



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 Nick Klufas
Council Member Theresa Pontieri

Tuesday, September 17, 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 9:00 a.m.

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

C. ROLL CALL

Deputy City Clerk Alison Palmer called the roll. All members were present with Council Member Pontieri appearing virtually.

D. PROCLAMATIONS

- 1. PROCLAMATION - OCTOBER 2024 AS "RAISE THE PINK FLAG WITH THE PINK ARMY" MONTH IN SUPPORT OF BREAST CANCER AWARENESS**

Mayor Alfin presented the Proclamation. Several representatives from AdventHealth, received the proclamation and discussed events taking place during the month of October.

2. PROCLAMATION - SEPTEMBER 2024 AS NATIONAL RECOVERY MONTH

This item was moved to item 4. Council Member Klufas presented the proclamation to representatives from the Flagler Open Arms Recovery Center and the Flagler County Rotary Club, who accepted the proclamation and made remarks.

3. PROCLAMATION - SEPTEMBER 2024 AS SUICIDE PREVENTION MONTH

Mayor Alfin presented the proclamation. Representatives from the Flagler Open Arms Recovery Center and the Flagler County Rotary Club accepted the proclamation and made remarks.

4. PROCLAMATION - SEPTEMBER 15, 2024, TO OCTOBER 15, 2024, AS HISPANIC HERITAGE MONTH

This item was moved to item 5. Council Member Klufas presented the proclamation. Monica Garcia, Co-Chair of the Hispanic Business Alliance, accepted the proclamation and made remarks.

5. PROCLAMATION - STORMWATER AWARENESS WEEK SEPTEMBER 23-27, 2024

This item was moved to item 2. Mayor Alfin presented the proclamation and Lynn Stevens, Deputy Director of Stormwater & Engineering, accepted the proclamation and made remarks.

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.

Mark Stancel discussed new development in Seminole Woods, the vegetative buffer zone, and the response to his concerns by City staff.

Jeanie Duarte commented on prior Council meetings, the upcoming ballot measure, and the City charter.

John Lulgjuraj spoke about Dylan Osborne, a 17-year-old student and resident of Palm Coast who was tragically killed riding his bicycle to work.

Jeffrey Seib praised the sentiments of the prior speaker, and commented on the economic development presentation from the prior Council meeting and the need for economic development in Palm Coast.

Steve Carr shared photographs depicting flooding issues from recent heavy rain and discussed City infrastructure. The photographs are attached to these minutes.

Kirk Whittington commented on Palm Coast being named a top travel destination for senior citizens, complimented City staff and the Flagler Sheriff's department, discussed City Manager search and salary, discussed his professional background, and offered to volunteer.

Brandon Orlando, an applicant for the Planning & Land Development Regulation Board (PLDRB) discussed his background and why he applied to the board.

Council Member Klufas replied to public comment to state that Council cannot make changes to the City charter without a formal review process.

F. MINUTES

- 6. MINUTES OF THE CITY COUNCIL:
SEPTEMBER 3, 2024, BUSINESS MEETING
SEPTEMBER 5, 2024, BUDGET MEETING
SEPTEMBER 10, 2024, WORKSHOP MEETING**

Pass

Motion made to approve the September 3, 2024, Business Meeting Minutes 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

Motion made to approve the September 5, 2024, Budget Meeting Minutes 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

Motion made to approve the September 10, 2024, Workshop Meeting Minutes 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. APPOINTMENTS

7. APPOINT FOUR (4) MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD

Virginia Smith, Land Management Administrator, provided an overview of the item.

Mayor Alfin asked Council if any member wished to speak to the applicants.

Vice Mayor Danko asked about some applicants applying to multiple positions, and Council briefly discussed this scenario.

Council Member Klufas asked for clarification regarding selecting board members from all City districts, and if District 4 is lacking a representative.

Mayor Alfin asked about Mr. Orlando and whether his application is being considered. Ms. Smith responded that yes Mr. Orlando's application was included.

Council Member Pontieri had no questions.

Council voted by hand in successive rounds for four members and one alternate. Council Member Pontieri, attending virtually, announced her votes by round.

Mayor Alfin requested that the selections be restated and asked for a motion to appoint. Vice Mayor Danko made a motion to appoint the selections, Council Member Klufas seconded.

City Council reappointed Mr. Albano, Mr. Lemon, and Ms. Shank to their respective seats. City Council appointed Mr. Stancel to Mr. Smith's seat, and appointed Mr. Decker as the alternate member.

*Public comment.
There were none.*

8. APPOINT THREE (3) MEMBERS TO THE CODE ENFORCEMENT BOARD

Virginia Smith, Land Management Administrator, provided an overview of the item. Three applicants applied for three open seats.

Mr. Mugford, one of three applicants, was seeking an additional term past the two-term limit, and so required a unanimous vote.

Council held a discussion on the selection process, and reappointed Ms. Wright, Mr. Dodzik, and Mr. Mugford.

*Public comment.
There were none.*

9. APPOINT TWO (2) MEMBERS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE

Virginia Smith, Land Management Administrator, provided an overview of the item. Two applicants applied for two open seats.

Council held a discussion on the selection process, and appointed Ms. Baker and Ms. MacKroy.

*Public comment.
Terri Baker spoke about the purpose of the Affordable Housing Advisory Committee and its function in Palm Coast.*

H. ORDINANCES FIRST READ

10. ORDINANCE 2024-XX AMENDING SECTION 25-52, LOCAL AMENDMENT TO FIRE PREVENTION CODE RELATING TO BURNING

City Attorney Marcus Duffy read the item into the record. Chief Berryhill provided an overview of the item to Council.

Mayor Alfin asked if this ordinance would help the City and shared that he did not want to set false expectations.

Chief Berryhill responded to questions from Council.

Council discussed the issue and expressed frustration about the lack of action within the ability of Council to take on this issue, and lack of Home Rule. Council Member Pontieri shared that she is still exploring this issue.

*Public comment
There were none.*

Council approved unanimously with a voice vote.

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

I. CONSENT

Council Member Pontieri thanked Mr. Doug Akins, Director of Information Technology, and City Attorney Marcus Duffy for their work on amending the contract with Diamond Towers.

*Public comment
There were none.*

11. **RESOLUTION 2024-XX APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH DIAMOND TOWERS V, LLC FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT 100 PARK SQUARE**
12. **RESOLUTION 2024-XX APPROVING PIGGYBACKING TIPS CONTRACT #240501 WITH CINTAS COPORATION NO. 2 FOR FIRE SUPPRESSION SYSTEMS MAINTENANCE AND REPAIRS**
13. **RESOLUTION 2024-XX APPROVING MASTER SERVICES AGREEMENT FOR A COMPREHENSIVE ANALYSIS OF COMMERCIAL SOLID WASTE HAULING**
14. **RESOLUTION 2024-XX APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR CONSTRUCTION INSPECTION AND ENGINEERING SERVICES**
15. **RESOLUTION 2024-XX APPROVING THE PURCHASE OF MATERIALS, EQUIPMENT, CONSULTING SERVICES, AND RELATED EXPENSES TO THE UPDATE OF THE CITY'S TIME AND ATTENDANCE PLATFORM**
16. **RESOLUTION 2024-XX APPROVING A CONTRACT WITH ESRI TO PURCHASE AN ENTERPRISE AGREEMENT FOR ESRI SOFTWARE**

Council approved unanimously with a voice vote.

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

Council Member Pontieri apologized for her absence due to Covid.

Council Member Pontieri also discussed the Flagler Humane Society and capacity issues, the Board of County Commissioners (BOCC) meeting concerning the Humane Society, and that the BOCC is looking for a letter of support for their request to the State for appropriations. Council Member Pontieri asked for Council support.

Mayor Alfin asked about the participation of the Flagler County Sheriff's office.

Mayor Alfin, Vice Mayor Danko, and Council Member Klufas lent their support, and Mayor Alfin asked Council Member Pontieri to work with Ms. Johnston to draft a letter of support.

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

17. EMERGENCY AND SOLE SOURCE REPORT FOR AUGUST 2024

Ms. Johnston highlighted the emergency and sole source purchases and asked if Council had any questions.

Ms. Johnston also reminded Council that today is Food Truck Tuesday, supporting the Pink Army and Breast Cancer Awareness, and that this Saturday is the Waterway Cleanup, beginning at 8:00 a.m. at the Community Center.

Ms. Johnston reminded Council that they will be reconvening at 1:00 p.m. for interviews with the District 4 applicants.

Mayor Alfin asked about the interview process, and reiterated that the interviews would need to be completed by 5:00 p.m. due to the PLDRB meeting scheduled for 5:30 p.m.

Council discussed public comment during the District 4 item, the voting process for selecting the District 4 Council Member, ways to narrow the candidate pool, and the number of votes needed to approve.

Mr. Duffy agreed to research the number of votes to approve and report back to Council.

Council continued to discuss the process and concurred on reducing the candidate pool at the October 24, 2024, Workshop with a vote for their top three candidates for further discussion.

N. ADJOURNMENT

Adjourned at 10:40 a.m.

*Respectfully submitted by: Alison Palmer
Deputy City Clerk*