



CITY COMMISSION REGULAR MEETING MINUTES

Thursday, March 14, 2024 at 5:30 PM

City Commission Chambers – 105 S. 2ND Street, Flagler Beach, FL 32136

MINUTES

Present: Mayor Suzie Johnston, Chair Eric Cooley, Vice-Chair Rick Belhumeur, Commissioners Jane Mealy, Scott Spradley and James Sherman, City Attorney D. Andrew Smith, III, City Manager Dale L. Martin, and City Clerk Penny Overstreet.

1. **Call the meeting to order:** Chair Cooley called the meeting to order at 6:33 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 Johnston led the pledge.
3. **Proclamations and Awards**
 - a. **Commendation Award Officer Maria Guerrero and Detective Rosanna Vinci:** Chief Matthew Doughney presented commendation awards to Detective Vinci and Officer Guerrero, for their work in recovering a stolen trailer that had thousands of dollars' worth of equipment inside of it.
 - b. **Certificates of Completion 2024 Citizens Academy Graduates.** Commissioner Mealy presented the class with their certificates of completion.
 - c. **Proclamation: Problem Gambling Awareness Month:** Mayor Johnston read the proclamation into the record.
4. **Deletions and changes to the agenda:** Mr. Martin requested Item 6B removed from the consent agenda to discuss the topic.
5. **Public comments regarding items not on the agenda:** No comments were offered.
6. **Consent Agenda**
 - a. **Minutes: Workshop February 15, 2024, Regular Meetings of February 08, 2024 and February 22, 2024.**
 - b. **Approve Workshop Meeting Dates.** Mr. Martin recommend changing the May 9th Workshop meeting topic from outdoor display to a hurricane preparedness forum. Mr. Martin further requested the parking workshop be postponed. Commissioner Belhumeur suggested the Pier branding discussion needs to be held soon while the planning is taking place. The Commission reached a consensus to change May subject to City and Resident Storm Preparedness.
 - c. **Authorize East Flagler Mosquito Control District to perform low-level aerial treatment within the city limits.**

Motion by Commissioner Belhumeur to approve the consent agenda minus Item 6b. Commissioner Sherman seconded the motion. The motion carried unanimously.

7. General Business

- a. **River To Sea Transportation Planning Organization, Citizen Advisory Committee activity report - Ed Fendley:** Mr. Fendley reviewed a prepared statement on the opportunities available to the City to

redesign and strengthen the safety aspects of our pedestrian and bicycle traffic. Also, to beautify the city's entrance; the bridge and Moody Boulevard. Mr. Fendley's advised the Transportation Planning Organization can help, financially and in other ways. Discussion ensued and included: does the Board want to make the SR 100 corridor safer, do we want to make changes, what do we do to get to those action items, setting the goals, give those goals to planners for them to provide proposals of what could be done, take those recommendations and decide if the Board wants to act on them, waiting until after the pier and hotel are completed, when FDOT is paving is a time to get some of those safety goals accomplished, interior street speed limit lowered before the detours start with the beach, pier and road repairs, those discussions needing to happen now, because it will take a year's worth of discussion to reach consensus and model drawings etc. and requesting funding for the planning process through the TPO's call for projects. Chair Cooley opened public comments. Comments were received from Paul Eik and Paul Matykta. Chair Cooley closed public comments. The Commission reached a consensus to add this as a discussion item to the Strategic Planning Session.

- b. **Consider waiving Section 6-5 (a) & (c) of the Flagler Beach Code of Ordinance to allow a Dog Surfing contest within the banned area for dogs to be on the beach:** Chair Cooley passed the gavel to Vice-Chair Belhumeur. Mr. Cooley reviewed his request and indicated they will not be using Veterans Park for the event and would like to keep the event in the same area as the previous events. Vice-Chair Belhumeur opened public comments. Comments were received from Paul Eik. Vice-Chair Belhumeur closed public comments. Motion by Commissioner Mealy to waive Section 6-5 (a) & (c) of the code for the Hang 8 event. Commissioner Spradley seconded the motion. The motion carried unanimously, with Commissioner Cooley abstaining and filing **Form 8b** Memorandum of voting conflict.
- c. **Resolution 2024-08, a resolution by the City of Flagler Beach, Florida, establishing its intent to reimburse certain capital expenditures incurred in connection with the repair of the Flagler Pier as described herein, with proceeds of a future tax-exempt financing; providing certain other matters in connection therewith; and providing an effective date:** Attorney Smith read the title of the resolution into the record. Attorney Smith advised this resolution is necessary to secure the \$18 million dollar loan for the reconstruction of the pier and this resolution will allow us to repay ourself for the purpose of the loan, in anticipation of FEMA expenses. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. Motion by Commissioner Sherman to approve resolution 2024-08. Commissioner Belhumeur seconded the motion. The motion carried unanimously, after a roll call vote.
- d. **Resolution 2024-09, a resolution by the City of Flagler Beach, Florida, authorizing the Mayor to execute Statewide Mutual Aid Agreements and related documents; providing for conflict and effective date:** Attorney Smith read the title of the resolution into the record. City Manager Martin reviewed the request advising this is a provision for mutual assistance for communities facing emergency situations. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. Motion by Commissioner Belhumeur that we approve Resolution 2024-09. Commissioner Mealy seconded the motion. The motion carried unanimously, after a roll call vote.
- e. **Resolution 2024-10, a resolution by the City of Flagler Beach, Florida, approving the adoption of GASB 54 Standards and Applications and approving a Fund Balance Policy for the General, Utility, Stormwater and Sanitation Funds; providing for conflicts, severability, and effective date:** Attorney Smith read the title of the resolution into the record. City Manager Martin introduced the city new Finance Director, Mrs. Hollie Harlan. Mrs. Harlan advised the Fund Balance Policy has been a comment on the audit for a few years and this policy will address the concerns raised by the auditors. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. Motion by Commissioner Sherman to approve Resolution 2024-10. Commissioner Belhumeur seconded the motion. The motion carried unanimously, after a roll call vote.

- f. **Resolution 2024-14, a resolution by the City of Flagler Beach, Florida approving an inter-governmental procurement effort between the City of Longboat Key and R & M Service Solutions, LLC, for the repair and maintenance of the City's hydrants; providing for conflict and effective date:** Attorney Smith read the title of the resolution into the record. City Manager Martin reviewed the request advising this is a piggyback on an exiting contract between the City of Longboat Key and R & M Solutions. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. Motion by Commissioner Mealy to approve Resolution 2024-14. Commissioner Sherman seconded the motion. The motion carried unanimously, after a roll call vote.

8. Public Hearings

- a. **Ordinance 2024-03, an Ordinance by the City of Flagler Beach, Florida, amending Article II of the City of Flagler Beach Land Development Regulations relating to signs; reducing the window sign allowance; amending the size and time allowance for temporary banner signs; providing for severability; providing for codification, conflicts, and effective date:** Attorney Smith read the title of the ordinance into the record. Attorney Smith reviewed the amendments as recommended by the Planning Board. Discussion ensued regarding the window area and calculation. The Commission recommended amending the window coverage from 25% up to 50%, and to amend the banner section to have staff review through the special event process. Chair Cooley opened public comments. Mordekhay Amsalem, E.T. Sharpe and Paul Mykytka provided comments. Chair Cooley closed public comments. Motion by Commissioner Belhumeur to approve Ordinance 2024-03. Commissioner Sherman seconded the motion. Commissioner Belhumeur amended his motion to approve Ordinance 2024-03 as amended. Commissioner Sherman amended his second. The amended motion carried unanimously, after a roll call vote.

Chair Cooley recessed the meeting at 8:22 p.m.

Chair Cooley resumed the meeting at 8:34 p.m.

9. Staff Reports

- a. **City Attorney:** Provided an update on recent legislation that has passed and is waiting for the Governor's signature or veto. Attorney Smith reported Senate Bill 280 related to short term rental registration. Attorney Smith reported this will provide the city with the evidence needed when bringing violations to the Magistrate. The law requires rentals to be registered with the Department of Business and Professional Regulation.
- b. **City Manager:** Reported the staffing efforts for City Engineer and Planner. Reported a public meeting with McKim and Creed and the residents is being scheduled related to Stormwater concerns. Reported he has a meeting tomorrow with the Florida Department of Environmental Protection regarding the Consent Order. He advised the City will be requesting an in-kind project consisting of flow testing in lieu of the fine. Reported the 90% plans for the pier are in and estimates are still roughly \$18 million dollars. Department heads meet with the Finance Director and City Manager for review of capital improvement items, and the Parks Committee reached a consensus to meet monthly. Commissioner Cooley inquired when will the City be notified if awarded a Florida Recreation Development Assistance Program (FRDAP) Grant for Wickline Park. Mr. Martin responded the FRDAP award announcements come out in July. Commissioner Sherman requested an expense /balance report regarding recreation/parks budget(s). Mr. Martin acknowledged our Lobbyist, Edgar Fernandez, for his advocacy of financial support for the legislative request we were awarded. Mr. Martin reported the City will receive 50% of the \$3.3 million needed for the redundant water main line under the Intracoastal, and we will receive \$250,000 for flood mitigation equipment which are flood gates for the Maintenance and T&D buildings on S. Flagler Avenue.

- c. **City Clerk:** Clerk Overstreet requested Commissioner Mealy provide the name of a new representative for the Parks Committee as her previous appointee has moved from the city limits. Commissioner Mealy named Tim Davies to fill the vacancy on the Parks Committee.
- d. **Set a date for the Strategic Planning Session:** The Commission reached a consensus to hold the Strategic Planning Session at the Senior Center on Wednesday, April 17, 2024.

10. Commission Comments

- a. **Commission comments, including reports from meetings attended:** The Officials reported their attendance at meetings, gatherings, and events since the last regular meeting. Commissioner Belhumeur questioned why the post and rope is not on the property line at Pal & Irma Parker Park. Commissioner Belhumeur requested a consensus regarding dedicating the new pier to former manager Newsom. The Commission reached a consensus to have some type of memorial to Mr. Newsom, be it a plank or plaque. Commissioner Mealy suggested looking at Oak Ridge Road in Daytona as a model for how to slow traffic in our town.
- b. **Public comments regarding items not on the agenda.** Marvin Sutton Jr. provided comments.

11. Adjournment: Commissioner Sherman put forth a motion to adjourn the meeting at 9:19 p.m.

Eric Cooley, Chair

Attest:

Penny Overstreet, City Clerk