



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, July 15, 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.
- 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.

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.

Kirk (no last name provided) discussed cronyism, the Mayor's goal of getting a friend appointed to the City Manager position, shared that it is time to move on, to stop attacking staff and council, that politicians come and go but staff stays, and asked the City not to pay for the Mayor's attorney bills.

Diana Robbins discussed spigots at her home which are not working, costs to repair, city notification for increased water usage, and a courtesy repayment plan.

Jeani Duarte advised citizens to be careful where they are getting their information from, that items discussed are not the Mayor's fault, and requested a timestamp and documents from recent updates shared about DOGE.

Bruce Stone was disappointed that he missed the last City Council Meeting, discussed council meeting location, and dollars going to developments.

Mark Stancel discussed work vehicles in driveways, improper code enforcement policies, new policies, and proper enforcement.

Donna Stancel provided recommendations for code enforcement items and provided a recommendation for a dog park in the Seminole Woods area.

Carol Stauton asked Council to advertise for a new attorney that represents the City, discussed increases to the City Attorney contract, and edits to the YouTube video record.

Sheri Montgomery requested updates on current regulations for short-term rentals.

Georgianne Miller asked if it is possible to investigate dimmers and motion detectors on streetlights.

Chantal Preuninger discussed a toilet leak and water prices.

Denise Henry discussed issues with scooters and bikes, signage for low-speed vehicles, and temporary solutions.

Ms. Johnston replied to public comments to discuss water meters and customer alerts and asked the City Clerk to process Ms. Duarte's public records request.

Council Member Miller requested consensus for a workshop regarding electric vehicles on sidewalks and discussed a rise in related issues. City Council provided consensus for a workshop on the topic.

Attorney Duffy clarified the direction from City Council on the topic.

Vice Mayor Pontieri stated that good ideas were shared during public comment and that she will speak with staff about them.

Council Member Sullivan replied to public comment to discuss enforcement, payment for legal fees, and asked City Attorney Duffy how the City and taxpayers would be liable.

Attorney Duffy provided the insurance policy details.

Mayor Norris discussed water rates and advised residents to have older homes checked for leaks.

E. PROCLAMATIONS

1. PROCLAMATION - JULY 26, 2025, AS AMERICANS WITH DISABILITIES ACT AWARENESS DAY CELEBRATING THE 35TH ANNIVERSARY OF THE ACT

Ms. Johnston read the Proclamation to community members.

Virginia Smith, ADA Coordinator, shared comments.

Kimberly Halliday, Director of Exceptional Student Education with Flagler County Schools, shared comments.

F. MINUTES

2. MINUTES OF THE CITY COUNCIL: JULY 1, 2025, BUSINESS MEETING JULY 8, 2025, WORKSHOP MEETING

Vice Mayor Pontieri highlighted the approved motion regarding house colors.

Council Member Sullivan shared about an email received from City Attorney Blocker and asked for the attachment to be included with the minutes.

Pass

Motion made to approve the July 1, 2025, Business Meeting Minutes, and the July 8, 2025, Workshop Meeting Minutes by Vice Mayor Pontieri and seconded by Council Member Gambaro

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

G. APPOINTMENTS

3. APPOINTMENTS - CHARTER REVIEW COMMITTEE

Ms. Johnston opened the item and provided a background.

Mayor Norris hoped that the Council Members would pick someone from their district.

Council Member Sullivan recommended that each Council Member select a second person along with their appointment.

Mayor Norris supported selecting alternates.

City Council made the following appointments:

*Mayor Norris - Patrick Miller (1), Chantal Preuninger (2)
Vice Mayor Pontieri - Perry Mitrano (1), Donna McGevna (2)
Council Member Miller - Mike Martin (1), Donna Stancel (2)
Council Member Sullivan - Donald O'Brien (1), Karen Sousa (2)
Council Member Gambaro - Ramon Marrero (1), Greg Blose (2)*

H. ORDINANCES FIRST READ

4. ORDINANCE 2025-XX ESTABLISHING THE CREATION OF THE LIGHTHOUSE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES

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

Phong Nguyen, Senior Planner, presented the topic to Council.

City Council held discussion on the following topics: governing body of a CDD and sunshine requirements, not granting additional rights to the developer, pros and cons to a CDD, code enforcement, and the plan for the CDD.

Public Comment:

Carol Stauton asked if we are going to assume some responsibility of infrastructure on water and sewer treatment plants and if taxpayers are going to be responsible.

Vice Mayor Pontieri highlighted that this is not an approval of a new development, but rather, is to approve a mechanism for the community to pay for their own infrastructure.

Pass

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

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

5. ORDINANCE 2025-XX AIRPORT COMMERCE FIRE STATION 26 LAND EXCHANGE SMALL SCALE COMPREHENSIVE PLAN AMENDMENT - APPLICATION 6154

City Attorney Duffy read the title into the record.

Ms. Johnston provided a background of the item.

Michael Hanson, Planner, presented the topic to Council.

City Council held discussion with Mr. Hanson and Mr. Tyner on the following topics: turn lanes, timeline of the land being acquired by the City, parcel zoning, property entitlements, senate bills, considerations regarding Live Local, landowner intentions, potential deed restrictions, and a recommendation to negotiate a deed restriction before second reading.

Attorney Duffy called for any ex parte communications. There were none.

Public Comment:

There were none.

Pass

Motion made to approve by Council Member Miller and seconded by Vice Mayor Pontieri

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

6. ORDINANCE 2025-XX AIRPORT COMMERCE FIRE STATION 26 LAND EXCHANGE ZONING MAP AMENDMENT - APPLICATION 6151

The item was presented with item 5.

*Public comment:
There were none.*

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

I. RESOLUTIONS

7. RESOLUTION 2025-100 SETTING A PROPOSED MAXIMUM MILLAGE (TRIM) RATE AND SETTING THE FIRST (TENTATIVE) BUDGET HEARING DATE, TIME, AND LOCATION FOR THE FISCAL YEAR 2026 BUDGET

City Attorney Duffy read the title into the record.

Ms. Johnston opened the item.

Helena Alves, Director of Financial Services, and Gwen Ragsdale, Budget & Procurement Manager, presented the topic to Council.

City Council held discussion on the following topics: rollback a tenth of a mill, wanting to hold accountable to a very responsible budget, fiscal responsibility, insurance costs, and thanks to staff.

*Public Comment:
Carol Stauten complimented the Financial staff*

Mark Webb complimented the Financial staff, shared a struggle with contradictory views with what Flagler County is looking at versus Palm Coast, and general fund revenue predictions.

Council Member Sullivan discussed differences between the way revenue is handled between County and City and shared details.

Vice Mayor Pontieri discussed fund balance and contingency.

Ms. Johnston discussed permitting fees, impact fees, and review of additional fees.

Council Member Miller shared restrictions on specific fees and enterprise funds.

Mayor Norris discussed the timeline for adopting budgets.

Pass

Motion made to approve by Council Member Gambaro and seconded by Council Member Miller to set a proposed maximum millage of 4.1893.

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

8. RESOLUTION 2025-109 APPROVING THE NUISANCE ABATEMENT INITIAL ASSESSMENT

City Attorney Duffy read the title into the record.

Ms. Johnston opened the item.

Virginia Smith, Land Management Administrator, shared about the payments that have been received.

*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

9. RESOLUTION 2025-98 APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PALM COAST AND SAVING MISSING ANIMALS RESPONSE TEAM (S.M.A.R.T.) OF FLAGLER COUNTY

City Attorney Duffy read the title into the record.

Ms. Johnston opened the item. James Hirst, Director of Parks & Recreation, presented the topic to Council.

Caroline Johnson, Founder of SMART, shared comments and thanks.

City Council held discussion on the following topics: insurance, availability to have plaques for purchase, social media posts to share the details, responsibility

for repairs and damages outlined in the contract, and thanks to prior council for supporting the initiative.

Public Comment:

Carol Stauton complimented Ms. Johnson, her efforts, and hopes that the group's name shines in the city.

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 2025-96 SUPPORTING ADOPTION OF THE FLAGLER COUNTY LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR FY 2025–2026 THROUGH FY 2027–2028 PURSUANT TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM

Attorney Duffy read the title into the record.

Jose Papa, Senior Planner, and Devrie Paradowski, Housing Program Manager, presented the topic to Council.

Public Comment:

There were none.

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 2025-108 APPROVING A BUDGET AMENDMENT FOR THE 2024-2025 BUDGET RELATING TO THE APPROPRIATIONS OF FUNDS FOR THE WATER/WASTEWATER UTILITY CAPITAL FUND

City Attorney Duffy read the title into the record.

Carl Cote, Director of Stormwater & Engineering, presented the topic to Council.

City Council held discussion on the following topics: funding and support for work on increasing capacity.

Public Comment:

There were none.

Pass

Motion made to approve 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

12. RESOLUTION 2025-107 APPROVING A PRECONSTRUCTION SERVICES AGREEMENT WITH WHARTON-SMITH, INC., FOR THE WASTEWATER TREATMENT FACILITY NO.1 UPGRADE AND EXPANSION PROJECT

City Attorney Duffy read the title into the record.

Mr. Cote provided a presentation on the item.

City Council held discussion on the following topics: drop in CO's issued, YTD data, additional capacity, DEP items, and contract concerns.

*Public Comment:
There were none.*

Pass

Motion made to approve 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**

13. RESOLUTION 2025-106 APPROVING ADDITIONAL PROJECT AND CONSTRUCTION EXPENSES PER THE INTERLOCAL AGREEMENT WITH RADIANCE COMMUNITY DEVELOPMENT DISTRICT ASSOCIATED WITH THE OLD KINGS SOUTH UTILITY IMPROVEMENTS PROJECT

City Attorney Duffy read the title into the record.

Mr. Cote presented the topic to Council.

City Council held discussion on the following topics: location of land, service area, reclaim water, funds, impact fees, bonds, and cost savings measures.

*Public Comment:
Tony Amaral was hesitant and wanted the Council to make it clear and known that there will not need to be another impact fee increase down the road.*

Jeanie Duarte was concerned for the dollars, funding mechanisms, infrastructure needs, and impacts that need to be addressed now.

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

14. RESOLUTION 2025-101 APPROVING A DESIGN SERVICES CONTRACT FOR THE GRAHAM SWAMP TRAIL PHASE II PROJECT

City Attorney Duffy read the title into the record.

Mr. Cote provided a background of the item.

Public Comment:

Jeanie Duarte asked for discussion on a potential cell tower location at Graham Swamp.

Vice Mayor Pontieri shared support, and discussed impact fees, improving trails, and cell tower locations.

Ms. Johnston shared about restriction on State land and about the Wireless Master Plan.

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

J. CONSENT

Pass

Motion made to be adopted on consent 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

15. RESOLUTION 2025-102 APPROVING A FLORIDA POWER & LIGHT RIGHT-OF-WAY CONSENT AGREEMENT FOR THE SOUTHERN RECREATION PARKING AND LIGHTING PROJECT

16. RESOLUTION 2025-93 APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., TO CONSTRUCT AND TEST THREE (3) BRACKISH UPPER

**FLORIDAN AQUIFER (BUFA) SALTWATER INTRUSION MONITORING (SWIM)
WELLS**

17. **RESOLUTION 2025-105 APPROVING A MASTER SERVICES AGREEMENT WITH MAULDIN & JENKINS, LLC TO PROVIDE AUDITING SERVICES FOR THE CITY OF PALM COAST**
18. **RESOLUTION 2025-95 APPROVING THE PIGGYBACK CONTRACT WITH D. H. PACE COMPANY, INC., FOR OVERHEAD DOOR MAINTENANCE AND REPAIRS**
19. **RESOLUTION 2025-103 APPROVING THE PIGGYBACK CONTRACT WITH SITEONE LANDSCAPE SUPPLY, LLC FOR IRRIGATION PARTS AND RELATED SUPPLIES**
20. **RESOLUTION 2025-104 APPROVING MASTER PRICE AGREEMENTS WITH HAWKINS, INC., AND BRENNTAG MID-SOUTH, INC., FOR THE PURCHASE OF VARIOUS CHEMICALS**
21. **RESOLUTION 2025-99 APPROVING A CONSTRUCTION CONTRACT WITH 4C'S TRUCKING AND EXCAVATION, INC., FOR THE SEWER GRAVITY MAIN REPAIR AT 135 FLORIDA PARK DRIVE**
22. **RESOLUTION 2025-97 APPROVING A SOLE SOURCE AGREEMENT WITH FLUID CONTROL SPECIALTIES, INC., FOR PURCHASE OF DEZURIK STYLE ECCENTRIC PLUG VALVES WITH ROTORK ACTUATORS**
23. **RESOLUTION 2025-94 APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., TO INSTALL A SERIES OF TEST BORINGS WEST OF THE CITY'S EXISTING NORTH WELL FIELD**

K. PUBLIC PARTICIPATION

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

Mark Webb shared comments on behalf of disabled residents and asked what the relationship is between City Attorney and citizens during the meeting, and the City Attorney's role during the meeting.

Mayor Norris explained that per the Council's policies and procedures, the City Attorney acts as the Parliamentarian for the meetings.

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

Council Member Miller asked for an update on DOGE.

Ms. Johnston provided the requested update.

Council Member Gambaro looked to have the email from Attorney Blocker, as referenced by Council Member Sullivan earlier in the meeting, read into the record.

Attorney Duffy advised that it would need Council consensus.

Vice Mayor Pontieri shared that she intended to discuss specific portions of the email later in Council comments and asked if Council could get through other items beforehand.

Council Member Gambaro agreed.

Vice Mayor Pontieri motioned to reconsider amending the Unified Land Development Code, Chapter 13 relating to exterior colors, as approved on first reading at the July 1, 2025, Business Meeting. The motion was seconded by Council Member Gambaro.

City Council held discussion on the topic.

Public Comment:

Jeani Duarte discussed house colors throughout the City, restrictions and Code Enforcement, and costs for repainting homes.

Mark Webb discussed missing the bigger picture, being unfocused, and discussed surrounding communities without color restrictions.

Tony Amaral was conflicted, discussed deed restricted community, the fine line, and need to come to consensus that it is either all homeowner rights or none.

City Council continued discussion on the topic.

Pass

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

Motion by Council Member Miller to go to a previous version of the Ordinance, which removes LRV restrictions but includes the existing banned colors and accent color requirements. The motion was seconded by Council Member Gambaro.

Public Comment:

Jeanie Duarte shared that this is another opportunity to hit them in the wallet.

Pass

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

City Council continued with the discussion of items not on the agenda.

Vice Mayor Pontieri shared Council discussions from a previous meeting, her position and prior comments on repayment of attorney fees and costs for the Mayor Norris versus City of Palm Coast case, and advice given to the Mayor from the City's legal counsel as outlined by Attorney Blocker. Vice Mayor Pontieri stated that based on all of the information, she felt that the Mayor was advised on numerous occasions on the lack of standing and merit for a lawsuit and was concerned that the Mayor misrepresented to the Council and the public that he was not advised. Vice Mayor Pontieri continued the discussion on representation, doing so lawfully and in accordance with the Charter, various appointments across levels of government, the findings of the case, and believed that the City's legal fees should be paid for, but that it is a personal choice of the Mayor as there is no mechanism to enforce that. Vice Mayor Pontieri also addressed the comments about an altered video record to share that the video had not been edited, and the allegations are false.

Council Member Gambaro shared his belief that Mayor Norris' toxic behavior through fear and intimidation represents a clear and present danger to the citizens of Palm Coast, to the City employees and senior staff as confirmed through an independent investigation, and the members of the Council as exhibited last Friday by the release of Council Member Gambaro's personal phone number. Council Member Gambaro shared about the Facebook post in which the personal contact information was shared and replied to the information, discussed a line crossed, and that Council can no longer sit by and allow toxic behavior.

Council Member Gambaro moved for another censure of Mayor Norris for his unsafe behavior and asked each Council Member to join him in signing a letter to the Governor formally requesting the Mayor's removal from office.

Mayor Norris replied to the Council statements regarding the timeline, legal standing, attendees of meetings, the Facebook post, that the statement regarding DEI (Didn't Earn It) was not related to Council Member Gambaro's military service, correction to the Facebook post to include the City issued phone number, availability of City issued cellphone numbers on the City's websites, shameful acts of the radio show, and asked the Council to stop posturing at his expense.

City Council held lengthy discussion on the motion and the topic.

The motion was seconded by Council Member Sullivan.

Public comment:

Jeani Duarte shared that she has been watching the Mayor for several months, that he has been very calm, and that the outbursts are from Council Member Gambaro.

Georgianne Miller stated that Council needs to move forward and shared support for Ms. Johnston.

Vice Mayor Pontieri shared hesitancy on sending a letter until the determination of the ethics complaint previously filed but supported supplementing the complaint with the latest incident regarding misrepresentations made in contradiction to evidentiary proof otherwise.

Pass

Approved - 4 - Vice Mayor Theresa Pontieri, Council Member Charles Gambaro, Council Member Ty Miller, Council Member David Sullivan

Denied – 1- Mayor Michael Norris

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

24. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR JUNE 2025

Ms. Johnston highlighted the emergency and sole source purchases, and that Food Truck Tuesday is cancelled.

O. ADJOURNMENT

The meeting was adjourned at 1:16 p.m.

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

Attachment to July 15, 2025, Business Meeting Minutes

From: [Jeremiah Blocker](#)
To: [Mike Norris](#); [Ty Miller](#); [Theresa Carli Pontieri](#); [David Sullivan](#); [Charles A. Gambaro, Jr.](#)
Cc: [Marcus Duffy](#); [Lauren Johnston](#)
Subject: Legal Advice Provided to the Mayor Regarding Appointment of Councilman Gambaro
Date: Monday, July 14, 2025 6:47:47 PM
Attachments: [image001.png](#)

PLEASE DO NOT RESPOND ALL TO THIS EMAIL

Councilmembers and Mayor,

I want to provide a written response in order to correct the record from the July 8th Council Workshop meeting.

At that meeting, Councilwoman Pontieri asked the City Attorney, Marcus Duffy if the Mayor had been advised against the merits of filing a lawsuit against the City regarding the appointment of Councilman Gambaro in 2024. She asked if legal advice had been provided prior to the filing of the lawsuit by Mayor Norris' attorney, Anthony Sabatini.

Mr. Duffy correctly pointed out that Mayor Norris on several, separate occasions was given specific, direct, and concise legal advice by myself and Mr. Duffy that a lawsuit on this matter would be without standing. Mayor Norris was asked directly by Councilwoman Pontieri if that statement true. He responded, "No that is not true. I was not given that advice."

I am writing to correct that misstatement by Mayor Norris and to help refresh his recollection on the matter. The facts are that Mayor Norris was given ample legal advice on this matter and choose to ignore it.

Below is a summary of the timeline that I recall from our advice to Mayor Norris regarding the appointment of Council Member Gambaro to the District 4 seat.

December 2, 2024 – Meeting with Mayor Mike Norris (City Manager Lauren Johnston, Chief of Staff Jason DeLorenzo, & City Attorney Marcus Duffy were in attendance)

- Mayor Norris brought up the appointment of Council Member Gambaro District 4 Seat and if the previous City Council followed the Charter in appointing Mr. Gambaro.
- City Attorney Marcus Duffy explained the appointment and told Mayor Norris the Charter was followed legally.
- Mayor Norris at the end of the meeting stated that he understood and was going to leave it alone.

December 3, 2024 – City Council Meeting

- At the end of the meeting, Mayor Norris during the Mayor's final comments

stated, “ I told you I was not going to do this Marcus but I have to...” requested consent from City Council to have the City Attorney draft up a legal opinion regarding the Appointment of District 4 seat. After discussion from the dais, the City Council decided not to move forward with the requested legal opinion.

December 4 , 2024 – Mayor Norris emails City Attorney Marcus, asking for a copy of the previous legal advice that the City Attorney provided the previous City Council regarding the appointment of District 4 Seat.

December 5, 2024 – City Attorney Marcus Duffy, emails Mayor Norris a copy of his previous email he sent to City Council regarding the District 4 Seat. In that same email, City Attorney Duffy explained his previous analysis and his analysis of appointing the District 4 Seat.

December 5, 2024 – Mayor Norris responds to City Attorney Duffy stating that he thinks we have a problem and that the charter was violated.

December 6, 2024 – Attorney Jeremiah Blocker discussed with Mayor Norris via phone the appointment of the District 4 Seat and how the Charter was not violated. Mr. Blocker advised the Mayor that he would not have standing to bring litigation against the City regarding the appointment of the District 4 seat. Also, he advised that the Charter was correctly interpreted and following regarding the appointment.

December 7, 2024 – Attorney Jeremiah Blocker received a text message from Mayor Norris requesting another phone call to discuss the same matter from the previous day. Again, Mr. Blocker specifically articulated that a lawsuit over this matter filed by the Mayor would be frivolous and without standing. He articulated case law and relevant statutes that would bar such an action. Mr. Blocker encouraged the Mayor to move on from this issue expressing that multiple attorneys had reviewed this issue and that the Council acted legally in this matter.

December 8, 2024 – Mayor Norris emails City Attorney Duffy, City Manager Lauren Johnston, and City Clerk Kaley Cook, an attachment titled, “Charter District 4.PDF” which was a timeline of the appointment of District 4 Seat, his interpretation of the Charter, and how he thought the City Council should move forward. He stated in his email that everyone had to be prepared to discuss “Charter District 4.PDF” at the weekly meeting on December 9.

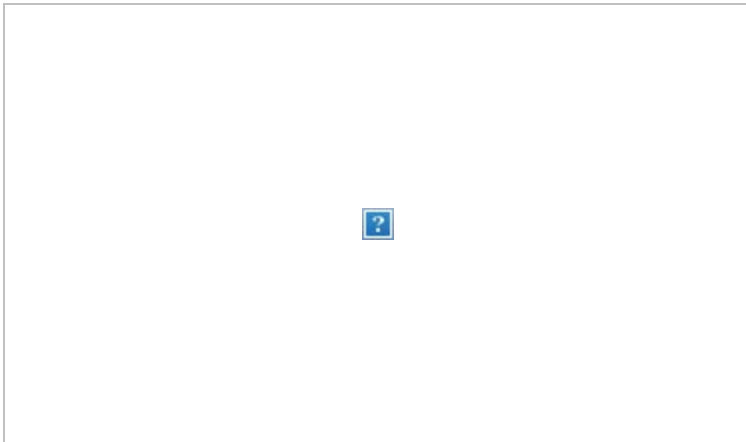
December 9, 2024 – Weekly Meeting with Mayor Norris, City Manager Lauren Johnston, and City Attorney Marcus Duffy

- Mayor Norris brings up the District 4 Seat appointment, goes through his “Charter District 4.PDF” document, and explains how he thinks the City Council violated the City Charter.
- City Attorney Duffy explained to him that the City Council did not violate the Charter by appointing Council Member Gambaro. The appointment was done

legally and followed the charter under the circumstances.

- Mayor Norris said he will find someone to bring a lawsuit against the City or pay for a lawsuit. City Attorney Duffy responded by saying if a lawsuit is brought against the City on this item, the City will win.

Thank you for allowing me to correct the record on this matter.



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