



CITY COMMISSION REGULAR MEETING MINUTES

Thursday, January 23, 2025, 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. and announced the Veranda Bay items have been pulled by the applicant to return to the Commission at a later date.
- 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. Certificate of Appreciation to John Timmins for his generous donation of time and supplies to repair equipment at Palmetto Park. Mayor King announced Commissioner Sherman will deliver the certificate to Mr. Timmins.
- 4. Deletions and changes to the agenda:** None.
- 5. Public comments regarding items not on the agenda.** There were no comments received.
- 6. Consent Agenda**
 - a. Approve the minutes of the January 9, 2025, Regular Meeting. Motion by Commissioner Mealy, seconded by Commissioner Belhumeur to approve the consent agenda. The motion carried unanimously.
- 7. General Business**
 - a. Resolution 2025-02. A Resolution by the City Commission of the City of Flagler Beach, Florida, approving a proposal from Connect Consulting, Inc, in an amount not to exceed \$61,890 for the evaluation of Well #11 in relation to the increased saltwater intrusion, providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Cooley asked why the City of Palm Coast is noted in the packet. City Clerk Overstreet clarified; the City is piggybacking a contract made by Palm Coast with Connect Consulting. Motion by Commissioner Belhumeur, seconded by Commissioner Sherman to approve Resolution 2025-02. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.
 - b. Resolution 2025-06. A Resolution by the City Commission of the City of Flagler Beach, to award Bid No. FB-24-2307 Project # 260 Pier Construction to Vecellio & Grogan in an amount not to exceed \$14,142,027; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Commissioner Mealy asked Mr. Perdomo, Project Manager, Moffat and Nichol, questions regarding the unit price breakdown. Mr. Perdomo spoke about the difference in the mobilization line item and the trestle construction. Commissioner Cooley reported this is the same company that constructed the Jax Beach Pier. Commissioner Sherman inquired about the timeline. Mr. Perdomo responded Vecellio estimates construction to begin in March or at the latest April. Motion by Commissioner Mealy, seconded by Commissioner Sherman to approve Resolution 2025-06. Public comment was opened. Paul Eik inquired when final completion of the Pier would be and does the Commission expect impacts to the summer tourist season. How will this impact traffic on A1A and

Moody Boulevard and will there be impact to streets and parking. Mr. Perdomo responded there is a contractual timeline for the contractor. The goal has been July 04, 2026, which may be too ambitious. We and the contractor understand, and we will do everything we can to meet the July 4 deadline. Parking will be restricted to South A1A from 3rd to 5th Streets. East of A1A spaces will be used as a work zone. Chairman Spradley reported the construction of the hotel is estimated to conclude in April or May and will open parking spaces in the downtown area. Mr. Perdomo added there is intent to provide beach access underneath the pier and that will be done safely. There will be restriction zones for public safety to be managed by the contractor. Commissioner Cooley asked for standard protocol to keep surfers out of construction areas. There area in question is not different than the one already specified and marked by the City. There will have to be collaboration between contractor and the police to enforce those construction areas. Mayor King reported regarding parking, by the time of construction the S. 8th Street Parking Lot will be completed. Commissioner Cooley asked about the timing of the building of the promenade. Mr. Martin asked the Commission if they have a preference of when the geotechnical boring for the pier will be done during the day or night. Mayor King asked if this would be a noisy event. Mr. Perdomo reported it is not a noise event. It was the consensus of the Commission to leave it to the Contractor's discretion. Mr. Perdomo reported that the intent is to have the Beach Walk final design done by early November. The building portion Phase I could be completed around the same time as the completion of the pier. Commissioner Mealy asked if this works with the TDC Grant. Mr. Martin responded in the affirmative. Commissioner Cooley asked about the time of the construction of the promenade. Mr. Perdomo responded, Phase 2 (construction of the promenade), the City should expect a four month to six-month period for construction and completion towards the latter part of 2026. The motion carried unanimously, after a roll call vote.

- c. Resolution 2025-07. A Resolution by the City Commission of the City of Flagler Beach, Florida, retroactively approving Change Orders No. 1 through No. 8 for the Wickline Improvements Project 539 and proposed Change Order No. 9 from R&K Roofing in a total amount of \$20,866.80; providing for conflict and an effective date. Attorney Smith read the title of the resolution into the record. Mr. Martin requested Change Order 9, Section 2, be removed from the resolution. He asked the Commission to approve all but Section 2 of the Resolution. Commissioner Cooley asked Mr. Martin how this happened. Mr. Martin explained the line item in the budget was for \$110,000. The Commission's approval was not to exceed \$65,000. The purchase order was put into the system as \$110,000. It was not caught by the departments involved. Commissioner Cooley spoke about the history of the finances that have gone into the Wickline Center. Motion by Commissioner Mealy, seconded by Commissioner Sherman, to approve Resolution 2025-07 minus Section 2. Public comment was opened. No comments were received. Public comment was closed. The motion carried unanimously, after a roll call vote.

8. Public Hearings – No hearings.

9. Staff Reports

- a. Attorney Smith reported on the foreclosure items that went before the Magistrate on Wednesday. The magistrate granted the City permission to proceed. Attorney Smith will be presenting the orders to the Commission at a future date.

The magistrate asked the City to defer the case involving the partially built condos on Clubhouse Drive for 120 days due to the fact the bank took title of the property, and the condos are to be demolished in the next two weeks. The bank will be coming before the Commission to ask for a waiver or reduction of the fine incurred by the previous owner, Butler and Butler.

He spoke of the Moms for Liberty Case which has to do with how to enforce decorum in meetings. Court found strike down decorum rules that required statements to be addressed to the Chair. In this case, it was not that the City had rules of decorum in place but how those rules were enforced.

Commissioner Sherman asked if there was a way to secure the single family home that will be under foreclosure. Attorney Smith reported there are steps necessary to do it and he will talk to Code Enforcement about it.

- b. City Manager: Summarized events: He will be leaving on Tuesday for meetings in Tallahassee with Mr. Fernandez and will be returning to the office on Wednesday. Mr. Fernandez is working on meetings with Representative Grecko, Senator Leek and DEP officials. He reported two long-time employees will be leaving the City on Friday, January 31st: Chief Bobby Pace and Bill Clemence. Mr. Martin will be giving more details about the retirement events as they are known. The Joint Municipalities meeting will be held on February 5th. The parking lot improvements at S. 8th and S. Central are under construction. He will be presenting a change order to the Commission for the parking contractor to continue to the 2nd parking lot on S. 5th Street. Mr. Martin is working on getting appraisals for vacant lots on S. Daytona for the City to possibly use for stormwater infrastructure and is also in the process of getting appraisals for the golf course.
- c. City Clerk Overstreet reported scheduling for the next Joint Municipalities Meeting which will be held in July or August. Possible dates are July 2, July 9, July 17, July 23, July 30 and August 27th. She will be sending an email to the officials to get their feedback. Three candidates have qualified for the Commission seats: John Cunningham, Jane Mealy, and James Sherman.

Chief Doughney attended the FDOT Meeting/Crosswalk initiative for Flagler County. He suggested the following crosswalks to look at: Pier Crosswalk, S. 8th and A1A, N. 4th and A1A, SR 100 and A1A, John Anderson and SR 100 and the lack of a crosswalk from Connecticut Avenue and SR 100. Chief Doughney asked FDOT to look at where the crosswalk opposite the Hotel would be located. Commissioner Sherman commented the same program was done in Volusia County and was very successful. Commissioner Cooley asked if there are any potential study regarding the crosswalk on SR 100. Chief Doughney reported they are looking at that crosswalk and potentially relocating the crosswalk once the hotel is completed. Chief Doughney reported that the Department made 65 DUI arrests in 2024. Florida Highway Patrol made 80 DUI arrests within the City limits of Flagler Beach.

10. Commission Comments

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

Mayor King updated the Commission on the Centennial Planning. We are putting together a preliminary schedule of events to be published soon. Plan on April 16th, Wednesday evening for a birthday celebration. Mayor King reported she hosted the Florida League of Mayors.

Commissioner Belhumeur reported the call for TPO projects for this year has started and will end in March. He would like to see a reconfiguration of Flagler Avenue and A1A. Mr. Martin is looking for someone to draw up some plans to present. He was glad to see the 8th Street parking lot coming to conclusion and thought it looked good. Commissioner Belhumeur asked for better distribution of the trash cans in the downtown area. Mr. Martin reported the Sanitation Supervisor is looking at inventorying them and relocating where needed. He asked for an update on the fuel depot. Mr. Martin said the Building Inspector is in the process of getting quotes.

Commissioner Sherman reported walking the City with Daryl Reynolds and picking up litter around the City. He reported the large volume of cigarette butts and plastic toothpicks. He hoped the Downtown Playbook group could get involved. Commissioner Sherman wants a PSA about Elevate Florida Residential Mitigation Program. He asked to have a workshop between the contractors and commission about revisiting the building code ordinance and how we are building in the AE flood zone.

Commissioner Cooley spoke of the TDC meeting; a good take away from the meeting was according to a survey: CRA district is the top visited point of interest in the county. He expressed his concern about the CRA's appearance. There is a workshop about Beach Renourishment Funding to take place on February 5, 2025. Flagler County Cultural Council is looking for a representative. They need a

representative from the City. Mayor King volunteered. Turtle Trail within the County is getting some traction. Commission Cooley suggested one for the Beach Walk and suggested artists Bill Stead or Stewart Maxy. He suggested adding this topic to a future workshop.

Commissioner Mealy spoke at Legislative Delegation and attended the Family Life Center meeting. She reported on the Citizens' Academy and was grateful to all that spoke to the group. Commissioner Mealy asked about the raising home applications; all submitted last year but were denied because the City did not submit proper paperwork? Mr. Martin to let her know what took place.

She received information from VCARD about flood mitigation. She suggested inviting FCARD to a workshop. Commissioner Cooley felt there were simple changes to the ordinances that might help.

Chairman Spradley will be resuming his Saturday Townhall at his office Saturday, June 25, 2025.

- b.** Public comments regarding items not on the agenda. No comments were received.

11. Adjournment: Motion by Commissioner Sherman to adjourn the meeting at 6:52 p.m.

Attest:

Scott Spradley, Chair

Penny Overstreet, City Clerk