



CITY COMMISSION REGULAR MEETING MINUTES

Thursday, April 24, 2025, at 5:30 PM

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

PRESENT: Mayor Patti King, Chairman James Sherman, Vice-Chairman Rick Belhumeur, Commissioners Eric Cooley, John Cunningham and Scott Spradley, City Attorney D. Andrew Smith, III, City Manager Dale L. Martin and City Clerk Penny Overstreet.

1. **Call the meeting to order:** Chair Sherman 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 King led the pledge.
3. **Proclamations and Awards**
 - a. Celebrating the Flagler Beach Centennial. Mayor King read the proclamation into the record.
4. **Deletions and changes to the agenda.** None.
5. **Public comments regarding items not on the agenda.** Rich Phelan inquired about the documents he received in his Request for Public records relating to the Golf Course and its current tenants' plans. Mark Imhoof spoke of his disappointment with the current golf course tenants and that the City is investigating the sale of the property. Ted Barnhill referred to the limited parking with the current construction and believes timed parking needs to be implemented to support the local businesses. Brett Spitalny looking for assurance from the Commission that the sale of the golf course will not be rushed and be a well thought out project, spoke of rumors of the hotel busing people to a banquet room at the golf course. Melissa (did not give last name - Ocean Palm resident) feels the golf course tenant should be made to clean up the property. Attorney Smith advised there has been no formal site plan, that was a conceptual plan, nothing official, and a formal site plan would come if the property sold or if the tenant wishes to proceed with the improvements. The Officials concurred with the Attorney's comments that a site plan would go before the PARB and the Commission, and the Commission has made no decision or discussion about the sale of the property. Commissioner Cooley informed those regarding the golf course that the Commission the process has not started. Commissioner Cooley suggested to grade the course and give them the same time to bring it back to lease requirements as we did with the former tenant. Chair Sherman asked about parking. Mr. Martin advised it was a topic for the Strategic Planning Session. Mr. Martin referred to the Downtown Master Plan and the Charrette being the defining documents for the downtown design, if you want to change that, we will need to be discussed, and direction given to staff. He suggested they review both documents before the Strategic Planning Session.
6. **Consent Agenda.**
 - a. Approve the Regular and Workshop Meeting Minutes of April 10, 2025.
 - b. Approve a one-year insurance renewal proposal for the pier from Axis Insurance Company.
 - c. Approve a Participant Agreement for Disaster Debris Removal and Disposal Services as part of Flagler County Cooperative Contract 25-RFP-029 and authorize Mayor to sign same.

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

7. General Business

- a. FY24 Audit Presentation. Brendan McKittrick, CPA James Moore & Company reviewed the Audit for the fiscal year ending September 30, 2024. Hollie Harlan introduced Brendan McKittrick of James Moore. He reviewed the presentation with the Commission. He reported the audit received a clean report. The Federal Report regarding federal grants proved no issues. The prior two-year comments were corrected, related to the preparation of financial statements. One comment regarding funds in the building fund. The state has a statute that the city should not have a carry forward balance. After speaking to the Finance Director, there is a plan in place to correct it. The CRA Audit was clean. Public comments were opened. No comments were received. Public comment was closed. Motion by Commissioner Cooley, seconded by Commissioner Belhumeur, to accept the audit. The motion carried unanimously.
- b. FY25 Second Quarter Financial Report. Hollie Harlan, Finance Director, reviewed the second quarter report. Commissioner Cooley asked for a 4th Quarter Report in a timely manner before the audit is presented. It has been asked in the past by the Commission and the residents to have a better idea before the end of the year. Ms. Harlan indicated she can get a report together that will summarize the expenses. It won't be completely accurate, but we can put notes if there is an expense forthcoming. She explained there will be no more encumbrances rolled into new budget the project will be re-budgeted, and the funds will be put in reserves. Commissioner Cooley asked if there could be a way to indicate if a project was re-budgeted from reserves. Ms. Harlan indicated she could put a report together. Public comments were opened. No comments were received. Public comment was closed.
- c. Resolution 2025-22. A Resolution by the City Commission of the City of Flagler Beach, Florida, authorizing the purchase of 50 manhole rings/covers (Project # 616) from Ferguson Waterworks for the City of Flagler Beach, in an amount not to exceed \$44,975.00; providing for conflict and an effective date. Attorney Smith read the title of the resolution onto the record. Mr. Martin reviewed the history of the project. Commission Cooley inquired since this is a phased project he would still like a map of where the replacements have been made and what is left to address. Bill Freeman did not know of any map of the manholes in the City. They will be replacing those manholes that are in bad shape. Commissioner Belhumeur questioned if the manhole covers in flood prone areas have been replaced. Mr. Freeman indicated last year 20 manhole covers were replaced in those areas and the 50 are for the rest of the City. Public Comment was open. Rick Phelan reviewed the procurement process he was familiar with in the state of Massachusetts. He asked if he could receive information regarding how this price was determined. Mr. Martin reviewed the procurement process the City has in place and the bids received. Public Comment was closed. Commissioner Cooley asked for the data regarding the phases of the manholes. Motion by Commission Cooley, seconded by Commissioner Spradley, to approve Resolution 2025-22. Motion carried three to two, with Commissioner Belhumeur and Cunningham voting no.
- d. Resolution 2025-40. A Resolution by the City Commission of the City of Flagler Beach to amend Resolution 2024-40 that awarded a contract to McKim & Creed Inc. to complete the requirements of a Consent Order between the City of Flagler Beach and the Florida Department of Environmental Protection with a budget amendment to cover the expense, to reflect the budget amendment would transfer funds from the Unrestricted Utility Reserves line to Professional Services, Project # 571; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. City Manager Martin reviewed the reason for the item. Hollie Harlan explained it is a line amendment. Public comments were opened. Midori Imhoff, Ocean Palm Drive, needed clarification on the item. Mr. Martin provided clarification. Public comment was closed. Motion by Commissioner Spradley, seconded by Commissioner Belhumeur to approve Resolution 2025-40. The motion carried unanimously, after a roll call vote.
- e. Resolution 2025-41. A Resolution by the City Commission of the City of Flagler Beach to approve the Professional Services Agreement proposed by McKim & Creed Inc. to complete tasks outlined in Exhibit "A" Scope of Services Summary in response to the Florida Department of Environmental Protection's Amended Consent Order, Case #23-0409 for a fee not to exceed \$41,646.00 under Project # 571 and a

budget amendment to cover the expense; providing for conflict and an effective date. Attorney Smith read the title into the record. Mr. Martin gave a history of the item. Public comments were opened. No comments were received. Public comment was closed. Motion by Commissioner Spradley, seconded by Commissioner Cooley to approve 2025-41. The motion carried four to one, with Commissioner Cunningham voting no.

- f. Resolution 2025-42. A Resolution by the City of Flagler Beach, Florida, repealing Resolution 2025-08 Exhibit "B" Fee Schedule for Solid Waste Collection and adopting a revised Solid Waste Collection fee schedule; providing for conflicts and an effective date. Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the item. Commissioner Belhumeur questioned why we were voting on a reduction. He continued and felt the itemized list was not complete. Commissioner Cooley asked if there is something that is not on the list that gets charged. It was his understanding the City wanted to pick up metal items so the City would receive money for the metal. He suggested a small addition to the overall monthly fee and Sanitation can just pick it up. Commissioner Cooley felt the residents should not be charged for the recycled glass, if anything, residents should receive the glass at cost. Commissioner Spradley felt the resolution needed to be tabled. Attorney Smith suggested amending the exhibit for a few items. The rates were discussed. Mayor King thought the list could be adjusted until staff can work on a more exhaustive list. Attorney Smith suggested changing the appliance fee from \$50 to \$25 and the small pile from \$100 to \$35 and amend the resolution to replace with original Exhibit B. Motion by Commissioner Belhumeur, seconded by Commissioner Spradley to approve the resolution as proposed. Open to public comments. The following citizens came forward to give their concerns, opinions and suggestions: Mark Imhoof, Rich Phelan, Keith Patton, Brett Spitalny and RJ Santore. Public comment was closed. The motion carried unanimously, after a roll call vote.
- g. Resolution 2025-43. A Resolution by the City Commission of the City of Flagler Beach providing a temporary reduction in certain building permit fees; providing for sunset of reduced fees; providing for conflict and an effective date. Attorney Smith read the title into the record. City Manager Martin spoke about the item. Motion by Commissioner Belhumeur, seconded by Commissioner Cooley, to approve Resolution 2025-43. Public comments were 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 spoke of the actions taken at the Magistrate meeting.
- b. City Manager: Mr. Martin thanked all for the well wishes and spoke about the upcoming Strategic Planning Session. He encouraged all to get their centennial dinner tickets on the website.
- c. City Clerk: No comments.

9. Commission Comments

- a. Commission comments, including reports from meetings attended. Mayor King thanked all the staff and volunteers for the Centennial Birthday event and Attorney Smith for the song he wrote for the event. She attended the Family Life Center meeting. Mayor King reported the tickets for the Centennial Dinner are going fast and to go to the City's website for the Centennial dinner. Commissioner Belhumeur thanked staff and Mayor King for the Centennial event. He spoke of the TPO meeting; our application for the call for projects was accepted and the next step is the ranking process. He thanked Jen and her crew for all their work on the recent water leaks. Commissioner Cunningham spoke of Flagler Fish Company's customers parking on the sidewalk at their temp location at the Topaz. He reported visiting with the City Engineer and has made a trip to the Wastewater Plant. Commissioner Cooley spoke of the TDC Meeting. He suggested watching the meeting and go to the section regarding Fund 1109 and 1111. The TDC voted against using 1109 for the Beach Management Plans. Chair Sherman thanked the volunteers for the centennial. Chair Sherman spoke of the A1A resurfacing project and realized that it is inconvenient, but FDOT has always been very responsive to the City after the hurricanes.

- b. Public comments regarding items not on the agenda. Midori Imhooff spoke about proposed golf course and her discussion with a former commissioner, regarding transportation from the hotel to the golf course. Her concerns were the size of the building, the traffic, noise, and emergency vehicles. Rich Phalen needed clarification regarding the Planner's notes regarding pervious vs. impervious. Attorney Smith acknowledged the process is confusing but there are no approvals done when a conceptual site plan is submitted. The application form is the same form used for the actual site plan. It is a courtesy review. Commissioner Sherman assured Mr. Phalen there will be workshops and ample opportunity for the public to speak regarding the golf course. Mr. Phelan needed clarification regarding the fine points of the Sunshine Law. R J Santore suggested Mac and Cheese for kids at the Centennial Dinner. He spoke of perhaps putting together an educational program regarding Beach Renourishment.

10. Adjournment. Motion by Commissioner Cooley to adjourn the meeting at 8:01 p.m.

James Sherman, Chairman

Penny Overstreet, City Clerk