



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 David Sullivan

Tuesday, June 3, 2025

6:00 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.
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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.

NOTICE: This meeting is being live streamed on the City of Palm Coast YouTube channel and audio recorded for public record and transparency.

A. PROCLAMATIONS AND PRESENTATIONS - 5:30 P.M.

This section of the agenda was opened at 5:30 p.m.

1. JON NETTS COMMUNITY WING UNVEILING

Ms. Johnston and Mr. Hirst presented the plaque and history of Mr. Netts.

Robert MacDonald, Mrs. Netts, Council Member Sullivan, and Kathy Reichard-Ellavsky shared comments.

2. PROCLAMATION - FLAGLER CARES 10 YEAR CELEBRATION

Ms. Johnston read the proclamation into the record.

Carrie Baird, Chief Executive Officer of Flagler Cares, shared a short presentation about the organization.

B. CALL TO ORDER THE BUSINESS MEETING – 6:00 P.M.

The meeting was called to order at 6:00 p.m.

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

D. ROLL CALL

City Clerk Kaley Cook called the roll. All members were present.

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.

Public comment opened at 6:01 p.m.

Jeremy Davis began speaking on item 11 of the agenda. Mayor Norris asked Mr. Davis to hold his public comment until the item, per the Council policies and procedures.

Andy Dodzik, resident and retired consulting engineer, discussed impact fees and did not understand why the City does not have a development impact fee.

Ken McDowell discussed upcoming Charter review, provided a suggestion for Council Members to represent their district, and provided additional suggestions.

Dennis Siccola discussed the history of VRBO (short-term rentals) and the issues he is having.

Mayor Norris asked Ms. Johnston to follow up with the resident.

Mike Cocchiola discussed a proposal to allow commercial vehicles to park in residential areas and was not in favor of the proposal.

Jeanie Duarte echoed concerns of the community, discussed utility bill increases, transaction fees, stuck meters not charging for usage, wanted to know where the funds collected over the years have gone, was concerned for approvals prior to reviewing final drafts and without time for the public to provide feedback, Council districts, cellphone tower locations, impact fees, and spending over the charter amount.

Neftali DeJesus, owner of 1621 remodeling, partner of Florida Green Building Construction, lead Pastor of Rustic Fellowship, and executive secretary of the Flagler Home Builders Association was thankful for Council's efforts and wanted to get to know the Council Members and Mayor.

Mary Vasilevsky, Chair of BEAC, partner of Florida Green Building, thanked the Council, discussed sustainable growth patterns, and cautioned the Council on burnout of their work as Council Members.

Darlene Shelley discussed her research, emissions from aircrafts, flights to and from Flagler Executive Airport, and the lack of benefit to Palm Coast residents.

James Deen discussed swale maintenance and the history of maintenance on his street.

Mayor Norris asked the resident to work with Lynn Stevens, Deputy Director of Stormwater & Engineering.

Robert MacDonald discussed the use of an emergency exit door and asked why the mayor has the right to use an emergency door.

Monica Garcia, owner of Monica Clean, was proud to hire only local residents, her efforts to help keep the local economy strong, and recognized the positive things happening in Palm Coast.

Bruce Stone discussed outrageous water problems and recent local newspaper articles.

Edith Campens discussed commercial vehicle parking, was not in favor of making a change, and recommended putting the item on the ballot.

Mayor Norris asked Ms. Johnston if she had any follow ups.

Ms. Johnston replied that staff will reach out to the resident regarding short-term rentals.

Council Member Miller reiterated comments from prior meetings, that short-term rentals are allowed by the state and the City's ordinance put regulations in place.

Council Member Miller held discussion with Ms. Johnston on meter testing and replacements.

Vice Mayor Pontieri asked for an update on a letter regarding the Flagler Executive Airport.

Attorney Duffy replied that his office is working on it, potential options, and that the letter will go out in the next week or two.

Council Member Sullivan asked if the City has a noise ordinance.

Ms. Johnston replied yes.

F. MINUTES

3. MINUTES OF THE CITY COUNCIL: MAY 20, 2025, BUSINESS MEETING MAY 27, 2025, WORKSHOP MEETING

Pass

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

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

G. ORDINANCES SECOND READ

4. ORDINANCE 2025-08 AMENDMENTS TO THE CODE OF ORDINANCES OF THE CITY OF PALM COAST, CHAPTER 42, STREETS, ROADS, BRIDGES, AND OTHER PUBLIC PLACES

City Attorney Duffy read the title into the record.

Ms. Johnston opened the item and shared that no changes have been made to the item since first reading.

Mr. Hirst was available for questions.

*Public Comment:
There were none.*

Pass

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

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

5. ORDINANCE 2025-09 49 & 51 PINE CREST LANE REZONING

City Attorney Duffy read the title into the record and called for any ex parte communications. There were none.

Ms. Johnston shared that no changes have been made to the item since first reading.

Michael Hanson, Planner, provided a brief overview of the item and was available for questions.

Council Member Miller asked if changes to the property lines have been properly recorded and concern for legal encumbrances.

Mr. Hanson provided the details of a nonstatutory lot split.

*Public Comment:
There were none.*

Pass

Motion made to be adopted on second reading by Council Member Sullivan and seconded by Council Member Gambaro

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

H. ORDINANCES FIRST READ

6. ORDINANCE 2025-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE II TRANSPORTATION IMPACT FEES, CODE OF ORDINANCES OF THE CITY OF PALM COAST, TO ADJUST RATES BASED ON A COMPREHENSIVE STUDY INCLUDING AN EXTRAORDINARY CIRCUMSTANCES STUDY

City Attorney Duffy read the title into the record.

Ms. Johnston provided a background of the item and highlighted the changes requested by City Council during the May 27, 2025, Workshop Meeting.

Phong Nguyen, Senior Planner, and Jonathan Paul, Principle of NUE Urban Concepts, presented the item to Council.

City Council held discussion on the following topics: recommended strikethroughs, impacts from the requested changes, questions on the study, legalities of the recommendations, pending legislation, project costs, inflation, appreciation for the work that was done on the topic, displeasure for items not included in the study, planning for extraordinary circumstances, request to see the projects with future dollar costs, anticipated monies and actual dollars received, tiered system, average size units within the City of Palm Coast, support for the square footage method, unpredictability of construction costs, projects included, and recommendations for next steps.

Mr. Nguyen outlined the requested changes.

Motion by Council Member Gambaro to approve the first reading of the ordinance, with the 5 amendments outlined by Mr. Nguyen 1-remove US 1 from Whiteview Parkway to Espanola from the calculations, 2-\$12.5 million potential funding from DOT and TPO, 3-residential based on sq. ft., 4-remove section 7 effective date which provided an allowance for 6 months for projects in the pipeline, 5-removal of SR-100 from Old Kings Rd. to Colbert Rd. The motion was seconded by Council Member Miller.

Public Comment:

Tony Amaral stated that this is what happens when we try to rush and pass an Ordinance that is not ready, then we wonder why residents have complaints, discussed the amounts and that the math is not adding up, the process is confusing and encouraged Council to do this in a timely manner but not a rushed manner.

Annamaria Long, Executive Officer of the Flagler Home Builders Association, appreciated the workshop but had questions about the math, reiterated that there are no extraordinary circumstances, that growth matches the projections from 2020 perfectly, discussed the 2018 Ordinance, and general description of extraordinary.

Darlene Shelley shared concerns for safety, health, welfare, and property values, and wanted developers to pay for infrastructure before they are allowed to develop.

Robbie Barrick, CEO of Integrity Home, and President of the Flagler Home Builders Association, discussed the rushing of the process, making changes on the fly, did not think the process was well thought out, and asked for the reasoning to fast track the Ordinance.

Vice Mayor Pontieri agreed that we need to see where these numbers fall and then vote on it, that her concern is to ensure legal defensibility, wanted to see updated figures, and recommended workshopping this item again before voting on first reading.

City Council held discussion with Attorney Duffy on substantial changes and proper public notice.

Attorney Duffy provided procedure for the options available.

The motion and second were withdrawn.

Pass

Vice Mayor Pontieri motioned to table the first read to next business meeting, June 17, and to bring the item back at the next workshop, June 10. The motion was seconded by Council Member Miller.

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

7. ORDINANCE 2025-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE IV FIRE & RESCUE IMPACT FEES, CODE OF ORDINANCES OF THE CITY OF PALM COAST, TO ADJUST RATES BASED ON A COMPREHENSIVE STUDY INCLUDING AN EXTRAORDINARY CIRCUMSTANCES STUDY

City Attorney Duffy read the title into the record.

Eric Gebo, Architect III, and Sean Ocasio from Raftelis, presented the topic to Council.

City Council held discussion on the following topics: request to move to the changes, calculations, inclusion of future costs, exhibits of the Ordinance, considerations for language regarding exceptions, a request to further define what may materially alter, broader review of all ordinances, and requested updates as outlined in the motion.

Public Comment:

Tony Amaral shared that fire is important, liked the discussion, and complimented Council on a good job.

Annamaria Long reiterated her earlier comments and did not believe there are extraordinary circumstances.

Pass

Motion made to approve the first reading with the following amendments: section 29-103 to ensure the correct numbers are included, change section 29-105 to City Council review, update section 29-108 to issuance at permit,

update section 29-110 to review by City Council, and remove section 29-111 by Council Member Miller and seconded by Council Member Sullivan

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

8. ORDINANCE 2025-XX AMENDING CHAPTER 29 IMPACT FEES, ARTICLE III PARK SYSTEM IMPACT FEES, CODE OF ORDINANCES OF THE CITY OF PALM COAST, TO ADJUST RATES BASED ON A COMPREHENSIVE STUDY INCLUDING AN EXTRAORDINARY CIRCUMSTANCES STUDY

City Attorney Duffy read the title into the record.

Eric Gebo, Architect III, and Sean Ocasio from Raftelis, presented the updates since the May 27 workshop meeting.

City Council held discussion on the following topics: extraordinary circumstances for the quality of life, residual benefits of parks and direction connections to public safety.

Public Comment:

Tony Amaral supported parks, but highlighted unanswered questions from the study, asked about calculations and lack of ability to answer level of service.

Annamaria Long shared the concerns of the prior speaker, concerned with the calculations of the land, features of the parks, importance of knowing if the calculations are true calculations, ability to calculate the level of service, passive versus active park land, and extraordinary circumstances.

Council Member Miller commented on land acquisition and Tract 17 as more beneficial as industrial/commercial as we ramp up economic development opportunities.

Vice Mayor Pontieri discussed levels of service and Tract 17.

Council Member Sullivan discussed the entitlements connected to Tract 17.

Pass

Motion made to approve the first reading with the following amendments: section 29-103 to ensure the correct numbers are included, change section 29-105 to City Council review, update section 29-108 to issuance at permit, update section 29-110 to review by City Council, and remove section 29-111 by Council Member Miller and seconded by Council Member Sullivan

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

I. RESOLUTIONS

9. RESOLUTION 2025-80 APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH DIAMOND TOWERS V, LLC FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT 350 PALM COAST PKWY NE

City Attorney Duffy read the title into the record.

Ms. Johnston highlighted the adoption of the Wireless Master Plan which identified tower sites, including the two on the agenda this evening.

Doug Akins, Director of Information Technology, presented items 9 and 10 together.

City Council held discussion with Mr. Akins on the difference in lease terms and the selection of the locations.

Public Comment:

Darlene Shelley spoke on behalf of Ms. Pugliese to share studies from the International Association of Firefighters and not wanting towers on fire department property, health concerns, that Council cannot guarantee that this is safe for humans and discussed potential lawsuits.

Sabrina McCauley discussed fire station locations, the tower as an eyesore, debt of the City, and stated that residents of the area do not want the tower at this location.

Jeanie Duarte said that she has never lost cellphone service in the area, believed this was for the company not the residents, and was concerned for health of the residents.

Joe Runac was not sure why this location was selected, stated that the wireless master plan is outdated, that the tower is unneeded, IAFF has opposed since 2004 and in 2017 stated that fire stations are not to be used at base stations for cell towers, asked if Council has looked at the location for the residents, and discussed property values.

Rochelle Gildar asked to put the tower where there are no people.

C.D. Roussell shared his history, putting a cellphone tower on a County park, shared considerations, disguises for cell towers, locations and the reason for putting them at fire stations, and discussed exposure to 5G.

City Council held discussion with Mr. Akins and Mr. DeLorenzo on alternate locations that were considered, land use restrictions of land previously considered, and placement of the tower on the selected locations.

Pass

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

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

10. RESOLUTION 2025-81 APPROVING AN OPTION AND GROUND LEASE AGREEMENT WITH WIRELESS EDGE TOWERS III, LLC FOR THE CONSTRUCTION OF A TELECOMMUNICATIONS TOWER AT 50 CITATION BLVD

City Attorney Duffy read the title into the record.

Mr. Akins provided a brief overview of the item.

Public Comment:

Denise Henry asked about the differences in lease terms.

Darlene Shelley stated that money means more than the health and safety of residents in Palm Coast, shared concern for emissions, lowering property values, violating County overlay, and resident rights to health, safety, welfare, and protection of homes.

Jeanie Duarte was in agreement with the prior speaker and asked about the impacts to wildlife.

Pass

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

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

11. RESOLUTION 2025-86 APPROVING AN INTERLOCAL AGREEMENT BETWEEN CITY OF PALM COAST AND THE FLAGLER COUNTY SHERIFF'S OFFICE FOR THE TEMPORARY ASSIGNMENT OF AN EXECUTIVE STAFF MEMBER

City Attorney Duffy read the title into the record.

Ms. Johnston provided a background of the item.

Attorney Duffy shared an amendment to section 4.

City Council held discussion on the following topics: the City Charter, contract negotiations with the Flagler County Sheriff's Office, duties of Chief Strobbridge in the separate roles, history of discussion on the topic, budget, funding, and the need for the assistance.

Public Comment:

Jeremy Davis discussed the decision before the Council, stated that it creates a clear conflict of interest during budget season, discussed the history of issues he has dealt with, and that Palm Coast needs someone to take ownership.

Jeanie Duarte discussed actions of former Mayor Holland, stated that this is an admission that the Acting City Manager cannot do the job, that FCSO has the largest line item of the City's budget, and that this seems corrupt.

Darlene Shelley agreed with the prior speakers, discussed conflicts of interest, already paying for services from the sheriff's department, budget, and legalities.

Denise Henry was against the item and wanted it taken care of in-house.

Mark Webb was disturbed by the lack of transparency for the needs during the upcoming budget, struggles with Palm Coast City Council, authority to complete the hire, plenty of contractors to help supplement services, that FCSO is the single largest contracted group that we deal with, and that perception is everything.

Annamaria Long spoke about Ms. Johnston and her integrity, shared concerns for conflict of interest and to consider the precedence that is being set.

Vice Mayor Pontieri held discussion with Ms. Johnston and Attorney Duffy on the authority of the City Manager to hire and why there is a need for City Council to vote on this item.

Public Comment:

Jeanie Duarte shared concern for timing, conflicts of interest, and was shocked that Sheriff Staly would allow this.

Darlene Shelley clarified that she did not mean to demean the Acting City Manager or Council, stated that the decision should be based on the needs of the residents, and had questions on the amount of time that staff is working with the developer or airport.

Council Member Sullivan highlighted the language in the job description.

Pass

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

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

J. CONSENT

Council Member Miller and Vice Mayor Pontieri held discussion with Mr. Akins on item 14.

Public Comment:

Jeanie Duarte shared that she has been to the real time crime center, citizens programs that allow cameras to be shared, and asked where the cameras will be going and for what purpose.

Pass

Motion made to to be adopted on consent by Council Member Gambaro and seconded by Council Member Sullivan

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

- 12. RESOLUTION 2025-83 APPROVING PIGGYBACK CONTRACTS WITH NEW SMYRNA BEACH UTILITIES AND SPARKS CONCRETE, LLC FOR CONCRETE AND ASPHALT SERVICES**
- 13. RESOLUTION 2025-82 APPROVING MASTER SERVICES AGREEMENTS WITH MULTIPLE FIRMS FOR CITYWIDE GEOTECHNICAL AND LABORATORY SERVICES**
- 14. RESOLUTION 2025-84 APPROVING A CONTRACT WITH AXON FOR FUSUS VIDEO SURVEILLANCE PLATFORM**
- 15. RESOLUTION 2025-84 STRATEGIC ACTION PLAN PRIORITIES**

K. PUBLIC PARTICIPATION

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

Jeremy Davis stated that public comment feels more like a formality rather than a function and that residents deserve better.

Darlene Shelley agreed with the comments from the prior speaker and discussed resident issues, complaints about the Flagler Executive Airport, FAA guidance, and health concerns.

Jeanie Duarte would like to see the residents get more credit for coming to Council, for their research, and communications.

Mark Webb shared that a radio station pulled his public comment from a Council Meeting, that residents are not informed that the city is releasing the video for public record, and ask that it be announced or be included on the agenda.

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

Council Member Miller provided sports updates and an email regarding the Firefighter Explorer program.

Council Member Gambaro thanked Ramon Marrero, president of the Hispanic-American Cultural Society, for the recent festival, shared an announcement that we have 5 applicants for the Charter Review Committee and encourage residents to apply, and shared about an upcoming Northeast Florida Regional Council Meeting.

Council Member Miller shared TPO meeting updates.

Council Member Norris shared about his call with the Florida Fish and Wildlife Conservation Commission (FWC) regarding hogs in the Matanzas Woods area and asked Ms. Johnston to work with County on the program described.

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

There were none.

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

There were none.

O. ADJOURNMENT

The meeting was adjourned at 10:25 p.m.

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



WATERING PC