



City of Palm Coast Minutes City Council Business

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, February 18, 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.
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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 9:00 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. Council Member Stevens was absent.

D. AWARD

1. GREAT PLACES IN FLORIDA AWARD

Brittany Kershaw, Director Of Communications & Marketing, introduced a brief video about Waterfront Park.

Allara Mills-Gutcher and Kathie Ebaugh, from the American Planning Association's Florida Chapter, presented the award for Waterfront Park to Mayor Norris, and made remarks.

Brittany McDermott, Deputy Director of Parks & Recreation thanked APA Florida for the award, the public for showing their support, the parks maintenance team, and the Florida Inland Navigation District (FIND) commissioner Randy Stapleford. Ms. McDermott also mentioned an upcoming event on Saturday April 26, Celebrate Trails Day.

Commissioner Stapleford thanked the APA for the award and made remarks.

Ms. Johnston thanked staff and discussed how Waterfront Park was financed.

Vice Mayor Pontieri also thanked staff and Commissioner Stapleford.

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) This agenda item has a thirty (30) minute limit.
- (2) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (3) 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.
- (4) Public speakers may address their comments to the Council as a whole, the Mayor, or to an individual Council Member
- (5) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
 - (a) make their comments concise and to the point;
 - (b) not speak more than once on the same subject;
 - (c) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (d) obey the orders of the Mayor or the City Council; and
 - (e) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (6) 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 provided the rules and procedures of public comment.

Public comment opened at: 9:08 a.m.

Anna Gibson discussed the recent workshop on utility rates, Wateropolis, and spoke about Nashville and St Johns County and how they manage to lower their utility bills. Ms. Gibson made recommendations to keep rates lower and shared documents that are attached to these minutes.

Kathy Davisson spoke about how she manages her Airbnb and the short-term rental ordinance.

Joel Davisson spoke about Airbnbs in Palm Coast, that Palm Coast is rated a best town for senior citizens to visit, vacation rentals by senior citizens, and loss of income.

Brian (last name not audible) discussed the land development code and Seminole Woods corridor, and the landscape buffers required by the code.

Mark Webb spoke about the prior workshop, that he cannot find the presentations online, and made suggestions about making the documents available. Mr. Webb also discussed the challenge of fixing our water issues.

Steve Carr thanked Council for the traffic calming measures on Florida Park Drive and asked that Council look at the utility rate increase.

Jeremy Davis, asked for accountability for the flooding issues and referenced prior public records requests. Mayor Norris asked to pause time at 1:34 to ask Mr. Davis to follow the rules of public participation. Mr. Davis continued comment, but time was suspended at 1:07 and he left the meeting. Mayor Norris informed the audience that Mr. Davis's house had flooding issues in 2012.

Paulette Hatfield discussed irrigation and water conservation, and thanked Council for the traffic calming devices on Florida Park Drive.

Ed Fuller shared about construction at his house and his experience with the permitting process. Mr. Fuller thanked staff member Scott Thomas for his help.

Darlene Shelley thanked the City for Waterfront Park and shared about the children's memorial park and the loss of her granddaughter.

Public comment closed at 9:31 a.m.

Acting City Manager Lauren Johnston responded to Ms. Gibson, discussed the buffer on Seminole Woods, Mr. Webb's comments on presentations and that the communications department will make them available after they are made ADA compliant, and thanked Ms. Hatfield, Mr. Fuller, and Ms. Shelley for their comments.

Vice Mayor Pontieri asked for the schedule of requests made by Mr. Davis, and for the documents shared by Ms. Gibson.

Council Member Gambaro thanked Ms. Gibson and praised Waterfront Park.

Mayor Norris responded to Mr. Webb that printing is very costly, and that crowd size is unpredictable.

F. MINUTES

Pass

Motion made to approve by Council Member Miller and seconded by Council Member Gambaro

Approved - 4 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller

- 2. MINUTES OF THE CITY COUNCIL:
FEBRUARY 4, 2025, BUSINESS MEETING
FEBRUARY 11, 2025, WORKSHOP MEETING**

G. APPOINTMENTS

- 3. APPOINT TWO (2) MEMBERS TO THE CODE ENFORCEMENT BOARD**

Ms. Johnson read the list of applicants. Council, the City Attorney, and the Acting City Manager discussed the process to select the Board members.

Council gave consensus to have the applicants speak for 3 minutes each.

The following applicants were present and addressed Council:

*Mark Burton
Robert Calabrese
Paulette Hatfield
Donna Stancel*

The following applicants were not present:

*Glenn Davis
Josh Fabean
Ben Roussel*

Council Member Gambaro nominated Robert Calabrese, seconded by Council Member Miller. Mr. Calabrese was elected unanimously.

Council Member Miller nominated Paulette Hatfield, seconded by Council Member Gambaro. Ms. Hatfield was elected unanimously.

Mayor Norris and Council thanked all of the applicants.

H. ORDINANCES SECOND READ

4. ORDINANCE 2025-03 AMEND AND RESTATE FAIR HOUSING ORDINANCE

Jackie Gonzalez, Site Development Coordinator I, provided a background of the item. Council confirmed the change on gender requested at the February 11, 2025, Workshop Meeting.

*Public comment:
There were none.*

Pass

Motion made to approve by Council Member Miller and seconded by Council Member Gambaro

Approved - 4 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller

I. ORDINANCES FIRST READ

5. ORDINANCE 2025-XX VOLUNTARY ANNEXATION OF APPROXIMATELY 38.811 ACRES OF PROPERTY OWNED BY FLAGLER PINES PROPERTIES, LLC

City Attorney Duffy read the title into the record.

Mayor Norris asked for all witnesses to be sworn. Mr. Duffy said this step was not required at this reading, but to verify any ex parte communication with the Council Members.

Mayor Norris asked Council about any ex parte communications: Vice Mayor Pontieri affirmed yes from residents, but that it would not affect her vote, Mayor Norris and Council Members Gambaro and Miller had no ex parte communication.

Phong Nguyen, PTP, Senior Planner presented the item to Council and the applicant's representative Jay Livingston was present.

Topics presented included: the location of the property, voluntary annexation, notice requirements, traffic on State Road 100, staff recommendations, and next steps.

City Council held discussion on the following topics: the traffic on State Road 100, plans for the site, and the road improvements necessitated by this development.

Vice Mayor Pontieri asked why the applicant did not rezone with the County ahead of annexation, expressed concern that it is currently zoned for multi-family, and stated that the applicant is not obligated to rezone to commercial. The Vice Mayor further expressed concern that this location is right by the airport. The Vice Mayor asked how many units are allowed? Mr. Livingston

responded to the questions, answered that the cap is 255, and that the plan is to rezone to mixed-use, then commercial.

Council continued discussion on zoning with Mr. Livingston.

Vice Mayor Pontieri proposed possibly tabling the vote to give the applicant time to prepare the paperwork. Ray Tyner, Deputy Chief Development Officer, responded, and Council continued discussion of options.

Council Member Gambaro made a motion to approve.

Council continued discussion of options, and Mayor Norris asked about the plan for traffic flow. Mr. Livingston responded to the question.

The motion was seconded by Council Member Miller.

Public comment:

Darlene Shelley discussed that this was sketchy, discussed prior annexations, other commercial development in the City, and plans for the airport.

Paulette Hatfield asked what the benefit of this annexation is for Palm Coast. Why are we adding homes, what benefit do we receive?

Pass

Motion made to approve by Council Member Gambaro and seconded by Council Member Miller

Approved - 3 - Mayor Michael Norris, Council Member Charles Gambaro, Council Member Ty Miller

Denied - 1 - Vice Mayor Theresa Pontieri

The meeting adjourned at 10:34

The meeting reconvened at 10:44

J. PRESENTATIONS

6. PRESENTATION - THE 2050 COMPREHENSIVE PLAN

At the January 28, 2025, Workshop Meeting, Mayor Norris asked for consensus to table discussion of the comp plan to a future meeting.

Ms. Johnston provided background for the item and the prior presentation.

Mayor Norris asked who proposed amending the comp plan? Jose Papa, Senior Planner, and Ms. Johnston responded, and Council and staff discussed briefly.

Mayor Norris passed the gavel to Vice Mayor Pontieri and made a motion to table the comp plan to a date uncertain. The motion died for lack of a second. The Vice Mayor returned the gavel to Mayor Norris.

Vice Mayor Pontieri discussed her views on the comp plan, objections to the new land use designation, and the abandonment of the current DRIs in the west.

Mayor Norris discussed his concerns, his opposition to urban sprawl, and a prior meeting with property owners. Mayor Norris also mentioned that the comp plan award was not for the plan, but for how the plan was presented, and was confirmed by Ms. Johnston. Mayor Norris shared that he was looking to the property owners to offer up their land for industrial and commercial development to offset the City tax base.

Council Member Gambaro gave his perspective that the comp plan is a living document that needs to be updated along the way.

Mayor Norris shared concerns that developers see the comp plan as a legal document and continued discussion of the DRIs and entitlements, increasing density, the sale of Wastewater Treatment Plant 1, and rezoning to commercial and industrial.

Vice Mayor Pontieri shared many concerns regarding the DRIs in the West, that developers have left us holding the bag with infrastructure, and the MPMU designation, but would like the comp plan to move forward because of the positive elements.

Council continued discussion of several topics including land use designation, additional dwelling units, future councils, the FLUM maps, the loop road in the west, and the State deadline.

Ms. Johnston turned the discussion to the options listed at the end of the presentation on the slide entitled 'Next Steps' and the State deadline.

Council continued discussion.

Vice Mayor Pontieri would like substantive changes to the housing element and the FLUM element. Mayor Norris does not want to make any changes to the current comp plan, and pointed out that the current DRIs do not expire until 2034, and the current comp plan does not expire until 2035.

Mayor Norris asked staff how many times the current comp plan has been amended. Mr. Papa responded over 25 times.

Council continued discussion of several topics including unincorporated Nassau County, a State bill on housing, the maps on the presentation slides entitled 'Response to Department of Transportation Comments' and 'Response to Department of Commerce Comments,' the Old Brick Road, a North-South connector road planned by the State, the role of the County, the current DRIs, the MPMU, Live Local, conservation, the unemployment rate, and the housing elements.

Council Member Gambaro asked about development in the 7,500 acre 'donut hole' area. Mr. Tyner responded to Council questions.

Council and staff continued discussion of commercial development and the westward expansion.

Council Member Gambaro made a motion to approve the comp plan with the 2035 map and current DRIs. Council Member Miller seconded the motion.

Mr. Duffy suggested that staff continue with the presentation as part of the discussion.

Jose Papa, Senior Planner, presented the following topics to Council: life stage housing, future land use, master planned mixed-use, comments from the Department of Commerce, and next steps.

City Council continued discussion on MPMU, definition of terms, how does the change in this plan benefit Palm Coast, height restrictions, the greenway overlay and conservation, and the migratory patterns of local wildlife.

Ms. Johnston sought clarification on Council direction and offered to host a special workshop to go line by line.

Public comment:

Mark Webb discussed the State deadline and the legality of the comp plan.

Mayor Norris addressed Mr. Webb's comment.

Council and staff continued discussion of next steps.

Council Member Gambaro withdrew his motion.

Ms. Johnston confirmed Council direction to include a future special workshop meeting and asking for an extension from the State. Ms. Johnston confirmed Council direction to include goal 3.1 of the housing element and goal 1.7 on FLUM at the special workshop.

Council Member Miller asked the Vice Mayor about her thoughts on the housing element. Vice Mayor Pontieri outlined several changes.

Ms. Johnston reaffirmed Council direction.

K. RESOLUTIONS

7. RESOLUTION 2025-26 APPROVING A CONTRACT WITH ATLANTIC PIPE SERVICES AND A PROJECT CONTINGENCY FOR THE BELLE TERRE TRENCHLESS PIPE REHABILITATION PHASE II PROJECT

City Attorney Duffy read the title into the record.

Ms. Johnston provided background of the item.

Mayor Norris paused to ask who the individuals are who had just left the meeting. Ms Johnston identified them as being from JBPro, the consultants who worked on the Comp Plan.

Carl Cote, Director of Stormwater & Engineering and Carmelo Morales, Stormwater Engineer III, presented the item to Council and responded to questions regarding the location, construction schedule, lane closures, and goals of the project.

*Public comment:
There were none.*

Pass

Motion made to approve by Council Member Gambaro and seconded by Council Member Miller

Approved - 4 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller

8. RESOLUTION 2025-23 APPROVING A MASTER SERVICES AGREEMENT WITH PAYMENTUS CORPORATION FOR ELECTRONIC PAYMENT SERVICES AND AMENDING THE MASTER SERVICES AGREEMENT WITH TYLER TECHNOLOGIES

City Attorney Duffy read the title into the record.

Ms. Johnston provided a background of the item.

Helena Alves, Director of Financial Services, and Stacy Young, Finance Operations Manager, presented the item to Council. Topics presented included: the scope of services, the RFP process, vendor selection criteria, staff selections of Paymentus and Tyler Technologies, and next steps.

Council held discussion on chatbot, user fees, cost savings to the City, and the App that the City is developing.

Mayor Norris asked for Ms. Alves' recommendations. Ms. Alves shared her discussions with the rate consultant.

Council Member Miller made a motion to approve the user fee model for both payment vendors, seconded by Council Member Gambaro.

Public comment:

Mark Webb commented on billing methods, fees, the residents not knowing why the bill is going up, and asked how this was going to be communicated to the residents.

Council asked about incentivizing in order to encourage specific payment methods, and for a communications plan.

Ms. Johnston confirmed that staff will negotiate auto-pay programs and develop a communications plan for the rollout.

Pass

Motion made to approve by Council Member Miller and seconded by Council Member Gambaro

Approved - 4 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller

L. CONSENT

Vice Mayor Pontieri sought clarification of items 9, 11, and 12. Staff provided responses to the Vice Mayor's questions.

Council Member Gambaro motioned to approve the consent agenda, seconded by Council Member Miller.

*Public comment:
There were none.*

Pass

Motion made to approve by Council Member Gambaro and seconded by Council Member Miller

Approved - 4 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller

- 9. RESOLUTION 2025-29 APPROVING AN INTERLOCAL AGREEMENT WITH FLAGLER COUNTY REGARDING THE TREATMENT OF OPIOID SETTLEMENT FUNDS**
- 10. RESOLUTION 2025-25 APPROVING A MASTER PRICE AGREEMENT WITH UNIVAR SOLUTIONS USA, LLC FOR 25% SODIUM HYDROXIDE (RAYON OR MEMBRANE GRADE)**
- 11. RESOLUTION 2025-11 APPROVING THE MARION COUNTY, FLORIDA PIGGYBACK CONTRACT WITH PARTNER ASSESSMENT CORPORATION FOR BUILDING CONDITION AND NEEDS ASSESSMENT**
- 12. RESOLUTION 2025-28 APPROVING PIGGYBACKING THE SEMINOLE COUNTY CONTRACT WITH CHUCK ROBINSON CONCRETE AND BOB CAT SERVICE, INC., FOR AQUATIC MANAGEMENT SERVICES**
- 13. RESOLUTION 2025-27 APPROVING A MASTER PRICE AGREEMENT WITH SPARKS CONCRETE & ASPHALT FOR CONCRETE 4000 PSI WITH FIBER MESH**

M. PUBLIC PARTICIPATION

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

Public comment opened at 1:03 p.m.

Mark Webb discussed the rules of public participation and a recent court decision concerning public participation.

Public comment closed at 1:06 p.m.

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

Council Member Miller thanked Mr. Webb, and discussed his thoughts on civil discourse. Council Member Miller expressed support for Mayor Norris' earlier actions.

Vice Mayor Pontieri discussed the utility rate issue and recommended that Council look at the utility rate presentations and material from 2018.

Council Member Gambaro discussed the recent visit from representatives from Senator Rick Scott's office and their assistance with applying for appropriations and grant recommendations. Council Member Gambaro also mentioned the Tunnel to Tower race on April 26, and the informational signs on Rymfire regarding construction. Mr. Cote affirmed that work is still ongoing but will remove the signs as soon as work is complete. Council Member Gambaro asked Mr. Cote to update the messaging.

Mayor Norris shared a message to residents that Council is working on the utility issues, and about parenting, and the road issues.

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

Mr. Duffy responded to Mr. Webb's public comment that Council policies and procedures were recently updated to conform to the decision by the 11th Circuit.

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

14. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR JANUARY 2025

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

The Special Workshop on the comp plan is tentatively set for March 7 from 9:00 a.m.-12:00.

In response to Mr. Webb, 45% of users receive electronic bills, and their notices are sent as attachments.

Florida Park Drive is scheduled to be repaired starting this week.

Q. ADJOURNMENT

The meeting was adjourned at 1:18 p.m.

*Respectfully submitted by: Alison Palmer
Deputy City Clerk*