



## CITY COMMISSION REGULAR MEETING MINUTES

Thursday, February 13, 2025, at 5:30 PM

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

**PRESENT:** Mayor Patti King, Vice-Chair James Sherman, Commissioners Rick Belhumeur, Eric Cooley and Jane Mealy, City Attorney D. Andrew Smith, III, City Manager Dale L. Martin and City Clerk Penny Overstreet

**ABSENT:** Chair Scott Spradley

1. **Call the meeting to order:** Vice-Chair Sherman 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 King led the pledge to the flag.
3. **Proclamations and Awards**
  - a. Recognizing February 16th as A1A Scenic & Historic Coastal Byway All-American Road Designation Day. Mayor King read the proclamation into the record. Danielle Anderson was present to accept the proclamation.
  - b. Recognizing February as Black History Month. Mayor King read the proclamation into the record. Ken Bryan read a prepared statement. Jackie Rector spoke on behalf of the group Seeking Insights for Solutions (SIFS). The group's Mission is to be a positive force to foster interracial discussions. Mrs. Rector spoke of a book "Where Colors Meet" and noted the authors are all members of the SIFS Group.
  - c. Recognizing February as Teen Dating Violence Awareness Month. Mayor King read the proclamation into the record. Members of the Flagler County Advocates Alliance were present to accept the certificate.
  - d. Certificate of Appreciation John Timmins. Mr. Timmins was presented with a certificate of appreciation for his volunteer efforts at Palmetto Park.
4. **Deletions and changes to the agenda.** There were no changes to the agenda.
5. **Public comments regarding items not on the agenda:**

Joanne Soman invited all to the Flagler Women's Club for Candidate Night on February 27<sup>th</sup>.

Darryl Reynolds asked if there has been any further discussion on paid parking and felt residents should be afforded a pass if implemented. He additionally asked for waste receptacles to be placed on N. A1A between Finns and the Winery.
6. **Consent Agenda**
  - a. Approve the Regular Meeting Minutes of January 23, 2025. Commissioner Belhumeur pulled the minutes for discussion. Commissioner Belhumeur requested the minutes be changed under Commission Comments under his comments to reflect "a reconfiguration of Moody between Flagler Avenue and A1A." Motion by Commissioner Belhumeur to approve the minutes as amended. Commissioner Cooley seconded the motion. The motion carried unanimously.
  - b. Acceptance of dedicated infrastructure. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur to approve Item 6b. Vice-Chair Sherman opened public comment. No comments were received. Public comment was closed. The motion carried unanimously.
7. **General Business**

- a. Quarterly Financial Update (Quarter 1 - Oct - Dec 2024). Hollie Harlan, Finance Director, reviewed the quarterly report highlighting the General, CRA, Utility, Pier, Sanitation, Stormwater and Capital Reserves Fund. Mrs. Harlan then reviewed the change in the structure of the report. She reviewed the cash on hand, investments, and gave a brief review of the funds in the budget.
- b. Resolution 2025-08. A Resolution by the City of Flagler Beach, Florida, for Water, Sewer, Stormwater, and Sanitation Fee increases to provide revenues that will be sufficient to operate financially self-supporting Utilities; repealing Resolution 2023-21; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Cooley asked the City Manager on how information will be distributed on the cost and use of the funds collected via the utility bills. Mr. Martin reviewed the process that was carried out by staff and the Commission to date. He reported during the next budget season; the utility rates will be presented in August with the budget. Commissioner Belhumeur referred to page 32 regarding the Equivalent Residential Unit (ERU). Attorney Smith responded that the ERU is an average. Commissioner Belhumeur felt the City should communicate with the public about the increase in fees. City Manager Martin responded we will increase social media, and staff is working to better communicate in the next fiscal year. Commissioner Cooley felt the stormwater fee was a big increase and referred to a list of future stormwater projects. He asked what has been done so far based on what was identified in the study performed by McKim and Creed. Mr. Martin stated this is the original low hanging fruit identified in that study and reported on the projects that have been completed. The next projects will be identified in the budget process. Commissioner Cooley stated he is looking for estimated completion dates for the projects on the list. Mr. Martin responded some may be completion dates to be done before the end of the fiscal year. Mayor King and Commissioner Sherman agreed with Commissioner Cooley because it is difficult when speaking to residents not to have a definitive date for the completion of the projects. Motion by Commissioner Mealy, seconded by Commissioner Cooley, that we approve Resolution 2025-08. Public comment was opened. Darryl Reynolds spoke of the deterioration of storm drains on S. A1A. Public comment was closed. The motion carried unanimously, after a roll call vote.
- c. Resolution 2025-04. A Resolution by the City Commission of the City of Flagler Beach to award Bid No. FB-24-0111 Project # 238 Wastewater Sludge Management Improvements to McMahan Construction Co., Inc. in an amount not to exceed \$2,992,000; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Discussion ensued and included informing the neighboring residents; the cost of the screw press, a workshop on Wastewater Treatment Plant and how it works from start to end; the age of the Wastewater Plant and three employees running the plant. City Engineer Bill Freeman spoke of the project and the amount of work associated with the start of the project. Once he can sit down with the contractor, he hopes to bring some of the overall costs down utilizing value engineering. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur to approve Resolution 2025-04. Vice-Chair Sherman opened public comment. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- d. Resolution 2025-09. A Resolution by the City Commission of the City of Flagler Beach, Florida to close out the Beach Management Reserve and move funds to the Dune Protection Reserve and redesignate the Dune Protection Reserve as the Dune Walkover Reserve, providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Motion by Commissioner Belhumeur, seconded by Commissioner Mealy to approve Resolution 2025-09. Vice-Chair Sherman opened public comment. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- e. Resolution 2025 - 10. A Resolution by the City Commission of the City of Flagler Beach, Florida, to award a contract to England-Thims & Miller, Inc. in an amount not to exceed \$826,586.66 to be the Construction Manager Adviser (CMA) and serve as the City's on-site representative overseeing the construction of the Flagler Beach Pier, providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. City Engineer Bill Freeman responded to an inquiry from

Commissioner Belhumeur regarding who would oversee and if they were bonded. Mr. Freeman reported there is no bond involved. Moffatt and Nichol will be doing a lot of project management. Staff will be overseeing and monitoring the financial end of the contract. Motion by Commissioner Mealy, seconded by Commissioner Cooley, to approve Resolution 2025-10. Public comment was opened. No comments were received. Public comment closed. The motion carried unanimously, after a roll call vote.

- f. Resolution 2025-11. A Resolution by the City Commission of the City of Flagler Beach, to award a contract to Lads Construction Services, LLC for an amount not to exceed \$34,440.00 to repair damages incurred to the Flagler Beach Public Library during Hurricane Milton, providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Discussion ensued and included the entire building needing to be painted and landscaping should be done all the way around the building; removing the skylights and the age of the roof; the warranty for the roof; the door in the back needing to be replaced; and possibly raising the building. The City Commission reached a consensus to have staff obtain the costs to repaint the entire building and replace the rear entry door and return to the Commission with costs in the form of a Change Order. Motion by Commissioner Belhumeur, seconded by Commissioner Mealy, to approve Resolution 2025-11. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- g. Resolution 2025-12. A Resolution by the City Commission of the City of Flagler Beach, to approve Project #589 in an amount not to exceed \$164,500 to DDS Enterprises, LLC to improve Parking Lot #4; providing for conflict and an effective date. Attorney Smith read the title of the Resolution into the record. Commissioner Mealy thought it should have been put before the CRA Board first. Mr. Martin explained it was a timing issue and will be placed on the next CRA agenda for the transfer of the funds. Commissioner Belhumeur inquired about stub out for plumbing as done with S. 8<sup>th</sup> Street and the cost differences. Mr. Freeman explained the contractor recommended 400 feet of curbing around the paver which is not done in the last parking lot. The manufacturer requires a frame for warranty, and the contractor suggested a concrete ribbon, and this parking lot is bigger. Commissioner Belhumeur suggested adding spaces for golf cart parking for future lot improvements. Mr. Freeman stated that a lot of allowances are for 15% for golf cart parking he can run the figures and have it striped accordingly. It was the consensus of the Commission to go forward with golf cart parking in some form. Commissioner Cooley will the concrete ribbon match what is already in the city. Mr. Freeman responded the S. 8<sup>th</sup> Street lot has a non-composite wedge versus concrete curbing. Mr. Freeman confirmed it will match the rest of the City. Commissioner Cooley suggested the contractor be asked how much and can it be retro fitted at S. 8<sup>th</sup> lot. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur, to approve Resolution 2025-12. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- h. Resolution 2025-13. A Resolution of the City Commission of the City of Flagler Beach accepting a proposal from Neu Urban Concepts to develop a Mobility Action Plan and Mobility Fee for the City of Flagler Beach; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Mealy feels we already have this just not in one document. Attorney Smith advised the Commission that the City needs to have a fee study to implement an impact fee and in order to have the fee study, you need a plan. Lauren Rushing, Nue Urban Concepts, reviewed the Legislation that required mobile impact fees. The concept is various land use and transportation issues have increased our sprawl and required us to build new roads to meet the demand. It is important to review the City Comprehensive Plan and the Land Development Regulations to ensure the plan can be implemented. They would need to establish an assessment area. Multi Model roadway plans are required with the implementation of the Mobility Impact Fee. Motion by Commissioner Belhumeur, seconded by Commissioner Cooley, that we approve Resolution 2025-13. Public comment was opened. Jordan Adams asked the commission to consider this. Ed Fendley encouraged the Officials to approve the proposal for the Mobility Plan and Fee study. He hopes the two state roads and the bridge are

considered for redesigning to slow the speed for a walkable community. Public comment was closed. The motion carried three to one, with Commissioner Mealy voting no.

Vice Chairman Sherman recessed the meeting at 7:40 p.m. The meeting reconvened at 7:51 p.m.

- i. Resolution 2025-14. A Resolution by the City Commission of the City of Flagler Beach, to award a contract to Moffatt & Nichol (M&N) for the fee of \$ \$349,500 to provide construction support services in the capacity of Engineer of Record (EOR) overseeing the construction of the Flagler Beach Pier; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Mealy inquired about equipment rental. Gabe Perdomo, P.E., Moffatt & Nichol, responded no, Tierra would fund the equipment rental. Motion by Commissioner Mealy to approve Resolution 2025-14. Commissioner Belhumeur seconded the motion. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- j. Resolution 2025-15. A Resolution by the City Commission of the City of Flagler Beach, Florida, approving an amendment of the Fiscal Year 2024/25 Budget to authorize the merger of two budget line items (Taser Reserve and Body Cam Reserve); authorizing the purchase of Tasers and Body Cams from Axon; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Motion by Commissioner Belhumeur, seconded by Commissioner Mealy, to approve Resolution 2025-15. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.

#### **8. Public Hearings**

- a. Ordinance 2025-01. An Ordinance by the City of Flagler Beach, Florida, amending the Flagler Beach Code of Ordinances, Appendix "A", Land Development Regulations (LDR's), to specify elevation of manufactured homes in Flood Hazard areas; to adopt and reformat local amendments to the Florida Building Code; providing for applicability, severability, and an effective date - first reading. Attorney Smith read the title of the Ordinance into the record. Commissioner Belhumeur reviewed the minutes from the Joint Workshops held with the Planning Board. He expressed concern that he could not tell if the comments from those workshops were implemented into this draft of a portion of the rewrite. Commissioner Cooley asked for a consensus to get the remainder of the LDR rewrite on an agenda and get it wrapped up. Mr. Martin advised that it is planned for the presentation at the end of March. Commissioner Sherman had concerns related to the cubic yard of fill allowed. He would like a full board present for our next discussion. Attorney Smith recommended they move forward with this as staff has been working with FDEM on this for the National Flood Insurance Program to retain our rate for residents Flood Insurance discounts. Commissioner Belhumeur hoped to have a workshop to review the LDR's to make sure past requests have been addressed. Commissioner Mealy referred to lot clearing. Attorney Smith clarified the wording in the document and advised this is not about lot clearing. Attorney Smith, this is about demolition of a lot that has already been cleared and cannot be brought back to its natural state. Commissioner Sherman referenced silt fencing and would like to strengthen the wording in it. Attorney Smith referenced Code Enforcement as the penalty. Motion by Commissioner Belhumeur, seconded by Commissioner Mealy, to approve Ordinance 2025-01. Public comment was opened. R.J. Santore referred to recreational vehicles and asked if it was already in the Code. Attorney Smith responded yes, it is already in the code. Public comment was closed. The motion carried unanimously, after a roll call vote.

#### **9. Staff Reports**

- a. City Attorney: None.
- b. City Manager: None.
- c. City Clerk: Canvassing Board met. There will be no early voting site. Residents are to vote by mail or on election day.

## 10. Commission Comments

### a. Commission comments, including reports from meetings attended.

Mayor King thanked the City Manager and staff for keeping an eye on height limit issues. She will be reporting on the upcoming Centennial events at the next meeting.

Commissioner Belhumeur spoke of the change in the new Sanitation rates and enforcement of the existing rules. Condos are coming down at Clubhouse Drive. He thanked the district 5 office of the Florida Department of Transportation (FDOT) for reconfiguring our roads and cleaning out the median on S. A1A. He thanked FDOT for cleaning the medians.

Commissioner Mealy attended Tourist Development Council annual meeting. She attended the Fire Pension Board and Florida League of Cities Legislation Webinar.

Commissioner Cooley thanked Commissioner Sherman for attending the Multi Municipality Meeting on his behalf. He thanked Chief Doughney for on foot patrol officers on the boardwalk. He referred to a home being built at North 16<sup>th</sup> St. and A1A. City Manager Martin is waiting for a proposal from the surveyor to establish the height of the building. We do not have any information currently as to whether the building is in compliance or not. No CO has been issued. Commissioner Cooley asked if there is something that can be done to keep in compliance. Mr. Martin referred to the code, building height has to be verified before sheathing the roof.

Commissioner Sherman spoke of the multi-municipality meeting regarding an across-the-board tax. Mr. Martin advised the County will be coming before us on the 27<sup>th</sup>. Commissioner Sherman will be holding a beach clean-up on Saturday at 9:00 a.m. at the A-Frame. Commissioner Sherman spoke of Veterans Park and the overgrowth and inquired about the Request for proposals that staff distributed. Commissioner Cooley asked if the grounds crew could give an update for the weekly report.

Mr. Martin advised the Parks Committee will look at the Veterans Park proposals but are prioritizing the Florida Recreation Development Assistance Program grant due to deadlines.

### b. Public comments regarding items not on the agenda. Jordan Adams spoke about the workshop at the County she had attended.

## 11. Adjournment. Motion by Commissioner Mealy to adjourn the meeting at 8:42 p.m.

Attest:

  
James Sherman, Vice Chair

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Penny Overstreet, City Clerk