



CITY COMMISSION REGULAR MEETING AGENDA

Thursday, March 28, 2024 at 5:30 PM

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

MINUTES

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.** Chair Spradley called the meeting to order at 6:15 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. **Deletions and changes to the agenda.** Item 5 a was removed from the agenda, at the request of the City Clerk.
4. **Public comments regarding items not on the agenda.** None.
5. **Consent Agenda**
 - a. **Approve the Minutes of the March 14, 2024 Workshop and Regular Meetings.** This item was removed from the agenda.
6. **General Business**
 - a. **Resolution 2024-24 a resolution by the City of Flagler Beach, Florida, approving Easement Agreements between the City of Flagler Beach and DCB Orchid to construct infrastructure within the City of Flagler Beach and utilize the associated property for the purposes of leasing the infrastructure, providing for conflict and effective date.** Attorney Smith read the title of the resolution into the record. Discussion ensued and included: proposed infrastructure locations and moving the infrastructure into the right-of-way at the South 6th Street location. Chair Spradley opened public comments. Mr. & Mrs. Hodavance and Scott Fox provided comments. Chair Spradley closed public comments. Motion by Commissioner Cooley to table the item. Commissioner Belhumeur seconded the motion. The motion carried unanimously.
 - b. **Resolution 2024-20, a resolution by the City of Flagler Beach, Florida, authorizing the City Manager to submit an application to the Florida Inland Navigational District (FIND) for the 2024 Grant Cycle; providing for conflict and effective date.** Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the request for the grant submission, reporting the total cost is \$20K and the grant request is in the amount of \$10k. Chair Spradley opened public comments. FIND Commissioner, Randy Stapleford encouraged the City Commission to approve the resolution and spoke in favor of the project, advising they have accepted it contingent upon the property ownership issue cleared within the next month. Chair Spradley closed public comments. Motion by Commissioner Sherman to approve Resolution 2024-20. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.
 - c. **Resolution 2024-21 a resolution by the City of Flagler Beach, Florida, approving a proposal from McKim & Creed, Inc. for Engineering & Field Assessment Services, Wastewater Collection System Investigation related to Consent Order 23-0409 "In-kind" Project in an amount not to exceed \$50,000,**

providing for conflict and effective date. Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the request. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Mealy to approve Resolution 2024-21. Commissioner Belhumeur seconded the motion. The motion carried unanimously, after a roll call vote.

d. **Resolution 2024-22 a resolution by the City of Flagler Beach, Florida approving a Master Service Agreement and Statement of Work for Forerunner Software in an amount not to exceed \$20,500, providing for conflict and effective date.** Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the request. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Mealy to approve Resolution 2024-22. Commissioner Sherman seconded the motion. The motion carried unanimously, after a roll call vote.

e. **Resolution 2024-23 a resolution by the City of Flagler Beach, Florida, declaring certain property to be surplus, providing for conflict and effective date.** Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the request. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Belhumeur to approve Resolution 2024-23. Commissioner Sherman seconded the motion. The motion carried unanimously, after a roll call vote

7. 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 - final reading.** Attorney Smith read the title of the ordinance into the record and explained the amendments made as directed from the last meeting. Discussion ensued and included: increasing the percentage allowed for window coverage and the number of existing businesses that would not be in compliance. Chair Spradley opened public comments. Comments were heard from Paul Matykta, Scott Fox, Heather Hodavance, and Christina Mashadow. Chair Spradley closed public comments. Motion by Commissioner Belhumeur to table the ordinance to the July 11, 2024 meeting. Commissioner Sherman seconded the motion. The motion carried unanimously.

b. **Ordinance 2024-04 an ordinance of the City of Flagler Beach, Florida, relating to impact fees; adopting the Fee Study prepared by Tischler Bise; increasing the amounts to be charged for water and wastewater impact fees; adopting new Police, Fire, Library, and Parks and Recreation Impact Fees; establishing an administrative charge consistent with state law; amending regulations pertaining to the collection, use, and timing of payments of Water, Wastewater, Police, Fire, Library, and Parks and Recreation Impact Fees; providing for notice of increased and new fees; providing for codification; providing for severability and conflicts, and providing an effective date. – first reading.** Attorney Smith read the title of the ordinance into the record. Mr. Martin reviewed the history of the item and the previous direction from the commission. Commissioner Mealy requested “Police” stricken from line 87. Discussion ensued regarding including a Mobility Impact Fee. Attorney Smith advised regarding the required notice period and suggested a new ordinance to consider the mobility impact fee. Mr. Martin advised he would check with the consultant Tischler Bise regarding the mobility fee and would proceed with the study if the expense is within his spending authority. Chair Spradley opened public comments. Annamaria Long, Executive Officer, Flagler Home Builders Association, suggested the Commission adopt a flat fee versus the square footage ratio. Chair Spradley closed public comments. Motion by Commissioner Mealy I recommend we approve Ordinance 2024-04 with a correction to line 87 and that we move forward. Commissioner Cooley seconded the motion. The motion carried four to one, with Commissioner Belhumeur voting no.

- c. **Ordinance 2024-05 an ordinance by the City of Flagler Beach, Florida, amending Chapter 2, Article IX of the City of Flagler Beach Code of Ordinances relating to purchasing and procurement; addressing suggestions made by the Florida Department of Emergency Management; adding provisions related to procurements regulated by 2CFR, Part 200; providing for severability; providing for codification, conflicts, and effective date - first reading.** Attorney Smith read the title of the ordinance into the record. Mr. Martin reviewed advising the Florida Department of Emergency Management suggested the amendment to the procurement code to meet Federal Emergency Management Agency requirements. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Mealy to approve Ordinance 2024-05. Commissioner Sherman seconded the motion. The motion carried unanimously, after a roll call vote.

8. Staff Reports

- a. **City Attorney:** Reminded the Officials to place a disclaimer on their personal social media accounts.
- b. **City Manager:** Reported the sand fencing was delivered.
- c. **City Clerk:** Reported a request for a once per month Farmers Market in Veterans Park.
- d. **Department Weekly Reports:**

9. 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 Sherman reported on a presentation he received regarding pedestrian safety, named “Best Foot Forward”, and suggested the Commission receive the presentation.
- b. **Public comments regarding items not on the agenda.** None.

10. Adjournment. Commissioner Sherman put forth a motion to adjourn the meeting at 8:19 p.m.

Scott Spradley, Chair

Attest:

Penny Overstreet, City Clerk