



City of Palm Coast Minutes City Council Special 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 David Sullivan

Thursday, May 1, 2025

1:00 PM

**City Hall - Jon Netts
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/@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 1:00 p.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 Sullivan appearing virtually. Council Member Gambaro was not present during roll call but arrived at 1:04 p.m.

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 comment.

Jeremy Davis shared his history of raising concerns regarding drainage, steps taken, wanted to know when something will be done, asked questions about responsibility and accountability, wanted the pipe fixed, wanted process improvements, and shared that the public is watching and done being lied to.

Mayor Norris shared a reminder of the topic of the agenda and that this public comment section is for non-agenda items.

Mark Webb requested to remove the availability of proxy voting for critical and important items within the city and believed every Council Member should be present, recommended moving or delaying items if not every member can be present, encouraged learning from lessons, discussed Council comments from prior meetings, and discussed Council Member votes.

Jeannie Duarte stated that this has been disturbing to watch, was disappointed with Council Member Miller, discussed items from prior Council Meetings, said she has been told that Vice Mayor Pontieri and the other Council Members are trying to steal the Mayor's seat, and stood in support of Mayor Norris.

Connie Sparks discussed National Day of Prayer, was disturbed to see the people other than Mike Norris, discussed misconduct, overspending, not representing the residents, appointed Council Members, and the City Manager position.

Cindy Spain shared support for Mayor Norris, sought to slow down home building, and stated that we don't have to love the Mayor's personality, we just have to love what he is doing.

Dennis McDonald offered a few reflections from Tuesday's meeting, the Mayor was the only one who switched his vote with a goal of getting a City Manager here, discussed utility figures and prior discussions on the topic, the need for a City Manager, and shared theories and concerns.

Josephine (no last name provided) shared her history of living in Palm Coast, verbal abuse and intimidation from the Mayor, the hostile work environment, public comments with a threatening nature, asked where the compassion and decency are, and prayed for resolution for the city and staff.

Lisa Perkins discussed rules and that Council shouldn't be on their phones, and urged respect and being fully involved and present in the meeting.

Gary Kunnas stated that some are digging to try to find information on Mayor Norris, stated to one Council Member that they have information from Tallahassee on their background, stated that Council Member Gambaro was appointed, discussed campaign funds, and told a Council Member to have builders pay for new water and sewage plants.

Larry Olive commented on earlier public comment, believed them untrue, shared his military experience and language used, stated that this Council has embarrassed the City, that there is so much rhetoric that he doesn't know what to believe, told Council to get their act together, discussed the need for a City Manager, and shared that in most cities he has lived in, the Mayor was the City Manager.

Michelle Robbins shared about her visiting with Mayor Norris, heart for the people, and shared support for the Mayor.

Mayor Norris shared with City staff that he met with the residents on his schedule today.

Vice Mayor Pontieri stated that she was not going to respond to false statements and shared with the public how to contact her directly.

Council Member Sullivan addressed the technology issues that occurred during the last meeting and the impossibility of following due to the issues.

Mayor Norris asked if the rest of the Council received the information about the terminations and suspensions in the building department.

The City Council Members replied yes.

Mayor Norris asked if they had been aware of the details before he asked for it to be shared.

Vice Mayor Pontieri called a point of order and asked if this can be addressed during the Council Comments portion of the agenda.

Mayor Norris proceeded with the question.

All Council Members shared that they were briefed.

Mayor Norris formally apologized to the City Manager candidates.

E. PRESENTATION

1. PRESENTATION - INVESTIGATION RESULTS

Mayor Norris asked Ms. Fuller, Human Resources Director, to come forward.

Attorney Duffy shared that Adam Brandon is the hired investigator for the topic, that he has introductions and will go over his report, and then will be available for questions.

Mayor Norris asked if this can be treated as a quasi-judicial matter.

Attorney Duffy replied no.

Mayor Norris asked if individuals could be sworn in.

Attorney Duffy replied that the purpose of this meeting, as directed by the City Council, was to have the investigator come and discuss his report and that if the Council would like to go a different way, there would need to be Council consensus.

City Council held discussion on conducting swear-ins before proceeding with the brief.

Attorney Duffy intervened, stating that this is not a rehashing of the investigation, that this should not be an interrogation, witnesses should not be asked questions, and shared a reminder that at the direction of the Council, the purpose of the meeting is for Mr. Brandon to present his investigation.

Mayor Norris asked if questions could be asked to the Human Resources Director.

Attorney Duffy strongly advised against doing so.

Mayor Norris did not agree, believed the investigation to be informal, and asked about sworn statements.

Attorney Duffy replied to Mayor Norris' comments that this is an administrative matter in front of the City Council, reiterated the direction provided by City Council, and briefly discussed the Council's rules and procedures.

Mayor Norris asked if the investigation had been transmitted to the State of Florida.

Ms. Johnston replied no, that direction had not been given to transmit the letter to the State.

Mayor Norris asked Attorney Duffy for the details of the direction given.

Attorney Duffy shared that the direction provided was to draft a complaint to the Ethics Commission, which has not been submitted yet.

Mayor Norris sought consensus from City Council to ask Ms. Fuller questions.

Council Member Gambaro and Vice Mayor Pontieri recommended hearing the report first.

Mayor Norris stated that there are a few questions that need to be asked up front.

Vice Mayor Pontieri did not believe there was anything precluding Mayor Norris from speaking with Ms. Fuller separately and shared concern for legal liability.

Mayor Norris passed the gavel to Vice Mayor Pontieri.

Mayor Norris motioned that in 24 hours from the end of this meeting, City Council hold a closed-door session concerning four witness statements that will require discussion of matters that fall under Florida Statute 288.075 Commercial Development and Capital Improvements, confidential records. Mayor Norris continued to share that one of the witnesses offered him a quid pro quo if he allowed the City's 2050 Comprehensive Plan to move forward as written by the previous Council.

Council Member Miller seconded the motion for discussion.

Mayor Norris shared details.

Council Member Miller asked when this occurred.

Council Member Gambaro asked if the witness was the mayor's spouse.

Vice Mayor Pontieri asked why it would be a closed session.

Mayor Norris replied that it is because of items that fall under Florida Statute 288.075 and confidentiality agreements that have been signed.

Vice Mayor Pontieri sought to know more detail, felt in the dark, and asked why this was not brought up previously.

Council Member Miller asked the City Attorney for thoughts on the matter.

Attorney Duffy informed the Council he was not aware of a special meeting that could be held on the topic and that closed-door sessions are for active litigation or labor union negotiations.

Mayor Norris believed that the policies and procedures allowed him to call a closed-door meeting if it is warranted.

Attorney Duffy replied that the rules and procedure allow the mayor to call a Special Meeting, but not a closed-door meeting.

Mayor Norris asked Vice Mayor Pontieri for her opinion.

Vice Mayor Pontieri supported having the discussion at a special meeting, in the sunshine (public meeting).

Mayor Norris replied that having the discussion in the open will violate Florida Statute.

Vice Mayor Pontieri asked the mayor if he sought guidance or advice from the City Attorney regarding a potential violation of State Statute.

Mayor Norris replied that he had not.

Vice Mayor Pontieri was in favor of a public meeting to discuss the topic, and that if the City Attorney advises that some of the topics are unable to be discussed, that City Council discuss the rest of the subject matter without reaching confidentiality issues or violating Statute.

Council Member Sullivan shared that in his experience, silent or closed-door sessions are extremely rare and fall in line with what the City Attorney has said.

Council Member Miller withdrew his second.

Mayor Norris replied that the Council Member could not withdraw the second and called for a vote.

Vice Mayor Pontieri reminded the mayor that she had the gavel and asked for the vote to be called.

Failed

**Denied - 4 - Vice Mayor Theresa Pontieri, Council Member Charles Gamaro, Council Member Ty Miller, Council Member David Sullivan
Approved - 1 - Mayor Michael Norris**

Vice Mayor Pontieri returned the gavel to Mayor Norris.

Vice Mayor Pontieri made a motion for a Special Meeting to discuss the topic referenced by Mayor Norris. The motion was seconded by Council Member Miller.

Vice Mayor Pontieri wanted to know what the mayor is discussing, believed the Council needs to know and take action on the allegations, and believed it should be discussed in an open meeting.

Mayor Norris replied that there are items that need to remain confidential.

Vice Mayor Pontieri asked the mayor to discuss his concerns with the City Attorney.

Mayor Norris asked if within 24 hours from the end of this meeting there will be another meeting.

Attorney Duffy replied no that was not the motion as he understood it.

Vice Mayor Pontieri reiterated the motion to have a special meeting, in the sunshine, regarding the issues that the mayor has brought up and shared that a timeframe was not included in the motion.

The mayor sought consensus to have the meeting in 24 hours.

Attorney Duffy stated that hold a meeting within 24 hours, it must be emergency status.

Mayor Norris discussed the transmittal of the complaint to the Ethics Commission and that he considers it an emergency.

City Council held discussion on their availability.

Vice Mayor Pontieri suggested that if the concern is of an emergent nature, the City Council agree not to transmit the complaint until after Tuesday's meeting and add it to Tuesday's agenda. City Council concurred.

Vice Mayor Pontieri withdrew her prior motion for a special meeting. Council Member Miller withdrew the second.

Vice Mayor Pontieri motioned to have the topic added to the May 6, 2025, agenda and that the Council agrees to not transmit the complaint to the Ethics Board until after the upcoming Tuesday meeting. The motion was seconded by Council Member Miller.

Passed

Approved – 5 - Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller, Council Member David Sullivan

Discussion was held on the ethics complaint included as an exhibit to the report and using the complaint within another complaint.

Attorney Duffy recommended allowing Mr. Brandon to do his presentation and then ask questions after.

Adam Brandon, attorney with Lawson Huck Gonzalez, provided his background and presented the findings of the investigation.

Mayor Norris was concerned for the cross-reference of an ethics complaint in another ethics complaint.

Vice Mayor Pontieri replied that if it is a rule of the Ethics Commission, in an ethics complaint, then she is in favor of redacting Mr. Danko's statement.

Council Member Gambaro asked Mr. Brandon to walk Council through his recommendations.

Mr. Brandon provided the recommendations; review for further legal review, initiate formal censure proceedings, strengthen Charter enforcement mechanisms, hire a permanent City Manager, implement mandatory training, support staff and whistleblower protections, monitor compliance, training for Council and staff on professional workplace conduct, shared concerns for retaliation, mechanism to monitor relationship between Council and staff, and ensuring a clear distinction between policy and operational issues.

City Council held lengthy discussion with Mr. Brandon and Ms. Fuller on the following topics; the attempt to obtain resignations of the Acting City Manager and Chief of Staff, the use of inappropriate and profane comments towards female staff, the appropriateness of voting to censure the Mayor before receiving the presentation on the report, how the Council Members came to know of the allegations, allowable conversations and sharing of information, procedure for obtaining the complaints, interference with personnel decisions, opportunity for all participating individuals to provide statements, process of receiving statements from individuals outside of the City organization, Human Resources policy for complaints, Human Resources Direction qualifications, and claims within the report.

Council Member Gambaro believed the report speaks for itself.

Council Member Sullivan shared that all Council Members had access to the report, that it is what he has to base his judgements on, and asked Mr. Brandon to please read the conclusion from the report.

Mr. Brandon read the conclusion from the report: These findings reveal a pattern of inappropriate conduct and unprofessional behavior by Mayor Mike Norris that undermines the city's council-manager form of government and creates a hostile work environment for city employees. Mayor Norris further exceeded the powers under the City Charter by seeking the resignations of the Acting City Manager and Chief of Staff. Further independent investigation and corrective action may be warranted to address these issues and restore integrity and morale.

Council Member Sullivan reiterated that his point is that the report is what he has to base his decisions on.

Mayor Norris asked Mr. Brandon if he said that the City Charter doesn't define influence.

Mr. Brandon replied that the City Charter doesn't have a definition for interference.

Council Member Gambaro began a motion.

Mayor Norris called a point of order, wanting to go to public comment.

Vice Mayor Pontieri asked for clarity on when City Council can continue their comments.

Vice Mayor Pontieri shared her major concerns from items outlined in the report, highlighted separate statements corroborating comments made, the obvious need to address charter violations, said that she could not condone this type of behavior, and that there is a correct way to go about these things.

Mayor Norris replied that a lot of people know his personality, that people may not like his sense of humor, but he has never in his career had an HR complaint about him, believed there was a public lynching of him by the Council, shared his personal credits, accomplishments, and experience, the campaign process, prior discussion on utilities, believed people should be able to come to the Mayor if they are offended, stated that he did not demand anyone's resignation, and stated that DRI's would not have been kept, if he had not brought it up.

Vice Mayor Pontieri responded to the comments to address misrepresentations, believed individual Council Member concerns and policy issues should be discussed on the dais, discussed the allegation of quid pro quo, and urged to stop lying.

Council Member Gambaro motioned that in addition to the actions that the Council has already taken, that the Council immediately send a letter to Governor DeSantis requesting the Mayor's removal from office for malfeasance and asked that the letter include signature blocks for all of the City Council Members that choose to vote in favor of the motion. Council Member Sullivan seconded the motion for discussion.

Vice Mayor Pontieri stated that she could not support a motion to send a letter to the Governor asking him to remove a duly elected official, supported sending it to the ethics commission as the proper chain of command and to allow them to make a decision, and believed all of the statements should be attested to under oath.

Council Member Sullivan shared that he still feels as he did at the previous meeting, that the next step is to the ethics board, and agreed with Vice Mayor Pontieri.

Public Comment:

Mayor Norris asked the public speakers to please be respectful and to not make defamatory comments.

Perry Mitrano stated that it is difficult to watch and be a part of, that we need to get back to business, respect the current City Manager for doing the job she's been asked to do, encouraged the Council to focus on City business, values, and direction, shared concerns for lack of investment and working around the Council, encouraged Council to get the job done, to find a city manager who has the experience of city manager, and to send the complaint to the ethics board and let them make their decision.

Lisa Perkins, replied to Council Member Pontieri's question during earlier comments, stated that she could not believe we're here today to discuss an investigation that should have never taken place, discussed City risk, leadership violating trust, participating in gossip, wondered we can't maintain our infrastructure, creation of hostile work environment, creating a toxic environment, and said to follow the money and open your eyes.

Kathy Austrino asked about an email sent, discussed a package presented to Flagler County Commission in 2019, shared about Council Member Sullivan's votes on similar topics while on the Flagler County Board of County Commissioners, and discussed lawsuits.

Georgia Ann Miller stated that it is horrible that we're listening to you all who can't play in the sandbox, spoke of complaints to HR that were brought up the chain of command and fell apart, redirection of military directives, asked why the Mayor didn't know he doesn't manage City personnel, City Charter, and urged Council to address the issues, to drop all of it, and stop wasting money.

Dennis McDonald said that what we're seeing here is two unelected members who made a motion to remove the elected Mayor, shared comments with Ray Stevens, discussed charter language, and asked where there was interference with duty.

Jeannie Duarte commented on the City Attorney's activity in the meeting, responded to comments from the Vice Mayor, spoke of a lawsuit she filed, prior Council Member actions, and spoke of fairness and lack of trust in local government and judicial system.

Leslie Johnson shared that she warned Council a while ago that they inherited a lot of distrust from the previous Council, discussed the impropriety for Council Members to disparage each other, that the city is dependent on what the Council does, and that she cannot accept allegations as fact.

Donna McGevna replied to statements of Council Members wanting the Mayor's seat, did not believe it was fair to target the Vice Mayor, shared her work history and the need to adapt her behavior and style, and did not support holding one staff member as an individual responsible for the City's issues.

Kandi Stevens stated that she has had questions about this from the beginning, discussed the chain of command and HR policy, and believed the problem is Council Member Gambaro.

Gary Kunnas agreed with the prior speaker, discussed deliberate deceit, discussed actions of prior Council, and sunshine violations.

Connie Sparks stated that she blames Human Resources, that it is former Council Member Danko, Council Member Gambaro, and former Mayor Alfin trying to get control, the claims are ridiculous, and she did not understand how it got this far.

Marilyn Mack stated that anyone who has worked in the government can see what is going on, that this is a setup, discussed wasted time and money, wanted to know how much this cost the taxpayers, and shared support for the Mayor.

C.D. Rousell, an LA police officer, said that this is the most interesting thing he has been involved in since he watched his chief get fired, told the Mayor he needed charm school, stated that this will get resolved and that the City can get back to things that are more important.

Amy (no last name provided) shared that she has come to some City Council meetings, that she does not enjoy this and stopped coming because of the lack of attention to residents, stated that Mr. Danko is a problem, shared support for Mayor Norris, stated that staff shouldn't feel threatened in their job, that this seems to be an HR issue, shared that Mayor Norris was elected, encouraged addressing the conflicts, and discussed alleged sunshine violations.

Jeremy Davis stated that it is time for a change in leadership at the top of this organization, believed that the Acting City Manager and Chief of Staff are out of touch with residents, that it is clear they are not serving in the best interest of the public, and that it is time for both the Acting City Manager and Chief of Staff to step aside and let someone else lead.

Mark Webb commented that what we're experiencing is an example of failure of our human relations department and services, shared work experience, described process, agenda-minded people who took advantage, and hoped that Council could learn from this comment to do better tomorrow.

Vice Mayor Pontieri said that putting aside the HR complaints, at the heart of why this was brought up, is the charter violation, that the charter violation is what needs to be discussed, and that there are rules that need to be addressed. Vice Mayor Pontieri encouraged handling issues from the dais and pursuant to the rules that Council is bound to.

Council Member Sullivan shared some medical issues that he has been enduring recently and during the meeting, and that he is going on the information provided.

Vice Mayor Pontieri sought consensus to have the statements signed under oath. Council concurred.

Mayor Norris asked Council if they had come to a consensus on the ethics complaint from Ed Danko and asked Attorney Duffy if he had read the complaint.

Attorney Duffy replied that he has not received such direction and recommended that Council address the motion on the floor first.

Mayor Norris asked for the motion to be restated and asked for Council Member Sullivan to be called first on the vote to avoid confusion.

Council Member Gambaro restated that in addition to the actions already taken, he moved to immediately send a letter to Governor DeSantis requesting the Mayor's removal from office for malfeasance, and asked for the letter to include the signature blocks of those on the Council that choose to vote in favor of the motion.

Failed

Denied - 4 – Mayor Michael Norris, Vice Mayor Theresa Pontieri, Council Member Ty Miller, Council Member David Sullivan
Approved - 1 - Council Member Charles Gambaro

Council Member Sullivan asked if there needs to be a motion to go forward with a letter to the ethics board, shared that a draft was presented today, understood that Council was waiting until next Tuesday to finalize that, but wanted to know if Council should vote in favor of the motion or not.

Vice Mayor Pontieri shared that she had not yet had a chance to review the draft and preferred waiting until Tuesday.

Discussion was held on who sent the draft letter and which members of Council received it.

Mayor Norris reiterated the topics that have been added to the May 6, 2025, meeting.

F. PUBLIC PARTICIPATION

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

Dennis McDonald wanted the record to reflect that the City Attorney, a Charter Member, did not send a letter to the Mayor, but sent it to the other Council Members. Mr. McDonald continued his comments to discuss that something that was clear to him from reading the report is that we need a new HR Manager and City Manager, believed there was no verbiage in the Charter that the Mayor violated, that Mr. Rice and Rayonier are pulling the strings on various people, that the City didn't follow the Charter on Mr. Gambaro's appointment, and that the prior Council unilaterally decided to change the statute.

Jeremy Davis stated that he expects the city attorney to be impartial and not rooted in politics, interpretations shift when it is convenient, he doesn't see an advocate for the law, demanded consistency and truth and taking a hard look at

what was just witnessed, and to reevaluate the role and performance of the city attorney.

Amy (no last name provided) discussed Mr. Danko's ethics complaint and stated that he didn't care about the citizens, that he was the reason for a charter/sunshine issue when Mr. Gambaro was appointed, asked if anything was violated when Mr. Gambaro was appointed, believed Mayor Norris is a kind and honest man with a strong way of governing.

C.D. Roussell asked if Council is aware of Ordinance 2018-9 and asked if Council is reviewing the correct Charter.

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

Council Member Miller shared resident requests for DOGE, his efforts trying to reach the office, information received and need for a letter of support and resolution. Council Member Miller sought consensus to move forward with the letter of support and resolution to be included on the May 6, 2025, Business Meeting. Council concurred.

Vice Mayor Pontieri asked for the associated costs.

Council Member Miller shared that based on the executive order from Governor, the request was to use existing State personnel and not cost municipalities/Counties any money, and that his understanding is that there would not be a cost to the City of Palm Coast.

Ms. Johnston shared that due to the added agenda items, the May 6, 2025, agenda will be a bit delayed.

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

None.

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

Ms. Johnston shared closing comments to share reminders of our job as public servants and neighbors, acknowledging the challenges we face today, and encouraged Council and staff to guide the City forward as one city, one community, committed to unity, and to the well-being of all residents.

J. ADJOURNMENT

The meeting was adjourned at 3:56 p.m.

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