

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, FEBRUARY 13, 2020, AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY COMMISSION CHAMBERS, 105 S. SECOND STREET, FLAGLER BEACH, FLORIDA 32136

### MINUTES

PRESENT: Mayor Linda Provencher, Chair Kim M. Carney, Vice-Chair Marshall D. Shupe, Commissioners Rick Belhumeur, Eric Cooley and Jane Mealy, City Attorney D. Andrew Smith, III, City Manager Larry M. Newsom and City Clerk Penny Overstreet.

1. CALL THE MEETING TO ORDER: Chair Carney called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Provencher led the pledge to the flag.
3. PROCLAMATIONS AND AWARDS: None.
4. DELETIONS AND CHANGES TO THE AGENDA: None.
5. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: Carl Lee Gamin inquired about Short Term Rentals and why it is not permitted at his residence. David Hass 1313 S. Daytona Ave. spoke regarding the Central/Daytona Avenue Swale Project. Mr. Hass expressed the need for a topographic survey, and feels this will be a character changing event for Flagler Beach. Mr. Hass wants the city to restart the project and have more public outreach. Steve Wheeler 1220 S. Daytona Avenue spoke regarding the swale project, he feels it is a waste of money. Kare Padgett inquired when will web site be fixed, and asked for better communication with residents regarding projects. Ken Bryan stated he received the new plat filed with the County for the Gardens Project, his group feels Flagler Beach should comment as an expert witness.

### CONSENT AGENDA

6. APPROVE THE MINUTES OF THE REGULAR MEETING OF JANUARY 23, 2020: Chair Carney opened public comment. No comments were offered. Chair Carney closed public comment. Motion by Commissioner Mealy to approve Item 6 on the consent agenda. Commissioner Shupe seconded the motion. The motion carried unanimously.

### GENERAL BUSINESS

7. ECONOMIC DEVELOPMENT TASK FORCE UPDATE – CHAIR JOSEPH POZZUOLI: Mr. Pozzuoli reported he is in the process of forming a board Titled “Flagler Beach Creates” with the primary intent being art projects that are for the good of the residents of Flagler Beach. Mr. Pozzuoli stated they are looking to increase the number of murals in town and possibly have a mural tour throughout the City. Mr. Pozzuoli requested direction from the Commission on five initiatives brought up by the EDTF. 1.) EDTF wants to introduce a LED sign in Veterans Park. 2.) Event Banner over North/South S.R. 100. 3.) Beautify City Parking Lots and improve public awareness of locations. 4.) Expand the Parking pool to North 9<sup>th</sup> Street, and 5.) Expand the Betty Steflik Boardwalk on property owned by Flagler Beach. The Commission advised Mr. Pozzuoli that the sign regulations did not permit LED signs and they were not

interested in amending the ordinance to accommodate the request. Staff and the Commission advised Mr. Pozzuoli an online permit is attainable for a banner, however, the placement of permanent post would be in the FDOT right of way and likely would not be approved. The Commission gladly accepted the offer of "Project Create" to assist with the beautification of the parking lots and bring them up to code. The Commission advised Mr. Pozzuoli that the Commission approved the expansion of the parking pool at their last meeting. The Commission granted permission for Mr. Horan to continue to explore possibilities for discussion purposes and to work to clear out the brazilian peppers, but no money has been budgeted for a boardwalk project and it would require significant review and approval before the City gets to the point of erecting a boardwalk over the wetlands.

8. CONSIDER ENTERING INTO AN INTERLOCAL AGREEMENT WITH FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS RELATED TO THE PUBLIC SAFETY COMMUNICATIONS NETWORK - STAFF ASSIGNED BOBBY PACE, FIRE CHIEF: Bobby Pace reviewed the history and the amount the City has saved in reserves for the new radio system. Chief Pace reported the County owns the system, there will be ability for trade outs for repairs, repairs will be at EOC then we will have to build reserves for change over in the next 10 years. Discussion ensued and included the coverage area (99.2% of the County), the location of the towers, trade out program, the contract, ability to connect with other agencies, department to utilize the equipment, subscriber fee, subscription fee and reserves that will need to be budgeted every year, in eight years city will own the equipment and the final 2 years will be saving reserves for a new radio system, and the other municipalities in the County using the same system. Chair Carney opened public comment. Carl Lee Gamin thinks the commission should approve this. Chair Carney closed public comment. Motion by Commissioner Mealy to approve the Interlocal Agreement with Flagler County for the Public Safety Communications Network. Commissioner Belhumeur seconded the motion. The motion carried unanimously.
9. CONSIDER A REQUEST FOR A TEMPORARY WAIVER OF CODE TO ALLOW FOR RESIDENT TO RESIDE IN AN RV CAMPER FOR A 90-DAY PERIOD DURING THE CONSTRUCTION OF RESIDENCE. - APPLICANTS, JESSIE AND MATTHEW EVERETT – STAFF ASSIGNED PENNY OVERSTREET, CITY CLERK: Jessie and Matthew Everett reviewed their request. Chair Carney opened public comment. No comments were offered. Chair Carney closed public comment. Motion by Commissioner Belhumeur that we approve the request for the temporary RV. Commissioner Shupe seconded the motion. The motion carried unanimously.
10. CONSIDER A REQUEST FOR A TEMPORARY WAIVER TO SECTION 6-27 CONSUMING, DISPENSING, ALCOHOL ON THE MUNICIPAL PIER, AS REGULATED BY SECTION 4-129 TEMPORARY WAIVERS TO CERTAIN CODE PREVISIONS, FOR THE ANNUAL SPECIAL EVENT "CHEER AT THE PIER" - APPLICANT KATHY WILCOX, DIRECTOR, FLAGLER BEACH MUSEUM – STAFF ASSIGNED PENNY OVERSTREET, CITY CLERK: Kathy Wilcox reviewed the request. Chair Carney opened public comment. No comments were offered. Chair Carney closed public comment. Motion by Commissioner Mealy to approve the temporary waiver for the special event allowing alcohol on the pier for Cheer at the Pier. Commissioner Belhumeur seconded the motion. The motion carried unanimously.
11. CHANGE ORDER NO. 1 TO REHABILITATION CONTRACT WITH UTILITY TECHNICIANS INC., IN THE AMOUNT OF \$69,750 – FRED GRIFFITH, CITY ENGINEER: Fred Griffith reviewed the request advising this portion of the work is rehabilitation of the wet well and manholes. The City bid the work out and the awardee then offered to piggy back on a separate contract saving the City more money. The Commission suggested putting a notice on utility bill about the smoke testing. The Contractor advised they put up signs in the area, and they notify the

Fire Department so when they get calls they can inform the residents. Work will likely begin at the end of March. Chair Carney opened public comment. No comments were received. Chair Carney closed public comment. Motion by Commissioner Belhumeur that we approve the rehabilitation contract change. Commissioner Cooley seconded the motion. The motion carried unanimously.

12. CONSIDER AWARDED BID NO. FB-20-0601 PAVING OF THE WICKLINE PARKING LOT TO HALIFAX PAVING IN THE AMOUNT OF \$121,081 – STAFF ASSIGNED FRED GRIFFITH, CITY ENGINEER: Mr. Griffith reviewed the request. Chair Carney opened public comment. Melissa Parrish, Librarian, spoke of the issues the rain and flooding causes for the library patrons. Carl Gamin agrees, the lot needs to be paved. John Lulgjuri feels it is an improvement that needs to be made. Chair Carney closed public comment. Motion by Commissioner Shupe to award the bid for the parking lot at the Library area to Halifax paving for 121, and change. Commissioner Belhumeur seconded the motion. The motion carried unanimously.
13. CONSIDER A WAIVER OF SECTION 2-301(1) D PURCHASING, TO WAIVE THE REQUIREMENTS FOR COMPETITIVE BIDS ON TWO QUOTES EXCEEDING \$19,999.99 FOR THE WICKLINE BUILDING RENOVATIONS – FRED GRIFFITH, CITY ENGINEER: Fred Griffith reviewed the request stating the waiver is for electrical and general construction. City Manager Newsom advised the Commission the project would remain within budget, and that demolition and other ancillary work is being done in house by the maintenance department. Chair Carney opened public comment. Carl Lee Gamin inquired what the city's annual budget was. City Clerk Overstreet provided the annual budget amount as \$15,839,393. Chair Carney closed public comment. Motion by Commissioner Mealy to waive the purchasing restriction for the Wickline Building Project. Commissioner Shupe seconded the motion. The motion carried unanimously.
14. CONSIDER APPROVAL OF ST. JOHNS RIVER WATER MANAGEMENT DISTRICT REDI GRANT AGREEMENT FOR SANITARY SEWER SLIP-LINING \$500,000 – FRED GRIFFITH, CITY ENGINEER: Mr. Griffith reviewed advising this is the approval of the grant we have already received. Mr. Griffith introduced Marcus DePasquale, P.E., Alliant Engineering. Mr. Griffith reported the city is accepting another grant for 500k for slip lining, from St. Johns River Water Management District (SJRWMD). Chair Carney opened public comment. No comments were offered. Chair Carney closed public comment. Motion by Commissioner Shupe to approve the grant from SJRWMD in the tune of \$500,000 for slip lining in the City. Commissioner Cooley seconded the motion. The motion carried unanimously.
15. RESOLUTION 2020-02 A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA AMENDING RESOLUTION 2019-17 WHICH ADOPTED THE FY 2019/20 BUDGET, PROVIDING FOR CONFLICT, PROVIDING AN EFFECTIVE DATE – KATHLEEN DOYLE, FINANCE DIRECTOR: Attorney Smith read the title of the resolution into the record. Discussion ensued regarding the condition of the dumpster pad and how the restaurant appears to be using the area as storage, and how the City Manager has been meeting with the Building Official and the fire Inspector regarding code. Mr. Newsom reported he has scheduled a meeting next Monday with the engineer, staff and restaurant owners to review all of the issues. The Elected Officials reiterated the repair is for the dumpster pad, and not improvements for storage. Chair Carney opened public comment. Paul Harrington inquired about the responsibility for the dumpster pad area. Chair Carney closed public comment. Rob Smith, Sanitation Staff, introduced himself and provided the Officials with an update on the order for the claw truck. Motion by Commissioner Shupe that we approve Resolution

2020-02. Commissioner Mealy seconded the motion. The motion carried four to one, with Commissioner Belhumeur voting no.

16. FIRST QUARTER BUDGET REPORT FOR FISCAL YEAR 2019-2020 – KATHLEEN DOYLE, FINANCE DIRECTOR: Ms. Doyle reviewed the first quarter budget revenues and expenses.

COMMISSION COMMENTS


17. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The elected officials gave reports on their attendance at meetings, events and gatherings since the last meeting. The Commission inquired if notification had been provided to the restaurants regarding the City again recycling glass. Mr. Newsom advised he would see notification was provided by staff.

18. STAFF REPORTS.

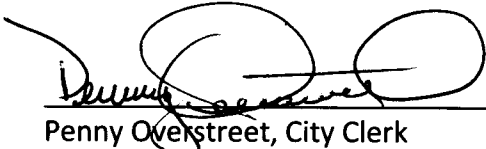
Attorney Smith advised the Commission to expect the same with the LDR's that you saw with the Comp Plan. It will all come before the board with explanations and recommendations. City Manager Newsom reported staff was advised the ribbon cutting for A1A would be on March 6<sup>th</sup>, but advised the schedulers that date was during Bike Week and Legislation would still be in session. Mr. Newsom reported he will provide more information when he has it. Mr. Newsom reported he met with DEPs State Land Trust, they were candid about the City not upholding our end of the agreement/contract, and that the DEP will take the land back. Mr. Newsom reported on a meeting at the EOC regarding four adjustments in Walkover PW's that were submitted. Mr. Newsom stated it was a good meeting and they seemed to want to help.

- a. PROVIDE STAFF DIRECTION DO THEY WISH TO FILL THE VACANCY OF THE EX-OFFICIO REPRESENTATIVE FROM FLAGLER COUNTY DEPARTMENT OF ECONOMIC OPPORTUNITY – PENNY OVERSTREET, CITY CLERK: Clerk Overstreet requested direction. At this time the Commission felt it is best to invite the County Staff person to attend and wait until the County Administrator has made all of the organizational changes before any changes are made to the resolution.

19. ADJOURNMENT: Commissioner Belhumeur put forth a motion to adjourn the meeting at 8:48 p.m.

  
Kim M. Carney, Commission Chair

Attest:

  
Penny Overstreet, City Clerk