



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 17, 2025

9:00 AM

**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. 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

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

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.

Jeani Duarte discussed audio and video issues at the prior meeting, her visit to a resident's home and drainage issues, expenditures, resident notifications, and 5g cell tower health risks.

Reasa Pabst, President of the Palm Coast Historical Society, began public comment.

Mayor Norris asked Ms. Pabst to wait until the scheduled agenda item, per the policies and procedures.

Manley Koonts discussed a complaint he made 2 years ago regarding swale maintenance, the handling of the matter by Melissa Hill, shared that Ms. Hill deserves commendation for the work she does, shared that his home was recently listed for sale, shared concern for a wastewater problem, and asked for help addressing the problem.

Mark Stancel discussed turn lanes.

Mark Webb acknowledged the assassination of elected officials in this Country, appreciated the risk taken by Council Members, and applauded the Sheriff's Office for the support of recent events.

Dennis McDonald discussed cellphone tower locations, history of the selection of location, and that residents are going to file claim for violating codes of the City.

Mayor Norris asked for an update on turn lanes.

Ms. Johnston outlined that projects will be forthcoming as part of the budget process and shared about transportation impact fees.

Doug Akins shared about IT streaming and that a full audio file is available.

Ms. Johnston recognized Melissa Hill as the April employee of the month.

E. PROCLAMATIONS

1. PROCLAMATION - THE WEEK OF JUNE 15, 2025, AS NATIONAL MOSQUITO CONTROL AWARENESS WEEK

Ms. Johnston read the Proclamation into the record.

The Proclamation was presented to members of the East Flagler Mosquito Control District.

Mike Martin, Chair of the East Flagler Mosquito Control District, shared comments and information about the district.

F. MINUTES

2. MINUTES OF THE CITY COUNCIL: JUNE 3, 2025, BUSINESS MEETING JUNE 10, 2025, WORKSHOP MEETING

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

G. APPOINTMENTS

3. APPOINT ONE (1) MEMBER TO THE CODE ENFORCEMENT BOARD

Motion by Council Member Miller, seconded by Vice Mayor Pontieri, to appoint Merritt Zucca to the Code Enforcement Board. The motion passed unanimously.

*Public comment:
There were none.*

H. ORDINANCES SECOND READ

4. ORDINANCE 2025-10 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.

Carl Cote, Director of Stormwater & Engineering, highlighted minor amendments to the Ordinance and that there have been no additional changes to the item.

Vice Mayor Pontieri asked about section 29-106, exemptions for payment of the impact fees, and shared concern for exempting accessory dwelling units.

Council held discussion with City Attorney Duffy on additional dwelling units and language updates, and recommendation to add subsection D - for dwelling unit purposes.

*Public Comment:
There were none.*

Pass

Motion made to be adopted as amended with the additional language to section 29-106, exempting accessory dwelling units from the exemption list, 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

Vice Mayor Pontieri shared a reminder to ensure that accessory dwelling units are subject to impact fees.

5. ORDINANCE 2025-11 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.

City Council held discussion with Mr. Nguyen, Mr. Cote, and Mr. Paul, Principle with Neu Urban Concepts on the fees, methodology of partial deductions, separate fees for ITT platted lots, options presented, a recommendation for the same impact fees for ITT lots as for new construction, a question on comfort of imposing Parks & Recreation impact fees that are almost half of what will be charged for roads, and fees compared to comparable cities.

*Public Comment:
Jeani Duarte shared concern for going to the maximum and the need to expand and maintain infrastructure.*

Denise Henry stated that too much emphasis is being put on Parks & Recreation and wanted more of a focus on transportation.

Annamaria Long, Executive Officer of the Flagler Homebuilders Association, discussed the studies over the years and did not believe that extraordinary circumstances exist.

Dennis McDonald discussed the history of parks, the need to make changes to support the infrastructure for a different type of recreation, and believed it to be time to move in that direction.

Selene Nestes advocated for fair and lawful impact fee policies that support legitimate infrastructure while preserving housing affordability and economic stability, discussed negative impacts from high impact fees, and believed that Palm Coast can address the infrastructure needs within the existing legal framework.

Vice Mayor Pontieri shared comments on impact fees and the need for collection.

Pass

Motion made to be adopted as amended 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

I. 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.

Phong Nguyen, Senior Planner, opened the item.

Mr. Paul, Principle with Neu Urban Concepts, presented the updates as requested by City Council.

Vice Mayor Pontieri discussed the updates that need to be reflected in the Ordinance to include removal of language regarding an independent impact analysis, that any exceptions should go to City Council for review, to amend the administrative review to be a review by the City Council, and reimbursement credits to be reviewed by City Council. City Council concurred and asked for a redlined copy to review.

Council Member Gambaro discussed hopeful legislative funding, encouragement for focused efforts and advocacy in Tallahassee, and recommended utilizing the presented information in future legislative processes.

Public Comment:

Rich Gellner discussed the impact needs analysis basis, ITT dwelling units, and making the lots equitable with the other impact fees.

Jeani Duarte shared concern for the current rate of growth, houses sitting empty, and numbers based on recent and future projected growth.

Annamaria Long, Executive Officer of the Flagler Home Builders Association, shared concern for the calculation study difference in collecting fees on the ITT platted lots, discussed total funds collected, forecasted population, weakened nexus, ability to legally claim extraordinary circumstances, and rising construction costs.

Dennis McDonald discussed an extraordinary circumstance missing from the list, political and special interest groups trying to run the City, and timeline for paying impact fees and exceptions.

Vice Mayor Pontieri supported the actions being taken, shared her review of the information from the Home Builders Association, and responded to comparisons.

Pass

Motion made to be approved as amended to remove the vested single-family lots, the vested duplex lots, removing the ITT lot special rates, and incorporating the changes to exhibit a, on first 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

7. ORDINANCE 2025-XX AMENDING THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE, CHAPTER 13 RELATING TO EXTERIOR COLORS

City Attorney Duffy read the title into the record.

Ms. Johnston provided a background of the item.

Tracey Doak, Zoning Supervisor, and Ms. Grossman, Code Enforcement Manager, presented the topic to Council.

City Council held discussion on the following topics: recourse for homes with colors outside of the allowable LRV, fine amount, consequences for non-payment, legalities of liens on properties, authority of the Code Enforcement Board, allowable colors, timeline for due process, grandfathering clauses, history of a specific home dealing with this issues, basis of expansion similar to other cities, and subjective terms.

Public Comment:

Paulette Hatfield shared a reminder that this is Florida, discussed the creation of Code Enforcement and rules, process for changing home color, supported the light value currently allowed, and for sticking with the rules we have had for 25 years.

Peter Johnson suggested removing the ordinance and to allow people to paint houses whatever color they want.

Jeani Duarte stated that Florida is known for bright colors, discussed daily fines, recommended allowing all colors but regulating the trim, and asked who is regulating the driveways.

Mindy Melendez discussed her home as an ongoing issue, history of the item, not living in an HOA community, and enforcement of the Ordinance.

Denise Henry shared issues that she sees with current paint colors and supported allowing darker colors.

Reasa Pabst shared her history of a home color, and wanted the information to be shared with the community when they move in.

Mark Webb felt that pieces were missing, discussed reliance on neighbors to enforce codes that are in place, and a broken understanding of the enforcement of the codes.

Pass

Motion made to be approved as amended to remove “loud, clashing, and garish” from the Ordinance on first reading by Council Member Gambaro and seconded by Council Member Sullivan

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

J. RESOLUTIONS

8. RESOLUTION 2025-87 KING'S CROSSING TECHNICAL SITE PLAN - TIER 3 APPLICATION 5978

City Attorney Duffy read the title into the record.

Ms. Johnston provided a brief background.

Attorney Duffy called for any ex parte communications.

Michael Hanson, Planner, presented the topic to Council.

City Council held discussion on mitigating a creek and environmental reports.

Doug Burnett, St. Johns Law Group, on behalf of the applicant, presented the topic to City Council.

City Council held discussion with applicant representatives on colors of the building, cultural resource assessment, screening or landscape buffers, status of land on the east side of the project, flow of water surrounding the project, removal of trees and vegetation and the potential increased flooding issues, and the turn lane entrance.

Mr. Cote and Dan Wilcox, project engineer for the applicant, provide details of stormwater drainage and turning lanes.

*Public Comment:
There were none.*

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**

9. RESOLUTION 2025-88 APPROVING MASTER SERVICES AGREEMENT WITH PLANTE & MORAN, PLLC FOR ENTITY WIDE RISK ASSESSMENT CONSULTANT SERVICES

City Attorney Duffy read the title into the record.

Ms. Johnston asked Mayor Norris for his signature on the approved Resolution for item 8.

Ms. Johnston provided a background of the item.

Tim Wilsey, Risk & Safety Administrator, provided a description of the item to City Council.

City Council held discussion on the following topics: length of the contract, reaffirming the scope as outlined in the agenda item, potential positive impacts to the City, staff qualifications, support for the item, and wanting specialized items based on our organization and structure.

*Public Comment:
There were none.*

Pass

Motion made to approve 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

10. RESOLUTION 2025-89 APPROVING ADDITIONAL APPLICANTS FOR THE CULTURAL ART GRANTS FOR FISCAL YEAR 2024-2025

Mayor Norris read the title into the record.

Debra Morgan, with the Flagler County Tourism Development Office (TDC), and liaison to the Flagler County Cultural Council, presented the topic to Council.

City Council held discussion on the following topics: request for details of the scoring for the Palm Coast Historical Society, the significance of the Palm Coast Historical Society event, request for grace to be provided to the Historical Society, to focus on how important the Historical Society is to the community, encouragement to recognize the efforts of both the Flagler County Cultural Council and the Palm Coast Historical Society, the reviewers of the applications, experience in grant writing, terms of the contract with the Flagler County Cultural Council, comments received throughout the process, TDC funding, potential process improvements, membership requirements, criteria being fair and consistent across the board, process flaws, and primary funding sources.

Peter Johnson, on the Board of Directors for the Flagler County Cultural Council, responded to Council comments and questions.

Public Comment:

Reasa Pabst, President of the Palm Coast Historical Society, provided an explanation of the withdraw of the application, history of meetings and comments, and shared concern for blatant favoritism.

Pass

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

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

K. CONSENT

Public Comment:

There were none

11. RESOLUTION 2025-90 APPROVING A MASTER PRICE AGREEMENT WITH ALLIED UNIVERSAL CORPORATION FOR SODIUM HYPOCHLORITE

12. RESOLUTION 2025-91 APPROVING THE EXECUTION OF A FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT TYPE CHANGE, FROM LAP (FEDERAL) TO SFGA (STATE) FOR THE GRAHAM SWAMP TRAIL PROJECT

Pass

Motion made to be adopted on consent by Council Member Gambaro 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

L. PUBLIC PARTICIPATION

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

There were none.

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

Vice Mayor Pontieri thanked staff for all of the work on impact fees, discussed ITT lots and potential influx of dollars, meeting with YMCA board members and sought consensus to give direction to staff to ask YMCA for a proposal. Council concurred.

Council Member Miller and Ms. Johnston held discussion on a future USTA presentation.

Vice Mayor Pontieri read a letter that Council received sharing compliments to staff.

Council Member Gambaro discussed the Council coming together to address the impact fees and making it a good and positive working experience.

Council Member Sullivan shared concern for ITT lots and the information not being made available through the process.

Mayor Norris asked for any updates on a hog situation as discussed in a previous meeting.

Mr. DeLorenzo, Chief of Staff, shared updates.

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

There were none.

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

13. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR MAY 2025

Ms. Johnston highlighted the sole source purchases and discussed the credit with Council Member Miller.

Ms. Johnston sought consensus to work with Flagler County on a sports complex proposal and to determine what the partnership looks like. Council provided consensus.

Ms. Johnston shared a reminder that facilities will be closed for Juneteenth.

P. ADJOURNMENT

The meeting was adjourned at 1:04 p.m.

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