



City of Palm Coast Minutes City Council Workshop

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 10, 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.
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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 9:01 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 Klufas appearing 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.

Janice Reid shared that the parking lot lights were off during a prior night meeting but on during today's morning meeting. She questioned some of the provisions of the proposed short-term rental ordinance regarding emergency lighting and asked what problem they are solving with this regulation, and what is the purpose of a 2-hour response time. She commented that we already have ordinances in place.

Eric Josten, C section, discussed his business experience and the proposed short-term rental ordinance. He believes that the owners need to comply with the ordinances and regulations since they are business owners, and wants them to start acting like businesses.

Mary Phillips discussed the DC Blox data center and shared the negative impact she feels this will have on the region. She also shared information about other towns and their experiences with DC Blox and data centers.

Robert McDonald spoke about residents' questions to Council. He discussed his question last week about who will do the inspections of the short-term rentals, who will pay for the inspections, and will existing businesses be grandfathered?

Doug Brown, E section and owner of Cypress Knoll Golf Course, discussed the recent rain and financial losses incurred from steady rain. He also shared concerns that the City subsidizes the golfers at the Palm Harbor Golf Course, and that the City should not be competing against private golf courses.

Jeffery Seib discussed remarks that residents from Seminole Woods made during a prior meeting regarding vegetative buffer zones. He discussed the

Land Development Code, buffer design standards, native and existing vegetation versus a grassy front lawn appearance, and accessibility of this information to the public.

Steve Carr shared appreciation for Council Member Pontieri and her work on the Comprehensive Plan. He also discussed the founding fathers of Palm Coast and their intentions regarding growth, the experiences of other municipalities, and asked why we could not learn from their mistakes and the problems with rapid growth.

Bruce Stone discussed moving from Cimmaron Drive, problems with speeding traffic, praise for Council Member Pontieri, and expressed that he would like the state to investigate City Council. He also praised Vice Mayor Danko and his work on behalf of senior citizens.

Council Response to Public Comment:

Vice Mayor Danko discussed emergency lighting in short-term rentals and those provisions in the proposed ordinance.

Council Member Pontieri discussed emergency lighting and hurricanes, night lights in place for emergency lights, and that Council should explore alternatives.

Mayor Alfin agreed.

Council Member Pontieri responded to Mr. Stone and discussed that this coming budget would address safety concerns on Cimmaron Dr., and also the concerns of Mr. Carr and the traffic on Florida Park Drive.

Council Member Klufas commented that homesteaded homes cannot be used for short-term rentals and that lighting is needed in unfamiliar homes for safety.

Mayor Alfin agreed that Council should revisit the provisions for lighting in the proposed short-term rental ordinance.

E PRESENTATIONS

1 PRESENTATION - EDUCATIONAL PRESENTATION ON FORENSIC AUDITS

Ms. Lauren Johnston, Acting City Manager, provided background for the item.

Mayor Alfin and Ms. Johnston discussed the RFP and that Council selected this firm.

Mr. Joel Knopp from MSL presented the item. Topics included the definition of a forensic audit and other accounting instruments, the focus of forensic audits, what types of specific situations would justify a forensic audit, accusations of fraud, and public belief that forensic audits are more general in scope. Mayor Alfin asked how is this different from a normal financial audit.

Mr. Knopp responded that a normal audit is not a deep dive or as detailed.

Vice Mayor Danko asserted that this is a political situation where the residents do not trust council. Absence of trust is what lead to the focus on a forensic audit.

Council continued discussion on risk assessment, the costs associated with different levels of audit, efficiencies, narrowing the focus to specific departments, public comments regarding corruption, and better business practices.

Council Member Klufas expressed concern that Council was conflating efficiencies and a forensic audit, that efficiencies are separate from a forensic audit, and asked how they overlap.

Mr. Knopp responded that they are two different types of audits and that they do not overlap.

Council continued discussion of the topic including public perception, public relations, costs, the role of the incoming Council, risk assessments, deliverables, the scope of the original RFP, devising additional RFPs, budgeted funds, and whether this should be a ballot measure.

Mr. Knopp responded to Council questions and addressed costs.

Mayor Alfin asked that a sample report be provided to staff and Council.

Council Member Pontieri asked for consensus to go out with an RFP for a Citywide risk assessment.

Council continued a lengthy discussion of the process and the goals.

Council Member Klufas asked Council if they had asked staff to perform a risk assessment?

The response from Council was no, staff has not been asked to perform a risk assessment of their departments.

Council continued their discussion of risk assessment versus efficiencies.

Public comment:

Mary Phillips discussed different types of audits and defining the proper scope of an audit.

Jeffery Seib discussed restoring confidence with the public, that he does not see how these proposals are different from the usual budget process, and does not see what this would accomplish regarding risk assessment.

Ray Stevens discussed his experience with investigations, believes Council is putting the cart before the horse, and does not see the point of investigation without a crime being named.

Robert McDonald discussed the costs mentioned, and the costs for other projects in the City. He would like for the new Council to decide and wants to ask the public.

Marilyn Mack discussed prior Council presentations and meetings, and her work experience.

Mayor Alfin asked if staff needs direction.

Ms. Johnston asked to confirm the consensus to go out for an RFP for risk assessment and for Mr. Knopp to provide a recent example of a risk assessment report. Staff will devise an entity wide risk assessment, build a scope and RFP, and bring back to Council.

Council Member Klufas expressed that future Council should decide if they want to issue an RFP for risk assessment, and that they should be fully up to speed before deciding.

2 PRESENTATION - TARGETED INDUSTRY FEASIBILITY REPORT

Lauren Johnston, Acting City Manager, and Craig McKinney, Economic Development Manager, provided background of the item.

Matthew Schwalb and Aaron Schmerbeck, of ABLE Operations presented the item.

Topics included: the purpose of the study, their methodology, demographics, industry trends, regional strengths and weaknesses, development potential, transportation, and housing.

The consultants responded to Council questions and advised developing an Economic Development Strategic Plan.

Council discussed demographics, the unemployment rate, housing and attracting a younger workforce, and demographic information on the unemployed.

The consultants discussed their report, and that they were tasked with focusing on industries.

Council and the consultants continued discussion on transportation, zoning, land use, the westward expansion, education, availability of healthcare, the development of trades, economic incentives, public-private partnerships, site-ready areas, and recommendations.

Council Member Pontieri asked Mr. McKinney about the status of our economic development website. Mr. McKinney responded with the status, and that he will be giving a more detailed presentation next month.

Council discussed advertising and marketing as an economic development tool.

Council Member Pontieri discussed moving away from home building into different industries.

Council Member Klufas discussed recent history of economic development in the County, and asked what staffing would be needed to implement the recommendations.

The consultant responded that they did not evaluate staffing needs.

Council continued to discuss the findings of the study and recommendations.

Council Member Klufas requested a list of incentives provided in past years to see whether these had been effective or not.

Mr. McKinney provided an update of very recent economic development successes in healthcare and manufacturing.

Public Comment:

Mary Phillips made suggestions about economic development from other communities.

Celia Pugliese, complimented Mr. McKinney and asked that the City communicate more about their economic development successes. She also discussed quality of life issues, changes in Council, and City management.

Mindy Melendez discussed the number of students in the region and recreational opportunities for younger people.

Mayor Alfin inquired about next steps.

Ms. Johnston reiterated that there will be an Economic Development update next month.

3 PRESENTATION - CITY MANAGER SEARCH AND STRATEGIC GOVERNMENT RESOURCES (SGR)

Renina Fuller, Director of Human Resources introduced the item. Doug Thomas, Executive Vice President of Recruiting and Leadership Development, SGR presented the item to Council.

Topics discussed included: the search process and timeline, the keys to a successful search, the position profile brochure, social media marketing, typical sources of semi-finalists, methodology, recruitment, and recent searches.

Council discussed that this would not be their decision, that the next Council will decide.

Council Member Pontieri discussed not rushing the process and asked what the application window should be. Mr. Thomas suggested 30 days and offered a timeline through the holidays. Council Member Pontieri expressed concerns about finalizing the brochure with the new Council within that timeline.

Council continued a discussion of the meeting schedule, the proposed salary range, and Council's expectations of a City Manager.

Public comment:

Celia Pugliese discussed desired academic credentials for the new City Manager.

Doug Brown commented that our current City Manager, Ms. Lauren Johnston, is the best one he has seen in his years in Palm Coast.

Demetrios Maroosis shared on the process of hiring a City Manager,

Council adjourned at 12:45 p.m. for a 15-minute break.

Council reconvened at 1:02 p.m. Council Member Klufas was absent for the remainder of the meeting.

4 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

Doug Akins, Director of Information Technology introduced the item. Tom Waniewski from Diamond Communications presented the item to Council.

Topics discussed included: third-party management, carrier coverage in Palm Coast, explanation of RSRP, Palm Coast coverage areas, lease terms comparison, and current and planned AT&T coverage.

Council discussed the precise location, the terms of the lease, the wireless master plan, other uses for this property, and the amount of money the City would receive. Council Member Pontieri asked to have whatever increase Diamond receives from carriers to be included in our agreement. This language will be added to Exhibit "D" in the rent schedule, and the agreement will be brought back at the next Business meeting under consent.

Public comment:

There was none.

5 PRESENTATION - PILE BURNING WITHIN THE CITY OF PALM COAST

Kyle Berryhill, Fire Chief, presented the item to Council. Topics discussed included: Palm Coast wildfire history, the Florida Forest Service, Palm Coast's partnership with the Florida Forest Service, and recommendations.

City Attorney Duffy discussed the reason for this ordinance and that the Florida Forest Service has jurisdiction over pile burning permits. The City's current ordinance needs to be brought into compliance with State Statute.

Council Member Pontieri asked what enforcement authority we have. Chief Berryhill responded to the question.

This item will return as a first read ordinance at a future Business meeting.

Public comment:

Celia Pugliese commented that this favors the developers not the residents, the health issues from pile burning, and lobbying Tallahassee.

6 PRESENTATION - EXTERIOR BUILDING HOUSE COLORS

Ms. Johnston introduced the item and provided background. Barbara Grossman, Code Enforcement Manager, Tracey Doak, Zoning Supervisor, and Ray Tyner presented this item to Council.

Topics discussed included: current code requirements, other municipalities and HOA regulations, options for additional house colors, staff recommendation for driveway colors, light reflectance value, and options.

The Mayor asked why this did not go to the Beautification and Environmental Advisory Committee (BEAC) first. Mr. Tyner answered that it will, but that Council had asked for information.

Council and staff discussed the details of the situation and that this should go to BEAC and Planning and Land Development Regulation Board (PLDRB).

Public comment:

Mindy Melendez discussed her house, the circumstances, and history.

Council Member Pontieri asked if a variance had been explored.

Council and staff discussed variances, the Land Development Code, original ITT homes, and Master Plan exemptions from color regulations.

Council direction was to send the topic to BEAC and PLDRB. The City Attorney and staff will research the possibility of a variance and report back to Council.

F PUBLIC PARTICIPATION

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

Public comment:

Celia Pugliese discussed code enforcement and guidelines, quality of life issues, and traffic on Florida Park Drive.

G DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Pontieri remarked on the anniversary of 9/11, and a phone alert about a child injured riding a bicycle as a reminder to slow down. Council Member Pontieri also asked for consensus for a review of our policies regarding issues like smoking and sleeping in public parks. Consensus was provided to schedule a workshop.

H DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

There were none.

I DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Ms. Johnston provided several updates:

Ms Johnston discussed the City's September 11 remembrance event, and that the City would be monitoring the weather.

Ms. Johnston also shared that residents can vote for Waterfront Park for a prestigious places in Florida award until October 4.

Ms. Johnston also shared updates to the Council meeting schedule, the status of future items on the Council Agenda worksheet, and creating a transition plan for the new Council. The November 5 meeting was cancelled because that is election day, November 12 is a workshop and tentative business meeting to clean up any outstanding business, and November 19 is the swearing in ceremony for the new Council.

Ms. Johnston also provided a reminder regarding next week's business meeting and workshop, that the PLDRB has an evening meeting scheduled, and so the interviews for District Seat 4 need to be completed by 5:00 p.m.

J ADJOURNMENT

The meeting was adjourned at 2:15 p.m.

*Respectfully submitted by: Alison Palmer
Deputy City Clerk*