



CITY COMMISSION REGULAR MEETING AGENDA

Thursday, June 13, 2024 at 5:30 PM

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

PRESENT: Mayor Patti King, Chair Scott Spradley, 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 5:58 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. Proclamation Recognizing June 19th - 23rd as Flagler County Amateur Radio Week: Mayor King read the proclamation into the record. Antony Cinelli accepted the proclamation.
4. **Deletions and changes to the agenda:** There were no deletions or changes to the agenda.
5. **Public comments regarding items not on the agenda:** The following citizens came forward to give the concerns, opinions and suggestions: Darryl Reynolds, Robby Roberts and Mary Dioguardi.

Citizens are encouraged to speak. However, comments should be limited to three minutes. A thirty-minute allocation of time for public comment on items not on the agenda. Each speaker has up to three-minutes to address the Chair, and one opportunity to speak, no time can be allotted to another speaker.

6. **Consent Agenda**
 - a. Approve the Regular Meeting Minutes of May 23, 2024.
 - b. Approve an Agreement for the purpose of Sludge Hauling from Environmental Land Services.
 - c. Approve payment of an invoice in the amount of \$254,222.76 to Ferguson Waterworks for the material purchase for moving of the raw waterline as approved in the June 2, 2022 Wellsite Relocation Agreement.

Motion by Commissioner Mealy, seconded by Commissioner Sherman to approve the consent agenda. The motion carried unanimously.

7. **General Business**
 - a. Resolution 2024-30, a resolution by the City of Flagler Beach, Florida accepting the 2023 Fiscal Year Audit; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Webb Shepard, James Moore & Company, reviewed their Power Point presentation highlighting the 2023 FY Audit for the City and for the Community Redevelopment Agency. Public comment was open. The following citizens came forward to give their concerns, opinions and suggestions: Paul Mykytka. Public comment was closed. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman, to approve 2024-30. The motion carried unanimously, after a roll call vote.
 - b. Approve a piggy-back purchase on a Government Contract with Ringpower Corporation for a generator for Well #16 in the amount of \$66,639. Public comment was opened. No comments were received. Public comment was closed. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur

to approve a piggy-back purchase from Ring Power Corp. for the generator for the well system. The motion carried unanimously.

- c. Award Bid No. FB-24-2105 for Potable Water Well #16 to McMahan Construction Co., Inc. in an amount not to exceed \$881,760. Mr. Martin reviewed the item. Motion by Commissioner Sherman to award Bid No. FB24-2105 to McMahan Construction Co. for the construction of Well #16. Commissioner Mealy seconded the motion. The motion carried unanimously. It is to be noted, after the meeting an email was discovered that had been sent to the Clerk before the meeting commenced protesting the bid award. Per the procurement regulations the City Manager will review the protest and respond to the protester within ten days.
- d. Resolution 2024-31, a resolution by the City of Flagler Beach, Florida, approving a "piggy-back" on the agreement between the City of St. Augustine and Engineered Spray Solutions to install twenty (20) Sanitary Manhole Rings & Covers, providing for conflict and effective date. Attorney Smith read title of the resolution into the record. Public comment was opened. The following citizens came forward to express their concerns, opinions and suggestions: Rob Santori and Robby Roberts. Public comment was closed. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman to approve Resolution 2024-31. The motion carried unanimously, after a roll call vote.
- e. Resolution 2024-32, a resolution by the City of Flagler Beach, Florida, approving the purchase of fifty (50) sets of sanitary manhole rings and covers, providing for conflict and effective date. Attorney Smith the read title of the resolution into the record. Public comment was opened. The following citizens came forward to give their concerns, suggestions and opinions: Richard Clemmons and Robby Roberts. Public comment was closed. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur, to approve Resolution 2024-32. The motion carried unanimously, after a roll call vote.
- f. Resolution 2024-33, a resolution by the City of Flagler Beach, Florida, approving a piggy back on the agreement between the City of St. Augustine and Engineered Spray Solutions to install fifty (50) Sanitary Manhole Rings & Covers, providing for conflict and effective date. Attorney Smith read the title of the resolution into the record. Public comments were opened. The following citizens came forward to give their concerns, opinions and suggestions: Rob Santori. Public comment was closed. Motion by Commissioner Belhumeur, seconded by Commissioner Mealy, we approve Resolution 2024-33. The motion carried unanimously.
- g. Annual CRS Progress Report on Implementation of Credited Plan. The report was submitted to the Commission. No action was required.
- h. Resolution 2024-34, a resolution of the City of Flagler Beach, Florida, approving a Budget Amendment and expenditure to Rogers Environmental Inc., for the installation of 10,750 linear feet of sand fencing providing for conflict and effective date. Attorney Smith read the title of the resolution into the record. Public Comment was opened. No comments were received. Public comment was closed. Motion by Commissioner Mealy, seconded by Commissioner Cooley, to approve Resolution 2024-34. The motion carried unanimously, after a roll call vote.

8. Public Hearings

- a. Ordinance 2024-08, an ordinance of the City of Flagler Beach, Florida, amending Chapter 14 "Offences and Miscellaneous Provisions" of the Code of Ordinances to add Article VII "Juvenile Curfew" providing for conflict and an effective date hereof - first reading. Attorney Smith read the title of the ordinance into the record. Attorney Smith explained that the City is simply adopting the State Statutes. The Commission agreed this is a quality-of-life ordinance and is a safety issue for our community. The public hearing was opened. No comments were received. The public hearing was closed. Motion by Commissioner Sherman, seconded by Commissioner Mealy, to adopt Ordinance 2024-08. The motion carried unanimously, after a roll call vote.

- b. Ordinance 2024-09, an ordinance of the City Commission of the City of Flagler Beach, Florida, amending the Comprehensive Plan Future Land Use Map designation for 0.11+/- acres of certain real property located on North 6th Street with tax parcel I.D. number 12-12-31-4500-00020-0081 from Commercial to Single Family Residential; providing for conflict; providing an effective date hereof - first and final reading. Attorney Smith read title of the ordinance into the record, and noted typo in the 5th whereas change from Edgewood to Flagler Beach. The public hearing was opened. No comments were received. The public hearing was closed. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman, to approve Ordinance 2024-09. The motion carried unanimously, after a roll call vote.
- c. Ordinance 2024-10, an ordinance of the City Commission of the City of Flagler Beach, Florida amending the Official Zoning Map designation for 0.11+/- acres of certain real property located on North 6th Street with tax parcel ID number 12-12-31-4500-00020-0081 from General Commercial to Single Family Residential; providing for conflict; providing an effective date hereof - first reading. Attorney Smith read the title of the ordinance into the record. The public hearing was opened. No comments were received. The public hearing was closed. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur to approve Ordinance 2024-10. The motion carried unanimously, after a roll call vote.

9. Staff Reports

- a. City Attorney: Spoke to the Commission about Form 6 litigation. He let them know if they had not filed their Form 6 yet, they are required to file a Form 1.
- b. City Manager: Thanked Ms. Monroy for her work on the TDC Grant. It is available electronically. The ACOE scheduled for their ground breaking ceremony on Monday, June 17 at 10 a.m. in Veterans Park. City is Working with Weeks Marine, the awarded bidder for the Beach Renourishment.
- c. Weekly Staff Reports: Thanked the Commission, City Manager and City Attorney for their support of Ordinance 2024-08.

10. Commission Comments

- a. Commission comments, including reports from meetings attended: Mayor King reported per the Governor's veto, the Museum lost its State funding for 2025. She reminded everyone to come to the beach clean-up. Commissioner Belhumeur thanked the County for providing sand for the beach access and a mobi matt. He reported since the Army Corps' contractor is starting on the south end of town, there will be no need for long term detours and they will not be using Veterans Park. Commissioner Sherman thanked Commissioner Mealy for planning the Memorial Day Ceremony. He was not pleased with the news from the County regarding a proposed beach tax. Commissioner Cooley felt the proposed the beach tax should be on the agenda for the next multi-municipality meeting and on the future Joint City County meeting. Commissioner Mealy reported on the Smokey Bear Summer Reading Challenge. She reported on how the Governor's Veto the effected the funding for the Lambert Avenue Water Line Looping Project.
- b. Public comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes. The following citizens came forward to share their concerns, opinions and suggestions: Anthony Cinelli and Ralph Santori.

11. Adjournment: Motion by Commissioner Mealy to adjourn the meeting at 7:38 p.m.

Attest:

Scott Spradley, Chair

Penny Overstreet, City Clerk