REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, MAY 24, 2018 AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY COMMISSION CHAMBERS, 105 S. SECOND STREET, FLAGLER BEACH, FLORIDA 32136

AGENDA

- 1. Call the meeting to order.
- 2. Pledge of Allegiance followed by a moment of silence to honor our Veterans, Members of the Armed Forces and First Responders.
- 3. Proclamations and Awards.
 - Certificate of Appreciation to Art Woosley for the donation of Thin Blue Line Flag's.
 - Swearing-Out of Detective Liz Williams.
- 4. Deletions and Changes to the Agenda.
- 5. Comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes.

CONSENT AGENDA

- 6. Approve the Minutes of the Regular Meeting of May 10, 2018, and the Workshop Meeting of May 3, 2018.
- 7. Approve a contract with Fireworks by Santore for the July Fourth Display, in an amount not to exceed \$21,000.
- 8. Approve revised City Manager and City Attorney evaluation forms Liz Mathis, Human Resources.

GENERAL BUSINESS

- 9. Receive an update regarding Turtle Patrol Lori Ottlein, Flagler Turtle Patrol.
- 10. Consider application SP#18-05-01 Final Site Plan: A1A Motel Parking Lot 1204 S. Ocean Shore Boulevard; applicant Victoria Prytula Staff assigned Larry Torino, Planner.
- 11. Consider appointing a resident to the River to Sea Transportation Planning Organization's Citizen Advisory Council Penny Overstreet, City Clerk.
- 12. Consider an appointment to fill a seat on the Planning Board in which the term is expiring Penny Overstreet, City Clerk.
- 13. Provide direction to staff re: Montessori School Larry Newsom, City Manager.
- 14. Provide Direction to Staff in regards to waiving enforcement of certain codes for recovering flood victims Larry Newsom, City Manager.

COMMISSION COMMENTS

15. Commission comments, including reports from meetings attended.

PUBLIC HEARINGS

- 16. Ordinance 2018-07, an Ordinance by the City Commission of the City of Flagler Beach, Florida, vacating Pine Street, lying between Block 12, and Block 13 of the Model Land Subdivision, as recorded in Map Book 2, Page 1, of the Public Records of Flagler County, Florida providing for a public hearing; repealing all ordinances or parts in conflict herewith, providing for severability and an effective date second and final reading.
- 17. Ordinance 2018-08, an Ordinance of the City of Flagler Beach, Florida recognizing the right of customary use of the beach by the public; providing for findings; providing for codification and scrivener's error; providing for severability; and providing for an effective date second and final reading

STAFF REPORTS

- 18. Staff Reports.
- 19. Adjournment.

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk's office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.

WORKSHOP MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, MAY 03, 2018 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



<u>PRESENT</u>: Chairman Rick Belhumeur, Vice-Chair Kim M. Carney, Commissioners Eric Cooley, Jane Mealy and Marshall D. Shupe, Human Resources Manager Liz Mathis, and City Clerk Penny Overstreet.

ABSENT: Mayor Linda Provencher.

- 1. CALL THE MEETING TO ORDER: Chair Belhumeur called the meeting to order at 5:30 p.m.
- PLEDGE OF ALLEGIANCE: Commissioner Shupe led the pledge to the flag.
- 3. <u>DISCUSSION AND REVIEW OF EVALUATION FORMS AND PROCESS FOR CITY MANAGER AND CITY ATTORNEY</u>: City Manager Evaluation Form: Chairman Belhumeur inquired to the officials if they had any amendments to the City Manager's evaluation forms. Discussion ensued regarding the weighted score. The Commission reached a consensus to enter N/Ain an entry they were not grading vs. a zero. The Commission reached a consensus to amend statement "F" in category 1 to "Provides the City Commission with a clear report of anticipated goals." The Commission reached a consensus to have the City Manager's evaluation distributed in July and have completed for the August meeting. Consensus was reached to add a date range of the evaluation period to the form, and add a small comment section to each category and an overall comment section to the end of the document. City Clerk agreed to make the .pdf forms writeable. The Commission reached a consensus to have the City Manager complete a self-evaluation, to provide to the Officials during the period they are completing their evaluations of the Manager.

City Attorney Evaluation Form: Discussion ensued regarding which evaluation was liked and disliked. The Commission reached a consensus to utilize the International City Management Association's {ICMA} evaluation form, and to utilize the objective/instruction page from the City of Winter Haven's forms and have it mirror the attorney evaluation form from ICMA, change all references from "council" to "commission." The Commission reached a consensus that if a category is scored low, that is be addressed under comments, and for Human Resources to add a score summary. The Commission agreed to have the amended form placed back on the May 24, 2018 agenda for review.

4. <u>ADJOURNMENT</u>: Commissioner Mealy put forth a motion to adjourn the meeting at 6:32 p.m. Commissioner Carney seconded the motion. The motion carried unanimously.

Attest:	Rick Belhumeur, Commission Chair	
Penny Overstreet, City Clerk		
	page 1	May, 5, 2018



REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, MAY 10, 2018 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, Commission Chair Rick Belhumeur, Vice-Chair Kim M. Carney, Commissioners, Eric Cooley, Jane Mealy, and Marshall D. Shupe, City Attorney D. Andrew Smith, III, City Manager Larry M. Newsom, and City Clerk Penny Overstreet.

- 1. CALL THE MEETING TO ORDER: Chair Belhumeur called the meeting to order at 5:31 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.
 - a) PROCLAMATION DECLARING MAY AS DRUG COURT MONTH: Mayor Provencher read the proclamation into the record. Present to receive the proclamation were Mike Greeny, Drug Court Coordinator, Mike Feldbauer, and Reverend Chambray. The gentlemen spoke of the successes of the participants, and announced a New Opioid Task Force is being created. Commissioner Mealy asked if the legislative cuts will affect the drug courts. Mr. Greeny replied the funding is being cut for residential treatment by 40%.
- 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: Paul Eik spoke of the TPO's Project Priority List. Mr. Eik reported vandalized signs on the boardwalk. Danny Caverly spoke regarding the condition of the golf course and his history of playing and working at it.

CONSENT AGENDA

- 6. <u>APPROVE THE MINUTES OF THE REGULAR MEETING OF APRIL 26, 2018 AND THE</u> WORKSHOP MEETING OF APRIL 17, 2018:
- 7. <u>APPROVE A MASTER AGREEMENT WITH KIMLEY-HORN FOR CONSULTANT SERVICES AND AUTHORIZE MAYOR TO SIGN SAME LARRY NEWSOM, CITY MANAGER:</u>
- 7.A <u>APPROVE A ONE-YEAR INSURANCE RENEWAL PROPOSAL FROM AXIS INSURANCE COMPANY LIZ MATHIS, HUMAN RESOURCES:</u>

Chair Belhumeur requested Item 7a, pulled for discussion. Chair Belhumeur opened public comment. No comments were offered. Chair Belhumeur closed public comment. Motion by Commissioner Carney to approve consent agenda Items 6 and 7. Commissioner Cooley seconded the motion. The motion carried unanimously.

<u>ITEM 7A</u>: Discussion ensued and included: less pier vs. Increase in cost, and other options available. Motion by Commissioner Mealy to approve the change of our insurance policy to AXIS with same coverage as previously held. Commissioner Shupe seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

- 8. CONSIDER APPOINTMENTS TO FILL TERMS ENDING ON THE PERSONNEL ADVISORY BOARD PENNY OVERSTREET, CITY CLERK: Clerk Overstreet advised no new applicants were received and the members whose terms are ending have reapplied to serve another term. Chair Belhumeur opened public comment. No comments were offered. Chair Belhumeur closed public comment. Motion by Commissioner Shupe that we reappoint the three (3) people who have reapplied to the personnel advisory review board. Commissioner Mealy seconded the motion. The motion carried unanimously.
- 9. CONSIDER A REQUEST FOR A TEMPORARY WAIVER FOR A SPECIAL EVENT AS REGULATED BY CHAPTER 4, ARTICLE III, SECTION 4-129(B) (4) —APPLICANT HEATHER THOMPSON, HT PRODUCTION COMPANY, STAFF ASSIGNED PENNY OVERSTREET, CITY CLERK: Ms. Thompson reviewed the request. Chair Belhumeur opened public comment. No comments were offered. Chair Belhumeur closed public comment. Motion by Commissioner Mealy that we grant the temporary waiver for serving alcohol in the park for the Pirate Invasion Event. Commissioner Carney seconded the motion. The motion carried unanimously.
- 10. RESOLUTION 2018-20, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, APPROVING A HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, PROVIDING FOR CONFLICT; AND AN EFFECTIVE DATE: Attorney Smith read the title of the resolution into the record. City Manager Newsom reviewed the item. Chair Belhumeur opened public comment. John Horan inquired if there are plans to retrofit the lights for LED. Mr. Newsom responded FDOT has not approached him, but FPL has for their lights. Mr. Newsom advised he responded with the requirement for turtle friendly lights on A1A. John Horan advised, turtle friendly LED lights are available. Chair Belhumeur closed public comment. Motion by Commissioner Mealy to approve Resolution 2018-20. Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.
- 11. CONSIDER PROVIDING STAFF DIRECTION TO RE-ADDRESS THE LAND DEVELOPMENT REGULATIONS IN REGARD TO LOCATION OF SEAWALLS AND BULKHEADS LARRY

NEWSOM, CITY MANAGER: Attorney Smith reviewed the discussion at the Planning Board Meeting. Discussion ensued, Chairman Belhumeur feels the property owner should be able to utilize what they own. Chairman Belhumeur opened public comment. No comments were offered. Chairman Belhumeur closed public comment. Motion by Commissioner Shupe that we give staff direction to continue to address the Land Development Regulations regarding seawalls and bulkheads. Commissioner Carney seconded the motion. The motion carried unanimously.

PROVIDE STAFF DIRECTION RELATED TO OFFERS ON FORMER MOSQUITO CONTROL 12. PROPERTY - LARRY NEWSOM, CITY MANAGER: Mr. Newsom sought consensus to advertise for Request for Qualifications for a realtor to sell both parcels. Attorney Smith advised the general buy and sell agreement does not work for governmental entities, as an ordinance will have to be approved to sell the property's. Chair Belhumeur opened public comment. Jordan Farrell spoke of the offer he submitted from a perspective buyer, and the appraisals of the property. Chairman Belhumeur closed public comment. Motion by Commissioner Carney that we accept the offer from Matthew Michael Ligenefelder and Glen Paul Lingenfelder. Attorney Smith inquired if the Commission wants to counter offer based upon approval of an ordinance. No second was offered. Motion by Commissioner Carney that we contact Mathew Michael Lingenfelder and Glen Paul Lingenfelder through their agent that city will counter offer contingent upon the ordinance, with closing to reflect the ordinance, and a counter offer at \$160,000. Commissioner Cooley seconded the motion. The motion failed three to two, with Commissioners, Belhumeur, Mealy and Shupe voting no. Motion by Commissioner Carney to put out a Request for Qualifications for a realtor. Commissioner Mealy seconded the motion. The motion carried four to one, with Commissioner Cooley voting no.

The agenda moved to Item 14.

COMMISSION COMMENTS

13. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The Elected Officials reported their attendance at meetings gatherings and events since the last regular meeting. Commissioner Cooley reported on the Green Dunes Project, advising they are getting ready to start growing, currently cleaning behind the parks building. They are looking for volunteers when planting. Commissioner Carney requested Commissioner Cooley provide the planting dates to the Clerk, for posting on the city's website. Commissioner Cooley requested the City Attorney send a demand letter to the person who vandalized Silver Lake Park, asking for damages for the cost of replacement of trees, all cost, make it a civil matter. The Commission reached a consensus to have Attorney Smith send the letter. Commissioner Cooley advised the Officials he would be resigning from the Police Pension Trustee Board. Commissioner Carney directed questions to Attorney Smith related to exhibit B of the lease with the tenants of the golf course. Commissioner Carney suggested forming a committee as described in the lease, members to include; two (2) members of Commission, two (2) members Flagler Golf Management

and two (2) members of the general public. Commissioner Carney suggested a golf pro or greens person on the committee. The Commission reached a consensus and directed staff to to notify Flagler Golf Management of the desire to create a committee as described in exhibit B of the lease. Commissioners Belhumeur commented the tenants were hampered by the non-functioning sprinkler system, Commissioner Colley commented it appeared to be a witch hunt, Commissioner Shupe commented he is embarrassed by the condition of the course, Commissioner Carney commented the hurricane card could only be played for so long. Attorney Smith is to contact the tenant and advise of the committee formation. Commissioner Carney began a discussion regarding the Beach Management Plan. Commissioner Carney feels the sea level issue should become a Chapter, not just an appendix in the back of the book, the five elements should become part of the plan, as should the impact of Hurricanes Matthew and Irma. Discussion ensued regarding having the plan approved by FDEP. Discussion ensued regarding re-establishing the Beach Management Plan Committee. The Commissioners suggested contacting the old members to see if they are interested in serving again, and Commissioners Belhumeur and Cooley are to submit names for consideration. Clerk Overstreet advised a resolution would be required as the old Committee was sunset. Commissioner Mealy advised of the shortfalls to the Fire and Police Pension Funding and the City would be required to contribute. Commissioner Belhumeur spoke of the blighted condition of the silt fencing installed by FDOT. The Commission requested the City Manager contact FDOT and request the fencing be replaced/repaired.

The agenda moved to Item 16.

PUBLIC HEARINGS

- 14. ORDINANCE 2018-07, AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, VACATING PINE STREET, LYING BETWEEN BLOCK 12, AND BLOCK 13 OF THE MODEL LAND SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, PROVIDING FOR A PUBLIC HEARING; REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE FIRST READING: Attorney Smith read the title of the ordinance into the record. Chairman Belhumeur opened public comment. No comments were offered. Chairman Belhumeur closed public comment. Motion by Commissioner Mealy to approve Ordinance 2018-07. Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.
- 15. ORDINANCE 2018-08, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RECOGNIZING THE RIGHT OF CUSTOMARY USE OF THE BEACH BY THE PUBLIC; PROVIDING FOR FINDINGS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERROR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE FIRST READING: Attorney Smith read the title of the ordinance into the record. Attorney Smith reviewed the ordinance. The Commission suggested several changes to the ordinance. Chairman Belhumeur opened public comment. No comments were offered. Chairman Belhumeur

closed public comment. Motion by Commissioner Carney to approve Ordinance 2018-08 on first reading, as amended. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.

The Commission recessed the meeting at 7:14 p.m.

The Commission reconvened the meeting at 7:26 p.m.

The agenda moved to Item #13.

STAFF REPORTS

16. <u>STAFF REPORTS</u>: Attorney Smith spoke of the first bargaining meeting between staff and the union representatives for police. Attorney Smith advised, staff is looking at the budgetary impacts of some of their requests.

Mr. Newsom reported the City has been obligated another \$100,000 as a result of damage from Hurricane Matthew. Mr. Newsom advised he will be asking the Commission to update their five year strategic plan at the upcoming session on May 29, 2018. Mr. Newsom spoke of efforts creating the 18/19 fiscal year budget. Mr. Newsom spoke of the budget challenges we will face in the coming year.

17. <u>ADJOURNMENT</u>: Motion by Commissioner Mealy to adjourn the meeting at 8:44 p.m. Commissioner Shupe seconded the motion. The motion carried unanimously.

Attest:	Rick Belhumeur, Commission Chair
Penny Overstreet, City Clerk	

Fireworks Display Contract

This writing, expressing the agreement made and entered into by and between Fireworks By Santore, Inc. (hereinafter "Santore") and <u>City of Flagler Beach</u> (hereinafter "Sponsor"), on this <u>3rd day of May</u>, <u>2018</u>.

WITNESSETH

Whereas, Santore is experienced in conducting fireworks exhibitions, and Whereas, Sponsor wishes to arrange for a fireworks exhibition, at a site and on a date of its selection, and Whereas, Sponsor and Santore have discussed the type of exhibition Sponsor wishes to arrange, and Santore is prepared to stage such an exhibition, and Sponsor wishes to have Santore stage such an exhibition.

Now therefore, in consideration of these premises, and the mutual promises, covenants and undertakings of each other, the parties hereto agree as follows:

1. Exhibition:

Santore agrees to furnish to Sponsor, on the 4^{th} day of July, 2018 at an exhibition of Aerial Fireworks. Flagler Beach to provide transportation to the end of the pier for setup and again for strike.

Location to be designated to: The City of Flagler Beach Pier.

2. Payment:

Sponsor agrees to pay <u>Twenty one Thousand Dollars (\$21,000.00</u>) for this display.

3. Time and Method of Payment:

At the time this agreement is made, as evidenced by the execution of this writing, Sponsor will pay a deposit equal to one-half (1/2) of all anticipated charges and expenses as set forth in rhetorical paragraph 2. Payment is due immediately upon the completion of the exhibition and shall be paid to Pyrotechnic Operator in a sealed envelope after the exhibition has taken place. Any payment not made in full shall accrue interest at the rate of eighteen percent (18%) per annum from the date the exhibition was staged. In the event payment is not made within ten (10) days, Sponsor shall be deemed to be in default, and Santore shall have the right to retain an attorney to collect the payment amount, and shall be entitled to recover a reasonable fee for its attorney in doing so.

4. Site for Exhibition:

Sponsor acknowledges its responsibilities to provide a suitable site for the exhibition, which shall include arrangements to keep spectators at least <u>350</u> feet away from the area where the aerial fireworks firing will take place.

5. <u>Santore's Responsibilities:</u> Santore will obtain all required permits, not to exceed \$100.00, for the firing of the exhibition. At the completion of the exhibition, Santore will clear all equipment and debris from the firing sites.

6. Sponsor's Responsibilities:

Sponsor is responsible for all fire watch and fire truck fees. These fees are over and above the \$100.00 allowance for local permit fees. Santore will arrange for fire watch / inspection. Sponsor agrees to procure, furnish, and maintain a suitable place to display the said fireworks and to arrange for any security bonds as required by law in their community when necessary, and agrees to furnish necessary police, fire and Sponsor's protection, for proper crowd control and auto parking. Sponsor is responsible for removal and or protecting all property and persons in the "fireworks fallout zone". By signing below the Sponsor indemnifies and holds harmless Santore and assumes full liability for damages to property and/or injury to persons outside the "fireworks fallout zone" resulting from any source other than the fireworks produced by Santore.

7. Postponement:

In the event that weather conditions are such that Santore or the Authority Having Jurisdiction determines that the Fireworks Display would be impossible, impractical or risk damage or danger to person and/or property, the parties agree to immediately hold a postponement meeting at which time an attempt to reschedule the Fireworks Display shall be discussed. In the event a mutually satisfactory postponement date is made the Sponsor will be charged the actual expenses incurred by Santore related to the postponement. Actual expenses include but are not limited to: travel, lodging, labor, meals, rentals, security and permit fees.

In the event Sponsor *postpones display before June 4, 2018* and agrees to a postponement date no more than 180 days from original contracted display date, Santore will only charge the amount equal to any expenses that cannot be recovered for items such as barge / equipment rental, travel, lodging, labor, meals, security, custom products (if applicable) and permit fees. The balance of the original contact amount will be due upon completion of the display.

In the event Sponsor **postpones display after June 4, 2018** and agrees to a postponement date no more than 180 days from original contracted display date Santore will charge as follows:

15% 48 – 24 hours prior
 30% 24 – 12 hours prior
 60% less than 12 hours prior

8. Cancellation:

If Sponsor cancels this Contract for any reason, Sponsor shall pay damages for such cancellation to Santore as follows:

25% 30 or more days
 35% 29 - 11 days prior
 45% 10 - 3 days prior
 70% 48 - 24 hours prior
 100% less than 24 hours prior

9. Exhibition Insurance:

Santore will furnish an insurance certificate providing coverage in the amount of five (5) million dollars for the safe firing of the exhibition. Sponsor may, at its option, procure insurance to cover the risk of loss due to cancellation of the exhibition.

10. Publicity:

Any and all publicity of the exhibition, including in particular all advance announcements and advertising shall name Fireworks by Santore, Inc. as the primary contractor conducting the display.

11. Florida Law:

The laws of the State of Florida shall govern this agreement, and in the event of any dispute, venue for all proceedings, be they litigation, mediation, arbitration or otherwise shall be in Flagler County, Florida.

12. Attorney's Fees:

In the event of litigation or arbitration to enforce the terms of this agreement, the prevailing party shall recover a reasonable fee for its attorneys, plus costs reasonably incurred in the proceedings.

13. Entire Agreement:

This writing expresses the entire agreement between the parties, integrating all previous agreements, understandings, practices and discussions, and no modification shall be made to this agreement except as such is expressed in writing, executed by both parties.

In Witness whereof, the parties have hereunto affixed their signatures signifying their agreement on this <u>3rd</u> <u>day of May, 2018.</u>

Sponsor		Fireworks by Santore	, Inc.	
Ву		By Att	Land	4 May 2018
Signature	Date	Signature	(Date

Anthony J. Santore Jr.

Printed Name & Title

City of Flagler Beach

Agenda Application

INDIVIDUAL'S NAME: LOVI OTTICIO
BUSINESS NAME: Floor Juffe Patrol (If Applicable)
STREET ADDRESS: HOBOW Woods Cir. Floor Boh (If within City of Flagler Beach)
MAILING ADDRESS: (Please provide City & Zip Code)
PHONE NUMBER: 3860-6079-0951
SUBJECT MATTER TO BE DISCUSSED WITH THE COMMISSION: (This is the wording you would like on the agenda) Updale on the XVIII patrol
BACKGROUND INFORMATION REGARDING THE SUBJECT:
update on nests so for in Flagler Boh.
Final most count from 2017 season
Success of no discrientations of
batchlings due to Streetlight Shields
(OVER)

City of Flagler Beach Agenda Application Continued

REQUESTED ACTION SOUGHT FRO	OM THE COMMISSION:
ATTACHMENTS:	
Please note the City Commission's Rule documents to be provided at the time the Please refrain from handing out material	e agenda application is submitted.
The maximum time allowed for each re-	quest is 10 minutes.
Hoi CHO	5/14/18
SIGNATURE OF APPLICANT	DATE





City of Flagler Beach

Planning and Building Department

Date:	April 23, 2018
То:	Don Deal, Chairman, Planning and Land Development Regulation Board Board Members
From:	. Building and Planning Department
Subject:	P#18-05-01 Final Site Plan: A-1-A Motel; Parking Lot $-$ 1204 S. Ocean Shore Blvd.

Updated Summary:

Re: Final Site Plan Approval - The Planning and Architectural Review Board (PARB), at the meeting of May 1, 2018, voted unanimously that the City Commission approve SP#18-05-01, as submitted.

The approval was conditioned upon all proposed perimeter landscape material shall be at least thirty (30) inches high at the time of planting per Sec Section 5.04.02 Criteria for parking lots and vehicular use areas; and all required trees a minimum of six (6) feet in height at the time of installation.

A. SUMMARY IN BRIEF:

Location:

The proposed development plan is submitted for GEORGE MOODY SUB DIV, BLOCK MOODY, the West 20 feet of Lot 1 and 2, & NORTH 100 feet of a closed alley. The physical address is 1204 S. Ocean Shore Blvd. (See Attachment #1 Location Map)

Zoning, Future Land Use and Current Use

Zoning District	Future Land Use Map	Current Land Use
Tourist Commercial	Commercial	Vacant

Existing Conditions:

The property is presently vacant (see Attachment #2). A residential structure previously situated on the property was demolished. The general site conditions are described, as follows:

- a. Lot area 5,000 sq. ft. (See Attachment #3 Survey)
- b. Flat
- c. No vegetation

B. <u>Land Development Regulations Compatibility</u>

Proposed Development:

The applicant proposes to improve the property as the primary parking facility for the motel. The lot will accommodate ten (10) standard parking spaces (See Attachment #4 Site Plan). A required handicap parking space will be provided adjacent to the motel office at the front of the motel complex.

Per the Land Development Regulations **Sec. 2.06.02.** - **Automotive services.** Section 2.06.02.1 Off-street parking. The following standards guide the improvement of off-street parking areas. The proposed parking lot is evaluated based upon these established standards. Planning Division Staff Report

Parking Design

1. Maximum parking stall dimensions for off-street parking and on-street parking should include the following principles:

Parking Design

In all districts and in connection with every use, with the exception of those zoning districts within the Downtown Mixed-Use District and the Downtown A1A Retail Corridor as defined and regulated by Section 2.01.02.7.1 Downtown Design Guidelines, there shall be provided, at the time any building is constructed or any existing building is moved, altered, added to or enlarged or reconstructed, or if there is a change in the category of use listed in the schedule of off-street requirements which requires issuance of a new business tax receipt and/or certificate of occupancy, off-street parking space in accordance with the requirements as set forth herein.

(1) Size and access—An off-street parking space shall consist of a parking space having minimum dimensions of ten (10) feet in width by twenty (20) feet in length for the parking of each automobile, exclusive of access drives or aisles thereto. Minimum width for the maneuvering of an automobile into a parking space shall be in conformance with the illustrative chart as set forth in Attachment One of this ordinance. The parking plan must be so arranged that each automobile may be placed and removed from the property without the necessity of moving any other automobile to complete the maneuver.

NOTE: The property is situated within the Downtown Mixed-Use A1A Retail Corridor, and as such the proposed site development plan has been reviewed within the framework of the below Downtown Design Guidelines.

d. Ninety (90) degree (two-way) parking should have a minimum width of eight and six-tenths (8.6) feet by eighteen (18) feet.

Finding: Compliant

Section 5.04.02 Criteria for parking lots and vehicular use areas.

- (E) Minimum requirements for off-street parking and other vehicular use areas:
- (2) Ten (10) percent minimum of the gross parking area is to be devoted to living landscaping, which includes grass, ground cover, plants, shrubs and trees. The gross parking area is to be measured from the edge of the parking and/or driveway paving and sidewalks, extended five (5) feet in all directions, but is not to include any area enclosed by the building or covered by a building overhang (See Attachment #5 Landscape Plan).

Finding: Compliant

(3) Perimeter screening:

Finding: Compliant

(4) Interior landscaping: Interior areas of parking lots shall contain planter islands located so as to best relieve the expanse of paving. A maximum of twelve (12) parking spaces in a row will be permitted without a planter island.

Finding: N/A

(5) Planter islands shall be a minimum of fifty (50) square feet in area and shall contain at least one (1) tree having a minimum clear trunk of five (5) feet and a minimum overall height of eight (8) feet. The remainder shall be landscaped with shrubs, lawn, ground cover or other approved material not to exceed three (3) feet.

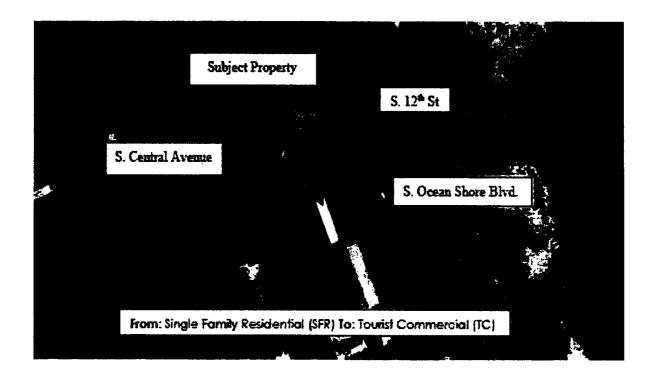
Finding: N/A

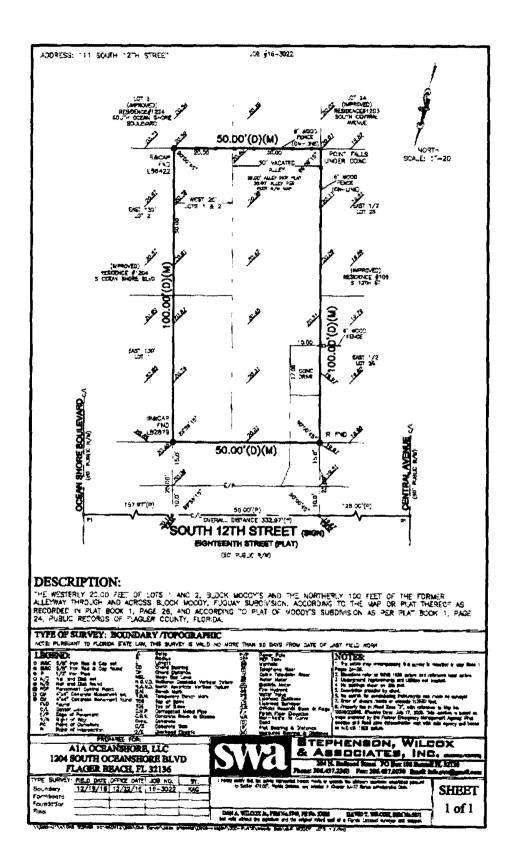
Recommendation: Planning and Architectural Review Board recommend approval of Final Site Plan Application SP#18-05-01 to the City Commission conditioned upon the proposed perimeter landscape material shall be at least thirty (30) inches high at the time of planting per Sec Section 5.04.02 Criteria for parking lots and vehicular use areas; and all required trees a minimum of six (6) feet in height at the time of installation.

ATTACHMENTS:

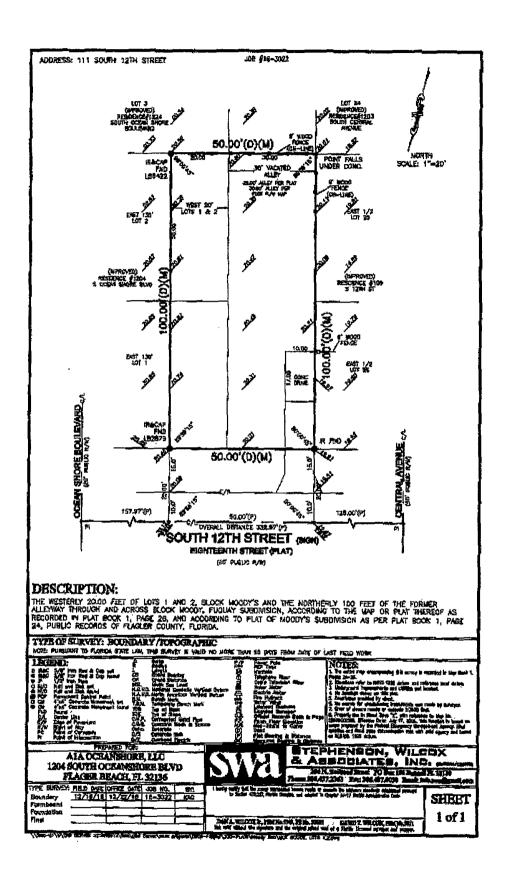
Attachment #1 –Location Map Attachment #2 – Existing Condition Attachment #3 - Survey Attachment #4 - Site Plan Attachment #5 – Landscape Plan

LOCATION MAP



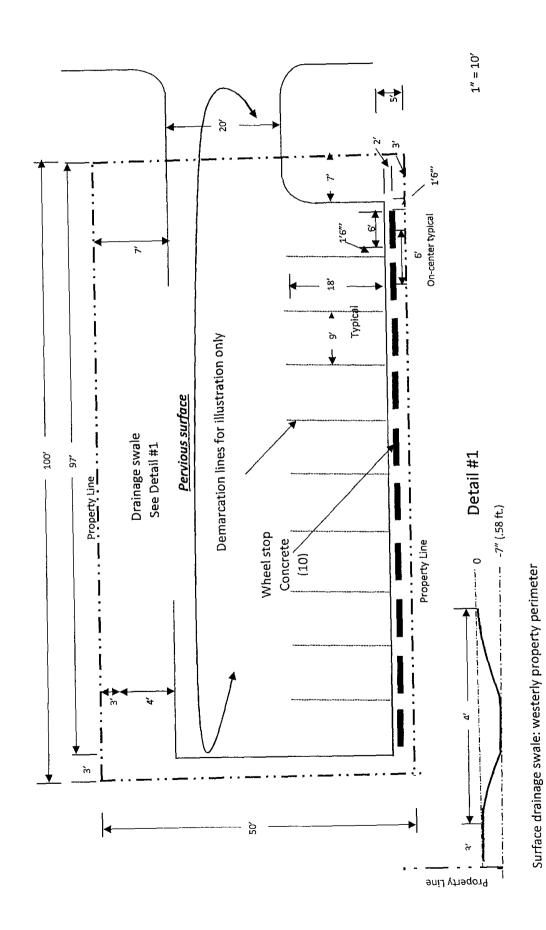


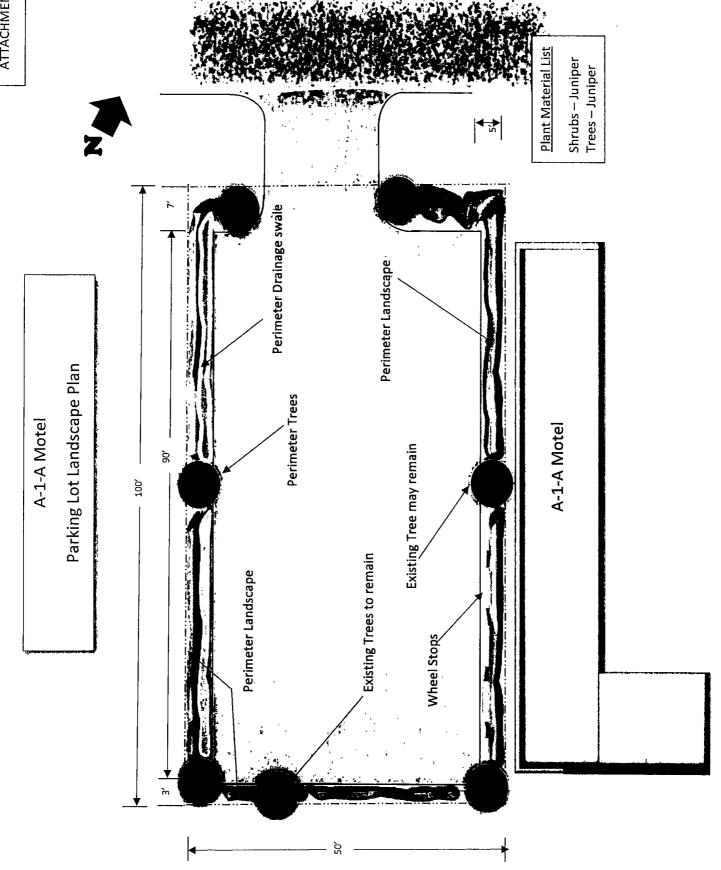




A-1-A Motel

Proposed Parking Lot Site Development Plan





FLAGLER BEACH CITY COMMISSION



City Manager's Report

Item No. 11

Meeting Date: May 24, 2018

Issue: Consider appointing a resident to the River to Sea Transportation Planning

Organization's Citizen Advisory Council.

From: Penny Overstreet, City Clerk Organization: City of Flagler Beach

RECOMMENDATION: Please complete the scoring sheet after interviewing the applicants and return to the Clerk for tabulation.

BACKGROUND: The City is in receipt of two applications for the R2CTPO, Citizen Advisory Council, Flagler Beach Representative seat.

BUDGETARY IMPACT: None.

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL:

<u>POLICY/REQUIREMENT FOR BOARD ACTION:</u> Appoint a Flagler Beach Representative <u>IMPLEMENTATION/COORDINATION:</u> Once an appointment is made I will notify Debbie and Pam at the TPO.

Attachments

- Applications
- Voting Form

River to Sea Transportation Planning Organization Citizen Advisory Council Ranking Sheet for Open Positions

Please rank each member 1-2, with 1 being the highest score. The applicant receiving the <u>lowest</u> scores will be selected.

<u>Incomplete scoring sheets will be returned to you.</u>

Applicant	To fill Flagler Beach Representative Seat						
Alphabetical Order	Mayor	Belhumeur	Carney	Cooley	Mealy	Shupe	Totals
Mary Dioguardi							
Rob Plymptonli							

PLEASE MARK YOU SELECTIONS AND RETURN TO CLERK AFTER APPLICANTS ARE INTERVIEWED.

CITY OF FLAGLER BEACH ADVISORY BOARD AND COMMITTEE APPLICATION FORM (Please fill out form completely)

Name: MARY DIOQUE	ardi		Date: 5/2/18
Physical address: 1010 S.			
Mailing address: 1010 S	Central	- Ave	
Home phone: NA	Daytin	ne phone: <u> 386</u>	338.4628
Fax: NA E-	Mail: Mydia	0105 egm	ril.com
Occupation: \\\ \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	ce Agent		
Number of years of City resider	nce: 5	Own:	_ Rent:
Are you registered to vote in Fl	agler County? Y	es No	
Please describe your profession best qualifies you for selection to spent and served many your selection to the Allowed me to TRAIN other How many City Commission years?	TOW Planning Subcommily Here tall and/or volunte to the board(s) or Lears Youth Here Yours in Jacks Youth Here Yours Readed	eer experience of committee(s): Experience	r background which lave in the PAST experiences &
Have you ever served on a City If yes, please describe:	advisory board	or committee in Yes	the past?No
ii yes, picase describe.			
Signature Signature	rardi	-	

Please return this application to the City Clerk, P.O. Box 70, 105 S. 2nd Street, Flagler Beach, Florida 32136

CITY OF FLAGLER BEACH ADVISORY BOARD AND COMMITTEE APPLICATION FORM

(Please fill out form completely)

	Date: <u>5-3-18</u>
Physical address: 331 N. FlagLer A	WE
Mailing address: PO Box 1067	
Home phone: 386-283-1996 Daytime phon	
Fax: E-Mail: CAPTROB 3	2208@YAhoo.com
Occupation: RETINED & OWN TOE	S IN THE SAUD
Number of years of City residence: 9 Own	
Are you registered to vote in Flagler County? Yes	No C WORKING ON it
Please describe your professional and/or volunteer expenses qualifies you for selection to the board(s) or comm SELF EMPLOYA AS FLOWING HALLE FOODS & FLOY PLANT MANAGEM ALERICAN BOLY ARMON 199 OPENED TES IN THE SAND 2011 & STILL VOLUNTEDA OR MANY HOURS & SAND 2011 & STILL VOLUNTEDA OR MANY HOURS & SAND 2011 & STILL VOLUNTEDA OR MANY HOURS & SAND 2011 & STILL VOLUNTEDA OR MANY HOURS & SAND 2011 & STILL VOLUNTEDA OR MANY HOURS & SANDO AS PAST PRESIDE Have you ever served on a City advisory board or com	erience or background which nittee(s): Mich Sange Mediet 1975-1995 6-2009-Then I Retined Open in Finger Beach out for Physicast Paraotheria Club you attended in the last 2
	Yes No>
If yes, please describe:	
Signature	

Please return this application to the City Clerk, P.O. Box 70, 105 S. 2nd Street, Flagler Beach, Florida 32136

FLAGLER BEACH CITY COMMISSION



City Manager's Report

Item No. 12

Meeting Date: May 24, 2018

Issue: Consider an appointment to the term expiring for Seat 7 on the Planning and Architectural Review

Board.

From: Penny Overstreet, City Clerk Organization: City of Flagler Beach

RECOMMENDATION: Appoint an applicant to fill the expiring term. Use the attached rating sheet after

the interview and turn it into the Clerk for tabulation.

BACKGROUND: The new term is 05/25/2018 through 05/24/2021.

BUDGETARY IMPACT: N/A

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to approve the appointment.

IMPLEMENTATION/COORDINATION: Clerk's Office will provide the required paperwork and notify the

Board Chair and Planning Staff of the appointment.

Attachments

- Member List
- Applications
- Notice of vacancy
- Voting Form

Planning & Architectural Review Board

Members

Seat One Term 02/26/16 - 02/25/19

Jordan Farrell

3660 S. Central Ave.

Flagler Beach, Florida 32136

386-986-6744

Realty.farrell@gmail.com

Appointed to complete term on 6-08-2017

<u>Seat Two Term 02/26/16 - 02/25/19</u>

Don Deal

1580 Lambert Ave.

Flagler Beach, FL 32136

386-439-5367

mdeal13797@aol.com

Seat Three Term 02/26/16- 02/25/19

Roseanne Stocker

1481 Lambert Ave.

Flagler Beach, FL 32136

386-503-1939

rstocker1@outlook.com

Seat Four Term 05/10/17 - 05/09/20

Catherine Feind

P.O. Box 664

Flagler Beach, FL 32136

386-439-4863 or 386-986-9484 (John)

ionkat@aol.com

Seat Five Term 05/10/17 - 05/09/20

Joseph Pozzuoli

2204 S. Daytona Avenue

Flagler Beach, FL 32136

H: 386-569-6719

joseph@jpaflorida.com

<u>Seat 6 Term 05/10/17 - 05/09/20</u>

Paul Chestnut

1860 S. Flagler Avenue

Flagler Beach, FL 32136

407-697-4051 or 386-439-0098 (work)

pdchestnut@gmail.com

Seat Seven Term 05/24/15 - 05/25/18

Ioann Soman

1313 N. Oceanshore Blvd.

Flagler Beach, FL 32136

305-778-2885

joann@raiseyoursales.com

PUBLIC NOTICE

THE CITY OF FLAGLER BEACH NEEDS VOLUNTEER RESIDENTS TO SERVE ON VARIOUS BOARDS AND COMMITTEES. APPLICATIONS MUST BE OBTAINED FROM CITY HALL, 105 SOUTH SECOND STREET, FLAGLER BEACH, FLORIDA 32136; ON THE CITY WEB SITE: www.cityofflaglerbeach.com (CITY SERVICES/PERMITS FORMS/CITY CLERK FORMS) OR AT THE CITY LIBRARY.

OPENINGS

Planning and Architectural Review Board

1 Term expiring May 25, 2018

Duties of the planning and architectural review board.

The planning and architectural review board of the city shall undertake any task assigned to it by the city commission and the rules assigned to it within this section which includes, but is not limited to, the following duties:

To establish, maintain and approve standards of architectural excellence for all residential dwellings of three (3) or more units, all commercial establishments, industrial buildings, and complexes, schools, churches, public buildings, amenities, parks, , and all elements related to the construction and aesthetics of the city.

To review all requests for building permits (excluding single- and two-family residences) and advocate for approval or deny such requests based upon aesthetic or other considerations such as quality of workmanship, nature of materials, harmony of external design with existing structures, change in topography, grade elevations and/or drainage, factors of public health, safety or welfare and the effect of such proposed change or work on the use, enjoyment, or value of any of the other neighboring properties.

To review any proposed changes initiated by itself, the building official, or the city commission in the textural provisions of this section and report its recommendations to the city commission.

To review requests and applications for planned unit developments as stipulated within the provisions of this section. To advise the city commission on all matters related to land use planning and community development as directed by the city commission.

To review all requests for rezoning (amendments), hold required public hearings to receive citizen input and recommend approval or denial of such requests to the city commission. A public hearing constitutes published notice, both at city hall and in local newspapers, and the apprising of property owners within a radius of five hundred (500) feet of the property under consideration for rezoning by certified mail of the intent to rezone.

To review any request for a special exception under the provisions of this section and submit its recommendations to the city commission.

To render advice upon appeal in specific cases advocating such variance from the terms of this section as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this section will result in unnecessary hardship.

Investment Committee

1 Vacancy for an Attorney

This Committee meets quarterly, is required by Statutes, and provides recommendations to the City Commission regrading the investment policies and strategies.

River to Sea Transportation Planning Organization (TPO) Citizens' Advisory Council (CAC)

1 Vacancy

The Citizens' Advisory Committee (CAC) is responsible for providing citizen input and provide recommendations to the TPO concerning transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. Subcommittees, Task Forces and Working Groups shall be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC.

Personnel Advisory Review Board

1 Vacancy

This Committee rarely meets but is required by our Code of Ordinance in the event an employee has a grievance and wishes to appeal disciplinary action.

FOR ADDITIONAL INFORMATION CONTACT CITY CLERK,
Penny Overstreet,
(386)-517-2000 EXT 233

Planning & Architectural Review Board Ranking Sheet for Open Positions

Please rank each member 1-2, with 1 being the highest score. The applicant receiving the <u>lowest</u> scores will be selected. <u>Incomplete scoring sheets will be returned to you.</u>

	To fill Seat 7, term ending May 25, 2018						
Applicant							
Alphabetical Order	Mayor	Belhumeur	Carney	Cooley	Mealy	Shupe	Totals
Paul Harrington							
Joann Soman							

PLEASE MARK YOU SELECTIONS AND RETURN TO CLERK AFTER APPLICANTS ARE INTERVIEWED.

Penny Overstreet

From:

Jeanelle Jarrah

Sent:

Tuesday, February 27, 2018 1:51 PM

To:

Penny Overstreet

Subject:

FW: Online Form Submittal: Advisory Board and Committee Application Form

From: noreply@civicplus.com [mailto:noreply@civicplus.com]

Sent: Tuesday, February 27, 2018 1:51 PM

To: Jeanelle Jarrah

Subject: Online Form Submittal: Advisory Board and Committee Application Form

Advisory Board and Committee Application Form

First Name

Joann

Last Name

Soman

Street Number

1313

Street Name

N Ocean Shore

Street Type

Blvd

P.O. Box

Field not completed.

City

Flagler Beach

State

FL

Zip

32136

Phone Number

305-778-2885

Cell Phone

305-778-2885

Email Address

joann@raiseyoursales.com

Occupation

business development

Number of Years as a

Resident

Are you registered to vote Yes

in Flagler County

Please describe your professional and/or volunteer experience which best qualifies you for your selection to the board(s) or committee(s).

I was a commercial property manager for 30 years and worked with architects and contractors on tenant improvement projects.

Please check all boxes of the Committees you would like to serve.

Boards and Committees

Planning and Architectural Review Board

Have you served on a City Board or Committee in the past?

No

Email not displaying correctly? View it in your browser.

CITY OF FLAGLER BEACH ADVISORY BOARD AND COMMITTEE APPLICATION FORM (Please fill out form completely)

Name: Paul Kerin Harrington Date: 4-73-2018 Physical address: 108 Lehigh AVE, Flager Beach, FL 32136 Mailing address: P.O. Box 127, Rohress VIlle, MD 21779 Home phone: 386-281-1105 Daytime phone: 301-491-2757 Fax: (all Ahead E-Mail: darganhomeservice@gmail.com Occupation: Semi-Retired Number of years of City residence: 7 Own: ____ Rent: Are you registered to vote in Flagler County? Yes______No_____ Identify the board(s) or committee(s) to which you request appointment: Architectural - Building - Environmental Please describe your professional and/or volunteer experience or background which best qualifies you for selection to the board(s) or committee(s): See attached resume How many City Commission/board meetings have you attended in the last 2 years?__*A*//__ Have you ever served on a City advisory board or committee in the past? Yes No If yes, please describe:

Please return this application to the City Clerk, P.O. Box 70, 105 S. 2nd Street, Flagler Beach, Florida 32136

Paul Harrington 108 Lehigh Avenue Flagler Beach, FL 32136 <u>darganhomeservice@gmail.com</u> 386-281-1105 or 301-491-2757

RESUME - April 20, 2018

Present: Yard Art Scapes/Semi Retired

Island habitat restoration

January, 1991 thru Present: Dargan Home Service/Self Employed

Licensed Maryland & Virginia General Contractor thru 2015. I began building decks, screen porches and sun rooms in 1991. Around 2000 I transitioned to performing smaller handyman type jobs in order to be more available to help my mother with dad in his final years. Highlighted project, Sun Room addition for Peter & Sally Stothard, Chevy Chase, MD. Peter was promoted from the editor of the London Times Washington Bureau to the chief editor in London while we built their sunroom.

August, 1993 thru December, 1994: New Home/Owner - Builder

I designed and built our home on 10 acres at 2608 Chestnut Grove Road, Sharpsburg, MD.

May, 1992 thru September, 1993: Remodeled Home/Owner - Builder

I purchased a small flat roof river cabin from HUD and added a second floor to create a 2 bedroom cape cod style home. I rented the home until 2013 when the tenants purchased the home.

October, 1990 thru August, 1991: New Home/Owner - Builder

I designed and built a Cape Cod style home on 13 acres at 2606 Chestnut Grove Road, Sharpsburg, MD. The home was built with the intention it might become our family home due to the down turn in the economy. Prior to finishing I divided the property into a 3 acre lot with the new home which sold and a 10 acre lot.

April, 1986 thru December, 1990: Harkins Builders/Site Manager - Project Planning

I was hired as a site manager for the 26 story historic renovation of the Lord Baltimore Hotel in Inner Harbor Baltimore. The work involved restoring Faux Marble walls on the 4 lower levels and 8 existing elevators, adding 1 new elevators, gutting and rebuilding the hotel rooms, adding 4 new penthouse suites to the existing tower atop the building and new windows. The Lord Baltimore Hotel was originally built in 1927.

April, 1986 thru December, 1990: Harkins Builders/Site Manager - Project Planning (continued)

The last 16 months employed at Harkins Builders I worked on design build/planning for the restoration of a Washington, DC apartment complex and a mid rise condo building in Frederick, MD.

June, 1984 thru April, 1986: Coates Construction/Project Manager

I managed renovation of the Bellevue Hotel on Capital Hill in Washington, DC.

May, 1983 thru May, 1984: Knott Builders/Project Manager

I managed the renovation of the Saxony, a tenant occupied 7 story apartment building in the Adams Morgan district in Washington, DC converted to owner occupied condominium,

January, 1981 thru December, 1986: VA Army National Guard Reserve/Infantry - 11 Bravo

Basic and advanced training at Fort Benning. Live fire and mobile response training at Fort Bragg. Before finishing my term I worked in the MD national Guard payroll/accounts payable unit in Harve De Grace, MD to learn computer skills.

October, 1980 thru Spring, 1985: Matchless/Crew Mate

Crewmate aboard Matchless a 50 sailboat. I logged in over 10,000 miles of transatlantic crossing between Chesapeake Bay and the West Indies and sailing throughout the islands. During this time I added and remodeled several offices for the owner, Henry "Bud" Ross at his business, Ross Industries in Midland, VA and built/retrofitted a new mahogany companionway hatch on Matchless.

Spring, 1967 thru Present: General

In 1967 I helped in the construction of a house my father built at 905 Dearborn Avenue in Muscle Shoals, AL. After relocating due to a job change, we sold the house to Rick Hall, owner of Fame Recording Studio in Muscle Shoals. Following graduating from W.T. Woodson High School in Fairfax, VA, June, 1973 I worked with several contractors/builders performing carpentry, electrical and plumbing. In 1992 I took a coarse with the Maryland Health Department and became certified as a Sand Mound Installer. Over the years I have become educated in environmental preservation.

Education

Northern Virginia Community College: Architecture, Survey, Business extended learning classes. W.T. Woodson High School: HS Diploma 1973, Auto Mechanics, Drafting, Architectural Drawing.

Associations

My kids and I have worked with several river keeper groups in Maryland, Virginia and Florida on clean up, preservation and restoration of environmentally sensitive areas.

#14

The agenda moved to Item 15.

COMMISSION COMMENTS

14. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The Elected Official provided updates on their attendance at meetings, gatherings and events since the last regular meeting. Commissioner Mealy inquired if the Commission wished, to extend the waivers to the enforcement of code, to assist residents for hurricane relief The Commission reached a consensus to abate enforcement of the codes related to short term rental, RV's in driveways, and waiver of fee for permits for drywall removal for an additional 90 days from March 11, 2018. (expires June 9, 2018). (Commissioner Mealy began a discussion regarding the Economic Development Task Force (EDTF). Commission reached a consensus to schedule and item on the next agenda to set a workshop to re-establish the goals of the EDTF. Discussion ensued regarding the Wickline Complex, specifically the senior center. The Commission indicated their interest in amending the Interlocal Agreement with the County, to have the County as a Tenant and the City be the controller of the uses of that particular building. The discussion turned to the need for a staff member to manage the rentals/uses of the building. Commissioner Cooley inquired about the Manager and Attorney evaluation process. The Commission reached a consensus to place an item on the next agenda to set a date for a Workshop on the evaluations. Mayor Provencher inquired if the Commission was interested in an ordinance which regulates e-cigarettes. Mayor Provencher announced she planned to start her Town Hall Meetings again, first is planned for March 19, 2018 at 5:30 p.m. Commissioner Mealy inquired about scheduling of the Strategic Planning Session. City Clerk Overstreet indicated she would contact the consultant and the Chamber for use of the room. Clerk indicated she would attempt to schedule for May.

The agenda moved to item 16.

PUBLIC HEARINGS

15. ORDINANCE 2018-02 AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING PROVISIONS OF APPENDIX "A", LAND DEVELOPMENT REGULATIONS, CHAPTER 4. DOWNTOWN A1A RETAIL DISTRICT SITE DESIGN; SECTION 2.04.02.12 MIXED USE BUILDING REGULATIONS, SUBSECTION E DEVELOPMENT STANDARDS INCORPORATING NOTE ONE; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE HEREOF – SECOND AND FINAL READING: Attorney Smith read the title of the Ordinance into the record. Commissioner Belhumeur reviewed the item. Chair Belhumeur opened public comment. No comments were offered. Chair Belhumeur closed public comment. Motion by Commissioner Mealy to approve Ordinance 2018-02. Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.

#16

ORDINANCE 2018-07

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, VACATING PINE STREET, LYING BETWEEN BLOCK 12, AND BLOCK 13 OF THE MODEL LAND SUBDIVISION, AS RECORDED IN MAP BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, PROVIDING FOR A PUBLIC HEARING; REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission heard a request on April 12, 2018 from John Horan, representing Timothy Horvath, one of the abutting property owners, to vacate Pine Street, an unimproved street lying between Block 12 and Block 13 Model Land Subdivision, as recorded in Map Book 2, Page 1 of the Public Records of Flagler County, Florida, existing in the City of Flagler Beach, Florida, and

WHEREAS, the City Commission has determined that the property described herein is not required for public use, and has no public purpose, and

WHEREAS, the Flagler Beach City Commission adopted Resolution 2018-19 at their April 26, 2018 meeting declaring their intention to vacate said unimproved street, and

WHEREAS, the City Clerk has sent via US Mail certified letters to the abutting property owners notice of said resolution and the public hearing dates of the ordinance vacating the unimproved street, and

WHEREAS, a notice of intention to vacate said unimproved street "Pine Street" was published in a newspaper of general distribution on Saturday, May 05, 2018.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, AS FOLLOWS:

<u>SECTION 1</u>. That Pine Street, an unimproved street lying between Block 12 and Block 13, Model Land Subdivision, as recorded in Map Book 2, Page 1 of the Public Records of Flagler County, Florida existing in the City of Flagler Beach, Florida is hereby vacated and any right, title or claim which the City of Flagler Beach has or may have in said vacated unimproved street "Pine Street" is hereby forever released unto the owners respectively whose property abuts upon said unimproved street in such a pro rata proportions as to such an extent and in such manner as provided by law for the vesting of vacated unimproved street "Pine Street", said unimproved street being vacated is hereby more particularly described as follows:

That certain named street "Pine Street", beginning adjacent to Block 12 and Block 13, Model Land Subdivision and continuing West for approximately 575 feet adjacent to Lot's 1, 3, through 10 of Block 13, and Lots 6 through 14 of Block 12, Model Land Subdivision, as recorded in Map Book 2, Page 1 of the Public Records of Flagler County, Florida.

<u>SECTION 2</u>. That the City Clerk of the City of Flagler Beach is hereby authorized and directed to make the appropriate changes to the official map of the City of Flagler Beach to reflect said vacation, and the City Clerk is hereby directed to notify the Flagler County Property Appraiser of said vacation.

<u>SECTION 3</u>: If any Section, Subsection, sentence, clause, phrase, or portion of this ordinance, or application thereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

<u>SECTION 4</u>. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

<u>SECTION 5</u>. This ordinance shall take effect immediately upon passage as provided by law.

PASSED ON FIRST READING THIS 10-14	_ DAY OF MAY, 2018.
PASSED AND ADOPTED THIS	DAY OF MAY, 2018.
	CITY OF FLAGLER BEACH, FLORIDA CITY COMMISSION
ATTEST:	Linda Provencher, Mayor
Penny Overstreet, City Clerk	<u>—</u>

THE NEWS-JOURNAL

Published Daily and Sunday Daytona Beach, Volusia County, Florida

State of Florida. **County of Volusia**

Before the undersigned authority personally appeared

Irene Zucker

who, on oath says that she is

LEGAL COORDINATOR

of The News-Journal, a daily and Sunday newspaper, published at Daytona Beach in Volusia County, Florida: the attached copy of advertisement. being

PUBLIC NOTICE

L 2288828

in the Court, was published in said newspaper in the issues.....

MAY 5, 2018

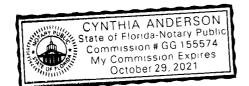
Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida. and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Irene Zucher

Sworn to and subscribed before me

This 7^{TH} of MAY

A.D. 2018 Mdesson



FLAGLER REACH STREET, LYING BETWEEN BLO SUBDIVISION AS EXCO BOOK 2, PAGE 1 OF THE PUBLIC RECORDS OF FLAGLER HEARING; RE HEREWITH, DATE.

Public Hearings will be conducted to consider the amendments as follows:

First Reading: May 10, 2018 at 6:00 p.m. or soon thereafter

Second Reading: May 24, 2018 @ 6:00 p.m. or soon thereaft

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

Any person wishing to express his/her opinion may submit written comments regarding the proposed amendment to the City through the Planning and Building Department. Comments should be made as early as possible to ensure

full consideration.
If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clark's Office at 385-517-2000 Ext. 233

NOTICE The City of Flagler Beach proposes to

NOTICE
The City of Flagler Beach proposes to adopt the following ordinance:
ORDINANCE 2018-08
AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RECOGNIZING THE RIGHT OF CUSTOMARY USE OF THE BEACH BY THE PUBLIC; PROVIDING FOR FINDINGS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERROR; PROVIDING FOR AN EFFECTIVE DATE
Public Hearings will be conducted to consider the amendments as follows:
Second Reading: May 24, 2018 @ 6:00 p.m. or soon thereafter
The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The request will be heard at 6:00 PM, or as soon thereafter as possible, in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

If a person decides to appeal any

Street, Flagler Beach, Florida.

If a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary to ensure that a verbatim record of the

that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-517-2000 Ext. 232 at least 48 hours prior to the meeting at least 48 hours prior to the meeting. L2290193 May 15, 2018 It

Item 18 Staff Reports



Flagler Beach Fire Department

Weekly Run Report from 05/03/18 - 05/09/18

<u>EMS</u>				
8				
<u>FIRE</u>				
3				
<u>k</u>	n (No F	<u>ire)</u>		
Fire Alarm				
1				
Service Call				
5				
Motor Vehicle Accident				
3				
Water Rescue		<u>Total</u>		
0		20		

Penny Overstreet

From:

Robert Pace

Sent:

Thursday, May 10, 2018 12:53 PM

To: Cc: Larry Newsom

Cc: Subject: Penny Overstreet Weekly Highlights

Mr. Newsom,

The following are the weekly highlights;

- The Paint a Rock with a First Responder was very successful. Nine members from both the Police and Fire
 Departments were in attendance. Approximately fifty children participated along with their families. The
 children really enjoyed creating a gift for their mothers and public safety staff appreciated the opportunity to
 visit with the kids
- The department has finally removed all the surplus items from the south generator room. Now the room is basically empty, D/E B. Eaves could continue with the second phase of the project. The second phase included scraping and painting the station's generator. D/E Eaves completed the work and the generator looks great
- Although the project took long time to complete, the city's landing zones have been installed. The landing zones
 are listed as followed;
 - LZ 20 Intersection of South A1A and South Central Ave.
 - LZ 21 A1A between 21st and 22nd just east of the southern vacant lot
 - LZ 22 Southeast of Publix, west of Roberts Road on the NE corner of the vacant lot
 - LZ 23 Grass field SE of Santa Maria Catholic Church. North of 8th street between N Flagler Ave. and N Daytona Ave.
 - LZ 24 Grass field adjacent to S Flagler Ave. and S 7th street

I followed up with Fire Flight's Flight Operations Chief and he has passed site information onto Air 1 and Trauma 1 pilots

- I reported several weeks ago that the department was in compliance for state review conducted by the State
 Fire Marshal's Office. The review was complete with the exception of a station inspection and a final oversight of
 departmental documentation. The inspection was completed this week and the department successfully
 completed the review process
- Captain Cox, Lieutenant Rainey, FF/EMT Conroy, and I attended Career Day at Ormond Beach Elementary School
 yesterday. Department members reviewed several fire safety tips, discussed a career in the fire service, and
 handed out department souvenirs to the kids. This is the 11th year the department has participated in the
 program
- Also yesterday, the final Coquina Cup Planning Meeting took place. Chief Doughney, Chief King, Matt Dunn, Tom Gillin, and I walked the course and conducted a final review of resources required for the event. The event will run the 17th – 19th next week

Thanks,

Bobby Pace
Fire Chief
Flagler Beach Fire Department

Penny Overstreet

From:

Robert Pace

Sent:

Friday, May 18, 2018 8:25 AM

To:

Larry Newsom

Cc: Subject: Penny Overstreet Weekly Highlights

Mr. Newsom,

The following are the weekly highlights;

- The Police/Fire Pension Boards met for the quarterly meeting. The consultant's, attorney's, and actuarial reports were all reviewed. Salem Trust's fee addendum was also approved during the meeting. There are three commissioners that sit on the boards and considering the League of Cities Conference is mid-August, the next quarterly meeting has been moved to August 8th
- Lieutenant Rainey and D/E Forte attended an Unmanned Aircraft Systems Meeting (Drones) at the Sheriff's Operation Center. Several agencies were represented and Commander Bovino is pushing that all public safety move forward together. He is requesting the objectives of UAS use for FBFD. The Sheriff's Office goal is to have training and operations be consistent with FAA regulations
- Captain Cox attended the Medical Advisory review Board Meeting on Monday. The main topic of discussion was the documentation required for COPCN renewal for FBFD. Captain Cox is currently gathering that information for recertification in November
- After Lieutenant Kennedy departed for his new position with VCFR and as you know the department was testing
 for the vacant Lieutenant position. Although we had two quality candidates, D/E A. Forte was informed he
 would be promoted to Lieutenant. He will be the supervisor on C Shift and moving to his new shift on 05/23
- Captain Cox attended the Public Safety Communication Network Meeting yesterday at the EOC. Though we are still a ways out, all representatives were advised the communication change-over is moving forward. Captain Cox was also informed that the same communication equipment would be utilized by all agencies
- The Coquina Cup Competition began this morning and there are four members form FBFD covering the event. The crews will be working 0730-1400 the next three days. The department has also supplied Ski-11 and the Mule to assist

I look forward to talking to you soon. Thanks,

Bobby Pace Fire Chief Flagler Beach Fire Department www.FBFire.org



Total Calls



Matthew P. Doughney, Chief of Police FLAGLER BEACH POLICE DEPARTMENT Flagler Beach, FL 32136 204 South Flagler Avenue

From: Friday Calls For Service Self-Initiated	
5/4/ 81 Fel- 45 Mi:	
5/4/2018 Felony Arrest Misd. Arrest City Ordinance	
4 80 4	
To: Thursday Reports Written Comm. Policing Security Checks	
ten Ing Cks	
27 Cital 15 War 330	5/10/2018
Citations Issued Warnings (Written/Verbal)	2018
(Verbal)	
40	i

Chief's Weekly Summary

Traffic Stops

8

Friday: 5/4/18 @ 9:55 a.m. / Narcotics Arrest / 1500 Block of South Oceanshore Boulevard: A traffic stop was conducted in reference to a seat belt violation.

Upon the Officer contacting the Driver, the odor of Marijuana was detected. The vehicle was searched and a Misdemeanor amount of Marijuana was located. The cooperative Driver was issued a Notice to Appear in Court. on South Oceanshore Boulevard. A Patrol Officer located the vehicle and a traffic stop was conducted. The Driver would not cooperate with lawful orders and Friday: 5/4/18 @ 6:18 p.m. / Drunk Driver Arrest / 3100 Block of South Oceanshore Boulevard: Patrol Officers was dispatched in reference to a reckless driver

was secured for Officer safety. The investigation resulted with the arrest of the Driver for Driving Under the Influence and Resisting Arrest Without Violence. The subject was transported to the Flagler County Inmate Facility.

Friday: 5/4/18 @ 9:47 p.m. / Warrant Arrest / South Daytona Avenue & South 4th Street: A subject with an active Flagler County arrest warrant called Dispatch and advised that he would turn himself in at the Flagler Beach Police Department. The subject failed to turn himself in and Officers located him at his residence. The local arrest warrant for Violation of Probation re: Battery on a Law Enforcement Officer was confirmed and the subject was arrested and transported to the

Friday: 5/4/18 @ 10:19 p.m./ Domestic Disturbance - Arrest / 200 Block of Oak Lane: Officers responded to a physical disturbance between a boyfriend and Flagler County Inmate Facility without incident. Good Job!

girlfriend. The investigation revealed that the female was heavily intoxicated and was found to be the primary aggressor in the incident. The female was arrested for Domestic Violence Battery without incident and she was transported to the Flagler County Inmate Facility. Saturday: 5/5/18 @ 10:48 a.m. / Traffic Arrest / 100 Block of South Daytona Avenue: Officers conducted a traffic stop on a vehicle that was speeding on

this State was revoked in 2006. It was also discovered that the Driver had five (5) prior convictions for Driving While License Suspended; making her a Habitual Moody Boulevard. The vehicle stopped in the 100 block of South Daytona Avenue and it was discovered that the Driver's privilege to operate a motor vehicle in Felony Offender. The Driver was arrested and transported to Flagler County Inmate Facility without incident. Good Job!

Saturday: 5/5/18 @ 10:24 p.m./ Baker Act / 215 South Oceanshore Boulevard: Officers were dispatched to a physical disturbance and upon arrival contact was made with an intoxicated male subject. The subject began yelling homicidal and suicidal statements and he was taken into protective custody without was made with an intoxicated male subject. The subject began yelling homicidal and suicidal statements and he was taken into protective custody without

observed the male rummaging through a vehicle and he was secured without incident. All stolen items were returned and the suspect was arrested on the following charges; Burglary of an unoccupied conveyance, Loitering & Prowling, Petit Theft, Possession of Marijuana under 20 grams and Possession of Drug paraphernalia. Outstanding Job! to our Officers arrival, they were advised that the male suspect was walking and pulling on car door handles on South Central Avenue. The responding Officers Sunday: 5/6/18 @ 12:48 a.m. / Larceny Arrest / 608 South Oceanshore Boulevard (Tortuga's): Officers were dispatched to a Larceny at the restaurant. Prior incident under the Baker Act.

Sunday: 5/6/18 @ 11:21 a.m. / Narcotics Arrest / 300 Block of South Flagler Avenue: A traffic stop was conducted in reference a stop sign violation. The odor

of Marijuana was detected and a Misdemeanor amount of Marijuana was located inside the vehicle. The cooperative Driver was issued a Notice to Appear in

identification; however, she could only provide her name. Her name was checked via teletype and it was discovered that she had given a false name. The subject advised she had in fact provided her sister's name and she was arrested and transported to the Flagler County Inmate Facility without incident. when they were advised that an open house party with underage drinking was taking place. During the investigation, the homeowner was requested to provide Monday: 5/7/18 @ 12:44 a.m. / Open House Party Arrest / 200 Block of South Flagler Avenue: Officers were at a residence in reference to a separate incident,

Monday: 5/7/18 @ 6:32 p.m. / Traffic Arrest / 2200 Block of Moody Boulevard: A traffic stop was conducted in reference to a seat belt violation. The Driver of the vehicle had knowledge that his driving privilege was suspended and he was arrested without incident and transported to the Flagler County Inmate Facility.

Tuesday: 5/8/18 @ 9:55 a.m. / Burglary Conveyance / 900 Block of North Oceanshore Boulevard: Officers responded in reference to a delayed Burglary of an unoccupied conveyance that occurred overnight between 10:00 p.m. and 9:30 a.m. The owner advised that the side door lock to his 2014 Ford E-250 van was

popped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value spopped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value popped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value popped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value popped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value popped. The owner advised that a duffel bag with two (2) Dewalt drills and a battery charger were taken along with a 10 inch Dewalt miter saw; total value popped. Wednesday: 5/9/18 @ 11:30 a.m. / Trespass Arrest / 215 South Oceanshore Boulevard (Funky Pelican): Officers were dispatched in reference to a subject at the bar that was previously issued a Notice of Trespass. Upon Officers arrival the subject was still on scene and he was subsequently arrested without incident the bar that was previously issued a Notice of Trespass. Upon Officers arrival the subject was still on scene and he was subsequently arrested without incident

residence. Upon arrival it was discovered that the homeowner had been the victim of domestic violence on 5/8/18 and 5/9/18. The suspect had departed prior residence. Upon arrival it was discovered that the homeowner had been the victim of domestic violence on 5/8/18 and 5/9/18. The suspect county Deputies at approximately 12:30 to Officers' arrival, and a local BOLO was issued. The suspect was arrested on our Domestic Violence Battery charge without incident and he transported to the Flagler County Inmate Facility. Sergeant p.m. The suspect was arrested on our Domestic Violence Battery charge without incident and he transported to the Flagler County Inmate Facility for Violation of Probation. **Great Teamwork!**Arcieri dropped off an additional affidavit at the Flagler County Inmate Facility for Violation of Probation. **Great Teamwork!** Wednesday: 5/9/18 @ 9:21 p.m. / Domestic Disturbance Arrest / 400 Block of Jasper Drive: Officers responded to a possible physical disturbance at a

Thursday: Chief Doughney attended the 31st Flagler County Drug Court Graduation at the Kim Hammond Justice Center from 10:30 a.m. to 12:00 p.m. Five (5) program participants successfully completed Drug Court and Flagler County Commissioner Donald O'Brien was the graduations Keynote Speaker.

Thursday: 5/10/18 @ 1:48 p.m. / Domestic Disturbance Arrest / 1200 Block of South Central Avenue: Officers were dispatched in reference to a male subject at this location attacking his adult son. The investigation resulted in the arrest of the Father for Domestic Violence Battery. The subject was transported to the at this location attacking his adult son. The investigation resulted in the arrest of the Father for Domestic Violence Battery. Flagler County Inmate Facility without incident.

		Training: All sworn members of the Police Department participated in Emergency Vehicle Operations training in Daytona Beach. The training was hosted by the Daytona Beach Police Department and was facilitated in the parking lot of Trader Joe's Distribution Center. The free training included close quarters turning, backing and also included an element of discretionary firearms decision making and shooting from a Police vehicle.	Sea Dune Parking: Officers issued two (2) City parking citations this week for unlawful parking on the sea dunes.
		perations training in Daytona Beach. The training was hosted by tribution Center. The free training included close quarters turning, from a Police vehicle.	ng on the sea dunes.

Beach/Parks/Recreation Weekly Highlights May 2 – May 9, 2018

- Attended ocean safety day at Gamble Rogers State Park on Friday, May 4.
 About 200 children participated as we presented safety information about rip currents.
- Treated for rust and painted all of the metal surfaces at Custer Park,
 Wickline Park, Pal Parker Park, Silver Lake Park and Palmetto Park.
- Repaired the wood edging along the fence at Palmetto Park.
- Ran all three ATV's and the Polaris. All vehicles are running well.
- First Friday on May 4th. An estimate of 1,000 people attended.
- Completed the first weekend of Lifeguard training. All lifeguards are scheduled to complete their application paperwork with Liz this week.
- Scheduled physicals and drug screening with Mediquick.
- Flushed out motors on both rescue jet skis but was unable to run them in the water. Jet skis are in good running condition.
- Bunnell Elementary School beach cleanup is scheduled for Wednesday, May 9.
- Began receiving application packets for Junior Lifeguard Summer Camp.

Beach/Parks/Recreation Weekly Highlights May 9 – May 16, 2018

- Junior Lifeguard water safety day presentation is scheduled for Wednesday, May 16th at Wadsworth Elementary School.
- Met with a representative from Little Electric Solutions to bid on repairing the indoor and outdoor lighting at the Parks Building.
- Met with planning team from The Coquina Cup event. Although the weather forecast is negative, the event is going on as planned.
- Set up competition course for Coquina Cup on Tuesday.
- Ran all three ATV's and the Polaris. All vehicles are running well.
- First Friday on June 1st. Invitations have been sent out and almost all of the vendor spots are filled.
- Completed First Aid and CPR team response training on Saturday and Sunday.
- All but 4 lifeguards have completed their physicals at Mediquick.
- Ran both jet skis on the Intracoastal. Practiced water rescues on flat water.
- Bunnell Elementary School beach cleanup was completed on Wednesday, May 9. Eleven students and two teachers participated. They cleaned the beach from the pier to South 10th Street.
- Junior Lifeguard Summer Camp official registration is scheduled for June 1st. First Camp session begins June 4th.
- Replacement dune signage has been ordered from Tom Keegan and Ocean Shore Graphics.
- Dodge the dune signs have been placed on the north side of the City along A1A. We began by placing 12 signs at locations where paths have been worn into the dunes.