



City of Palm Coast Minutes City Council Business Meeting

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Mayor Michael Norris
Vice Mayor Theresa Pontieri
Council Member Charles Gambaro
Council Member Ty Miller
Council Member Ray Stevens

Tuesday, January 21, 2025

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/@PalmCoastFL>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while Council 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 Norris called the meeting to order at 9 a.m.

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

C. ROLL CALL

City Clerk Kaley Cook called the roll. Council Members Miller and Stevens were absent.

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 Norris reminded the public about the rules and procedures of public comment.

Victoria Sweeney shared concern for overturning the commercial vehicle Ordinance and was against changing the Ordinance.

Joel Davisson hoped that nationwide wrongs will be righted after the recent inauguration, spoke to the recent short-term rental Ordinance, in-home operator versus not, Airbnbs, short-term rentals, platforms, and businesses.

Morris Sader shared his reason for moving to Palm Coast, discussed the allowable limits for Airbnbs, agreed with the comments of Mr. Davisson, and did not want all short-term rentals to be grouped together.

Wendy Chumarchi, Vero Beach and Indian River County Humane Society Board Member, shared about joint workshops she has attended regarding the Flagler County Humane Society and the inability to address the community's needs, shared statistics, the need for a municipal shelter, and best practices.

Cameron Orr shared efforts with Flagler County to try to address animal welfare issues, shared about joint workshops on the topic, and asked for the City and County to hold another joint meeting where residents can share information.

Kathy Davisson discussed Airbnbs to ask for an exception for trailers.

Caroline Johnson, Founder of SMART Rescue, shared the mission and actions of the organization and the current needs of the organization.

Dennis McDonald asked to end the era of fear that started years ago, do away with the security that it takes to get into the meetings, encouraged a forensic audit, and suggested an audit on the golf course for the prior 5 years.

In response to the comments, Ms. Johnston shared about upcoming agenda items related to the Flagler County Humane Society and the Palm Harbor Golf Course.

Mayor Norris encouraged looking at the prior 5 years of Palm Harbor Golf Course financials to analyze trends.

Ms. Johnston responded that the details will be in the upcoming presentations.

Council Member Gambaro shared that all the financials are available on the City's website.

Vice Mayor Pontieri sought consensus to allow members of the public to have a 15-minute window to present after the Flagler County Humane Society. City Council concurred.

Vice Mayor Pontieri discussed an exception for trailers at short-term rentals, understanding that events such as Bike Week bring a lot of tourism to the community, and asked if there is a permit process that could be implemented.

Attorney Duffy replied that he is reviewing the exceptions with staff to see if it is even a possibility.

Mayor Norris shared concern for a slippery slope and suggested that short-term rental owners reach out to other organizations in the community with space available trailer storage.

Mayor Norris replied to the comments of Mr. McDonald that security measures will be reviewed, but safety is paramount.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
JANUARY 7, 2025, BUSINESS MEETING
JANUARY 14, 2025, WORKSHOP MEETING**

Pass

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

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

F. ORDINANCES SECOND READ

2. ORDINANCE 2025-01 AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, RETIREMENT, DIVISION 2, VOLUNTEER FIREFIGHTER RETIREMENT SYSTEM AND TRUST FUND

City Attorney Duffy read the title into the record.

Chief Berryhill provided a background of the item.

Discussion was held with Chief Berryhill on Firefighter contribution, City match, documents attached to the agenda item, and budget preparation.

*Public Comment:
There were none.*

Pass

Motion made to be adopted on second reading by Council Member Gambaro and seconded by Vice Mayor Pontieri

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

G. ORDINANCES FIRST READ

3. ORDINANCE 2025-XX AMEND AND RESTATE FAIR HOUSING ORDINANCE

City Attorney Duffy read the title into the record.

Jackie Gonzalez, Site Development Coordinator I, provided a background of the item.

Vice Mayor Pontieri requested a redline version of the Ordinance to understand exactly what was changed.

*Public Comment:
Dennis McDonald asked for someone to show the benefits to the citizens.*

Mayor Norris asked Ms. Gonzalez to provide the total amounts that the city has received over the last few years.

Vice Mayor Pontieri shared about an annual CDBG item presented by Mr. Papa, which includes the financial details, suggested marrying the two items in the future, and requested a one-page summary document that shows exactly what the City has received over the years.

Ms. Johnston highlighted that the item would be rescheduled to the next business meeting on February 4, 2025, at 6:00 p.m.

Pass

Motion made to Table by Vice Mayor Pontieri and seconded by Council Member Gambaro

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

H. RESOLUTIONS

4. RESOLUTION 2025-16 APPROVING THE AFFORDABLE HOUSING INCENTIVES REPORT 2024 FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

City Attorney Duffy read the title into the record.

Joe Hegedus, Director of Flagler County Health and Human Services, Devrie Paradowski, Housing Services Program Manager, provided a background of the item.

Vice Mayor Pontieri did not believe there was enough information to implement some of the proposed items.

Lengthy discussion was held on the recommendations presented, comfort level of City Council, Resolution language, being mindful of economic development, the difference between considering and prioritizing, and approving only specific items within the report.

Vice Mayor Pontieri motioned to approve the Resolution amending section 4 to state: "the City Manager is hereby authorized to begin implementation of the actions taken in this Resolution but would require approval by City Council before finalization," and to approve only recommendations 1, 6, and 11 in Exhibit A.

Public Comment:

Valerie Clymer, Vice Chair of Affordable Housing Advisory Committee, shared that this is more about workforce housing and about affordability issues in the County.

Dennis McDonald shared that as a commercial and multi-family developer for 40 years, he's not saying affordable housing isn't a problem, it will always be an issue, but recommended that the Council go slow, shared concern for creation of all kinds of social issues when discussing density and urged the Council to think about it very carefully.

Pass

Motion made to approve as amended by Vice Mayor Pontieri and seconded by Council Member Gambaro

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

5. RESOLUTION 2025-06 APPROVING A PURCHASE AND SALE LAND AGREEMENT (DONATION) AND AN EASEMENT RELATING TO 135 PALMWOOD DRIVE, PALM COAST, FLORIDA

City Attorney Duffy read the title into the record.

Virginia Smith, Land Management Administrator, presented the topic to Council.

Vice Mayor Pontieri asked about drainage and neighboring homes.

Ms. Smith and Mr. DeLorenzo provided a response regarding neighboring homes and drainage.

Council Member Gambaro asked if we have any other property owners in this category.

Mr. DeLorenzo responded yes; it is likely.

*Public Comment:
There were none.*

Pass

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

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

6. RESOLUTION 2025-08 APPROVING THE ENCLAVE AT SEMINOLE PALMS FINAL PLAT - APPLICATION 5926

City Attorney Duffy read the title into the record.

Mayor Norris called for any ex-parte communication. There were none.

Estelle Lens, Planner, and Dennis Leap, Site Development Coordinator, presented the topic to Council. Topics presented included: subdivision platting purpose, location map, Future Land Use Map, 3-step process, subject property, plat, construction photos, infrastructure/performance bond, and recommendations.

Mayor Norris asked about potential issues with water and wastewater capacity.

Public Comment:
There were none.

Pass

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

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

7. RESOLUTION 2025-09 APPROVING UNDER CURRENT PIGGYBACK CONTRACT WITH HERNANDO COUNTY, FLORIDA, AND ASPHALT PAVING SYSTEMS, INC., EXPENSES RELATED TO GLOBAL TREATMENT SERVICES

City Attorney Duffy read the title into the record.

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

City Council held discussion on roads that have already been micro-surfaced and for the list of roads to be micro-surfaced.

Public Comment:

Denise Henry shared that her street was done last year, discussed a lack of notification given to residents on the street, marks on street and rough spots because nobody was instructed not to drive during certain times, and suggested notice be given to residents.

Mayor Norris asked the resident about their overall satisfaction with the work.

Ms. Henry replied that she was satisfied but concerned for residents driving on the newly paved roads.

Mayor Norris asked Ms. Kershaw, Director of Communications & Marketing, to share the project information with residents.

Pass

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

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

I. CONSENT

Council Member Pontieri asked questions about items 8, 10, and 12, to discussed current and future costs to the city, environmental permits, and services being contracted.

Council Member Gambaro asked for clarity on the approving authority for the environmental permits.

Ms. Johnston, Mr. Cote, and Mr. Morales provided a response and details.

*Public Comment:
There were none.*

Pass

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

Approved - 3 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro

- 8. RESOLUTION 2025-15 APPROVING AN AMENDMENT TO THE INTERLOCAL SUBAWARD AGREEMENT WITH FLAGLER COUNTY FOR UTILITY INFRASTRUCTURE IMPROVEMENTS UNDER THE AMERICAN RESCUE PLAN ACT**
- 9. RESOLUTION 2025-14 APPROVING AN EASEMENT AGREEMENT WITH TECO PARTNERS, INC., FOR FIRE STATION #22 AND FIRE STATION #26**
- 10. RESOLUTION 2025-10 APPROVING ADDITIONAL PROJECT EXPENSES FOR THE BLARE AND COLBERT CONVEYANCE PROJECT**
- 11. RESOLUTION 2025-12 APPROVING PIGGYBACKING THE BROWARD COLLEGE CONTRACT WITH SHENANDOAH CONSTRUCTION, LLC FOR STORM DRAIN CLEANING, REPAIRS, AND MAINTENANCE SERVICES ON AN AS-NEEDED BASIS**
- 12. RESOLUTION 2025-11 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR STORMWATER PIPE INSPECTION SERVICES**
- 13. RESOLUTION 2025-07 APPROVING A MASTER SERVICES AGREEMENT WITH RCM UTILITIES, LLC FOR THE UPGRADES OF TWO AGING PUMP STATIONS**
- 14. RESOLUTION 2025-13 APPROVING PIGGYBACKING THE FLORIDA DMS CONTRACT WITH KONICA MINOLTA FOR THE PURCHASE OF PRINTING SERVICES AND EQUIPMENT**

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 Gambaro shared about his recent time spent in Washington, D.C., with Senator Rick Scott regarding infrastructure needs, grant opportunities, a letter of support, and the provided recommendation that we aggressively go after grants. Additionally, Council Member Gambaro discussed the resumes received for the City Manager vacancy, shared thoughts, that he is looking for a problem solver to drive change, and that he was looking forward to next week's discussion.

Vice Mayor Pontieri replied that she poured over this quite a bit, agreed with thinking outside of the box and that she is looking at what a candidate has managed, what budget, and if they have been successful. Vice Mayor Pontieri recommended that Council Members do internet searches, to be mindful of finances and grievances, looked forward to the conversation, and asked Ms. Johnston to circulate the New Smyrna Beach details as it contained information about some of the current candidates.

Vice Mayor Pontieri responded to public comment regarding affordable housing, sought consensus for a presentation on the Flagler Executive Airport from our legal staff, and shared complaints received. City Council provided consensus.

Vice Mayor Pontieri discussed a road safety pilot program, shared that the success of the program depends on what the residents tell us, was excited about the pavement management program, and hoped to find additional dollars during the budget process for road solutions.

Vice Mayor Pontieri shared about recent social media posts regarding the resignation of Sarah Yulis, a community member charged with the organization of the Palm Coast Boat Parade, and the comments that the resignation was due to difficulties working with the City.

Mayor Norris replied that Ms. Johnston will cover that during her discussion.

Mayor Norris discussed the City Manager search and replied to comments from the public on the topic.

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

15. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR DECEMBER 2024

Ms. Johnston highlighted the emergency and sole source purchases. There were no questions.

Ms. Johnston discussed the Boat Parade and shared about a meeting with the Palm Coast Yacht Club and that it was the determination of the Yacht Club to continue

hosting the parade. Ms. Johnston shared that it is at Council's pleasure how, and if, the City were to host the parade.

Mayor Norris shared that the Yacht Club's biggest issue was that they could no longer handle the parade and that it was a mutual decision.

Vice Mayor Pontieri was thankful for the information shared, since the resignation did not seem amicable per the online discussions.

City Council held discussion with Ms. Johnston on budgeting, costs, and resources that would be needed to host the parade.

N. ADJOURNMENT

The meeting was adjourned at 10: 43 a.m.

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