penalties in place for violating the process and the approved items for a change order.

Council Member Pontieri asked if this is a standard plan, shared concern for lost middle class, and asked about the review criteria.

Mr. Papa provided a response regarding statutory requirements.

Council Member Pontieri asked if the household income or joint title holders' income is evaluated.

Ms. Gonzalez responded that under the income qualification regulations, the income of the joint title holders is evaluated.

*Public Comment:
There were none.*

Pass

Motion made to approve 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

6. RESOLUTION 2024-123 APPROVING THE RETREAT AT TOWN CENTER PHASE TWO FINAL PLAT APPLICATION NO. 5747

Attorney Duffy read the title into the record.

Estelle Lens, Planner, briefly discussed the topic with Council.

Public Comment:

Celia Pugliese discussed her drive to the Council Meeting, worsening roads, assessing infrastructure with increased usage, and speed tables.

Attorney Duffy called for any ex parte. There were none.

Pass

Motion made to approve 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

7. RESOLUTION 2024-124 APPROVING SEMINOLE PALMS TOWNHOMES FINAL PLAT APPLICATION NO. 5738

Attorney Duffy read the title into the record.

Ms. Lens provided a description of the item.

Public Comment:

Celia Pugliese discussed the location of the project, Flagler Executive Airport, and aviation easements for properties adjacent to the airport.

Mark Stancel asked for the location.

Ms. Lens provided the location.

Attorney Duffy called for an ex parte communication. There were none.

Pass

Motion made to approve 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. CONSENT

Council Member Pontieri asked about the need for items 9 and 11.

Mr. Cote, Director of Stormwater & Engineering, provided a response.

Public Comment:

Celia Pugliese shared the questions of Council Member Pontieri on items 9, 10, and 11.

Council Member Klufas clarified that the contracts are for professional services.

Pass

Motion made 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

- 8. RESOLUTION 2024-114 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR PROFESSIONAL RATE STUDY SERVICES**
- 9. RESOLUTION 2024-113 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR PROFESSIONAL TRAFFIC ENGINEERING SERVICES**
- 10. RESOLUTION 2024-115 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR PROFESSIONAL ARCHITECTURE ENGINEERING SERVICES**
- 11. RESOLUTION 2024-116 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR PROFESSIONAL STORMWATER ENGINEERING SERVICES**
- 12. RESOLUTION 2024-122 APPROVING A WORK ORDER FOR DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR WATER TREATMENT FACILITY 1 WELLFIELD EXPANSION, EQUIP WELLS SW-147 & SW-148 PROJECT**
- 13. RESOLUTION 2024-121 APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR THE CONSTRUCTION AND TESTING OF THE SW-148 CONFINED SURFICIAL WELL**
- 14. RESOLUTION 2024-112 APPROVING PIGGYBACKING THE CITY OF COCOA, FLORIDA CONTRACT WITH EMPIRE COMPUTING FOR THE PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT AND CONSULTING SERVICES**
- 15. RESOLUTION 2024-117 APPROVING A MASTER PRICE AGREEMENT WITH AWC, INC., EXCLUSIVE DISTRIBUTOR FOR THE PURCHASE OF SOLE SOURCE PROCUREMENT OF MISSION COMMUNICATION PRODUCTS AND SERVICES (SCADA)**
- 16. RESOLUTION 2024-119 APPROVING A CONTRACT WITH FLORIDA BLUE FOR HEALTH INSURANCE AND STOP LOSS INSURANCE AND TO INCLUDE LIFE AND DISABILITY INSURANCE THROUGH USABLE LIFE (A FLORIDA BLUE PARTNER) FOR CITY EMPLOYEES**

17. **RESOLUTION 2024-118 APPROVING PIGGYBACKING SOURCEWELL CONTRACT #020223 WITH BRIGGS EQUIPMENT TO UTILIZE THE TERMS, CONDITIONS, SCOPE, AND PRICING FOR MEDIUM DUTY AND COMPACT EQUIPMENT WITH RELATED ATTACHMENTS AS NEEDED**
18. **RESOLUTION 2024-120 APPROVING PIGGYBACKING THE SUN 'N' LAKE OF SEBRING IMPROVEMENT DISTRICT CONTRACT WITH MAXX ENVIRONMENTAL, LLC FOR INFRASTRUCTURE MAINTENANCE AND REPAIR WORK**

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

There were none.

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

Ms. Johnston reiterated the direction from City Council and shared reminders that Monday is the first day of school, and that the City is getting ready to celebrate its 25th anniversary.

M. ADJOURNMENT

The meeting was adjourned at 8:16 p.m.

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