



## CITY COMMISSION REGULAR MEETING MINUTES

Thursday, February 27, 2025, at 5:30 PM

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

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**Present:** Mayor Patti King, Chair Scott Spradley, 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.

1. **Call the meeting to order.** Commissioner Spradley 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.** Commissioner Sherman led the pledge to the flag.
3. **Proclamations and Awards.** Mr. Martin introduced Casey Ryan, who has been hired for the position of Community Redevelopment Director.
4. **Deletions and changes to the agenda.** There were no changes to the agenda.
5. **Public comments regarding items not on the agenda.** John Tanner speaking on behalf of the Preserve Bulow Creek Group, asked the ordinance regarding annexation procedures to be amended. Attorney Smith responded the change that was made to the ordinance a year ago and reviewed protocol for ordinances and the necessary advertisements.
6. **Consent Agenda**
  - a. Approve the Minutes of February 13, 2025.
  - b. Approve a List of Qualified Engineers Architects and Surveyors procured through a Request for Qualifications.

Motion by Commissioner Belhumeur, seconded by Commissioner Sherman, to approve the consent agenda. Public comment was opened. No comments were received. Public comment closed. The motion carried unanimously.

### 7. General Business

- a. Presentation- Flagler County Staff. County Administrator Hiedi Petito, Deputy County Administrator Jorge Salinas, Engineer Hamid Tabassian, and Coastal Engineer Dr. Wren-Key were present to assist Ms. Petito with her presentation. She reviewed the history of the barrier island and reported the economic impact from tourism funds, 23% of the workforce in Flagler County, and over half of those tourists came to the beach. Ms. Petito advised the County needs to adopt a funding plan in order to end adopting emergency declarations every week. The projects are identified as "Reaches. Reach II starts where the Army Corps of Engineers (ACOE) renourishment ended. She felt the County is more vulnerable now than it was during Hurricane Matthew. She reviewed the 18 miles of county coastline. The County acknowledged they will go back to the South end of town and renourish where Florida Department of Transportation (FDOT) is installing the secant wall and then continue down to Painters Hill. Commissioner Belhumeur asked why would you cover the seawalls when FDOT has committed to keeping the sand on the secant wall. Ms. Petito explained they are in communication with FDOT, and they are part of the funding plan to renourish the entire beach, including areas with a seawall. The estimated cost is \$35 million, and they are hoping to start this summer. Reach III is north of Varn Park and they still need to modify permitting and they will have to perform an environmental assessment because of the "hard bottom" (coquina rock). Recently the County requested a 4 x 4 study (4 x 4

meaning four years and 4 million dollars) from ACOE to identify areas and add or strengthen public access. There are critically eroded areas there. Rock mitigation might be pursued but is very expensive. The construction won't start until 2027.

Completing the entire 18 miles of coastline will cost \$120,000,000, there is a short fall of \$42,440,625. The costs reflect only construction costs. Other funding available lowers the shortfall to \$22,400,000. Periodic maintenance and nourishment the local cost is projected as \$12+ million every six years.

The need for 12 million per year is based upon assumption of maintenance every six years at a cost of \$72.1 million. Ms. Petito reviewed the possibility of an additional ½ cent sales tax. TDC bed tax, one-half cent sales tax, one cent sales tax, ad valorem property tax to dedicate a portion from our existing mileage for our beach, all sources were reviewed as possible funding. She looked at other models including an additional \$160.00 per parcel. Should the County fund the beach, they will be taking over the care of the beach.

The idea is for equitable Sales Tax distribution from the additional ½ cent sales tax. This will be discussed at the next Joint workshop on March 12<sup>th</sup>. The county is developing their budget and are looking for responses soon. If there is no agreement, they will move forward with the unincorporated areas only. They are looking to implement a comprehensive funding plan.

Commissioner Sherman inquired about the equitable sales tax distribution, what if Palm Coast chooses to not participate in the Sales Tax distribution, and all other municipalities agree to participate. Ms. Petito personally believes they would not be able to move forward if full participation from all the municipalities were not in place.

Commissioner Cooley asked what assurances could be word smithed into an interlocal agreement to reflect further assurances the City of Flagler Beach would receive direct benefits for the beach. Ms. Petito responded the City would put forth that language to be considered in the agreement that would outline the responsibilities. She explained, in the end, the City of Flagler Beach would give up the management of the beach which resides in the city limits. The shoreline of the county would be managed the shoreline within the county as one entity. Without having the management of the beach, the County could not go out after Federal dollars for the portion of the beach within the City's boundaries. Should the City not participate, it would be up to the city to come up with 2.5 million dollars a year for the maintenance of the beach. Commissioner Cooley needed clarification regarding the current ½ cent sales tax. Ms. Petito reported those dollars were put toward infrastructure projects.

Ms. Petito suggested that if anyone has any questions send them to Mr. Martin, they will work on those responses before the Workshop on March 12. Discussion included a workshop among the Commission before the meeting on the 12<sup>th</sup>; Mr. Martin clarified the Jt. Workshop is for discussion. It was the consensus of the Commission to schedule a workshop on March 6 to come together with one message before attending the Jt. Workshop.

Public comment was opened. Brian Ford, where does the management of the beach end what is the boundary, the walkovers, parking, etc. Kim Carney, spoke of the development of the Flagler Beach's Beach Management Plan. She suggested looking at the City's current beach management plan. She was not sure the City can manage and come up with 2.5 million dollars a year for maintenance. Public comment was closed.

- b.** Presentation- Roadbotics: Bill Freeman, City Engineer demonstrated the Roadbotics program, now called Michelin, and its benefits. He is better able to view the roads and prioritize where to start. Mayor King asked if the program provides cost estimates. Mr. Freeman responded no. Commissioner Sherman inquired about unpaved roads. Mr. Freeman responded the dirt roads were not accessed. Commissioner Mealy asked if the potholes are filled, does it update in the system. He reported, it is not automatic. It is an annual subscription. The program will serve the City for a few years. Once a five-year plan is implemented and in five years, he could get another subscription and have another assessment prepared. Commissioner Spradley asked if this map would be available to be viewed by the

public. Mr. Freeman indicated he will share updates with the public. Commissioner Belhumeur spoke of areas that had been micro-surfaced a couple of years ago that now indicate damage on the map. He thought the city should consider milling and resurfacing next time.

- c. Consider appointments to the Planning & Architectural Review Board for three Terms expiring February 25, 2025. Chair Spradley opened the item. There were six applicants for three seats on the board.

Sayre Berman reviewed her desire to serve. She reviewed her qualifications and her work history.

Scott Chappuis reviewed his desire and qualifications. His desire was to remain on the Board. He recommended Barbara Revels.

Suzie Johnston reviewed her desire to remain on the board.

Paul Mykytka reviewed his desire and qualifications to serve on the board. Served on a Land Use Committee back in Fountain Square, Indiana.

Barbara Revels was not present, after reporting a previous engagement to the Clerk.

Ralph Santore reviewed his desire to serve on the board.

Commissioner Belhumeur asked if there was a conflict if Paul Mykytka did business with the City. Attorney Smith counseled; you cannot do business with your agency.

Chair Spradley thanked the candidates for applying and hoped if they did not get the seat, they would reapply. He was impressed with their qualifications.

Chair Spradley recessed the meeting at 7:14 p.m. The meeting was reconvened at 7:26 p.m.

- d. Consider a request for a Special Event that requires waivers for Section 6-5 (b) & (d) of the Flagler Beach Code of Ordinance to allow a Dog Surfing Contest within the banned area for dogs to be on the beach - Applicant Suzie Johnston. Commissioner Cooley recused himself and filed a Form 8b Conflict of Voting with the City Clerk. Commissioner Cooley and Suzie Johnston came before the Commission about the Hang 8 Event. Suzie Johnston and Eric Cooley reviewed the request. This is their 4<sup>th</sup> annual event. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman, to allow for the exception to have the dogs on the section of beach. Open to the public. There were no comments received. Public comment was closed. The motion carried unanimously.

Chair Spradley announced the appointments to the PAR board are Suzie Johnston, Scott Chappuis and Barbara Revels.

- e. Resolution 2025-16. A Resolution by the City Commission of the City of Flagler Beach authorizing the City Manager to extend the Wickline Center Facility Use Agreement with the Salty Church on a month-to-month basis, but no later than August 31, 2025, providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Motion by Commissioner Sherman, seconded by Commissioner Mealy, to approve Resolution 2025-16. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- f. Resolution 2025-17. A Resolution by the City Commission of the City of Flagler Beach, Florida, approving a conceptual design for the Moody Boulevard Reconfiguration for submission to the River To Sea Transportation Planning Organization for application to the Prioritized Projects Grant List; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Sherman thanked Commissioner Belhumeur for his efforts. Commissioner Cooley needed clarification regarding the alternatives. Paul Mykytka reviewed the conceptual design that is needed for the feasibility study request for the TPO Priority Project List application. Discussion included placement of parking spaces, the bike lane being close to the pedestrian path, timing of the lights and using the Charrette as a reference. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman, to go through with Resolution 2025-17. Public comment was opened. Ed Fendley was pleased to see the

proposal and felt it was long overdue. Public comment was closed. The motion carried unanimously, after roll call vote.

- g. Resolution 2025-18. A Resolution by the City Commission of the City of Flagler Beach to award Project #591, Water Supply and Treatment Facilities Plan, to Mead & Hunt in an amount not to exceed \$59,348; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Mealy asked Mr. Martin to explain why the city needs to have this done. Mr. Martin explained that the City has a permit that has a threshold of how much water we can draw from our wells. when you meet a threshold of a percentage of your allowed amount, the state requires you to start planning for need or demand for water. We are rapidly approaching the threshold. This is only for the City's current situation and not for any potential or future growth. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur, to approve 2025-18. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- h. Resolution 2025-19. A Resolution of the City of Flagler Beach, Florida, authorizing a sole source contract with Odyssey Manufacturing Co. to furnish and install replacement sulfuric acid tanks for the City of Flagler Beach Water Treatment Plant, providing for conflict and an effective date. Attorney Smith read the title of the resolution onto the record. Motion by Commissioner Sherman, seconded by Commissioner Mealy, to approve Resolution 2025-19. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
- i. Resolution 2025-20. A Resolution by the City Commission of the City of Flagler Beach, Florida declaring certain items as surplus; providing for conflict and an effective date. Attorney Smith read the title of the resolution onto the record. Commissioner Mealy inquired if the funds received from the auction could be allocated for Police Cars and/or police car gear. Mr. Martin indicated yes, it could be put in reserve. Motion by Commissioner Mealy, seconded by Commissioner Sherman to approve Resolution 2025-20. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.

## **8. Staff Reports**

- a. City Attorney: Attorney Smith referred to the affidavit from the News Journal regarding the ordinance about annexation procedures. It was the consensus of the Commission to have Attorney Smith draft the ordinance for the March 13th meeting.

Attorney Smith gave an update on the Magistrate. The Magistrate authorized foreclosure. He will research if there are existing liens on the property. It was the consensus of the Commission for Attorney Smith to move forward.

There is a Senate bill being introduced during this session regarding terminating CRAs.

- b. City Manager: Mr. Martin reported there are four preliminary candidates for the Fire Chief position. He anticipates having someone on board by late April.

He has kicked off the budget at staff level.

He reported two workshops scheduled. March 13th regarding the Wastewater Treatment Plant operations, and April 10th re: Paid Parking Workshop.

- c. City Clerk: City Clerk Overstreet reported on her attendance at the canvassing board meeting. The workshops discussed by the City Manager will start at 5:00 pm.

## **9. Commission Comments**

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

Commissioner Belhumeur purchased a government standard flag for the Police Station.

Commissioner Cooley thanked the Commission for their support of the Hang 8 Event.

Mayor King reported there will be a beach clean-up on Saturday at 8:00 am. She distributed a tentative centennial event calendar: April 16 is the kick-off street party on S. Central with a Birthday Cake.

Commissioner Mealy attended the FB3 Meeting. She reported on Citizens Academy.

Commissioner Sherman thanked Chief Doughney for the four-way stop at S. 4th and S. Central.

Chair Spradley attended the FB 3 meeting, candidate forum. Chair Spradley has his town hall meeting at his office on Saturday. His guest is County Commissioner Andy Dance.

- b.** Public comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes. No comments were received.

#### **10. Adjournment**

Motion by Commissioner Sherman to adjourn the meeting at 8:18 p.m.