



CITY COMMISSION REGULAR MEETING MINUTES

Thursday, June 27, 2024 at 5:30 PM

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

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 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**
 - a. Neurodiversity Pride Day Proclamation: Mayor King presented the proclamation to representatives from the Cedar Bridge Foundation.
 - b. Proclamation Recognizing the Efforts of Carla Cline. Mayor King read the proclamation into the record and presented the proclamation to Mrs. Cline.
4. **Deletions and changes to the agenda**
5. **Consent Agenda**
 - a. Approve the Minutes of the Regular Meeting June 13, 2024, Workshop Meetings of June 4, 2024 and June 13, 2024
 - b. Approve an Agreement with Townsend and Associates for the EPA Program
 - c. Flagler Beach Professional Firefighters IAFF Local #5270 Recognition-Acknowledgement Petition.

Commissioner Belhumeur pulled the regular and workshop minutes of June 13th, Commissioner Cooley pulled Item 5b, and Commissioner Mealy pulled item 5c for discussion. Motion by Commissioner Belhumeur to approve the June 4, 2024 minutes. Commissioner Cooley seconded the motion. The motion carried unanimously. Commissioner Belhumeur stated Item 7c of the June 13, 2024 regular minutes were incomplete. Clerk Overstreet advised to remove those minutes, she would complete them and include them on the July 11th agenda for consideration. Commissioner Belhumeur suggested additional verbiage to the June 13th Workshop minutes. Add to the sentence "Commissioner Belhumeur suggested putting aside \$156,000 per year" "into an accumulation reserve for dune walkover restoration." Motion by Commissioner Belhumeur to approve the June 13th Workshop Minutes as amended. Commissioner Sherman seconded the motion. The motion carried unanimously. Commissioner Cooley questioned how frequently the EAP services used by employees. Attorney Smith indicated the service is vital for First Responders. Motion by Commissioner Belhumeur to approve Consent agenda Item 5b. Commissioner Sherman seconded the motion. The motion carried unanimously. Commissioner Mealy inquired how many members are in the union. Firefighter Evans responded there are seven (7) members. Motion by Commissioner Mealy, that we recognize the Flagler Beach Firefighters Local 5270. Commissioner Cooley seconded the motion. The motion carried unanimously.

- 6. Public comments regarding items not on the agenda:** Steve Dalley spoke about his attendance at the Flagler County Board of County Commission meeting and the proposed tax for beach repairs. Ted Barnhill suggested the city install metered parking in the downtown area.

7. General Business

- a. Resolution 2024-37, a Resolution by the City of Flagler Beach, Florida, awarding Bid No. FB-24-2105 to McMahan Construction in an amount not to exceed \$881,760; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Mealy that we approve Resolution 2024-37. Commissioner Belhumeur seconded the motion. The motion carried unanimously, after a roll call vote.
- b. Resolution 2024-36, a Resolution by the City of Flagler Beach, Florida, awarding the contract to SNG Pavement Marking Inc. for stop bars citywide; providing for conflict and providing an effective date. Attorney Smith read the title of the resolution into the record. Mr. Martin reviewed the item and recommended the award to SnG Pavement. Chair Spradley opened public comments. No comments were offered. Chair Spradley closed public comments. Motion by Commissioner Belhumeur to approve Resolution 2024-36. Commissioner Mealy seconded the motion. The motion carried unanimously, after a roll call vote.
- c. Resolution 2024-38, 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. Mr. Martin reviewed the item and turned the floor over to Chris Gatch, Executive Vice President of Sales and Business Development, DC Blox. Mr. Gatch reviewed the request and the amendments they have made at the request of the Commission. Mr. Gatch reported they have a sense of urgency as they need to have this completed by December of 2025, and they have yet to obtain approvals from Florida Department of Environmental Protection and the Army Corps of Engineers. Commissioners Cooley and Belhumeur and Mayor King were opposed to utilizing Veterans Park for the easement. Chair Spradley asked Commissioner Cooley if they instead granted an easement for the S. 6th Street Right- of-Way (ROW) would that satisfy his concerns of using Veterans Park. The Commission reached a consensus to support the project subject to the location being N. 11th and the ROW on 6th Street S. with detailed drawings and engage Attorney Tommaro to negotiate the fees for the Commission's consideration. Mr. Gatch expressed concern because Mr. Tommaro was reluctant to sign a Non-Disclosure Agreement. Jeff Uphues, Chief Executive Officer, DC Blox, gave the Commission a brief review of his background. Chair Spradley opened public comments. Mark Blythe and Steve Dalley provided comments. Chair Spradley closed public comments. Motion by Commissioner Cooley to table Resolution 2024-28. Commissioner Belhumeur seconded the motion. The motion carried unanimously.

8. Public Hearings

9. Staff Reports

- a. City Attorney. Attorney Smith reported on recent legislation signed into law by Governor DeSantis. Attorney Smith sought direction regarding the proposed height ordinance. Asking if they wanted to see it as a discussion item before it goes before the Planning Board. The Commission requested to see the ordinance first.
- b. City Manager. Mr. Martin spoke regarding Parks Committee activities, he will have a proposed budget to the Commission before July 15, 2024.
- d. Staff Reports

10. Commission Comments

- a. Commission comments, including reports from meetings attended. This Item was skipped.
- 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 offered.

11. Adjournment. Commissioner Belhumeur put forth a motion to adjourn the meeting at 7:32 p.m.

Scott Spradley, Chair

Attest:

Penny Overstreet, City Clerk