



City of Palm Coast Minutes City Council Workshop

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

Tuesday, March 11, 2025

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.
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- 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 6:00 p.m., and shared an update about Mr. Ray Stevens.

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.
Council Member Gambaro appeared remotely.*

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) 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 participation.

Public participation opened at 6:03 p.m.

Neftali DeJesus, local business owner and pastor, read a prepared statement against the building moratorium citing the constitution and property rights.

Kandi Stevens, P section, commented on the prior speaker and shared her thoughts on the moratorium. Ms. Stevens also discussed Flooded in Flagler, her agreement with the moratorium, and her support for Council.

Leslie Johnson shared a medical analogy relating to the building moratorium, that the City, residents, builders, and developers will hurt but we all need to work together, her support for Council, and asked people to give them a chance.

Bob Hannah, owner of a surveying firm in Palm Coast, spoke about how the moratorium will put him out of business and that construction is the backbone of the County.

Regine Bernier, R section, shared how Palm Coast was a very quiet City when she first moved here, discussed the pool hours, and asked that Council extend pool hours and make Palm Coast a better place to live.

Phil Rigeros, resident for 25 years, discussed public pools in Palm Coast and desalination.

Rita Maderos, Grand Haven, discussed fifteen-minute cities and infrastructure.

Lisa Perkins discussed the moratorium, raising the rates, reviewing how we got here, and asked who signed off on water. Ms. Perkins shared that heads need to roll, that we need to get to the bottom of it, and expressed confidence in Council.

Evaristo Gines discussed his dog, a PTSD service dog, being listed in the dangerous dog category as part of an ongoing case, that spay/neuter is required for dangerous dogs, and asked Council to please repeal this rule. Mr. Gines provided documents to Council that are included in these minutes.

Dennis McDonald discussed the half cent sales tax proposal for the beach, his thoughts against the tax, and stated that the barrier island should pay for it.

Denise Henry, P section, commented on a speaker at a prior meeting, that she drove over to Perrotti, the flooding on Perrotti that she is noticing the higher built houses in Palm Coast, and that Code needs to check this.

Joshua Stadler discussed backyard chickens and recent legislation, and would like Council to look at this.

Mary Vasilevsky, E section, spoke about the building moratorium, the water treatment plants, her background, the uncertainty of the future, livelihoods, and thinks change should be small scale and temporary.

Public participation closed at 6:29 p.m.

Council Member Miller addressed comments on the aquatic center and discussed Council plans and funding, the condition of Frieda Zamba, and that we are at an inflection point with aquatics. Council Member Miller also invited Mr. McDonald to the Joint Cities and County Workshop to discuss the beach management plan, and wanted to hear more about spay/neuter and aggression and fifteen-minute cities.

City Attorney Duffy affirmed that there is a City ordinance that if a dog is deemed dangerous, the dog is required to be spayed or neutered.

Council Member Gambaro asked about the YMCA meetings with the City. Ms. Johnston confirmed this will come before Council in April.

Vice Mayor Pontieri addressed backyard chickens and asked that this issue be brought back to Council at the same meeting with exterior colors and commercial vehicles, in order for Council to remain consistent with the policy decisions concerning rights that you have in your home that could also affect neighbors. The Vice Mayor asked for and received consensus to discuss all three issues at a future workshop. Ms. Johnston said staff will present the original backyard

chicken presentation, exterior paint colors, and commercial vehicles at the April 8, 2025, Workshop Meeting.

Ms. Johnston addressed pool concerns and hours.

Mayor Norris mentioned the Joint Cities and County Workshop scheduled for March 12 at 5:30 p.m. at the Government Services Building in Bunnell.

E PRESENTATIONS

1 PRESENTATION - STRATEGIC GOVERNMENT RESOURCES (SGR) CITY MANAGER SEARCH SEMIFINALISTS RANKINGS & SELECTION OF FINALISTS

Ms. Johnston and Mayor Norris provided a background of the item.

Doug Thomas, Executive Vice President of Recruiting and Leadership Development, presented the topic to Council. Mr. Thomas appeared remotely.

Topics presented included: search status update, semifinalist background information, selection of finalists, onsite interview components, search timeline, and next steps.

Mayor Norris asked Council if they were ready to rank the applicants.

Council Member Gambaro said yes.

Council Member Miller asked if pushing ranking the applicants to a future date would impact the current timeline, and that he would prefer more time to digest the information.

Vice Mayor Pontieri agreed and would like to consider pushing 5-7 days.

Council and Mr. Thomas discussed the process and potential dates for another meeting, but were unable to agree on a date that would meet the noticing requirement. Council proceeded to rank the applicants.

Mr. Thomas facilitated the ranking, after which Council held a lengthy discussion on the applicants and process.

The applicants chosen to move forward were:

*William (Lee) Smith, III
Paul Trombino, III
Richard Hough
Sonia Alves-Viveiros
Michael Reese*

*Public Comment:
There were none.*

Mr. Thomas reviewed options and next steps. Council concurred that they would like to see PowerPoint presentations as part of the process. Council continued a lengthy discussion of the process and timeline.

2 RESOLUTION 2025-XX APPROVING THE UPDATED WIRELESS MASTER PLAN

Ms. Johnston provided a background of the item.

Doug Akins, Director of IT and Estelle Lens, Planner, presented the topic to Council.

Topics presented included: wireless master plan overview, wireless master plan and the land development code, property lease approvals, necessity of the wireless master plan, cell phone reliance, reliable and unreliable coverage in Palm Coast, wireless coverage and emergency services, proposed wireless master plan changes, City property review, existing wireless communications facilities, master plan properties, and recommendations.

Council held discussion on the following additional topics: the sites at Club House Drive and Fire Station 22, public feedback, and cell towers on airport property.

Public Comment:

Dennis McDonald referenced an email he sent to Council, discussed 5G and health implications, EMI, and potential changes coming from the Federal government.

Annamaria Long discussed the need for emergency services, EMI, and public safety.

Leslie Johnson discussed cell tower locations and prior Councils, and asked Council to monitor the locations and final cell tower placement.

Rita Maderos, Grand Haven, discussed prior studies and health risks.

Mary Vasilevsky shared her background, her experiences with cell phone usage, the experiences of students, and safety.

Council gave consent to approve the site at Fire Station 22. Ms. Johnston reminded Council that this will come back at the March 18, 2025, Business Meeting for final approval.

F PUBLIC PARTICIPATION

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

Public participation opened at 8:35 p.m.

Kandi Stevens asked to have access to the resumes and paperwork of the five finalists for City Manager so that she can prepare in case she is chosen to fill the

District 3 seat. Vice Mayor Pontieri requested that all applicants be given that information. Council concurred.

Paul Andresac discussed his views on the development moratorium and the detrimental effects.

Annamaria Long discussed the impact of building in the area, the utility rate increase proposals, and shared personal experiences.

Tony Amaral discussed local small businesses that would be affected by a moratorium, the importance of these decisions by Council, and the impact of the building industry.

Dennis McDonald discussed two false premises he has heard at this meeting regarding stopping all building and emergency responders relying on cell phones over radios, discussed the City upgrading radios several years ago, and urged everyone to find common ground to make this work.

Leslie Johnson asked a question about transferring money from the water utility, in reference to a letter from Amanda Rees, former Director of Utility, and wants to know if so, where the money went.

Denise Henry, P section, sought clarification on the moratorium and commented that people should be concerned about home prices starting to go down.

Mary Vasilevsky, E section, discussed the interviews for City Manager and that it is not a red flag if you do not live here and have to relocate. She also expressed gratitude for the Council we have today, and that we can have these conversations.

Public participation closed at 8:52 p.m.

Ms. Johnston responded to Leslie Johnson that utility revenue is not restricted and can be transferred to general fund, that this is a common practice, but is not our process. Council briefly discussed The Old Kings Road Special Assessment District from 2005.

G DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Vice Mayor Pontieri addressed infrastructure and borrowing 600 million dollars and proposed we get the first bond, have the consultant rework the numbers, and find the middle ground. The Vice Mayor asked for consensus to direct staff and the consultant to work the numbers at the 269 million bond price point and see if we can get the Utility rate study and plan approved and update the miscellaneous fees and charges for cost recovery.

Council Member Miller discussed that we are an outlier at 92% residential and 8% commercial-industrial tax base, that we are very close to making progress, and asked about the timing of rate increases and executing the bonds.

Council asked Mr. Duffy if changes would require noticing and two more readings.

City Attorney Duffy responded that he believes he could get to yes and would not have to change the ordinance, but would need to work with the consultant and Carl Cote, Director of Stormwater & Engineering.

Council Member Gambaro discussed that we need to look at this from a systems perspective and his concerns about piecemealing the projects.

Mayor Norris asked Ms. Johnston for the amounts of the two bonds. Ms. Johnston and Mr. Cote responded to Council questions and comments and discussed the bonds.

Mayor Norris asked how did we get here, how did we approve 19,000 houses when we don't have the capability to sustain what we have now?

Council and staff members Peter Rousell, Deputy Director of Utility, Jason DeLorenzo, Chief of Staff, and Carl Cote held a discussion on the following topics: how many houses are in the City, the PEP system, the water and wastewater system, utility rates, projects proposed at the March 4 meeting, the 2018 study, impact fees, the terms of the consent decree, and zoning.

Ms. Johnston affirmed direction from Council for the March 18, 2025, Business Meeting to run an analysis to move forward with the first bond identifying key projects for the system.

Council continued discussion of utilities, development, and direction for the next Business meeting.

Mayor Norris asked the City Attorney for an update on his request for information about an audit of the City by the State of Florida. The City Attorney provided an update and Council and staff engaged in a brief discussion of audits and the process.

Council Member Gambaro accused Mayor Norris of violating the City Charter by 1) asking for the resignations of the Acting City Manager and the Chief of Staff after legal counsel advised that this was inappropriate and in violation of the City Charter, and 2) the manner in which he delivered it, like an article 15 scenario: this is a one-way conversation and I'm going to ask for your immediate dismissal. Council Member Gambaro asked Ms. Johnston to confirm that these discussions occurred in this manner. Ms. Johnston responded yes. Council Member Gambaro said the Mayor may be creating a toxic work environment, and formally asked for consensus to request an independent investigation.

Council Member Miller discussed that the City Charter directly prohibits any member of the Council from directing staff decisions that are solely the purview of the City Manager, and that directing the City Manager without consensus of the Council is also a violation of the City Charter. Council Member Miller also expressed that if we are not playing by the rules, then they are going to be

abused, believes these are blatant violations of the City Charter, and gave his support for an independent investigation.

Mayor Norris expressed that during the conversation he said he was going to discuss his frustrations with the Council, did not do what is being said, and that prior Council violated the City Charter by appointing Council Member Gambaro. Mayor Norris asserted that he did not tell Ms. Johnston to fire anybody, was frustrated, and wanted to discuss with Council what we need to do to fix this City

Vice Mayor Pontieri asserted that they are all under pressure, that Council is supposed to get consensus for every decision, and no decision is to be unilaterally made. The Vice Mayor continued that this warrants looking into, that no one on this board can make these decisions and impose their will in this way, that the City Manager position is not elected but it is political and we cannot treat it like something we can just get rid of and find somebody else, and that this is not healthy for our City. This should have been workshopped.

Council gave consensus for an investigation.

H DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Mr. Duffy called for an executive session/shade meeting to be scheduled in the next few weeks concerning Holland Park.

I DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

There were none.

J ADJOURNMENT

The meeting was adjourned at 9:51 p.m.

*Respectfully submitted by: Alison Palmer
Deputy City Clerk*

Good evening counsel members and my fellow city members. I am here today to ask that the Flagler County Law that pertains to a Dangerous Dog classification be amended to delete the specification of Spaying and Neutering the dog. The Florida statues never found it necessary to include spaying or neutering but for some reason, was put in our county regulations. That reason was outdated and unscientific reasoning.

For many years and still holds true for today, it is extensively believed Spaying and neutering make for a more passive and affectionate companion. Some of the folks . here are probably under that impression as well. This is entirely false and again, was never based on scientific evidence.

THIS IS WHAT I FOUND OUT:

The first canine Behavioral Assessment and Research Questionnaire (called the C-BARQ), IS a standardized behavioral evaluation tool developed and validated by Yuyin Hsu and Dr, James Serpell at the University of Pennsylvania. Today, that database contains detailed behavioral evaluations for more than 50,000 dogs. Survey info has been grouped into categories such as aggression, fear and anxiety.

Another researcher, Dr. Perve Farhooody, analyzed a set of the C-BARQ data involving 10,839 dogs in her Master's Thesis for Hunter College.

DR FAHOODY: Has a Masters Degree in psychology with a concentration in animal behavior and wildlife conservation and conducted research on Behavioral effects of Spaying and Neutering Dogs.

Both of these studies were supported by the later findings of a study from a research team headed by Paul McGreevy of the Sydney School of Veterinary Science at the University of Sydney with another 9,938 dogs.

Dr McGreevy: has written 499 publications, he is the Winner of numerous international awards to include the Life time Achievement Award at the International Canine Health Award and the World Veterinary Association's Global Welfare Award.

As observed by Dr. Stanley Coren, in psychology today, there are behavior changes when dogs are spayed or neutered. The latest peer-reviewed studies show that behavior changes in female dogs created by spay ARE NOT BENEFICIAL, as generally asserted by Vets. In fact, the studies show that spay actually increases aggression, fearfulness and anxiety in the recipient, as well as making them more difficult to train.

DR COREN: As an expert in his field, he has written numerous publications and books. He was recognized for his writing and books and received the Maxwell Medal of Excellence from the Dog Writers Association of America.

All of these studies were in agreement: STERILIZED DOGS (SPAYED OR NEUTERED) ARE MORE LIKELY TO SHOW AN INCREASE IN AGGRESSIVE BEHAVIOR AS A RESULT OF SPAYING AND NEUTERING, RATHER THEN THE LONG-TOUTED DECREASE.

stress-response-system/) in spayed/neutered dogs leads us to believe spay/neuter adversely affects the dog's behavior and personality. In fact, the documented changes in the stress-response system would predict an increased level of fear and anxiety, which in some dogs can result in aggression.

When we examined the peer-reviewed studies on the topic of behavior after spay (see below), we find the studies confirm behavior is adversely impacted by spay/neuter and these changes are serious and potentially of epidemic proportions. So let's see what the experts have to say...

WHAT THE EXPERTS SAY ABOUT BEHAVIOR AND SPAY/NEUTER

The study (<http://www.naiaonline.org/uploads/WhitePapers/EarlySNAndBehaviorDuffySerpell.pdf>) "Non-reproductive Effects of Spaying and Neutering on Behavior in Dogs"⁵² (<https://healthyandhappydog.wordpress.com/bibliography#fn56>) utilizes the "Canine Behavioral Assessment and Research Questionnaire (C-BARQ (<http://www.ncbi.nlm.nih.gov/pubmed/14621216>))"¹⁵ (<https://healthyandhappydog.wordpress.com/bibliography#fn14>), the only peer-reviewed, reliable, standardized method for evaluating and screening dogs for the presence and severity of behavioral problems. The overarching conclusion of the study is:

"For most behaviors, spaying is associated with worse behavior, contrary to conventional wisdom."

Specifically, the study found:

- Spayed females are more aggressive towards people
- Spayed females are more fearful and sensitive to touch/handling
- Spayed females beg for and steal food more often
- Spayed females are more aggressive towards other dogs
- Spayed females are less energetic
- Spayed females roll in and eat feces more often
- Spayed females lick people and objects more often
- Spayed females self-groom and bark excessively

Another study (<http://www.atftc.com/health/SNBehaviorBoneDataSnapShot.pdf>), "Behavioral and Physical Effects of Spaying and Neutering Domestic Dogs"¹⁶ (<https://healthyandhappydog.wordpress.com/bibliography#fn15>), also utilizes C-BARQ. The study concludes:

"The overall trend seen in all these behavioral data was that the earlier the dog was neutered [or spayed], the more negative the effect on the behavior."

Specifically, the study found:

- Spayed females are more aggressive
- Spayed females are more fearful
- Spayed females are more anxious
- Spayed females are more difficult to train
- Spayed females are less responsive to cues

The study also determined: