

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR.
CITY MANAGER



Crossroads of Flagler County

COMMISSIONERS:

ROBERT BARNES

TINA-MARIE SCHULTZ

TONYA GORDON

BUNNELL CITY COMMISSION MEETING

Monday, July 25, 2022

7:00 PM

1769 East Moody Boulevard (GSB),
Chambers Room
Bunnell, FL 32110

A. Call Meeting to Order and Pledge Allegiance to the Flag

Roll Call

Invocation for our Military Troops and National Leaders

B. Introductions, Commendations, Proclamations, and Presentations:

B.1. Presentation: Lakesha Byrd's Outstanding Accomplishment of Graduating from Flagler County's 2022 Leadership Program

B.2. Presentation: Interlocal Agreement For Public School Facility Planning

C. Consent Agenda:

C.1. Approval of Warrant

a. July 25, 2022 Warrant

C.2. Approval of Minutes

a. July 11, 2022 City Commission Meeting Minutes

C.3. Request to appoint Gary Masten to another 3 year term for Planning Zoning & Appeals Board

C.4. Request to Approve a Change Order to Contract 2022-05 for the Coquina Hall Remediation.

D. Public Comments:

Comments regarding items not on the Agenda. Citizens are encouraged to speak; however, comments are limited to four (4) minutes.

E. Ordinances: (Legislative): None

E.1. Ordinance 2022-17 Requesting to change the Future Land Use Map in the

Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category. - Second Reading

- E.2.** Ordinance 2022-18 Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district. - Second Reading

F. Resolutions: (Legislative): None

G. Old Business:

- G.1.** Surveillance System

H. New Business:

- H.1.** Request by Current Owner to Waive Code Enforcement Fines for Code Case #17-057 for property located at 3360 Steel Rail Drive
- H.2.** Appeal of the Decision made by the Planning, Zoning and Appeals Board at their June 7, 2022 Meeting Regarding PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.
- H.3.** Set FY 2022/2023 Tentative Millage Rate & First Budget Public Hearing
- H.4.** Approval of the Whistle Stop Farms Minor Subdivision Final Plat

I. Reports:

- **City Clerk**
- **Police Chief**
- **City Attorney**
- **City Manager**

City Manager Report- June 2022

- **Mayor and City Commissioners**

J. Call for Adjournment.

This agenda is subject to change without notice. Please see posted copy at City Hall, and our website www.BunnellCity.us.

NOTICE: If any person decides to appeal any decision made by the City Commission or any of its boards, with respect to any matter considered at any meeting of such boards or commission, he or she will need a record of the proceedings, and for this purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based, 286.0105 Florida Statutes.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the City Clerk at (386) 437-7500 at least 48 hours prior to the meeting date.

THE CITY OF BUNNELL IS AN EQUAL OPPORTUNITY SERVICE PROVIDER.

Posted by City Clerk's office on July 18, 2022



City of Bunnell, Florida

Agenda Item No. B.1.

Document Date: 7/1/2022 Amount:
Department: City Manager Account #:
Subject: Presentation: Lakesha Byrd's Outstanding Accomplishment of Graduating from Flagler County's 2022 Leadership Program
Agenda Section: Introductions, Commendations, Proclamations, and Presentations:
Goal/Priority: Organizational Excellence

Summary/Highlights:

To recognize Ms. Lakesha Byrd for successfully graduating from The Flagler Leadership Academy, and voted by her class as the class Valedictorian for 2022.

Background:

Flagler County invited the City of Bunnell to participate in The Flagler Leadership Academy by extending three (3) seats to Bunnell. We recommended one Bunnell Team member, Ms. Byrd for this year.

The Flagler Leadership Academy was established to enhance leadership skills of those currently holding leadership positions in Flagler County, and developing future leaders for the benefit our citizens, present and future. The curriculum emphasizes timeless leadership principles, utilizing best selling authors, highly successful CEOs, and public sector leaders.

The academy has a proven track record. Its graduates are consistently recognized for their accomplishments and consistently advance in their career paths. The National Association of Counties (NACo) has recognized the program for its innovation and effectiveness in leadership development.

Staff Recommendation:

We recommend the acknowledgement of Ms. Lakesha Byrd for successfully graduating from The Flagler Leadership Academy, and voted by her class as the class Valedictorian for 2022.

City Attorney Review:

Finance Department Review/Recommendation:

City Manager Review/Recommendation:



City of Bunnell, Florida

ATTACHMENTS:

Description
July 25, 2022 Warrant

Type
Warrant



City of Bunnell, FL

Payment Register

APPKT07638 - 07.25.22 Warrant

01 - Vendor Set 01

Bank: APBank - AP Bank - Ameris Depository

Vendor Number 00007	Vendor Name Advance Stores Company, Incorporated				Total Vendor Amount 179.19
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	179.19		
Payable Number 84818880986	Description Batteries for Mower/Gator	Payable Date 07/07/2022	Due Date 08/29/2022	Discount Amount 0.00	Payable Amount 179.19

Vendor Number 00008	Vendor Name Advanced Environmental Laboratories, Inc.				Total Vendor Amount 1,680.70
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	1,680.70		
Payable Number 683644	Description Water Testing 6/1/22-6/30/22	Payable Date 07/01/2022	Due Date 07/31/2022	Discount Amount 0.00	Payable Amount 1,680.70

Vendor Number 2357	Vendor Name Atlantic Pipe Services LLC				Total Vendor Amount 2,230.00
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	2,230.00		
Payable Number 22-0303-2	Description LIFT STATION CLEANING	Payable Date 07/07/2022	Due Date 08/06/2022	Discount Amount 0.00	Payable Amount 2,230.00

Vendor Number 00070	Vendor Name Boulevard Tire Center				Total Vendor Amount 481.06
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	481.06		
Payable Number 27-GS97850	Description Tires/State Fee/Balance/Disposal/Valve	Payable Date 07/11/2022	Due Date 08/10/2022	Discount Amount 0.00	Payable Amount 318.76
Payable Number 27-GS98320	Description Blown Tire Replacement - Vehicle 1901	Payable Date 07/13/2022	Due Date 08/10/2022	Discount Amount 0.00	Payable Amount 162.30

Vendor Number 00036	Vendor Name Bunnell Auto Supply, Inc.				Total Vendor Amount 184.00
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	184.00		
Payable Number 637748	Description 2 LED Strobe Lights for Mower - 725	Payable Date 07/12/2022	Due Date 08/05/2022	Discount Amount 0.00	Payable Amount 162.00
Payable Number 637758	Description DOT Reflective Tape	Payable Date 07/12/2022	Due Date 08/05/2022	Discount Amount 0.00	Payable Amount 22.00

Vendor Number 00101	Vendor Name Communications International, Inc.				Total Vendor Amount 29.50
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	29.50		
Payable Number PI146323	Description Service Genesis Radar Unit	Payable Date 05/19/2022	Due Date 06/29/2022	Discount Amount 0.00	Payable Amount 29.50

Vendor Number 1578	Vendor Name Computers at Work, Inc				Total Vendor Amount 838.65
Payment Type Check	Payment Number	Payment Date	Payment Amount		
		07/18/2022	838.65		
Payable Number CAWI24416	Description SonicWall Adv. Gateway Sec. Suite TZ400	Payable Date 07/06/2022	Due Date 08/20/2022	Discount Amount 0.00	Payable Amount 838.65

Payment Register

APPKT07638 - 07.25.22 Warrant

Vendor Number	Vendor Name					Total Vendor Amount
2353	DACOM Home Accents LLC					10,012.50
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	10,012.50	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
1054	Infrastructure Build Out of Unit 5	07/04/2022	08/03/2022	0.00	10,012.50	
Vendor Number	Vendor Name					Total Vendor Amount
1261	DG Hardware, Inc.					151.35
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	151.35	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
112355	New Door Knob - VLMCC	07/07/2022	07/07/2022	0.00	17.33	
112395	Mounting Hardware - Strobe Light Unit735	07/12/2022	07/12/2022	0.00	7.52	
112397	Tools WTP	07/12/2022	07/12/2022	0.00	126.50	
Vendor Number	Vendor Name					Total Vendor Amount
00177	Environmental Land Services of Flagler County, Inc					10,262.78
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	10,262.78	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
137046	Garbage Dumpig 5/13-5/19/22	05/20/2022	06/20/2022	0.00	4,357.68	
139425	Garbage Dumping 7/1-7-8/22	07/08/2022	08/07/2022	0.00	2,849.35	
139628	Garbage Dumping - 7/8-7/14/22	07/15/2022	08/14/2022	0.00	3,055.75	
Vendor Number	Vendor Name					Total Vendor Amount
00105	Flagler County Clerk of Courts					442.50
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	442.50	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
491420202	Ord 2022-13, 2022-14, 2022-15	07/01/2022	08/30/2022	0.00	442.50	
Vendor Number	Vendor Name					Total Vendor Amount
00206	FLAGLER COUNTY SCHOOL BOARD					227,624.08
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	227,624.08	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009926	School Board Impact Fee Correction - Jan-Jun 2022	07/05/2022	07/05/2022	0.00	227,624.08	
Vendor Number	Vendor Name					Total Vendor Amount
00230	Flagler Humane Society					2,052.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	2,052.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
722AB	Animal Intake/Control Services June 2022	07/06/2022	08/06/2022	0.00	2,052.00	
Vendor Number	Vendor Name					Total Vendor Amount
1015	Florida Bullet, Inc.					1,439.20
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	1,439.20	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
26621	.223 Training Ammo AE223	05/13/2022	06/12/2022	0.00	1,439.20	
Vendor Number	Vendor Name					Total Vendor Amount
2586	G T Distributors, Inc.					169.92
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	169.92	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0909621	Commendation Bars - 4 Bar Holders	06/17/2022	07/02/2022	0.00	169.92	

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Vendor Number	Vendor Name					Total Vendor Amount
1155	Global Tire Recycling of Sumter County, Inc					520.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	520.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
38967	Waste Tires #86139	06/28/2022	07/28/2022	0.00	520.00	
Vendor Number	Vendor Name					Total Vendor Amount
00167	Hawkins Inc					462.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	462.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
6232368	Chemicals for WWTP	07/08/2022	08/22/2022	0.00	462.00	
Vendor Number	Vendor Name					Total Vendor Amount
2583	Jada White					45.35
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	45.35	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009922	EJ Park - B-Day Party - 7/4/22 - Refund	07/08/2022	07/08/2022	0.00	45.35	
Vendor Number	Vendor Name					Total Vendor Amount
00332	JB Rent-All Inc					617.88
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	617.88	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
27107	CP Ditch/Swale Rework - Material WS 804 Fifth	07/06/2022	08/30/2022	0.00	617.88	
Vendor Number	Vendor Name					Total Vendor Amount
1815	Katrina Ellison					50.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	50.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009929	JB King Park Security Refund	07/15/2022	07/15/2022	0.00	50.00	
Vendor Number	Vendor Name					Total Vendor Amount
2250	KnowBe4					2,851.20
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	2,851.20	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV198164	Purchase KnowBe4 Training and Assessment Subscript	07/08/2022	08/08/2022	0.00	2,851.20	
Vendor Number	Vendor Name					Total Vendor Amount
1520	Lynch Oil Company					462.04
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	462.04	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
RO1988120	Tank 2	07/05/2022	08/04/2022	0.00	462.04	
Vendor Number	Vendor Name					Total Vendor Amount
1896	Michael Leo Dove					1,785.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	1,785.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
0132D	Building Inspections 06/27-7/13/2022	06/27/2022	06/27/2022	0.00	1,785.00	
Vendor Number	Vendor Name					Total Vendor Amount
00248	NextEra Energy Inc					19,919.99
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	19,919.99	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009931	01235-95431 June 2022	07/07/2022	07/28/2022	0.00	12.02	

Payment Register

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INV0009932	01408-42220 June 2022	07/07/2022	07/28/2022	0.00	84.81
INV0009933	02735-15254 June 2022	06/30/2022	07/21/2022	0.00	45.96
INV0009934	04799-99278 June 2022	07/07/2022	07/28/2022	0.00	125.51
INV0009935	05365-06116 June 2022	07/07/2022	07/28/2022	0.00	31.22
INV0009936	08456-32520 June 2022	06/30/2022	07/21/2022	0.00	147.84
INV0009937	08857-07703 June 2022	07/07/2022	07/28/2022	0.00	4,214.60
INV0009940	16885-09957 June 2022	06/30/2022	07/21/2022	0.00	32.92
INV0009942	06115-08987 June 2022	06/30/2022	07/21/2022	0.00	35.68
INV0009943	09445-94365 June 2022	07/06/2022	07/27/2022	0.00	27.67
INV0009944	14322-90094 June 2022	07/07/2022	07/28/2022	0.00	1,026.63
INV0009945	16455-03937 June 2022	06/30/2022	07/21/2022	0.00	598.90
INV0009946	16525-04919 June 2022	06/30/2022	07/21/2022	0.00	6,100.86
INV0009949	19639-02331 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009950	23515-07823 June 2022	07/06/2022	07/27/2022	0.00	26.82
INV0009951	24515-76322 June 2022	07/07/2022	07/28/2022	0.00	34.82
INV0009952	25840-57588 June 2022	07/07/2022	07/28/2022	0.00	27.58
INV0009953	26391-00821 June 2022	07/07/2022	07/28/2022	0.00	31.03
INV0009955	27076-01973 June 2022	07/07/2022	07/28/2022	0.00	30.48
INV0009956	27516-03917 June 2022	06/30/2022	07/21/2022	0.00	90.77
INV0009957	28635-95142 June 2022	07/07/2022	07/28/2022	0.00	183.23
INV0009958	29732-82177 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009959	37390-07957 June 2022	07/01/2022	07/22/2022	0.00	3,337.14
INV0009960	37400-05982 June 2022	07/01/2022	07/22/2022	0.00	194.64
INV0009961	38244-16469 June 2022	07/07/2022	07/28/2022	0.00	195.99
INV0009962	39472-13538 June 2022	07/07/2022	07/28/2022	0.00	28.24
INV0009963	47533-10046 June 2022	07/05/2022	07/26/2022	0.00	46.10
INV0009964	48483-68421 June 2022	07/07/2022	07/28/2022	0.00	172.55
INV0009965	50935-93118 June 2022	06/30/2022	07/21/2022	0.00	28.44
INV0009966	51926-14112 June 2022	06/30/2022	07/21/2022	0.00	59.50
INV0009967	56661-53118 June 2022	06/30/2022	07/21/2022	0.00	360.03
INV0009968	56811-06810 June 2022	07/07/2022	07/28/2022	0.00	201.69
INV0009969	56821-04848 June 2022	07/07/2022	07/28/2022	0.00	26.40
INV0009970	56831-02874 June 2022	07/07/2022	07/28/2022	0.00	79.18
INV0009971	5923-52527 June 2022	07/07/2022	07/28/2022	0.00	91.90
INV0009972	60520-97182 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009973	66101-01831 June 2022	07/07/2022	07/28/2022	0.00	702.99
INV0009974	66311-06884 June 2022	07/07/2022	07/28/2022	0.00	36.56
INV0009975	67468-67586 June 2022	07/07/2022	07/28/2022	0.00	27.48
INV0009976	68117-21478 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009977	76171-09884 June 2022	07/07/2022	07/28/2022	0.00	82.08
INV0009978	79034-46115 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009979	82864-01883 June 2022	07/07/2022	07/28/2022	0.00	73.76
INV0009980	93326-99348 June 2022	07/07/2022	07/28/2022	0.00	12.02
INV0009981	95527-02467 June 2022	07/07/2022	07/28/2022	0.00	28.08
INV0009982	99040-97517 June 2022	07/07/2022	07/28/2022	0.00	129.12
INV0009983	34080-03816 June 2022	07/07/2022	07/28/2022	0.00	99.31
INV0009984	47802-16398 June 2022	07/07/2022	07/28/2022	0.00	927.93
INV0009985	16239-97200 June 2022	07/07/2022	07/28/2022	0.00	9.41

Vendor Number	Vendor Name			Total Vendor Amount	
2531	North America Fire Equipment Co Inc			66.25	
Payment Type	Payment Number	Payment Date	Payment Amount		
Check		07/18/2022	66.25		
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount
1152577	Kilpatrick - Polo	06/27/2022	07/27/2022	0.00	42.75
1152578	Traylor - Polo	06/27/2022	07/27/2022	0.00	23.50

Payment Register

APPKT07638 - 07.25.22 Warrant

Vendor Number	Vendor Name					Total Vendor Amount
00448	Office Depot Inc					108.51
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	108.51	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
241724880001	Copy Paper 8x11, 8x14	05/26/2022	07/19/2022	0.00	108.51	
Vendor Number	Vendor Name					Total Vendor Amount
1639	O'Reilly Automotive Inc					39.99
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	39.99	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
4830-108834	Training Class - Peter Willems	07/12/2022	07/12/2022	0.00	39.99	
Vendor Number	Vendor Name					Total Vendor Amount
1474	Palm Coast Observer, LLC					351.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	351.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
22-00126F	Ord#2022-14 Truant FLUM Change - 6/27/22	06/16/2022	07/16/2022	0.00	182.00	
22-00127F	Ord#2022-15 Truant Zoning Change 6/16/22	06/16/2022	07/16/2022	0.00	169.00	
Vendor Number	Vendor Name					Total Vendor Amount
2534	Process Control Services					800.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	800.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
611	Troubleshoot Sensaphone at Water Plant	07/10/2022	08/09/2022	0.00	800.00	
Vendor Number	Vendor Name					Total Vendor Amount
00459	Rayco Funding & Development, Inc					1,575.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	1,575.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
26265	Dewatering Box Maintenance	07/06/2022	07/06/2022	0.00	1,575.00	
Vendor Number	Vendor Name					Total Vendor Amount
00504	RDK TRUCK SALES AND SERVICE INC					8,000.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	8,000.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
B10100243401	Solid Waste Truck Rental (Months 2 & 3)	07/06/2022	08/06/2022	0.00	8,000.00	
Vendor Number	Vendor Name					Total Vendor Amount
2585	Re-Bath					52.56
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	52.56	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009923	Voided Permit - 00010468	07/12/2022	07/12/2022	0.00	52.56	
Vendor Number	Vendor Name					Total Vendor Amount
2031	Robert C Little					900.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	900.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
7687	Verify Power/Change Fuses in Control Boxes (7) EJ	07/01/2022	07/01/2022	0.00	900.00	

Payment Register

APPKT07638 - 07.25.22 Warrant

Vendor Number	Vendor Name					Total Vendor Amount
1687	Rush Truck Centers of Florida Inc					60.90
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	60.90	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
3028305867	Unit 905 A/C Compressor	03/23/2022	04/23/2022	0.00	60.90	
00544	SHI International Corp					26,512.71
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	26,512.71	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
B1550963	Annual Hardware Replacement.	07/12/2022	08/12/2022	0.00	26,512.71	
2118	Shonta Jordan					25.00
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	25.00	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009921	VLMCC - B-Day Party - 7/2/22 - Refund	07/08/2022	07/08/2022	0.00	25.00	
2370	Sirchie Acquisition Company, LLC					227.04
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	227.04	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
0549650-IN	THC Level Test Kits	06/23/2022	07/23/2022	0.00	227.04	
1251	Staples Inc					68.74
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	68.74	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
AR7929891	PC3076-PC01 - Contract/Overage	07/07/2022	08/06/2022	0.00	68.74	
00581	Suzanne Johnston, Flagler County Tax Collector					219.40
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	219.40	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
INV0009930	Postage Due for 2021 Tax Bills	07/12/2022	08/30/2022	0.00	219.40	
2560	Terry Taylor Ford Company					1,893.61
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	1,893.61	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
FOCS330165	Brake Repair Labor/Parts/Misc Veh 2002	06/30/2022	06/30/2022	0.00	509.90	
FOCS330620	Oil Change - Vehicle 2002	06/30/2022	06/30/2022	0.00	49.99	
FOCS330737	Service Labor/Parts - Misc - #1701	06/30/2022	06/30/2022	0.00	757.29	
FOCS330748	Labor/Parts, Fees/Freight, Misc #2006	06/30/2022	06/30/2022	0.00	576.43	
1901	Traffic Supplies & Distribution LLC					537.95
Payment Type	Payment Number			Payment Date	Payment Amount	
Check				07/18/2022	537.95	
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount	
21129	Parts for Signage Upkeep	07/12/2022	09/10/2022	0.00	537.95	

Payment Register

APPKT07638 - 07.25.22 Warrant

Vendor Number 00604	Vendor Name Tyler Technologies					Total Vendor Amount 502.00
Payment Type Check	Payment Number		Payment Date 07/18/2022		Payment Amount 502.00	
Payable Number 025-386075	Description Utility Billing Notification Calls	Payable Date 06/30/2022	Due Date 07/30/2022	Discount Amount 0.00	Payable Amount 502.00	

Vendor Number 00606	Vendor Name UniFirst Corporation					Total Vendor Amount 797.46
Payment Type Check	Payment Number		Payment Date 07/18/2022		Payment Amount 797.46	
Payable Number 9240082314	Description Uniform Maintenance	Payable Date 04/27/2022	Due Date 05/29/2022	Discount Amount 0.00	Payable Amount 520.81	
9240087764	Uniform Maintenance	06/08/2022	07/29/2022	0.00	15.01	
9240091363	Uniform Maintenance	07/06/2022	08/29/2022	0.00	130.82	
9240092268	Uniform Maintenance	07/13/2022	08/29/2022	0.00	130.82	

Vendor Number 2475	Vendor Name Verizon Connect Telo Inc.					Total Vendor Amount 438.90
Payment Type Check	Payment Number		Payment Date 07/18/2022		Payment Amount 438.90	
Payable Number IN557212	Description Gov't Fleet/Camera Subscription July 22	Payable Date 07/01/2022	Due Date 07/31/2022	Discount Amount 0.00	Payable Amount 438.90	

Vendor Number 00268	Vendor Name Wells Fargo Financial Leasing, Inc					Total Vendor Amount 225.94
Payment Type Check	Payment Number		Payment Date 07/18/2022		Payment Amount 225.94	
Payable Number 5020372832	Description Kyocera Lease450-0047920-000 - 6/13-7/12/22	Payable Date 05/28/2022	Due Date 07/13/2022	Discount Amount 0.00	Payable Amount 112.97	
5020779676	Kyocera Lease 450-0047920-000 7/13-8/2022	06/28/2022	08/13/2022	0.00	112.97	

Payment Summary

Bank Code	Type	Payable Count	Payment Count	Discount	Payment
APBank	Check	108	45	0.00	327,893.85
Packet Totals:		108	45	0.00	327,893.85

Cash Fund Summary

Fund	Name	Amount
801	POOLED CASH	-327,893.85
Packet Totals:		-327,893.85



City of Bunnell, Florida

ATTACHMENTS:

Description
Proposed Minutes

Type
Minutes

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR
CITY MANAGER



COMMISSIONERS:

TONYA GORDON

BOB BARNES

TINA-MARIE SCHULTZ

BUNNELL CITY COMMISSION MINUTES

Monday, July 11, 2022

7:00 PM

1769 East Moody Boulevard (GSB)
3rd Floor Conference Room of GSB
Bunnell, FL 32110

A. Call Meeting to Order and Pledge Allegiance to the Flag

Mayor Robinson called the meeting to order at 7:01 PM and led the Pledge to the Flag.

Roll Call (Present): Mayor Catherine Robinson; Vice Mayor John Rogers; Commissioner Tonya Gordon; Commissioner Tina-Marie Schultz; Commissioner Bob Barnes; City Attorney John Cary; City Manager Alvin Jackson; Finance Director Shanea Stankiewicz; Senior IT Analyst Donnie Wines; City Deputy Clerk Bridgitte Gunnells

Invocation for our Military Troops and National Leaders

Pastor Daisy Henry led the invocation

**Staff requested an item be added to the Agenda: Resolution 2022-05 Declaring 201 W. Moody Boulevard Surplus and allowing sale of the Property*

Motion: Add Resolution 2022-05 to the Agenda

Motion by: Commissioner Gordon

Second by: Commissioner Schultz

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

Resolution 2022-05 Declaring 201 W. Moody Boulevard Surplus and allowing sale of the Property

City Attorney Cary read the short title into record and explained the need for the Resolution.

Motion: Adopt Resolution 2022-05 Declaring 201 W. Moody Boulevard Surplus and allowing sale of the Property

Motion by: Commissioner Schultz

Second by: Commissioner Gordon

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

B. Introductions, Commendations, Proclamations, and Presentations:

B.1. Presentation: TIPS Program Check

Mike Marinan, ARM-P Director of Member Services Public Risk Underwriters of Florida presented the check in the amount of \$5,000.00 to the mayor and commissioners.

B.2. Introduction and swearing in: Officer Jefferson Traylor

Chief Brannon introduced Officer Traylor and swore him into office.

C. Consent Agenda:

C.1. Approval of Warrant

a. July 11, 2022, Warrant

C.2. Approval of Minutes

a. June 27, 2022, City Commission Meeting Minutes

C.3. Request Approval to Appoint Lynn Lafferty to the Planning Zoning and Appeals Board as a Regular Member

C.4. Request to Pay Infrastructure Director Dustin Vost Overtime for hours worked in excess of 40 hours per week.

** Vice Mayor request item C.4. be pulled from the agenda for discussion.*

Motion: Approve items C.1., C.2., and C.3.

Motion by: Vice Mayor Rogers

Second by: Commissioner Barnes

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

C.4. Request to Pay Infrastructure Director Dustin Vost Overtime for hours worked in excess of 40 hours per week.

Vice Mayor Rogers wanted to clarify the state of the emergency.

Motion: Approve the item C.4.

Motion by: Vice Mayor Rogers

Second by: Commissioner Barnes

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

D. Public Comments:

Comments regarding items not on the agenda. Citizens are encouraged to speak; however, comments are limited to four (4) minutes.

Aris Robinson (Bacher Street)- shared her concern about fireworks still being shot off in her neighborhood.

Darial Williams (Grand Reserve)- noted safety concerns including lighting on MLK Boulevard, sidewalks in need of repair, and the road flooding due to drainage ditches being clogged. He stated he appreciated and thanked everyone and the work they do.

Chief Brannon responded to the issue of fireworks. Florida Statute was changed to allow fireworks to be sold and used on certain days; he explained the difficulty of enforcing the law and finding who may be setting off fireworks when they are not allowed to be in use.

City Manager Jackson responded to the additional concerns. The City has been in touch with FPL regarding the lighting on MLK Boulevard. He reported work will begin soon on the roads with flooding and drainage problems through a grant that was awarded the City.

E. Ordinances: (Legislative):

E.1. Ordinance 2022-17 Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category. - First Reading

City Attorney Cary read the short title into the record.

Motion: Approve Ordinance 2022-17 Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category. - First Reading

Motion by: Commissioner Barnes

Second by: Commissioner Gordon

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

E.2. Ordinance 2022-18 Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650- 000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district. - First Reading

City Attorney Cary read the short title into the record.

Motion: Approve Ordinance 2022-18 Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district. - First Reading

Motion by: Vice Mayor

Second by: Commissioner Schultz

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

F. Resolutions: (Legislative): None

G. Old Business: None

H. New Business

H.1. Request to Award the Bid for Request for Qualifications (RFQ) 2022-01 Architectural Design Services and Project Management and Authorize Contract 2022-10 to Loci Architects LLC.

City Manager Jackson presented and explained the item.

Motion: Award the Bid for Request for Qualifications (RFQ) 2022-01 Architectural Design Services and Project Management and Authorize Contract 2022-10 to Loci Architects LLC.

Motion by: Commissioner Gordon

Second by: Commissioner Barnes

Board Discussion: Vice Mayor Rogers confirmed LOCI firm was the only bid to include fees and costs. Commissioner Barnes stated it was important to move forward quickly to prevent further damage to the historic Coquina City Hall.

Public Discussion: None

Vote: Motion carried unanimously

I. Reports:

- **City Clerk** – reported the Charter Review Committee will meet Wednesday, July 13th at the Versie Lee Mitchell Community Center at 3:00 PM. The first budget workshop will be held July 20th at 7:00 PM in the Chamber Room of the Government Services Building.
- **Police Chief** – reported on the July 2nd community event at the Carver Gym to raise money for surveillance cameras by the Carver Gym. He understands around \$3400.00 was raised. He reported on July 5th and 6th the department participated in a simulator training with the Volusia County Sheriff's Office. Mayor Robinson participated in the simulator. Chief summarized his departments activity for June.
- **City Attorney** – None
- **City Manager** – reported the Solid Waste Department has had multiple vehicle failures that have caused major interruptions in solid waste service. He engaged Waste Pro to help with the commercial waste over the weekend. In accordance with the purchasing policy, he reported an Emergency Purchase Order to authorize an emergency rental for a front loader solid waste truck was approved. At the next meeting, a representative from the School Board will be present to discuss the pending Interlocal Agreement for School Concurrency.
- **Mayor and City Commissioners**
 - **Commissioner Barnes** – reported he attended the School Board meeting on Friday along with Vice Mayor and City Manager regarding the Interlocal Agreement for School Concurrency. Another meeting will be held August 4th and a decision needs to be made by September 1st. He reported a complaint about standing water on sidewalks in Grand Reserve. He stated there will be a Career Expo at the Palm Coast Community Center for recently graduated students.
 - **Commissioner Schultz** – River to Sea meetings will resume in August. She stated it was great to attend the virtual training with the officers and it was an eye opener.
 - **Commissioner Gordon**- thanked the department heads, Chief Brannon and the police department. She stated she had compliments on the PD from the community.
 - **Vice Mayor Rogers** – reported he had received positive feed back from the community on the police department and staff. Vice Mayor stated he had reports of middle school aged children running the streets at 2 and 3 am. He suggested a curfew may need to be explored. He gave a brief

report on the School Board meeting. He reported the upcoming expo will be held July 30th and will have representatives from different careers.

- **Mayor Robinson** – Spoke about the simulator training the Police Department completed and stated the training was very real life. She appreciates the Volusia County Sherriff’s Office for allowing Bunnell’s PD to train with the simulator. She wants to write a letter of thanks to the Volusia Sheriff for sharing this opportunity.

J. Call for Adjournment.

Motion: Adjourn

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Barnes

Vote: Motion carried unanimously

Catherine D. Robinson, Mayor

Kristen Bates, CMC, City Clerk

Date

Date

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****



City of Bunnell, Florida

Agenda Item No. C.3.

Document Date: 5/23/2022 Amount:
Department: Community Development Account #:
Subject: Request to appoint Gary Masten to another 3 year term for Planning Zoning & Appeals Board
Agenda Section: Consent Agenda:
Goal/Priority: Organizational Excellence

Summary/Highlights:

Gary Masten has been on the the Planning Zoning and Appeals Board since May 11, 2020. Mr. Masten has expressed interest in serving for another 3 year term.

Background:

Gary Masten current term expires August 2022 and he continues to meet the requirements to serve on the Planning, Zoning and Appeals Board.. If re-appointed his new term expiration would be August 2025.

Staff Recommendation:

Approve Gary Masten to serve as a regular member for another 3 year term.

City Attorney Review:

Commission discretion.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.



City of Bunnell, Florida

Agenda Item No. C.4.

Document Date: 7/18/2022 Amount: Up to \$20,000.00
Department: City Clerk Account #:
Subject: Request to Approve a Change Order to Contract 2022-05 for the Coquina Hall Remediation.
Agenda Section: Consent Agenda:
Goal/Priority: Quality of Life, Infrastructure

ATTACHMENTS:

Description	Type
Change Order Request	Exhibit

Summary/Highlights:

The remediation work on the Coquina City Hall continues. Based on additional conditions discovered a change order is needed.

Background:

While performing the work on the Coquina City Hall, a broken HVAC unit was discovered. The unit is not in good enough condition to clean and reset; the contractor has recommended the unit be replaced. The cost of the new HVAC unit is \$9840.00

Additionally, both the contractor and recently engaged design engineer have recommended the City proceed with installing a humidistat system/unit now rather than later during reconstruction to prevent any moisture issues pending the start of reconstruction. A main hall humidistat will control the humidity in the building and extend the life of the HVAC units as it will keep them from running constantly to reduce the humidity in the building. The contractor is still working to provide an estimate on a commercial unit, but staff is requesting permission to include this in this change order so as not to delay the project. Staff is anticipating the cost of the humidistat system may be similar to that of the new HVAC unit.

The Parks and Recreation Department budget should have sufficient funds to transfer to cover these additional costs without having to utilize reserves.

Staff Recommendation:

Approve a Change Order to Contract 2022-05 for the Coquina Hall Remediation in an amount not to exceed \$20,000.00

City Attorney Review:

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Kristen Bates

From: Will <will@hydradry.com>
Sent: Friday, July 1, 2022 12:33 PM
To: Kristen Bates
Cc: Bridgitte Gunnells; Rob Myjak
Subject: Re: Hydra Dry _ Coquina city hall project

Today I met with the hvac contractor on site . He detached the ac air handler that was of concern so we could remove the damaged wood subfloor in ac closet . The hvac contractor recommended the replacement of that air handler and compressor outside. It would not be cost efficient to clean and reset with the age and condition of that hvac unit . Would you like a quote on replacement of that ? Or just deal with that hvac replacement once rebuild contractor comes in and that process starts .
The other 3 units will be cleaned and serviced by our hvac technician.

Get [Outlook for iOS](#)

Kristen Bates

From: Will <will@hydradry.com>
Sent: Tuesday, July 5, 2022 12:11 PM
To: Kristen Bates
Subject: Hydra dry - Bunnell city hall project

I have received the quote for the new hvac system that was recommended for replacement. \$9840. After this system is replaced , all hvac systems in building will be running efficiently . Should need no more further hvac needs 🙌

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IMPORTANT NOTE: The information contained in this message and its attachments, if any, is CONFIDENTIAL. If the reader of this message is not the intended recipient or an agent responsible for delivering it, you are hereby notified that you have received this communication in error, and that any dissemination, distribution, retention or copy of this communication is strictly prohibited, subject to applicable law. If you are not the intended recipient or have otherwise received this e-mail communication in error, please advise the sender by reply e-mail and immediately delete this e-mail communication from any computer and destroy all copies of same.



City of Bunnell, Florida

Agenda Item No. E.1.

Document Date: 7/1/2022 Amount:
Department: Community Development Account #:
Subject: Ordinance 2022-17 Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category. - Second Reading
Agenda Section: Ordinances: (Legislative): None
Goal/Priority: Increase Economic Base

ATTACHMENTS:

Description	Type
Milne Proposed FLUM Amendment Ordinance	Ordinance
Milne Location Map	Location Map(s)

Summary/Highlights:

The applicant is requesting a small scale amendment to the City of Bunnell Comprehensive Plan to change the Future Land Use Map (FLUM) designation on a 5± acre property from the "Rural Estates" to the "Agricultural" future land use designation.

There is a companion rezoning request to amend the official zoning map to change the zoning on the property from the Flagler County, "MH-1 Rural Mobile Home" district to the City of Bunnell, "AG- Agricultural" district.

The Planning, Zoning and Appeals Board heard this request at their June 7, 2022 Meeting. At that meeting the PZA Board voted to recommend approval of the proposed ordinance.

This item was heard at the July 11, 2022 City Commission Meeting. At this meeting the Commission, voted to approve the proposed ordinance. In accordance with Florida Statute, this item was advertised in the July 14, 2022 edition of the Palm Coast Observer.

Background:

The applicant, Marion Keith Milne Jr, owns a 5± acre property located at 645 East Favoretta Road in the City of Bunnell. The applicant plans to place a mobile home on the property.

The parcel's current FLUM designation is "Rural Estates". The "Rural Estates" future land use category allows single family residences at densities of up to one (1) dwelling unit per acre.

The proposed FLUM designation is "Agricultural". The "Agricultural" land use designation was created to allow a range of agricultural and related uses, while also allowing low density residential development at a maximum density of one (1) dwelling unit per acre.

If developed at the maximum allowable density, the proposed FLUM designation will not result in any increased dwelling units on the property compared to the current FLUM designation.

Staff Recommendation:

Adopt Ordinance 2022-17 changing the Future Land Use Map designation for the subject property from "Rural Estates" to "Agricultural". - Second Reading

City Attorney Review:

Approved as to form and legality.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

ORDINANCE 2022-17

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT TO THE FUTURE LAND USE MAP IN THE FUTURE LAND USE ELEMENT OF THE CITY OF BUNNELL COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY CONTAINING 5± ACRES, OWNED BY MARION KEITH MILNE JR, BEARING PARCEL ID: 21-13-31-0650-000A0-0070 LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION FAVORETTA ROAD & EAST FAVORETTA ROAD WITHIN THE BUNNELL CITY LIMITS FROM “RURAL ESTATES” TO “AGRICULTURAL”; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the real property which is the subject of this Ordinance is described by Tax Identification Parcel Number: 21-13-31-0650-000A0-0070, located in the City of Bunnell; and

WHEREAS, the owner of the property, Marion Keith Milne Jr, has requested this change to the future land use; and

WHEREAS, the City of Bunnell’s Planning, Zoning and Appeals Board, as the City’s local planning agency, held a public hearing on June 7, 2022 to consider amending the Future Land Use Map of the Future Land Use Element of the *City of Bunnell Comprehensive Plan* and recommended approval of the proposed Future Land Use Map amendment to the *Comprehensive Plan* for the subject property as requested by the property owner; and

WHEREAS, Section 163.3187, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to small scale amendments and which are related to proposed small-scale development activities and provides, among other things, that such amendments may be approved without regard to statutory limits on the frequency of consideration of amendments to the *City of Bunnell Comprehensive Plan*; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing this amendment to the *City of Bunnell Comprehensive Plan* including, but not limited to, Section 163.3187, *Florida Statutes*.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative findings and intent.

- (a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City staff report and City Commission agenda memorandum relating to the application relating to the proposed amendment to the City of Bunnell *2035 Comprehensive Plan* pertaining to the subject property.
- (b) The City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.
- (c) This Ordinance is internally consistent with the goals, objectives and policies of the City of Bunnell *2035 Comprehensive Plan*.
- (d) The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

Section 2. Amendment to Future Land Use Map.

- (a) The Future Land Use Plan Element of the City of Bunnell *2035 Comprehensive Plan* and the City's Future Land Use Map are hereby amended by assigning the "Agricultural" land use designation to the real property which is the subject of this Ordinance as set forth herein.
- (b) The property which is the subject of this Comprehensive Plan amendment is described as follows:

LEGAL DESCRIPTION: 5.00 ACRES BUNNELL DEV CO SUBD BLOCK A W 1/2 TR 7 1301/777 (CITY OF BUNN ANNEX 2013-19, 1959/1385) OR 1991/1060 OR 2061/1660 (L/E-E 1/2 TR 7, 2280/310) OR 2306/216 OR 2343/74-CD

TAX PARCEL IDENTIFICATION NUMBER: 21-13-31-0650-000A0-0070

ADDRESS: 645 East Favoretta Road, Bunnell, Florida 32110

Section 3. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized to implement the provisions of this Ordinance as deemed appropriate and warranted.

Section 4. Ratification of Prior Actions.

The prior actions of the City Commission and its agencies in enacting and causing amendments to the *2035 Comprehensive Plan of the City of Bunnell*, as well as the implementation thereof, are hereby ratified and affirmed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid,

unlawful or unconstitutional, it shall not be held to impair the validity of the ordinance or effect of any other action or part of this Ordinance.

Section 6. Conflicts.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Codification/Instructions to Code Codifier.

It is the intention of the City Commission of the City of Bunnell, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Bunnell *2035 Comprehensive Plan* and/or the *Code of Ordinances of the City of Bunnell, Florida* in terms of amending the Future Land Use Map of the City.

Section 8. Effective Date.

The small-scale Comprehensive Plan amendment set forth herein shall not become effective, in accordance with Section 163.3187(5)(c), *Florida Statutes*, until 31 days after the enactment of this Ordinance. If challenged within 30 days after enactment, the small-scale amendment set forth in this Ordinance shall not become effective until the State land planning agency or the Administration Commission, respectively, issues a final order determining that the subject small-scale amendment is in compliance with controlling State law.

First Reading: approved on this 11th day of July, 2022.

Second Reading: adopted on this 25th day of July 2022.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

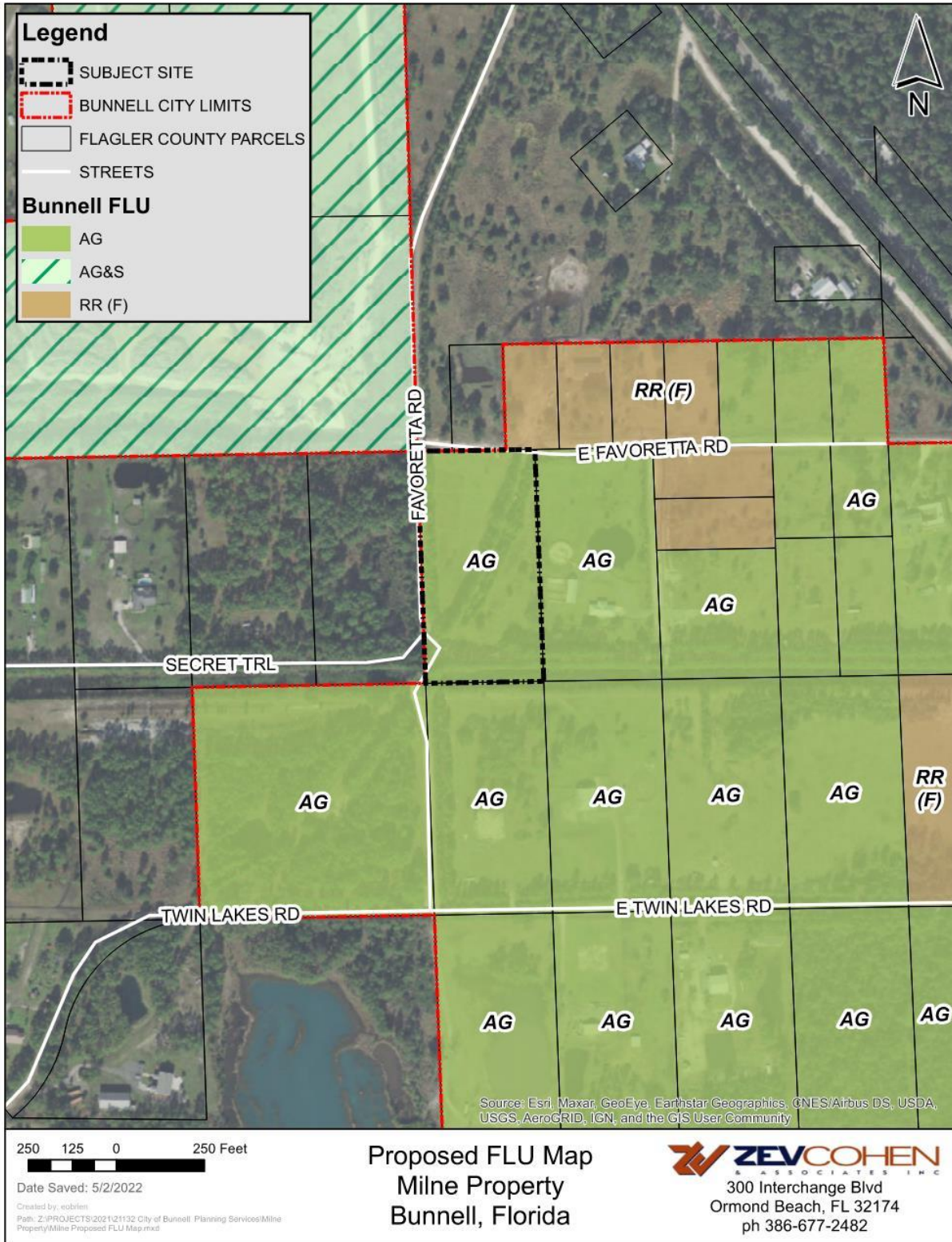
Attest:

Kristen Bates, City Clerk, CMC





Seal:

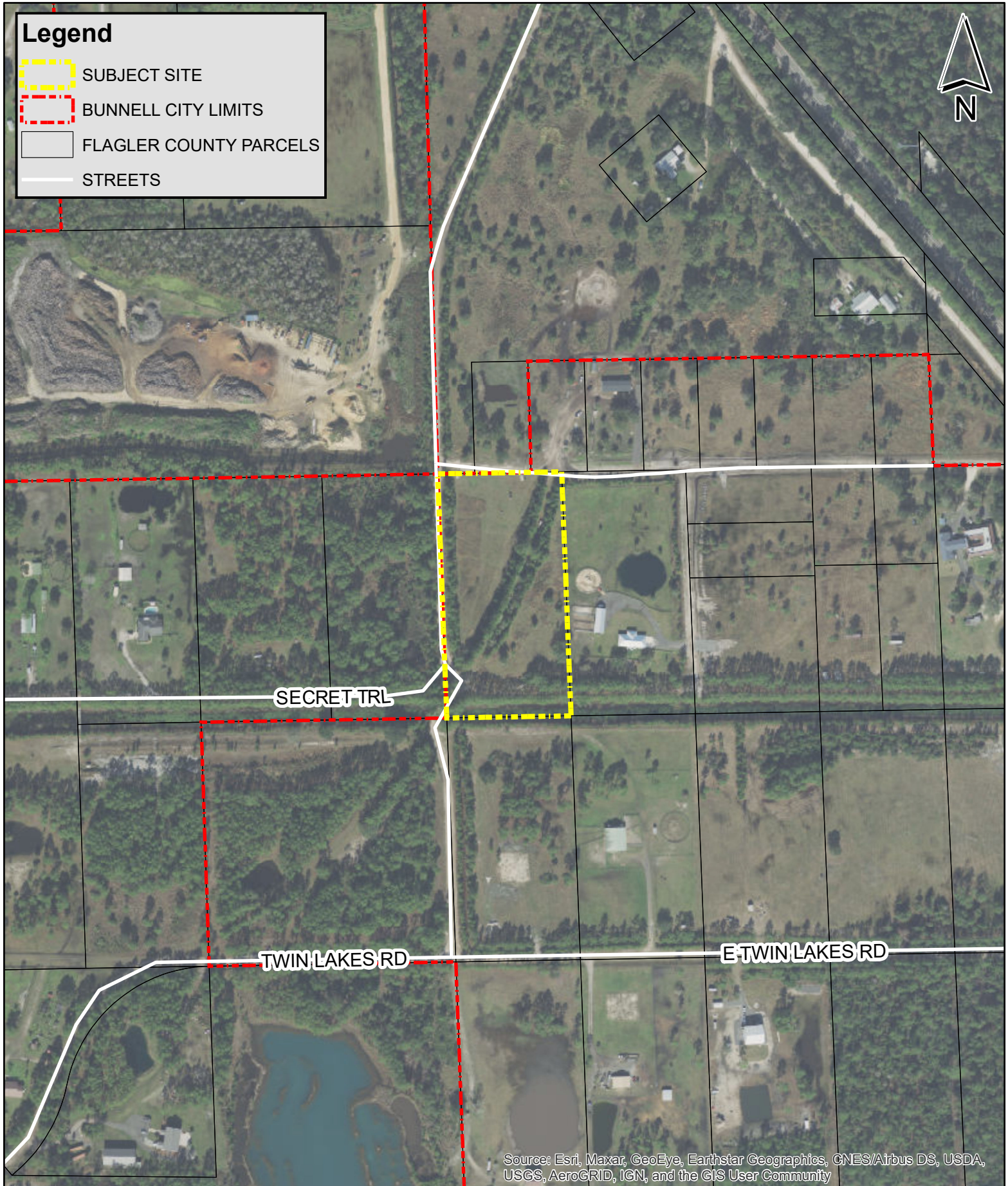
Exhibit "A"

Proposed Future Land Use Amendment



Legend

-  SUBJECT SITE
-  BUNNELL CITY LIMITS
-  FLAGLER COUNTY PARCELS
-  STREETS



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

250 125 0 250 Feet



Date Saved: 5/2/2022

Created by: eobrien
Path: Z:\PROJECTS\2021\21132 City of Bunnell Planning Services\Milne Property\Milne Aerial Location Map.mxd

Aerial Map Milne Property Bunnell, Florida



300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482



City of Bunnell, Florida

Agenda Item No. E.2.

Document Date: 7/1/2022 Amount:
Department: Community Development Account #:
Subject: Ordinance 2022-18 Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district. - Second Reading
Agenda Section: Ordinances: (Legislative): None
Goal/Priority: Increase Economic Base

ATTACHMENTS:

Description	Type
Proposed ReZoning Ordinance	Ordinance
Milne Location Map	Location Map(s)

Summary/Highlights:

The applicant is requesting an amendment to the official zoning map to change the zoning on a 5± acre property from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural District".

There is a companion FLUM amendment application requesting to change the Future Land Use Map (FLUM) designation on the property from "Rural Estates" to "Agricultural".

The Planning, Zoning and Appeals Board heard this request at their June 7, 2022 Meeting. At that meeting the PZA Board voted to recommend approval of the proposed ordinance.

This item was heard at the July 11, 2022 City Commission Meeting. At this meeting the Commission, voted to approve the proposed ordinance. In accordance with Florida Statute, this item was advertised in the July 14, 2022 edition of the Palm Coast Observer.

Background:

The applicant, Marion Keith Milne Jr, owns a 5± acre property located at 645 East Favoretta Road. The applicant plans to place a mobile home on the property.

The property is currently zoned Flagler County "MH-1, Rural Mobile Home" district. The Flagler

County "MH-1, Rural Mobile Home" district is intended to be a transition between the agricultural and urban zoning districts and allows a mixture of single-family and mobile homes. The minimum lot size in the MH-1 is one (1) acre.

The proposed zoning classification is City of Bunnell "AG-Agricultural". The intent of the "AG-Agricultural" district is to "preserve and enhance an agricultural lifestyle while facilitating orderly and sustainable development." The AG district allows single family, modular and mobile homes. The minimum lot size in the "AG-Agricultural" district is one (1) acre.

The proposed "AG-Agricultural" zoning is consistent with the proposed "Agricultural" FLUM designation and the existing pattern of surrounding development.

Staff Recommendation:

Adopt Ordinance 2022-18 changing the official zoning map for the subject property from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district.
- Second Reading

City Attorney Review:

Approved as to form and legality.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Reviewed

ORDINANCE 2022-18

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA PROVIDING FOR THE REZONING OF REAL PROPERTY TOTALING APPROXIMATELY 5± ACRES, OWNED BY MARION KEITH MILNE JR, BEARING PARCEL ID: 21-13-31-0650-000A0-0070 LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION FAVORETTA ROAD & EAST FAVORETTA ROAD WITHIN THE BUNNELL CITY LIMITS FROM FLAGLER COUNTY, “MH-1, RURAL MOBILE HOME” TO CITY OF BUNNELL, “AG, AGRICULTURAL”; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF MAPS BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Marion Keith Milne Jr, the owner of certain real property, which land totals approximately 5± acres in size located at 645 East Favoretta Road and is assigned Tax Parcel Identification Number 21-13-31-0650-000A0-0070 by the Property Appraiser of Flagler County; and

WHEREAS, Marion Keith Milne Jr, has applied to the City of Bunnell pursuant to the controlling provisions of State law and the *Code of Ordinances of the City of Bunnell*, to have the subject property rezoned to the City of Bunnell “AG, Agricultural” zoning classification from the existing Flagler County, “MH-1, Rural Mobile Home” zoning classification; and

WHEREAS, the City’s Community Department has conducted a thorough review and analysis of the demands upon public facilities and general planning and land development issues should the subject rezoning application be approved and has otherwise reviewed and evaluated the application to determine whether is comports with sound and generally accepted land use planning practices and principles as well as whether the application is consistent with the goals, objectives and policies set forth in the City’s *Comprehensive Plan*; and

WHEREAS, on June 7, 2022 the Planning, Zoning and Appeals Board of the City of Bunnell reviewed this request and recommended approval of the proposed ordinance to the City Commission; and

WHEREAS, professional City planning staff, the City’s Planning, Zoning and Appeals Board and the City Commission have determined that the proposed rezoning of the subject property as set forth in this Ordinance is consistent with the *Comprehensive Plan of the City of Bunnell*, the land development regulations of the City of Bunnell, and the controlling provisions of State law; and

WHEREAS, the City Commission of the City of Bunnell, Florida has taken, as implemented by City staff, all actions relating to the rezoning action set forth herein in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Legislative Findings and Intent.

- (a) The City Commission of the City of Bunnell hereby adopts and incorporates into this Ordinance the City staff report and City Commission agenda memorandum relating to the application relating to the proposed rezoning of the subject property as well as the recitals (whereas clauses) to this Ordinance.
- (b) The subject property, which is approximately 5± acres in size, is located at 645 East Favoretta Road in the City of Bunnell.
- (c) The City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

Section 2. Rezoning of Real Property/Implementing Actions.

- (a) Upon enactment of this Ordinance the following described property, as depicted in the map attached to this Ordinance, and totaling approximately 5± acres in size, shall be rezoned to the City of Bunnell AG- Agricultural zoning classification from the existing Flagler County, “MH-1, Rural Mobile Home” zoning classification; and

LEGAL DESCRIPTION: 5.00 ACRES BUNNELL DEV CO SUBD BLOCK A W 1/2 TR 7 1301/777 (CITY OF BUNN ANNEX 2013-19, 1959/1385) OR 1991/1060 OR 2061/1660 (L/E-E 1/2 TR 7, 2280/310) OR 2306/216 OR 2343/74-CD

TAX PARCEL IDENTIFICATION NUMBER: 21-13-31-0650-000A0-0070

ADDRESS: 645 East Favoretta Road, Bunnell, Florida 32110

- (b) The City Manager, or designee, is hereby authorized to execute any and all documents necessary to formalize approval of the rezoning action taken herein and to revise and amend the Official Zoning Map or Maps of the City of Bunnell as may be appropriate to accomplish the action taken in this Ordinance.
- (c) Conditions of development relating to the subject property may be incorporated into the subsequent pertinent development orders and such development orders may be subject to public hearing requirements in accordance with the provisions of controlling law.

Section 3. Incorporation of Maps.

The maps attached to this Ordinance are hereby ratified and affirmed and incorporated into this Ordinance as a substantive part of this Ordinance.

Section 4. Conflicts.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 6. Non-codification.

This Ordinance shall be not be codified in the *City Code of the City of Bunnell* or the *Land Development Code of the City of Bunnell*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Bunnell by the City Manager, or designee.

Section 7. Effective Date

This Ordinance shall take effect upon the effective date of Ordinance 2022-17.

First Reading: approved on this 11th day of July, 2022.
Second/Final Reading: adopted on this 25th day of July 2022.

CITY COMMISSION, City of Bunnell, Florida.

By: _____
Catherine D. Robinson, Mayor

Approved for form and content by:

Vose Law Firm, City Attorney

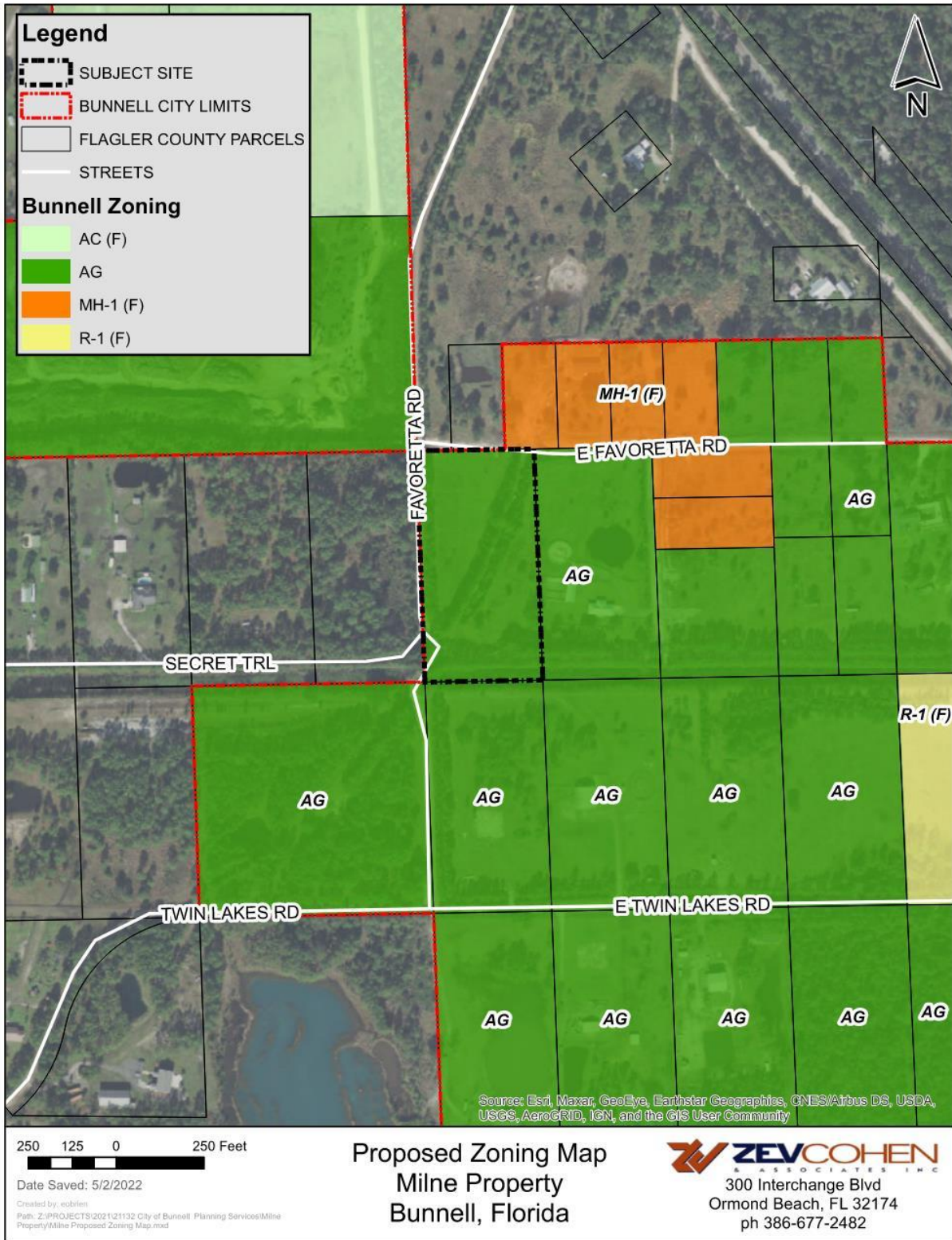
Attest:

Kristen Bates, CMC, City Clerk





Seal:

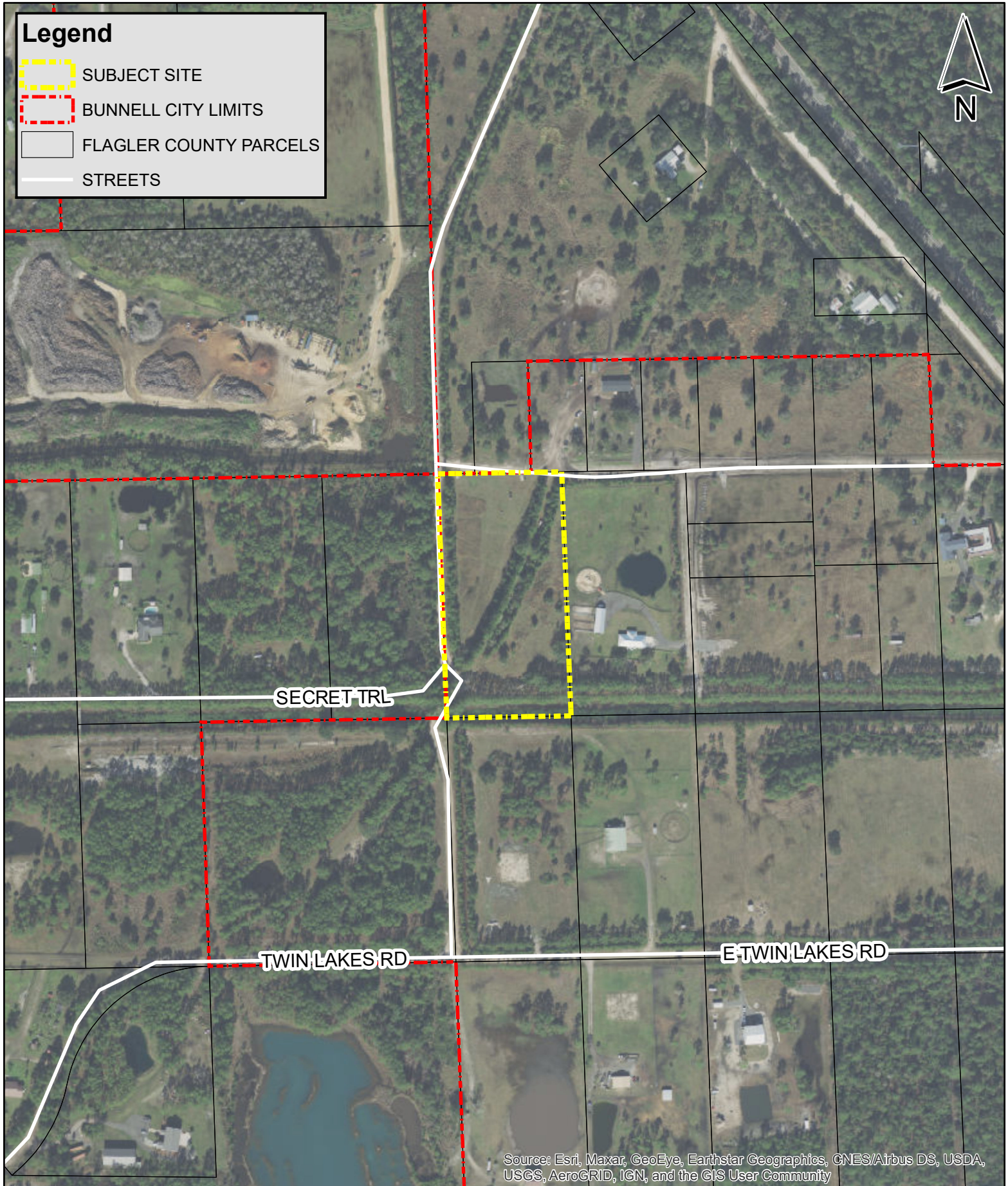
Exhibit "A"

Proposed Zoning District



Legend

-  SUBJECT SITE
-  BUNNELL CITY LIMITS
-  FLAGLER COUNTY PARCELS
-  STREETS



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

250 125 0 250 Feet

Date Saved: 5/2/2022

Created by: eobrien
Path: Z:\PROJECTS\2021\21132 City of Bunnell Planning Services\Milne Property\Milne Aerial Location Map.mxd

Aerial Map Milne Property Bunnell, Florida


300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482



City of Bunnell, Florida

Agenda Item No. G.1.

Document Date: 7/12/2022 Amount: \$275,095.34
Department: Police Account #:
Subject: Surveillance System
Agenda Section: Old Business:
Goal/Priority: Quality of Life

ATTACHMENTS:

Description	Type
Surveillance System Quote	Quote
License Plate Reader Quote	Quote

Summary/Highlights:

At the June 27, 2022 City Commission Meeting, item H3, the Board voted to move forward with the Vetted Security (Motorola) proposal for a surveillance system. The finalized quotes from the selected vendor are attached for consideration.

Background:

Following the tragic events of January and May, our existing system was not able to pull any useable footage surrounding either of these events. Chief Brannon as part of his report to the Board requested the system be upgraded. Chief provided staff with a list of features, and locations to be covered by the new system.

5 vendors were contacted to provide quotes for the proposed system. On the June 27, 2022 meeting, the Board reviewed these quotes, and voted for staff to move forward with the quotes from Vetted Security (Motorola).

Utilizing this vendor allows us to include the 10 License Plate Readers in one project.

Connectivity to Florida Power and Light may have a cost impact on this project. Staff is working with FP&L to finalize the cost of this connectivity.

Ongoing costs for this project includes; power, cellular service, and the annual access charges for the LPRs. These ongoing costs will be included in the Police Department Operating budget.

Staff Recommendation:

Staff recommends funding the project in the FY 2022/2023 budget, and authorize the issuance of a Purchase Order in the amount of \$275,095.34 For the surveillance system and license plate readers.

City Attorney Review:

Commission discretion.

Finance Department Review/Recommendation:

Approve

City Manager Review/Recommendation:

Approved.



Website: <https://milleniumproducts.net>
 Email: info@milleniumproducts.net
 Toll Free #: **888-901-7430**
 Fax: 801-469-7778

GSA Quote

Quote Expires On: 8/21/2022 12:00:00 AM

Millenium Quote #:
00005219

CAGE # 3DNW8 DUNS #102694671 Federal ID # 86-1159194

GSA Advantage! GS-07F-0231N: Air Compressors, Generators Light Towers, Fuel Tanks & Trailers
 GS-07F-0031W: Surveillance Equipment
 GS-07F-5791R: Traffic Safety Equipment

GSA Purchase Orders must indicate the GSA contract number in order to receive pricing on this quote. Orders received not indicating a GSA contract number can be accepted at open market pricing only.

To: David Brannon
 Email: dbrannon@bunnellpd.us
 Phone: (386) 437-7508
 Mobile: (386) 529-4589

Your governmental agency is eligible for the following GSA pricing on GSA Contract: GS-07F-0031W, Net 30

Qty:	Item/Model #:	Item Description:	Unit Rate:	Total GSA Price:
13	GSA-VSS-MSE	Multisensor Enclosure	\$7,647.36	\$99,415.68
6	GSA-VSS-GE-Pole-T200-NS	Add Pole NS, Dig Trench 200, New Service	\$14,502.20	\$87,013.20
13	GSA-VSS-CSS	CCTV & Surveillance System Unit Install BASE SE	\$1,101.76	\$14,322.88
1	OLM	OLM - Order Level Materials <ul style="list-style-type: none"> Shipping 	\$2,000.00	\$2,000.00
6	GSA-VSS-ROI-02	Hourly Rate for Bucket Truck or Lift Per	\$473.93	\$2,843.58
13	OLM	OLM - Order Level Materials <ul style="list-style-type: none"> Extended warranty for cameras up to fifth year from purchase date 	\$400.00	\$5,200.00
4	OLM	OLM - Order Level Materials <ul style="list-style-type: none"> Yearly Labor Agreement for service (years 2-5) 	\$3,000.00	\$12,000.00
13	OLM	OLM - Order Level Materials <ul style="list-style-type: none"> Enclosure Warranty to include PC (years 2-5) 	\$2,100.00	\$27,300.00

We are happy to be of service. Let us know how we may be of service to you.
 Sincerely,

Lori Hipskind, Email: lori@milleniumproducts.net

Total: \$250,095.34

Quoted by Ryan Cohen
Phone: (904) 599-8658
Email: rcohen@vettedsecuritysolutions.com

- Any use tax, sales tax, excise tax, duty, custom, inspection or testing fee, or any other tax, fee or charge of any nature whatsoever imposed by any governmental authority, on or measured by the transaction between Millenium Products, Inc. and Purchaser shall be paid by Purchaser in addition to the price quoted or invoiced. In the event Millenium, Products, Inc. is required to pay any such tax, fee or charge, Purchaser shall reimburse Millenium Products, Inc. therefor or, in lieu of such payment, Purchaser shall provide Millenium Products, Inc. at the time the Contract is submitted an exemption certificate or other

document acceptable to the authority imposing the tax, fee or charge.

Since 1999 Powerful Solutions Proven Results

Generators • Portable Light Towers • Traffic Safety equipment • Surveillance Equipment • Fuel Trailers • Air Compressors
License Plate Reader/ALPR Systems • Real Time Crime Centers • Mobile Command Centers



Vetted Security Solutions
4185 35th St N
Saint Petersburg, FL 33714
Office: (727) 440-3245



Purchaser:	Bunnell Police Department (FL)	Quote Expires On:	6/10/2022 12:00:00 AM
Project Name:	Bunnell PD - L6Q Camera Subscription	Quote Number	00005090
Prepared For:	Chief David Brannon dbrannon@bunnellpd.us 386.437.7508 Office		

PROJECT QUOTATION

We at Vetted Solutions are pleased to quote the following systems for the above referenced project:

Scope of Work: As of 6.01.2022 the recurring cost of L6Q subscription will be \$3,000/year.

Hardware				
Mfg. Part #	Item	Qty	Unit Price	Extended Price
VSS-DRCT-BRL-15-ANLREC	Annual Recurring Vigilant Solutions L6Q Pole	10	\$2,500.00	\$25,000.00

Hardware Cost:		\$25,000.00
Shipping Cost		\$0.00
Extended Total Cost:		\$25,000.00

Proposal Notes:

1. All prices are quoted in USD and will remain firm and in effect for 30 days.
2. This Quote does not include anything outside the above stated bill of materials.
3. Complete system includes 1-year parts/labor warranty, extended warranty options are available.
4. The expected lead time for hardware and installation is 30-60 days.
5. Connectivity is assumed Cellular on department supplied cell card to the MDC for real time connectivity to LEARN database.
6. For all Investigative Data Platforms & Intelligence Lead Policing Commercial Data subscriptions fees increase annually by 4% each year.
7. **CLK fees are shown for budget purposes only. Please DO NOT issue PO to Vetted Security Solutions for renewals of CLK fees.**
8. Any use tax, sales tax, excise tax, duty, custom, inspection or testing fee, or any other tax, fee or charge of any nature whatsoever imposed by any governmental authority, on or measured by the transaction between Vetted Security Solutions and Purchaser shall be paid by Purchaser in addition to the price quoted or invoiced. In the event Vetted Security Solutions is required to pay any such tax, fee or charge, Purchaser shall reimburse Vetted Security Solutions therefor or, in lieu of such payment, Purchaser shall provide Vetted Security Solutions at the time the Contract is submitted an exemption certificate or other document acceptable to the authority imposing the tax, fee or charge.

Quoted by Ryan Cohen
Phone: (904) 599-8658
Email: rcohen@vettedsecuritysolutions.com

	Project Total: \$25,000.00	
Accepted By:	Date:	P.O#

Please email purchase order to: insidesales@vettedsecuritysolutions.com



City of Bunnell, Florida

Agenda Item No. H.1.

Document Date: 6/23/2022 Amount: \$ 334,500.00
Department: Code Enforcement Account #:
Subject: Request by Current Owner to Waive Code Enforcement Fines for Code Case #17-057 for property located at 3360 Steel Rail Drive
Agenda Section: New Business:

ATTACHMENTS:

Description	Type
Exhibit A - Order of Non-Compliance	Exhibit
Exhibit B - Order Imposing Fine	Exhibit
Exhibit C - Order of Compliance	Exhibit
Exhibit D - Owner Letter to Reduce Lien	Exhibit
Exhibit E - City Expense Worksheet	Exhibit
Exhibit F - Picture Before Compliance	Exhibit
Exhibit G - Picture After Compliance	Exhibit

Summary/Highlights:

This is a request by the current property owner to waive all Code Enforcement fines from Code Enforcement Case # 17-057.

Background:

On July 19, 2017 a Code Enforcement Case was open on the property at 3360 Steel Rail Drive for the following violations:

- Sec. 26-56 Storing, parking or leaving dismantled or other such motor vehicle or boat prohibited and declared nuisance, exceptions.
- Sec. 22-4 Procedures for site plan review and approval.
- Sec. 34-120 L-1 (Light Industrial District);
- Sec. 58-47 Doing business without, or under a fraudulently obtained local business tax receipt;
- Sec. 70-1 Removal of certain plants, weeds, trash and litter; duty of owner; service of notice;
- Sec. 58-36 Levying of tax. At the time of the code enforcement case the property owners were Bunnell Winds, LLC.

A Notice of Violation was sent to the property owner of records on:

- July 19, 2017
- July 25, 2017

- August 4, 2017
- January 17, 2018
- March 13 2018
- May 15, 2018
- July 10, 2018
- May 20, 2022

This case was heard by the Code Enforcement Board on the following dates:

- April 11, 2017 - case was continued
- June 13, 2017 - case was continued
- February 14, 2018 - property found non-compliant and the case was continued
- April 11, 2018 - property found non-compliant and the case was continued
- June 13, 2018 - property found non-compliant and issued a \$250.00 per day fine
- August 8, 2018 - property found non-compliant and retro fine back to June 8, 2018
- June 8, 2022 - property deemed compliant and Code Enforcement Board voted to stop fine on April 7, 2022

On June 20, 2022 the City received a request from Steel Rail, LLC for forgiveness of all fines on the property.

Staff Recommendation:

Reduce the \$ 334,500.00 fee to \$5,000.00 plus \$1,716.64 City Expense for a total of \$6,716.64.

City Attorney Review:

Commission discretion. Waiving liens is at the sole discretion of the City Commission.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

**CODE ENFORCEMENT BOARD
CITY OF BUNNELL, FLORIDA**



City of Bunnell, a political
Subdivision of the State of Florida,
Petitioner

BOARD MEMBERS
JOY ALLEN
KATHRYN DAVIS
KENNETH GORDON
DELORIES HALL
VICKIE TURNER

Vs.

Steel Rail LLC
18 Hargrove Grade #18
Palm Coast, FL 32137
Respondents

CASE NO 17-057

CODE ENFORCEMENT BOARD ORDER

This Cause came on for public hearing before the City of Bunnell Code Enforcement Board on February 14, 2018 after due notice to Respondent and presentation of evidence. The Board issued its finding of Fact and Conclusion of Law and thereupon issued its oral Order, which is herein, reduced to writing.

The Board **ISSUED** that the respondent is in **NON-COMPLIANCE**.

DONE AND ORDERED this day 14th of February 2018, at the City of Bunnell, Flagler County, Florida.

**CODE ENFORCEMENT BOARD
CITY OF BUNNELL, FLORIDA**

By: 
Vice Board Chair

I HEREBY CERTIFY that a true and correct copy of the above and foregoing order has been furnished by mail/personal service to the Respondent.

By Kenneth E Deloach, Code Enforcement Officer, this 19th day of February 2018.

Attest: 
Code Enforcement Officer

 **COPY**

Pursuant to provisions of Chapter 286, Sec. 286.0105, if a person decides to appeal any decision by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings and that for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is based and is advised to make such arrangements at his or her own expense. **YOU MAY APPEAL THIS ORDER WITHIN THIRTY DAYS TO THE CIRCUIT COURT, BUNNELL, FLORIDA (F.S. 162.11)**

**City of Bunnell CODE ENFORCEMENT BOARD
Bunnell, Florida**

City of Bunnell, a political
Subdivision of the State of Florida,
Petitioner

Vs.

Pavel Paulouski
51 Barring Pl.
Palm Coast, Fl. 32137

CASE NO 17-057

Respondents

ORDER IMPOSING FINE/LIEN

THIS CAUSE came on for public hearing before the City of Bunnell Code Enforcement Board on the 8th day of June 2022, after due notice to Respondent(s), at which time the Board made Findings of Fact and Conclusions of Law and thereupon issued its Order which was reduced to writing and thereafter furnished to the Respondent.

THAT BASED ON THE FOREGOING PREMISES, AND BY THE AUTHORITY OF Section 162.09, Florida Statutes and Section 2-131 of the City of Bunnell, Code of Ordinances, IT IS HEREBY ORDERED that the Respondent(s)/Owner(s), pay to the City of Bunnell, a payment in the amount of **\$334,500.00** onetime and said fine is hereby imposed on the 8th day of June 2022. Said fine shall continue thereafter for each, and every day the violation continues to exist for per day fines. As a part of said fine, the Respondent shall pay all costs incurred by the City of Bunnell in this case. The Respondent should notify, if he or she complies with the Board's Order. This Order shall be recorded in the Official Records of the Office of the Clerk of the Circuit Court in Flagler County, Florida, and such recordation shall constitute a lien against the Respondent's real property in Flagler County, Florida, said property to include, but not necessarily limited to that described as follows, to wit:

Parcel ID number 34-11-30-5736-00000-0150

Address: 3360 Steel Rail Drive, City of Bunnell, County of Flagler, State of Florida

Legal Description:

STEEL RAIL INDUSTRIAL PARK MB 37 PG 55 LOT 15 (3.53 AC) OR 2217/545

DONE AND ORDERED this 8th day of June 2022, at City of Bunnell, County of Flagler, Florida.

CITY OF BUNNELL CODE ENFORCEMENT BOARD

By: _____

Board Chair



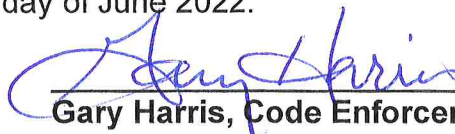
Attest: _____

Code Enforcement Officer



Certificate of Service

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished to **Respondent** by mail delivery this 8th day of June 2022.



Gary Harris, Code Enforcement Officer

**CODE ENFORCEMENT BOARD
CITY OF BUNNELL, FLORIDA**



BOARD MEMBERS

*JOY ALLEN
JULIE AGUIAR
DELORIES HALL
KENNETH GORDON*

City of Bunnell, a political
subdivision of the State of Florida,
Petitioner

v.

Pavel Paulouski
3360 Steel Rail Dr.
Bunnell, FL 32110
Respondent

CASE # 17-057

CODE ENFORCEMENT BOARD ORDER

This Cause came on for public hearing before the City of Bunnell Code Enforcement Board on **June 8, 2022** after due notice to Respondent and presentation of evidence. The Board issued its finding of Fact and Conclusion of Law and thereupon issued its oral Order, which is herein, reduced to writing.

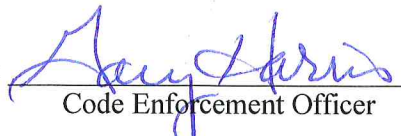
The Board **ISSUED** that the Business is in **COMPLIANCE** and orders this case closed.

DONE AND ORDERED this 8th Day of June, 2022, at the City of Bunnell, Flagler County, Florida.

**CODE ENFORCEMENT BOARD
CITY OF BUNNELL, FLORIDA**

By: 
Board Chair

I HEREBY CERTIFY that a true and correct copy of the above and foregoing order imposing compliance will be furnished by mail service to the Respondent by Gary Harris, Code Enforcement Officer, this 8th day of June, 2022.

Attest: 
Code Enforcement Officer

Pursuant to provisions of Chapter 286, Sec. 286.0105, if a person decides to appeal any decision by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings and that for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is based and is advised to make such arrangements at his or her own expense. **YOU MAY APPEAL THIS ORDER WITHIN THIRTY DAYS TO THE CIRCUIT COURT, BUNNELL, FLORIDA (F.S. 162.11)**

Pavel Paulouski
51 Barring Pl
Palm Coast, FL 32137
347-580-9322
ssipalmcoast@gmail.com

Jun 20, 2022
City Of Bunnell Commissioners
P.O. Box 756
Bunnell, FL 32110
Ref: 3360 Steel Rail Dr Bunnell, FL

CASE NO 17-57

Dear Commissioners,

Me and Robert Magno bought this property to use it as a storage. Unfortunately, we did not know all the rules and regulations. After we found out how everything supposed to be we immediately started to fix everything. We have been asked to build a fence and we did it right away. Creating of site plan took a lot of time. We hired engineering company to do site plan, and they haven't provided anything for 4 months. Then we changed the company, that finally helped us. However, we had to correct site plan for 5 times before we got it approved. Also, everything was expensive and we did not have enough money to pay for everything at once. The only one available way to us to do everything was step by step. Once we had enough money to step forward, we did.

This process was slow and the pandemic made it even slower. Also, my partner Robert Magno got really sick and could not work for almost two years. Unfortunately, he passed away and I had to complete all the requirements by myself. I did my best to finish everything as soon as possible. I want to say thank you very much to all people who work at the City Of Bunnell, they have always coordinated me and answered to all my questions same day. Thank you very much for cooperation.

Finally, I was able to finish all requirements and become compliance. The fine was stopped but I still have to pay \$334,500.00. This is huge amount of money for me and I do not know where to get it to pay off. Maybe you can understand my situation and reduce or forgive this fine. I would kindly appreciate it. I promise to keep this property in a great shape, so it can become a nice addition to growing City of Bunnell.

Thank you in advance for your attention and consideration of this issue. I will await in earnest for your decision.

Sincerely,

Pavel Paulouski



CODE ENFORCEMENT

BOARD

Board Members

JOYALLEN

JULIE AGULAR

DELORIES HALL

KENNETH GORDON



CITY OF BUNNELL

Code Enforcement Division
201 W. Moody Blvd., Bunnell, Florida 32110
(386)263-8807 – telephone / (386)437-8253 –fax
www.bunnell

City Expense Worksheet

Pavel Paulouski
3360 Steel Rail Drive
Bunnell, Fl. 32110

Case 17-057

Property Address: 34-11-30-5736-00000-0150
STEEL RAIL INDUSTRIAL PARK MB 37 PG 55 LOT 15 (3.53 AC) OR 2217/545

City Expenses for 3360 Steel Rail Drive, Bunnell, Fl

1. Certified Mailings	8 X \$7.33 EA	\$58.64
2. Filing Fee's	4 X \$10.00	\$40.00
3. Prorated Attorney Fee's	7 X \$125.00	\$875.00
4. City Code Enforcement Time	10 X \$24.00	\$240.00
5. Administrative Case Management	28 X \$19.75	\$553.00

Total Actual City Expense \$1,766.64



07/26/2019



6.20.2022 08:16



City of Bunnell, Florida

Agenda Item No. H.2.

Document Date: 6/24/2022 Amount:
Department: Community Development Account #:
Subject: Appeal of the Decision made by the Planning, Zoning and Appeals Board at their June 7, 2022 Meeting Regarding PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.
Agenda Section: New Business:
Goal/Priority: Organizational Excellence

ATTACHMENTS:

Description	Type
Appeal Letter from Applicant's Attorney	Cover Memo
Original Staff Report Presented to PZA Board	Report
April 5 PZA DRAFT Meeting Minutes	Minutes
April 5th PZA Meeting Exhibits	Exhibit
June 7 PZA DRAFT Meeting Minutes	Minutes
June 7th PZA Meeting Exhibits	Exhibit

Summary/Highlights:

This is an appeal of a decision made by the Planning, Zoning & Appeals (PZA) Board to deny an application by First Coast Roll Off, LLC for a special exception to establish a Source-separated Organic Processing Facility in the AGS, Agricultural & Silviculture district.

The subject property is located at 10900 State Highway 100. This item was heard at the April 5th and June 7th PZA meetings. The PZA's final decision on the application was made at the June 7th meeting.

Background:

At their June 7th meeting, the PZA Board voted 2-1 to deny the applicant's request for a special exception. The applicant's attorney has submitted the attached appeal to the City Commission.

This appeal will not be a *hearing de novo* meaning a new hearing as if the City Commission were deciding the issue for the first time. The appeal will be a review of the PZA Board's decision based on the record before the PZA Board. No new information will be presented to the City

Commission to make its decision.

Staff Recommendation:

Approve or deny the applicant's appeal based on the City Commission's Review of the record established at the Planning, Zoning & Appeals Board.

City Attorney Review:

The Commission must decide based upon the information in the record if the PZA made the proper decision to deny the application. The Commission may make a motion to affirm the PZA decision, meaning that the decision to deny will be upheld, or it may make a motion to reverse the decision, in which case the application will be approved.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

BOWEN|SCHROTH

Attorneys at Law

Attorneys

Morton D. Aulls **

Lennon E. Bowen III **

Zachary T. Broome †

H. John Feldman ** ‡

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‡ Retired

• Of Counsel – Florida Supreme Court Certified
Circuit Civil and Appellate Mediator

◊ Florida Bar Certified Expert in Business Litigation
and Local Government Law

Attorney at Law

zbroomer@bowenschroth.com

June 21, 2022

Via Overnight Delivery and E-Mail Delivery

City of Bunnell City Commission

Planning, Zoning and Appeals Board of City of Bunnell, Florida

604 E. Moody Blvd., Unit 6

City of Bunnell, FL 32110

Attn: Kristen Bates; Bernadette Fisher; Christine Hancock

kbates@CityofBunnellcity.us; bfisher@CityofBunnellcity.us; chancock@CityofBunnellcity.us

NOTICE OF APPEAL

First Coast Roll Offs, LLC applied for a special exception permit to allow a Source-separated Organics Processing Facility (“SOPF”) in the Agricultural & Silviculture district (“AG&S”), application PZA 2022-66. The proposed facility in question would allow First Coast Roll Offs, LLC to bring vegetative debris such as logs, branches, and other organic tree and plant matter onto First Coast Roll Offs, LLC’s property to be ground into mulch. The permit was denied at the Planning, Zoning and Appeals Board meeting on June 7, 2022 by a vote of 2-1. First Coast Roll Offs, LLC hereby appeals this decision to the City of Bunnell City Commission and requests the City Commission reverse the decision rendered by the Planning, Zoning and Appeals Board and grant First Coast Roll Offs, LLC the special exception permit pursuant to Sec. 2-86 of the City of Bunnell Code of Ordinances. All requirements of appeal pursuant Sec. 2-86 of the City of Bunnell Code of Ordinances have been met, including appealing within 30 days after the final order and filing a notice of appeal with the City Clerk.

A. Ordinance Overview

Sec. 34-106 of the City of Bunnell Code of Ordinances establishes the permitted and permitted special exception uses in the AG&S zoning district. Sec. 34-106 of the City of Bunnell Code of Ordinances states that the “purpose of this district is to permit a range of agricultural and/or silvicultural uses and to accommodate very low-density residential development at a concentration of one dwelling unit per five acres. The intent of this district is to support and enhance the agricultural character and lifestyle of existing low density areas while encouraging the continuation of agricultural and silvicultural

activities as a primary use in the rural area of the city, and to promote the protection of natural resources and wildlife habitat.” The permitted uses in the AG&S zoning district include “[a]gricultural and silvicultural uses; [e]nergy solution facilities; farm machinery, manufacturers, and repair; [m]achine shops, welding or soldering shops; [and] [s]awmills, lumberyards, hardware and building supplies retail and wholesale sales.”

Under Sec. 34-106(c)(4) of the City of Bunnell Code of Ordinances, the permitted special exception uses include “[o]ther uses and structures not listed above that with certain restrictions can be compatible uses with other uses in the district as approved by the planning, zoning and appeals board.”

It is the position of First Coast Roll Offs, LLC that the use in question should be treated as a permitted use. The proposed use of the property is no different than a sawmill or other silviculture operation where trees are trimmed into useable wood, and then the waste is ground into mulch. Based on the commentary from staff, it appears that the sole reason that First Coast Roll Offs, LLC is being compelled to seek a special exception is due to the FDEP jurisdiction over the storage nature of the SOPF. However, even if the SOPF should be treated as a special exception rather than a permitted use, the First Coast Roll Offs, LLC squarely fits into the type of activity that should be granted a special exception permit.

The City of Bunnell code is, at best, limited on the guidance as to when a special exception permit should be granted. As noted above, under Sec. 34-106(c)(4), the permitted special exception uses include “[o]ther uses and structures not listed above that with certain restrictions can be compatible uses with other uses in the district as approved by the planning, zoning and appeals board.” The City’s Comprehensive Plan similarly designates that “other similar uses” are appropriate in the AG&S land use category.

B. Application and Meeting History

Prior to the April 5, 2022, meeting with the Planning, Zoning and Appeals Board, First Coast Roll Offs, LLC prepared and submitted both an SOPF Concept Plan and Location Map. Further, First Coast Roll Offs, LLC submitted Rule 62-709.460 of the Florida Administrative Code, which governs the extensive permitting criteria for SOPF projects and showed that approval of the FDEP permit would require the site to be compatible with the AG&S zoning. Finally, First Coast Roll Offs, LLC received a staff recommendation to approve their request.

The first Planning, Zoning and Appeals Board meeting on First Coast Roll Offs, LLC’s special exception application was held on April 5, 2022. At this meeting, First Coast Roll Offs, LLC had the burden to show by competent substantial evidence that their permit application to operate an SOPF in the AG&S district was compatible with the permitted uses in the AG&S district. That burden was met, as First Coast Roll Offs, LLC established that the proposed special exception is essentially akin to the permitted silviculture, agricultural, and sawmill uses. Most importantly, however, the City’s staff recommended approval and presented testimony as to why the application should be approved. As a matter of law, where staff has reviewed an application and makes a recommendation, that staff opinion constitutes competent, substantial evidence. *See, e.g. Payne v. City of Miami*, 52 So. 3d 707, 762 (Fla. 3d DCA 2010); *Palm Beach Cnty. v. Allen Morris Co.*, 547 So. 2d 690, 694 (Fla. 4th DCA 1989); *Metro. Dade County v. Fuller*, 515 So.2d 1312, 1314 (Fla. 3d DCA 1987) (stating that staff recommendations

constituted evidence); *Dade County v. United Res., Inc.*, 374 So.2d 1046, 1050 (Fla. 3d DCA 1979) (confirming that the recommendation of professional staff “is probative”).

Here, the staff thoroughly reviewed the application and the law, even reaching out to the FDEP for an opinion on whether there would be a detrimental impact, specifically citing to agriculture. The FDEP responded there would be no detrimental impact. Ultimately, a staff recommendation to approve the permit was given. Because it can be reasonably inferred the special exception SOPF permit should be granted because of First Coast Roll Offs’s compliance with the Sec. 34-106(c)(4) of the City of Bunnell Code of Ordinances, the FDEP’s requirements, the Florida Administrative Code, and a staff recommendation for approval was given, First Coast Roll Offs, LLC has met its burden to establish competent substantial evidence for approval.

After the staff report, the public was allowed to speak. No one who raised a concern was sworn in- the minutes reflect the same. Every concern raised was given by a layman, unsupported by evidence, provided by someone who was not sworn in, had a reasonable reassurance and explanation that their concern would not be an issue as explained by First Coast Roll Offs, LLC, or, most commonly, a combination of the above. Specifically:

When asked if the debris process would be contaminated, it was answered by saying the debris is all natural or clean. No rebuttal evidence was shown that the debris would be unnatural, dirty, or contaminate the water or surrounding area.

When asked if the material would produce a bad smell when burned, it was answered by saying that it smells as if you were in a wooded area. No rebuttal evidence was shown that it would smell otherwise. However, another citizen added that it “reeks,” but provided no qualifications, research, or other evidence to support his statements.

When asked if you hear the wood grinder like the farm machinery being used in the area, it was answered in the affirmative. No rebuttal evidence was shown that it is louder than other farm machinery in the area. However, another citizen added that the SOPF wood grinders are louder than “any heavy machinery,” but provided no qualifications, research, or other evidence to support his statements.

When asked if First Coast Roll Offs, LLC would accept a condition not to accept yard waste, it was answered by saying that shouldn’t be a problem. No rebuttal evidence was shown.

When a citizen stated that the mulch is a fire hazard, First Coast Roll Offs, LLC responded by saying dirt is mixed in to reduce fire hazard, that there are extensive fire measures on sight, including a hose 24/7. The City Planner further added that the stacks have a size limit, there must be a 20-foot perimeter around each stack, and no material shall be more than 50 feet from access for a motorized fire unit. First Coast Roll Offs, LLC added there will be a fire department inspection to ensure the SOPF is within the regulations and later added that he has experience with dealing with fires. No rebuttal evidence was shown that there is a genuine fire risk, that the fire safety plan is insufficient, or that the fire department inspection is insufficient. Regardless, one citizen said he feels there will be a safety hazard.

When asked if the SOPF will operate on Sunday morning, it was answered by saying the business operates only Monday through Friday.

When asked if there are any issues on existing businesses like the applicant's business, the City Planner answered that there is none that he is aware of or has seen. No rebuttal evidence was shown.

When asked what will be done to keep the water on the property and not flood the surrounding areas, it was answered that First Coast Roll Offs, LLC will install a retention pond and provided a detailed explanation of what will be done about drainage so that it won't affect the neighboring properties. No rebuttal evidence was that the retention pond and drainage plan is insufficient.

The Board moved and passed to continue this item to their next meeting on May 3, 2022. The staff requested a continuance until the June 7, 2022 meeting.

At the June 7, 2022, meeting, the city attorney explicitly incorporated the items entered into the record at the April 5, 2022 meeting. Staff again reiterated staff approval, and further provided statistics that the argument about SOPF being an industrial use rather than agricultural was factually inaccurate. Staff cited that the vast majority of SOPF facilities in the surrounding area, including the City of Bunnell, were in agricultural zonings rather than industrial. Staff went on to note that the only SOPF in Bunnell that was located in an industrial area accepted waste material other than vegetative waste, while the First Coast Roll Offs, LLC facility would not. Staff also noted that the standard in Sec. 34-106(c)(4) is whether the proposed special exception "can be compatible uses with other uses in the district as approved by the planning, zoning and appeals board." Staff described this as a lower standard than the requirement sought by the neighbors at the April 5, 2022 meeting.

Much of the same public comment was repeated, with entirely unsworn, lay opinions as to fire risk and incompatibility with agriculture being the cited grounds for opposition. Some neighbors cited to news incidents of mulch fires from around the state of Florida, inferring that the applicant's use was therefore a fire risk. This argument was bootstrapped into an assertion that the SOPF was inconsistent with the surrounding silviculture and agriculture, because fire would destroy the timber. One member of the public extrapolated the danger caused by a lightning strike to the risk of the SOPF. Another, notably, presented a slideshow of all the measures First Coast Roll Offs, LLC had taken on the property to prevent fire, such as dozers, a retention pond, and other measures. That same member of the public explicitly said that the fire marshal was aware of the project, and had advised First Coast Roll Offs, LLC on measures necessary. While the public pointed to this as risk of fire, it bolstered the position that First Coast Roll Offs, LLC had made every effort at compliance. An attorney appeared on behalf of some of the owners, and asserted that First Coast Roll Offs, LLC had failed to meet its burden of competent and substantial evidence, and asserted that the SOPF was not compatible with agricultural uses.

First Coast Roll Offs, LLC cited to Flowers Baking Co. v. City of Melbourne and noted that when "the applicant met the initial burden of showing that his application met the criteria of the city zoning code for granting such a permit, the burden was on the zoning authority to demonstrate, by substantial, competent evidence presented at a public hearing and made part of the record, that petitioner's application did not meet the zoning code requirements and that the requested permit was, in fact, adverse to the public interest." *Flowers Baking Co. v. City of Melbourne*, 537 So. 2d 1040, 1041 (Fla. 5th DCA 1989). In this case, the staff recommended approval of First Coast Roll Offs, LLC's application, on the basis that First Coast Roll Offs, LLC's application met the criteria of the City of Bunnell code for the special exception permit. As such, the Planning, Zoning and Appeals Board should have approved the special exception permit, and the burden shifted to the Planning, Zoning and Appeals Board to "demonstrate, by substantial, competent evidence presented at a public hearing and made part

of the record, that petitioner's application did not meet the zoning code requirements and that the requested permit was, in fact, adverse to the public interest” if the Planning, Zoning and Appeals Board wanted to deny the permit. Objections of local residents, without more, do not constitute such substantial, competent evidence. *Flowers Baking Co. v. City of Melbourne*, 537 So. 2d 1040 at 1041; *BML Investments v. City of Casselberry*, 476 So. 2d 713, 715 (Fla. 5th DCA 1985).

Further, at the June 7, 2022, meeting, none of the members of the public were sworn in before they got up to speak, and none proffered any support or basis that they were anything other than laymen. Laymen’s opinions unsubstantiated by competed facts and submitted at a hearing where witness were not sworn does not support the conclusion the public interest would be adversely affected. *City of Apopka v. Orange Cnty.*, 299 So. 2d 657, 660 (Fla. 4th DCA 1974). The city attorney advised the Planning, Zoning and Appeals Board of the legal standard for approving or denying the First Coast Roll Offs, LLC application, which was consistent with the above. The city attorney stated that the staff’s report and recommendation constituted competent and substantial evidence in favor of approval, and if the Planning, Zoning and Appeals Board wanted to deny the permit then the basis for denial needed to be stated on the record.

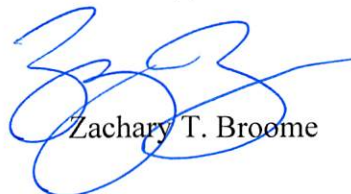
One member of the Planning, Zoning and Appeals Board made a motion to approve the special exception permit application PZA 2022-66. That motion died for fail of a second. A second board member made a motion to deny special exception permit application PZA 2022-66, which the chair seconded. Those two members then voted in opposition, while the remaining member voted in favor of the special exception permit application. Neither Planning, Zoning and Appeals Board member voting in favor of denial stated any basis for their vote.

C. Conclusion

The Planning, Zoning and Appeals Board did not meet their burden to show the application should be denied. Nothing that constitutes competent, substantial evidence in opposition to the First Coast Roll Offs, LLC application was heard at either the April 5, 2022 or June 7, 2022 meeting. Neither of the Planning, Zoning and Appeals Board members stated any basis to deny the permit. Therefore, as a matter of law, the Planning, Zoning and Appeals Board decision to deny special exception permit application PZA 2022-66 was a departure from the law. Pursuant to Sec. 2-86 of the City of Bunnell Code, the city commission “may after a public hearing reverse, modify or affirm the decision on appeal.” Based on the clear entitlement to the special exception permit, First Coast Roll Offs, LLC requests that the City Commission hold a public hearing, reverse the decision, and grant special exception permit application PZA 2022-66.

Thank you for your time and attention to this matter.

Sincerely,



Zachary T. Broome

CC: City Attorney (via email)



City of Bunnell, Florida

Agenda Item No. 8.

Document Date: 5/20/2022
Department: Community Development
Subject: Public Hearing: PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.
Property Address: 10900 State Highway 100 W
Zoning Designation: AG&S, Agricultural & Silviculture
Future Land Use Designation: Agricultural & Silviculture
Agenda Section: Old Business:

ATTACHMENTS:

Description	Type
SOPF Concept Plan	Concept Sketch
SOPF Location Map	Location Map(s)
DEP Email re: Proposed SOPF	Exhibit
Rule 62-709 requirements for SOPF	Exhibit
DEP Sample SOPF Inspection Report	Exhibit

Summary/Highlights:

First Coast Roll-Offs, LLC is requesting a Special Exception to construct and operate a wood chipping & grinding business located at 10900 State Highway 100 W in the AG&S, Agricultural & Silviculture zoning district.

These facilities are regulated as a "Source-separated Organics Processing Facility" by the Florida Department of Environmental Protection.

This item was heard at the April 5, 2022 Planning Zoning & Appeals Board meeting. After hearing from the applicant and neighboring property owners that opposed the approval of the Special Exception, the Board members voted to continue the request to their May 3rd meeting.

The Planning Zoning & Appeals Board continued this item to their June 7th meeting at the request of the applicant.

Background:

The subject property is a 15.2± acre property on the north side of State Highway 100 W about

1,400± feet east of John Campbell Drive. The property is vacant and wooded. On the eastern portion of the property about 50 feet inside the property line is a drainage ditch the runs north south across the entire length of the property.

The applicant plans to create a wood chipping/grinding operation that will intake land clearing debris. Land clearing debris is separate and distinct from construction and demolition debris. Land clearing debris means soils, tree remains, trees, and other vegetative matter that normally results from clearing wooded land for a construction project. The applicant plans to process the debris using a diesel operated tub grinder or horizontal grinder into wood chips that will be sold to paper mills and/or a power plant. Some of the debris will be kept on-site longer and reduced to soil. No chemicals will be used in the production of the soil.

This type of operation is regulated by the Florida Department of Environmental Protection as Source-separated Organics Processing Facility. Source-separated means that debris is separated by the land clearing company to screen out any undesirable materials before its brought on-site. Processed material has to be removed from the site within 18-months.

City staff has been contacted by property owners in the vicinity of the site expressing concerns about potential groundwater contamination from leachate and stormwater issues once the site is cleared. Because these SOPF facilities accept only organic materials and are not allowed to process treated wood or other demolition materials, groundwater contamination is not an issue with these facilities. As far as stormwater is concerned, the facility will be required to go through site plan approval through the City and also obtain a SJRWMD Environmental Resource Permit for their buildings, driveways, and vehicle use areas. The applicant will be required to construct a stormwater management system on their property.

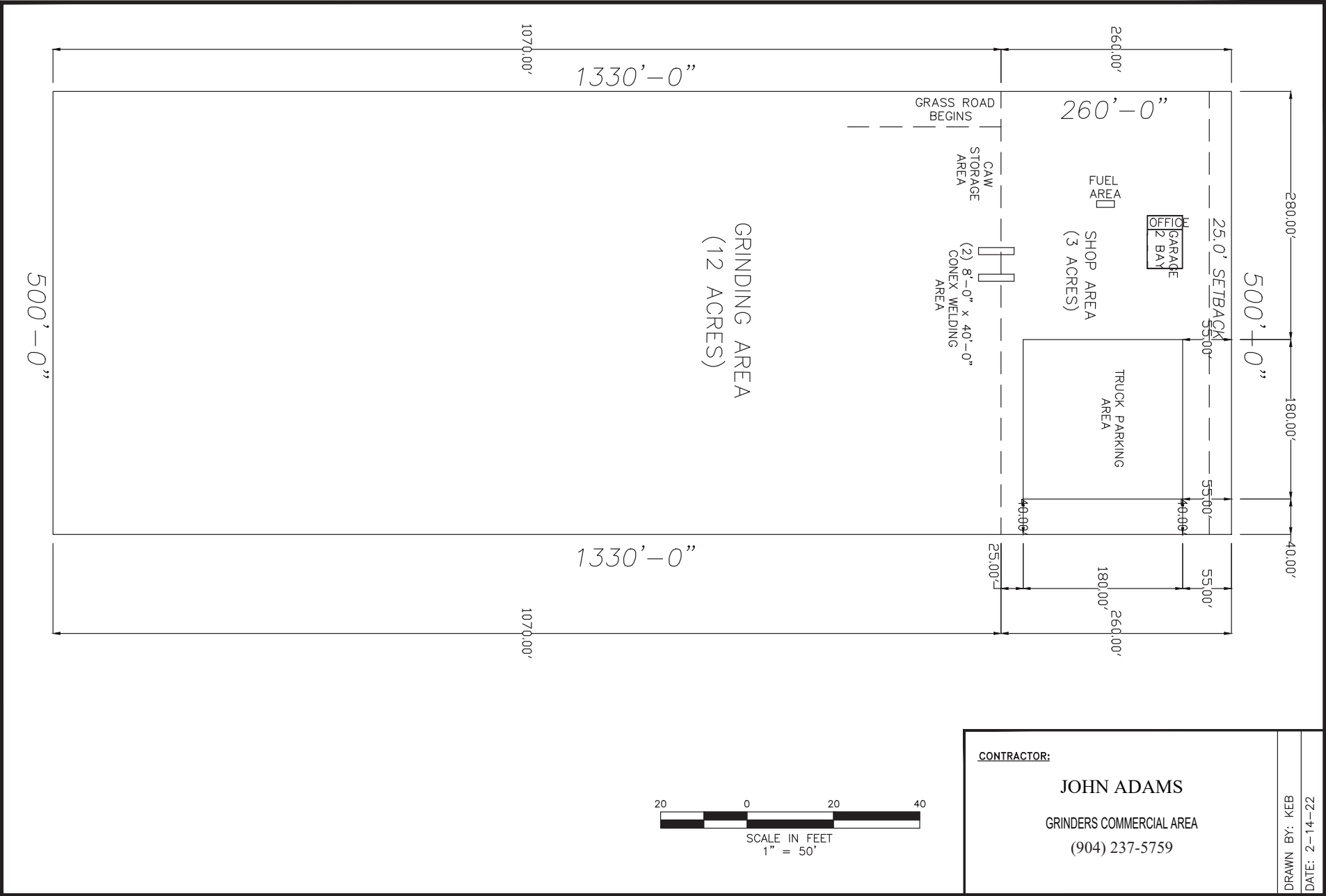
Decisions on Special Exceptions made by the Planning, Zoning & Appeals Board constitute final action on the application. This is subject to a right of appeal by the applicant to the City Commission. The Planning, Zoning & Appeals Board can impose conditions on Special exceptions that may be needed to prevent them from adversely affecting surrounding properties.

Staff Recommendation:

Approve the applicant's request for a Special Exception to operate a SOPF in Case Number 2022-66 upon the condition that the operation of the facility remains in compliance with the FDEP's requirements for Source-separated Organics Processing Facilities at all times.

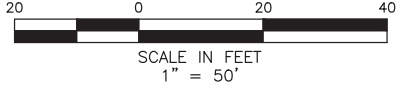
City Attorney Review:

Approve if the Board finds that the request meets the criteria for special exceptions.







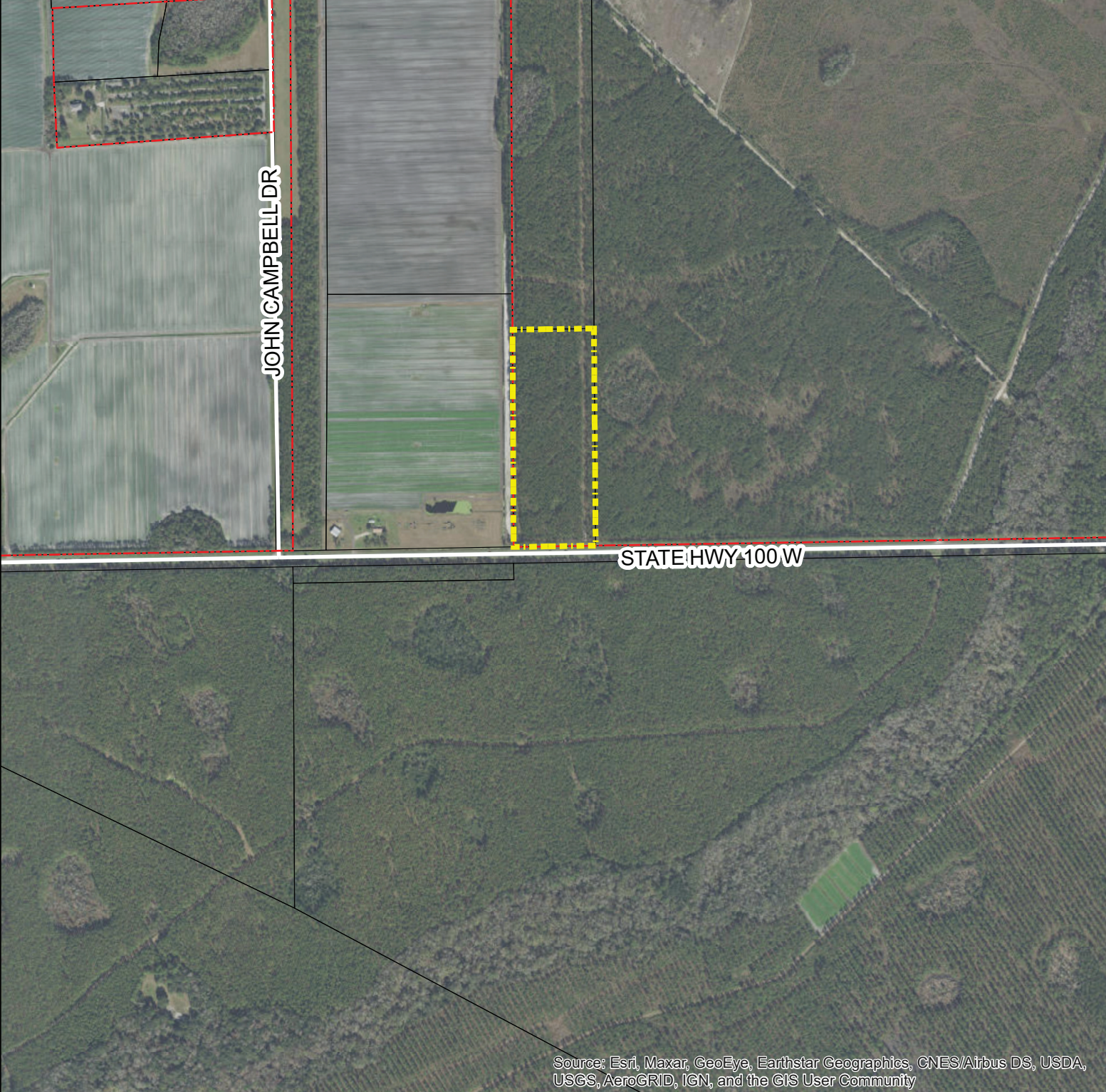
CONTRACTOR:
JOHN ADAMS
 GRINDERS COMMERCIAL AREA
 (904) 237-5759

DRAWN BY: KEB
 DATE: 2-14-22



Legend

-  SUBJECT SITE
-  BUNNELL CITY LIMITS
-  FLAGLER COUNTY PARCELS
-  STREETS



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

500 250 0 500 Feet



Date Saved: 1/19/2022

Created by: eobrien
Path: Z:\PROJECTS\2021\21132 City of Bunnell Planning Services\First Coast Rolloffs Property\First Coast Rolloffs Aerial Location Map.mxd

**Aerial Location Map
First Coast Rolloffs, LLC
Bunnell, Florida**



**300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482**

Mark Karet

From: Schroer, Jeffrey <Jeffrey.Schroer@FloridaDEP.gov>
Sent: Tuesday, March 1, 2022 6:59 AM
To: Mark Karet
Cc: Bogin, Michael; McClure, Anna C; Schroer, Jeffrey
Subject: RE: First Coast Wood Recycling Center ID 107287 Bunnell 21132
Attachments: 62-709.330 Criteria for Registration.doc; Sample SOPF Inspection Report.pdf

Follow Up Flag: Follow up
Due By: Monday, March 7, 2022 9:00 AM
Flag Status: Flagged

Categories: Important

Mark,

I can't think of any potential negative impacts of this type of facility on agriculture.

I'm sure you already looked, but the first attachment is the criteria for SOPFs and the second is a SAMPLE of the inspection report used to inspect a registered facility, which occurs every 4 years.

Most (all in the Northeast District) SOPFs are only processing yard trash. The inspection report sample shows set back requirements, security of site, processing requirements ect.

Basically a SOPF accepts yard trash (mostly tree debris) and size reduces within 6 months using a diesel operated tub grinder or lateral grinder. This produces wood chips which are not harmful, but must be removed from the property within 18 months of processing. Farming equipment operates on diesel, so the use of a diesel grinder presents no different threat than typical farming equipment.

In my opinion, one of the more challenging issues for the operators of SOPFs is what to do with the wood chips after processing. Mulch is the primary result as the facilities that use wood chips for fuel is very limited that market already saturated. The challenge of where the processed material goes is not for us to consider.

Note that there are currently three other registered SOPFs in the Bunnell area. Environmental Land Services, Bunnell Land Holdings, LLC and Darrell Cone Dozer Service.

Let me know if you want to talk by phone. I am currently telecommuting, but can give you a call from my personnel cell if desired.

Sincerely,

Jeff Schroer, Environmental Specialist
Florida Department of Environmental Protection
8800 Baymeadows Way West, Suite 100
Jacksonville, FL 32256
Phone: 904-256-1576
email: Jeffrey.Schroer@floridadep.gov



Please Note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

 Please consider the environment before printing this email.

From: Bogin, Michael <Michael.Bogin@FloridaDEP.gov>
Sent: Monday, February 28, 2022 2:58 PM
To: Schroer, Jeffrey <Jeffrey.Schroer@FloridaDEP.gov>
Subject: FW: First Coast Wood Recycling Center ID 107287 Bunnell 21132

Jeff,
Based on your experience, could you provide more information to Mr. Karet regarding a SOPF?
Thank you.
Michael

From: Mark Karet <mkaret@zevcohen.com>
Sent: Monday, February 28, 2022 2:15 PM
To: Bogin, Michael <Michael.Bogin@FloridaDEP.gov>
Subject: First Coast Wood Recycling Center ID 107287 Bunnell 21132

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Michael –

I am a planning consultant for the City of Bunnell. The owner of the above referenced perspective business, John Adams, has applied for a special exception through the City. Some neighbors have expressed concerns about impact on nearby agriculture. I would like to get a better understanding of what a SOPF is allowed to do and if there is any basis to have concerns about locating this facility in an active agricultural area. I have left you a voicemail. I would like few minutes of your time to get a better understanding of these issues, since I will shortly have to make a recommendation regarding this proposed facility. My telephone number is below.

Mark

Mark P. Karet, AICP | Director Planning and Landscape Architecture



300 Interchange Blvd. | Suite C
Ormond Beach, FL. 32174
P: 386-677-2482 | F: 386-677-2505



Requirements for source-separated organics facilities qualifying for registration - Chapter 62-709, F.A.C.

Rule/Referenced Rule	Provision
Specific to all	
62-709.300(7)(a)	No person shall cause or allow objectionable odor in violation of Chapter 62-296, F.A.C.
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(1)(b)	Stored or processed in a way or location that does not violate air quality or water quality standards.
62-701.300(2)(a)	Geological formations or subsurface features must provide support for the facility
62-701.300(2)(c)	Not in a dewatered pit unless permanent leachate containment and special design techniques used.
62-701.300(2)(d)	Not in any natural or artificial water body(e.g., ground water and wetlands within DEP jurisdiction).
62-701.300(2)(f)	Not be placed on the right of way of any public highway, road, or alley.
62-701.300(3)	No open burning in the recycling area of the facility and controlled burning complies with DEP rules.
62-701.300(14)	No CCA treated wood in material applied as a ground cover, soil or soil amendment.
62-701.300(15)	No unconfined emissions of particulate matter in violation of paragraph 62-296.320(4)(c), F.A.C.
62-709.320(2)(a)	Have the necessary operational features and equipment - unless otherwise specified, including
62-709.320(2)(a)1.	effective barrier to prevent unauthorized entry and dumping
62-709.320(2)(a)2.	Dust and litter control methods
62-709.320(2)(a)3.	Fire protection and control provisions to deal with accidental burning of solid waste, including
62-709.320(2)(a)3.a.	20-foot all-weather access road all around the perimeter
62-709.320(2)(a)3.b.	No material shall be mechanically compacted
62-709.320(2)(a)3.c.	No material shall be more than 50 feet from access by motorized firefighting equipment
62-709.320(2)(b)	Operate in a manner to control vectors
62-709.320(2)(c)	Operate in a manner to control objectionable odors per with Rule 62-296.320(2), F.A.C.
62-709.320(2)(d)	Keep any installed drains and leachate or condensate conveyances cleaned
62-709.320(2)(e)	Process received solid waste timely as follows
62-709.320(2)(e)1.	Size-reduce or remove yard trash within 6 months or time needed to receive 3,000 tons or 12,000 cubic yards, whichever is greater. Separated logs with 6 inch diameter or greater can be stored for up to 12 months before being size-reduced or removed.
62-709.320(2)(e)2.	Putrescible waste (e.g., vegetative wastes, animal byproducts or manure) shall be processed and incorporated into the composting material, or removed from the facility, within 48 hours.
62-709.320(2)(f)	Containerized and removed immediately any treated or untreated biomedical waste; hazardous waste; or any materials having (PCB) concentration of 50 ppm or greater.
62-709.320(2)(g)	All residuals, solid waste and recyclable materials removed and recycled or disposed upon ceasing operations. Any remaining processed material shall be properly used or disposed.
62-709.320(4)(a)	Keep monthly records of incoming and outgoing material for at least three years..
62-709.320(4)(b)	If temperature used to show disinfection or vector attraction achieved, keep records for 3 years.

Specific to yard trash only facilities	
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(12)(a)	At least 100 feet from off-site potable water well that existed before facility registered.
62-701.300(12)(b)	At least 50 feet from any body of water, including wetlands. Not including parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.
62-709.330(2)	Processed material gone from facility within 18 months, unless longer storage authorized by permit.
62-709.330(3)	Accept only yard trash, and bags used to collect yard trash. Containerized any other material

Specific to composting of vegetative wastes, animal byproducts or manure, or blending manure	
62-709.300(7)(b)	Rule 62-701.300, and subsection 62-701.320(13) apply to facilities regulated under 62-709.
62-701.300(2)(b)	Be more than 500 feet off-site potable water well that existed before facility registered
62-701.300(2)(e)	Within 200 feet from any body of water, including wetlands. Not including parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.
62-701.320(13)(b)	Not within 10,000 feet of any licensed and operating airport runway used by turbine powered aircraft, or within 5,000 feet of any licensed and operating airport runway used only by piston engine aircraft, unless applicant demonstrates that the facility is designed and will be operated so that it does not pose a bird hazard to aircraft.
62-709.350(2)	Carbon:nitrogen ratio of the blended feedstocks shall be greater than 20.
62-709.350(3)	Piles do not exceed 12 feet in height.
62-709.350(5)	All material removed within 18 months, unless longer storage authorized by permit.
62-709.350(6)	Show that disinfection achieved. not required if made from only pre-consumer vegetative waste
62-709.350(7)	Vector attraction reduction controls shall include either (a) or (b) below:
62-709.350(7)(a)	Composted for at least 14 days, with temperature no lower than 40 degrees Celsius and average temperature of the material being composted higher than 45 degrees Celsius; or
62-709.350(7)(b)	Specific oxygen uptake rate (SOUR) for material being composted or blended shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius



Florida Department of
Environmental Protection
Inspection Checklist

DRAFT

FACILITY INFORMATION:

Facility Name: ENVIRONMENTAL LAND SERVICES
On-site Inspection Start Date: 03/01/2022
On-site Inspection End Date: 03/01/2022
WACS No.: 100977
Facility Street Address: 1841 STATE STREET NORTH
City: BUNNELL
County Name: FLAGLER
Zip: 32110

INSPECTION PARTICIPANTS:

(Include ALL Landfill and Department Personnel with Corresponding Titles)

Principal Inspector: Jeff Schroer, Inspector

Other Participants:

INSPECTION TYPE:

Routine Operation Inspection for WPF - Source-Separated Organics Proc Fac (SOPF)

ATTACHMENTS TO THE INSPECTION CHECKLIST:

This Cover Page to the Inspection Checklist may include any or all of the following attachments as appropriate.

Note: Checklist items with shaded boxes are for informational purposes only.

10.0 - SECTION 10.0 - REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES

10.0 - SECTION 10.0 - REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES

Requirements:

The requirements listed in this section provide an opportunity for the Department's inspector to indicate the conditions found at the time of the inspection. A "Not Ok" response to a requirement indicates either a potential violation of the corresponding rule or an area of concern that requires more attention. Both potential violations and areas of concern are discussed further at the end of this inspection report.

- | | | | |
|--|--|---|---|
| FACILITY TYPE(S) | MATERIAL(S) PROCESSED | PRODUCES | METHOD OF COMPOSTING |
| <input type="checkbox"/> Yard Trash Transfer Station | <input checked="" type="checkbox"/> Yard Trash | <input checked="" type="checkbox"/> Mulch | <input type="checkbox"/> Windrow |
| <input checked="" type="checkbox"/> Yard Trash Recycling | <input type="checkbox"/> Manure | <input type="checkbox"/> Firewood | <input type="checkbox"/> Passive aerated windrows |
| | <input type="checkbox"/> Animal byproducts | <input type="checkbox"/> Fuel | <input type="checkbox"/> Aerated static piles |
| | <input type="checkbox"/> Pre-consumer vegetative waste | <input type="checkbox"/> Compost | <input type="checkbox"/> In-vessel composting |
| | <input type="checkbox"/> Vegetative waste | <input type="checkbox"/> Soil Amendment | |
| | | <input type="checkbox"/> Soil | |
| | | <input checked="" type="checkbox"/> Other | |

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ALL REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES	Ok	Not Ok	Unk	N/A
10.1	Unauthorized storage, processing, or disposal of solid waste except as authorized at a permitted or registered solid waste management facility or other exempt facility? 62-701.300(1)(a)				
10.2	Have objectionable odors been caused or allowed in violation of Chapter 62-296, F.A.C.? 62-709.300(7)(a)				
10.3	Unauthorized storage or processing in a way or location that violates air quality or water quality standards? 62-709.300(7)(b), 62-701.300(1)(b)				
10.4	Do geological formations or subsurface features provide support for the facility? 62-709.300(7)(b), 62-701.300(2)(a)				
10.5	Unauthorized disposal or storage prohibited, except yard trash, within 200 feet of any natural or artificial body of water, including wetlands without permanent leachate controls, except impoundments or conveyances which are part of an on-site, permitted stormwater management system or on-site water bodies with no off-site discharge? 62-701.300(2)(e), 62-709.320(3)				
10.6	Unauthorized storage or processing in any natural or artificial water body (e.g. ground water and wetlands within DEP jurisdiction)? 62-709.300(7)(b), 62-701.300(2)(d)				
10.7	Unauthorized storage or processing on the right of way of any public highway, road, or alley? 62-709.300(7)(b), 62-701.300(2)(f)				
10.8	Unauthorized open burning of solid waste except in accordance with Department requirements? 62-709.300(7)(b), 62-701.300(3)				
10.9	Unauthorized incorporation of CCA treated wood into material that will be applied as a ground cover, soil or soil amendment? 62-709.300(7)(b), 62-701.300(14)				
10.10	Unauthorized unconfined emissions of particulate matter in violation of paragraph 62-296.320(4)(c), F.A.C.? 62-709.300(7)(b), 62-701.300(15)				
10.11	Does the facility have the necessary operational features and equipment - unless otherwise specified? Including: 62-709.320(2)(a)				
10.11.1	Effective barrier to prevent unauthorized entry and dumping? 62-709.320(2)(a)1				
10.11.2	Dust and litter control methods? 62-709.320(2)(a)2				
10.12	Does the facility have the necessary fire protection and control provisions to deal with accidental burning of solid waste? Including 62-709.320(2)(a)3				
10.12.1	20-foot all-weather access road all around the perimeter? 62-709.320(2)(a)3.a.				
10.12.2	No material mechanically compacted? 62-709.320(2)(a)3.b.				

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ALL REGISTERED SOURCE-SEPARATED ORGANICS PROCESSING FACILITIES	Ok	Not Ok	Unk	N/A
10.12.3	No material more than 50 feet from access by motorized firefighting equipment? 62-709.320(2)(a)3.c.				
10.13	Is the facility operated in a manner to control vectors? 62-709.320(2)(b)				
10.14	Is the facility operated in a manner to control objectionable odors per with Rule 62-296.320(2), F.A.C.? 62-709.320(2)(c)				
10.15	Are any installed drains and leachate or condensate conveyances kept cleaned? 62-709.320(2)(d)				
10.16	Is the received solid waste processed timely as follows? 62-709.320(2)(e)				
10.16.1	Is yard trash size-reduced or removed within 6 months or time needed to receive 3,000 tons or 12,000 cubic yards, whichever is greater? (Separated logs with 6 inch diameter or greater can be stored for up to 12 months before being size-reduced or removed.) 62-709.320(2)(e)1				
10.16.2	Is putrescible waste (e.g. vegetative wastes, animal byproducts or manure) processed and incorporated into the composting material, or removed from the facility, within 48 hours? 62-709.320(2)(e)2				
10.17	Is any treated or untreated biomedical waste; hazardous waste; or any materials having (PCB) concentration of 50 ppm or greater containerized and removed immediately? 62-709.320(2)(f), 62-701.300(4), 62-701.300(5), 62-701.300(6)				
10.18	Have all residuals, solid waste and recyclable materials been removed and recycled or disposed and has any remaining processed material been properly used or disposed upon the facility ceasing operations? 62-709.320(2)(g)				
10.19	If temperature is used to show disinfection or vector attraction achieved, are records kept for at least three years? 62-709.320(4)(b)				
10.20	Is the registration for the facility current and on file with the Department? 62-709.320(3)(b)				
10.21	Are renewal applications for annual registration of the facility submitted to the Department by July 1st, if applicable? 62-709.320(3)(c)				
10.22	Are monthly records of incoming and outgoing material kept on-site or at another location as indicated on the registration form for at least three years? 62-709.320(4)(a)				
10.23	Are Annual Reports, based upon the preceding calendar year, summarizing monthly records, submitted to the Department as required? 62-709.320(4)(a)				
Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO YARD TRASH ONLY FACILITIES	Ok	Not Ok	Unk	N/A
10.24	Unauthorized storage or processing within 100 feet from off-site potable water well that existed before facility registered? 62-709.300(7)(b) and 62-701.300(12)(a)				
10.25	Unauthorized storage or processing within 50 feet from any body of water, including wetlands? (Does not include parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.) 62-709.300(7)(b), 62-701.300(12)(b)				
10.26	Is processed material removed from facility within 18 months, unless longer storage authorized by permit? 62-709.330(2)				
10.27	Is the facility accepting only yard trash, and bags used to collect yard trash and containerizing any other material? 62-709.330(3)				
Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ONLY THOSE FACILITIES THAT BLEND MANURE OR COMPOST VEGETATIVE WASTES, ANIMAL BYPRODUCTS OR MANURE	Ok	Not Ok	Unk	N/A
10.28	Unauthorized storage or processing within 500 feet off-site potable water well that existed before facility registered? 62-709.300(7)(b) and 62-701.300(2)(b)				
10.29	Unauthorized storage or processing within 200 feet from any body of water, including wetlands? (Does not include parts of permitted stormwater system, or water bodies totally within facility with no discharge to surface waters.) 62-709.300(7)(b), 62-701.300(2)(e)				
10.30	Unauthorized storage or processing within 10,000 feet of any licensed and operating airport runway used by turbine powered aircraft, or within 5,000 feet of any licensed and operating airport runway used only by piston engine aircraft, unless applicant demonstrates that the facility is designed and will be operated so that it does not pose a bird hazard to aircraft? 62-709.300(7)(b), 62-701.320(13)(b)				
10.31	Is the carbon:nitrogen ratio of the blended feedstocks greater than 20? 62-709.350(2)				

Item No.	REQUIREMENTS AND PROHIBITIONS APPLICABLE TO ONLY THOSE FACILITIES THAT BLEND MANURE OR COMPOST VEGETATIVE WASTES, ANIMAL BYPRODUCTS OR MANURE	Ok	Not Ok	Unk	N/A
10.32	Do piles exceed 12 feet in height? 62-709.350(3)				
10.33	Is all material removed within 18 months, unless longer storage authorized by permit? 62-709.350(5)				
10.34	Is there documentation showing that disinfection has been achieved? Note that this is not required if they are composting only pre-consumer vegetative waste with or without yard trash. 62-709.350(6)				
10.35	<p>Is there vector attraction reduction controls that include one of the following? 62-709.350(7)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Temperature monitoring records showing the waste was composted for at least 14 days, with temperature no lower than 40 degrees Celsius and average temperature of the material being composted higher than 45 degrees Celsius. or 62-709.350(7)(a) <input type="checkbox"/> Results of testing showing the specific oxygen uptake rate (SOUR) for material being composted or blended equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius. 62-709.350(7)(b) 				

Signed:

Jeff Schroer _____

PRINCIPAL INSPECTOR NAME

PRINCIPAL INSPECTOR SIGNATURE

Inspector _____

PRINCIPAL INSPECTOR TITLE

DEP _____

ORGANIZATION

DATE

Report Approvers:

Approver: _____

Inspection Approval Date: _____



Crossroads of Flagler County

Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Robin Tyler
Manuel Madaleno
Nealon Joseph (Alternate)

PLANNING, ZONING AND APPEALS BOARD

MINUTES

Tuesday, April 5, 2022

6:00 PM

1769 East Moody Boulevard (GSB),
First Floor Conference Room
Bunnell, FL 32110

1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call

Chair Carl Lilavois called the meeting to order at 6:00PM and led the Pledge of Allegiance.

Present: Carl Lilavois, Chair; Gary Masten, Co-Chair; Manuel Madaleno; Robin Tyler; Nealon Joseph (voting alternate)

Excused:

Absent:

Non-Voting: City Attorney John Cary; City Planner Mark Karet; Code Enforcement Officer Gary Harris; City Manager Dr. Alvin Jackson Jr.; Infrastructure Director Dustin Vost; Community Development Coordinator Christine Hancock; Permit Technician Adrian Calderin

2. Disclosure of Ex-Parte communications.

None

3. Approval of Minutes

a. February 1, 2022 Planning, Zoning and Appeals Board Meeting Minutes

Motion: Approve the February 1, 2022 Planning, Zoning and Appeals Board Meeting Minutes.

Moved By: Gary Masten

Seconded By: Manny Madaleno

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - Yes

Manuel Madaleno – Yes

Robin Tyler – (Arrived late)

Nealon Joseph – (Arrived Late)

Vote: Motion carried by unanimous vote.

New Business:

4. Public Hearing - Ordinance 2022-XX Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Truant Construction, LLC, Bearing the Parcel ID: 21-13-31-0650-000D0-0042 from Flagler County, Residential Low Density/Rural Estate to City of Bunnell, Agricultural

Chair Lilavois introduced the item. City Attorney Carry read the short title into the record. City Planner Karet presented and explained both item #4 and item #5 as they are companion items. He explained this property has not annexed into the City but has petitioned for voluntary annexation. The applicant plans to do agricultural activity on the property.

Motion: Approve Ordinance 2022-XX Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Truant Construction, LLC, Bearing the Parcel ID: 21-13-31-0650-000D0-0042 from Flagler County, Residential Low Density/Rural Estate to City of Bunnell, Agricultural.

Moved By: Gary Masten

Seconded By: Nealon Joseph

Board Discussion: Gary Masten asked if the applicant owned the adjacent property to allow for access to this property. City Planner Karet replied there is an existing easement that runs south of E Twin Lakes Rd which allows the applicant access to the property.

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes
Gary Masten - Yes
Manuel Madaleno – Yes
Robin Tyler – Yes
Nealon Joseph – Yes

Vote: Motion carried by unanimous vote

5. Public Hearing - Ordinance 2022-XX Requesting to change the official zoning map for 5± acres of land, owned by Truant Construction, LLC, Bearing the Parcel ID: 21-13-31-0650-000D0-0042, from the Flagler County “R-1, Rural Residential” district to the City of Bunnell “AG, Agricultural District”

Chair Lilavois introduced the item. City Attorney Carry read the short title into the record. This item was explained during item #4.

Motion: Approve Ordinance 2022-XX Requesting to change the official zoning map for 5± acres of land, owned by Truant Construction, LLC, Bearing the Parcel ID: 21-13-31-0650-000D0-0042, from the Flagler County “R-1, Rural Residential” district to the City of Bunnell “AG, Agricultural District”

Moved By: Nealon Joseph

Seconded By: Gary Masten

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - Yes
Manuel Madaleno – Yes
Robin Tyler – Yes
Nealon Joseph – Yes

Vote: Motion carried by unanimous vote

6. Public Hearing: Ordinance 2022-XX Amending the Bunnell Land Development Code Chapter 22 Site Plan Review and Approval amending minimum standards of construction.

Chair Lilavois introduced the item. City Attorney Cary read the short title into the record. He explained this is a legislative ordinance which amends the Land Development Code. The Infrastructure Department in conjunction with City Engineers have worked to fully revise the construction standards adopted in 2014. The revised standards are customized to the Utilities and roads of the City of Bunnell.

Motion: Approve Ordinance 2022-XX Amending the Bunnell Land Development Code Chapter 22 Site Plan Review and Approval amending minimum standards of construction.

Moved By: Nealon Joseph

Seconded By: Gary Masten

Board Discussion: Gary Masten asked if this is an update to the Land Development Code. Director Vost replied this proposed amendment updates the materials, piping, and the roadways so they can last longer. Robin Tyler asked if the code updates will apply to everyone and everything, including new construction. Director Vost said it will apply to all construction issued permits after adoption of the ordinance and after the effective date.

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes
Gary Masten - Yes
Manuel Madaleno – Yes
Robin Tyler – Yes
Nealon Joseph – Yes

Vote: Motion carried by unanimous vote

7. Public Hearing: PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.

Chair Lilavois read the short title into the record. City Planner Karet introduced and explained the item and the procedure for discuss this item during the meeting. The property is wooded and vacant; it slopes from north to south with about two feet of fall. The applicant proposes to develop the property to run a woodchip business. The facility will be regulated by the state and licensed through Florida DEP. The applicant will focus only on organic material from land clearing debris and not yard waste; the material generated will be sold to business such as paper product companies and a power generating plant in Jacksonville. They are required to be inspected by the state every four years, but they may be inspected more than once in fewer time. Staff recommended approval with the condition that the standards for a source-separated organics

processing facility be adopted as condition of use, and if the conditions are violated, then the applicant may lose the special exception.

Board and Public Discussion: Robin Tyler asked where the material will be coming from. City Planner Karet said it will be from land clearing debris in the area. Clarification of inside or outside Flagler County was requested. Mr. Adams, applicant, answered the material will be from within Flagler County. Manny Madaleno asked if this kind of operation is considered industrial. City Planner Karet said it is not considered to be industrial, and that there are already a few operations like this in Flagler County. He also stated he talked to the state about this, and they said operations like this are usually located in rural areas and not in developed areas. The applicant Mr. Adams presented his plan for the use of the property and the special exception. Mr. Adams explained the inspection process for obtaining the required State license from FDEP; he explained the license must renew with DEP every July. He stated he is willing to work with his neighbors about the drainage on his property and keeping it clean and unobstructed. Chair Lilavois asked if there were to be any contaminated debris processed. Mr. Adams answered it will be all natural or clean debris being processed. Nealon Joseph stated the environmental specialist wrote his main concern was what to do with the wood chips after processing and asked what the plan is for moving the product once created. Mr. Adams explained the product must be gone within a certain timeline, usually around 18 months once the material is created. Chair Lilavois asked if the stacks of material being burned produce a bad smell. Mr. Adams said it does not, that it smells as if you were in a wooded area. Nealon Joseph asked if the noise from the grinders is comparable to the farm machinery already being used in the area. Mr. Adams answered you do hear the grinder running when the woodchipper is being used. Robin Tyler asked who he will be distributing his product to. Mr. Adams replied he will be distributing to his customers, and anyone that wants to buy his product. City Planner Karet asked if the Board put a condition where he can't accept any yard waste that it shouldn't be a problem. Mr. Adams said it will not. Alex Schaefur stated the aroma that is produced by the burning stacks reeks instead of the woody smell stated before. The tub grinders are louder than the woodchippers and any heavy machinery. He asked how tall the stacks will be, if they will be seen from the road as he claimed they will be a fire hazard waiting for a 18-month turnaround. Mr. Adams responded dirt will be mixed into the stacks to reduce the fire hazard, and there will be fire measures on site- a hose 24 hours, 7 days a week in case a fire does break out. City Planner Karet stated the State height limit of the stacks of processed material is 12 feet, there must be a 20-foot perimeter road all the way around it, and no material shall be more than 50 feet from access for a motorized firefighter unit. Robin Tyler asked if there will be an inspection from the fire department to assure that every is within the regulations. Mr. Adams said yes. Mark Spalding asked who will look over and regulate the restrictions put upon the applicant if the special exception were to be approved; he stated his opinion that this type of business is more suited for industrial zoning, and he feels there will be a safety hazard on the roads from the smoke created burning the organic material. He asked the Board to deny this request due to safety and other concerns. John Spalding said he has a 40-foot easement since 1970. He asked if he will be hearing his operations on Sunday morning. Mr. Adams said he will not

operate on the weekends, only Monday through Friday. John Spalding then asked if he has ever dealt with fires. Mr. Adams replied with yes, he has. John Spalding also asked if he will be only hauling in Flagler County; Mr. Adams replied yes. Mr. John Spalding asked who keeps records for the product and pikes. Mr. Adams said he is required to keep records on every pile for three years for the DEP, and the City will have access to these records. Gary Masten asked what the typical hours of operation will be. Mr. Adams said it will be Monday through Friday 7am to 5pm. Gary Masten asked how many trucks the applicant anticipates will be in and out of the facility. Mr. Adams said he will have about nine loads a day. Robin Tyler asked if there are any issues that have been reported on the existing businesses like the applicant's business that the board can take into consideration and use it as a comparison. City Planner Karet said there is none that he is aware of or that he has seen. Gary Masten asked if they imposed restrictions to limit the hours of operation and to only haul from Flagler County if he would be ok with it. Mr. Adams said yes, he will be. TJ Bratcher presented photos to the board and staff. He stated what the applicant is trying to do on the property is not what is allowed by the zoning. City Planner Karet said that is what the special exception is for and that he will be allowed to run his business if the board approves of it. TJ Bratcher asked what is going to be done to keep the water on his property and not flood the surrounding areas. Mr. Adams said he will install a retention pond and discussed with TJ Bratcher his plans for the drainage so that it won't affect the neighboring properties. Charlie Faulkner, hired to act on behalf of some of the farmers in this area of the City, handed out packets for the Board and Staff. He proceeded to explain why the processing of trees is not a silviculture operation and should not be permitted in any agricultural zoning district. Mr. Adams said he will be processing land clearing debris only. Alex Schaefur advised the Board to keep in mind how it would feel to come home after a hard day of work and to worry about the surrounding area catching fire or smelling the foul odors coming from any burning stacks. City Planner Karet reminded the Board they have the authority to impose restrictions with the approval of the special exception and they would be watched over by the local code enforcement.

Motion: Continue this item to the next meeting on May 3rd, 2022 at 6pm.

Moved By: Gary Masten

Seconded By: Robin Tyler

Roll Call Vote:

Carl Lilavois - No

Gary Masten - Yes

Manuel Madaleno – No

Robin Tyler – Yes

Nealon Joseph – Yes

Vote: Motion carried by Majority vote 3-2.

Old Business: None

8. Public Comment

9. Board comment

City Planner Karet advised he may need to hold a special meeting on April 21st, 2022 to discuss an applicant proposing to build a school. If this meeting is needed, staff will contact the Board members.

10. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved By: Nealon

Seconded By: Gary Masten

Vote: Motion carried by unanimous vote.

PZA Chair

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****

Response and Comments By:
Charlie Faulkner – 04/05/2022
Faulkner and Associates

Public Hearing: PZA 2022-66

Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AG&S, Agricultural & Silviculture District.

Special Exceptions:

“A use “by special exception” is a use which is permitted subject to the applicant establishing that the use will comply with certain objective criteria set out in the zoning ordinance for that particular use.

Examples of special exceptions to the zoning law:

*Common examples of special exceptions are adding religious buildings or schools to local neighborhoods where residential property is the primary use. Local governments will grant these requests, but likely only by requiring certain “conditions” be met prior to approval of the use.” *Urban Land Institute*

The Objective Criteria for the AG&S Zoning Ordinance is presented below.

Sec. 34-106. - AG&S Agricultural and Silviculture District.

- (a) Purpose and intent...The intent of this district is to support and enhance the agricultural character and lifestyle of existing low density areas while encouraging the continuation of agricultural and silvicultural activities as a primary use in the rural area of the city, and to promote the protection of natural resources and wildlife habitat.”

Agriculture and Silviculture:

Agriculture is defined as the science, art, or practice of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation and marketing of the resulting products. (Marriam-Webster)

Silviculture is defined as the art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands to meet the diverse needs and values of landowners and society on a sustainable basis. (Helms 1998, USDA Forest Service 2004).

Objection #1; The proposed project is not a compatible use in the AG & S Zoning District;

- The proposed use involves no agriculture or silviculture,
- Does not comply with the zoning Purpose or Intent,
- Does not enhance the citizens agricultural lifestyle nor does it encourage the continuation of agricultural and silvicultural activities or protect natural resources and wildlife habitat.
- Not compatible in an area of low density residential, (1 house per 5 acres)

Examples of the zoning district's permitted uses follow, there are remarkable differences from the proposed use.

Sec. 34-106. - AG&S Agricultural and Silviculture District.

(b) Permitted principal and accessory uses and structures:

- (1) **Single-family residences**, mobile and modular homes, and accessory uses;
- (2) **Agricultural and silvicultural uses**;
- (3) **Nurseries**, wholesale and retail;
- (4) **Greenhouses**;
- (5) **Churches** and their accessory uses;
- (6) **Country clubs**, hunting clubs, hunting areas, shooting ranges, golf courses;

- (7) Passive and active recreation facilities;
- (8) Public and private schools;
- (9) Farmers markets;
- (10) Equestrian facilities including riding academies, riding stables/grounds, boarding, and dude ranches;
- (11) Energy solution facilities;
- (12) Special care housing;
- (13) Public facilities;
- (14) Historic sites and museums;
- (15) Animal shelters, and kennels;
- (16) Veterinarian offices with or without boarding;
- (17) Participation in the rural preservation program...
- (18) Rural subdivisions...
- (19) Home occupations;
- (20) Farm machinery, manufacturers, and repair;
- (21) Machine shops, welding or soldering shops;
- (22) Sawmills, lumberyards, hardware and building supplies retail and wholesale sales;
- (23) Cemeteries...
- (24) Animal or wildlife rescues or sanctuaries;
- (25) Accessory dwellings (e.g., guest houses, caretaker's quarters, security stations, etc.) ...
- (26) Seasonal farm worker housing;
- (27) Family homesteads...
- (28) Daycares;
- (29) Grain blending and packaging;

(30) Cold storage and frozen lockers, freezing, packaging, and distribution;

(31) Agriculture related wholesale sales and distribution, product processing, storage, including packaging food products and fruit and vegetable handlers and processors, feed and seed products for distribution, and fertilizer facilities...

(32) All permitted uses allowed in the Agriculture (Ag) zoning district.

Sec. 34-106. - AG&S Agricultural and Silviculture District.

(c) Permitted special exceptions:

(1) Mining, excavation and fill operations over four acres [under four acres normally exempt from the SJRWMD regulations as of this date adopting Ordinance 2012-03 not included as a special exception]; and

(2) Junkyards meeting the minimum requirements listed below:

a. The materials or vehicles are visually screened from roadways and neighboring properties by a solid fence of six-foot in height or thick vegetation buffer.

b. Materials or stacked vehicles greater than six feet in height shall be setback from all property lines a minimum of ten feet.

c. Materials or stacked vehicles shall not exceed 15 feet in height.

d. Junkyards shall not be visible from US1, State Road 100, or State Road 11; and

e. The special exception must be reviewed by the city commission at an advertised public hearing to evaluate its compatibility with the surrounding area.

(3) Any uses by special exception in the Agriculture (AG) zoning district; and

(4) Other uses and structures not listed above that with certain restrictions can be compatible uses with other uses in the district as approved by the planning, zoning and appeals board.

The proposed use would perhaps be better suited in the City's Heavy Industrial Zoning District. Below is an abbreviated list of allowable uses in this District. These uses are similar to the proposed use.

"Sec. 34-121. - L-2 Heavy industrial district.

(b) Permitted principal and accessory uses and structures.

- (1) Industrial uses and structures associated with large scale production...or processing of products from raw materials...
- (2) Junk yards or automotive wrecking or salvage yards.
- (3) Recycling collection and/or transfer station.
- (4) Solid waste transfer station.
- (9) Manufacturing involving the use of cranes and bulldozers.
- (14) Planing and millwork manufacturers.
- (16) Bulk storage yards, not including bulk storage of flammable liquids and acids.
- (17) Other uses of the same general character as those listed above deemed appropriate by the planning, zoning and appeals board.

Concern #1; Risk of Wildfires

- This is a daily threat in industrial mulching operations,
- DEP allows yard trash to be stored up to 18 months,
- DEP Requires Fire Protection and control provisions to deal with accidental burning,
- Once instantaneous combustion starts, it usually burns for days or weeks unless it is controlled immediately,
- DEP is to Inspect these operations every 4 years



Concern #2; SR 100 Traffic / Safety

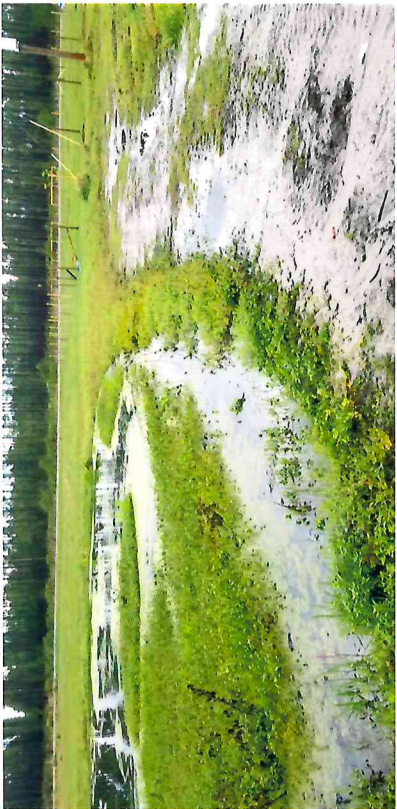
- **The annual fatalities on SR 100 have been increasing the last few years.**
- **Land use decisions for operations this size and nature should have the benefit of a traffic analysis to determine off-site mitigation requirements (such as turn lanes) to ensure traffic safety.**

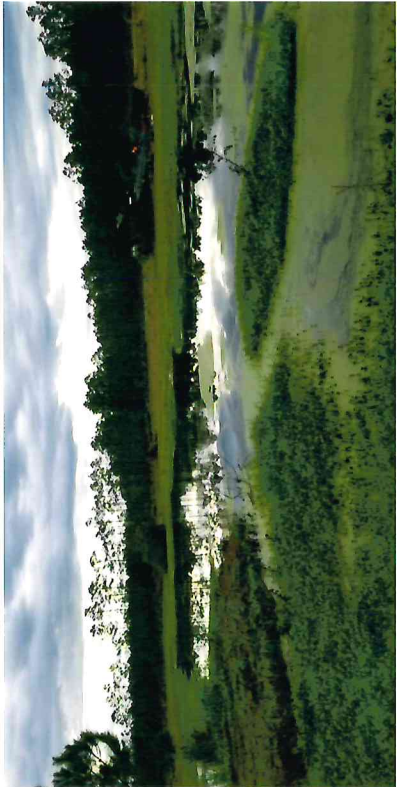
Concern #3; DEP SOPF Permit

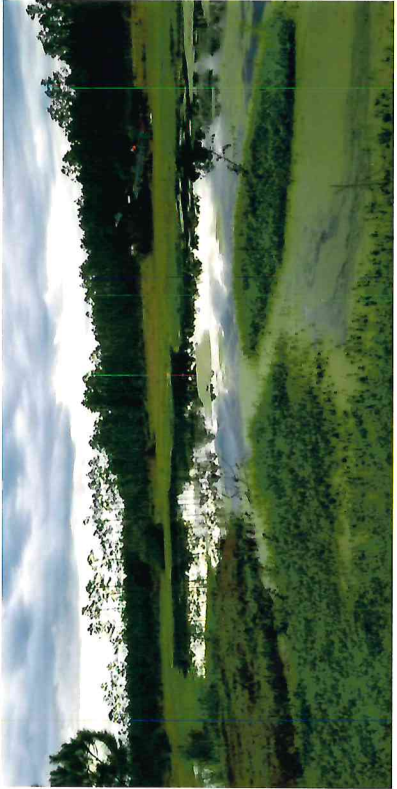
- **This type of DEP Permit allows material other than land clearing debris or yard waste to be brought on site unless specifically limited. These include:**
 - **Vegetable waste, animal byproducts or manure,**
 - **Treated or untreated biomedical waste; hazardous waste, or any materials having (PCB) concentration of 50 ppm or greater must be containerized and removed immediately,**
- **DEP is to inspect these operations every 4 years.**

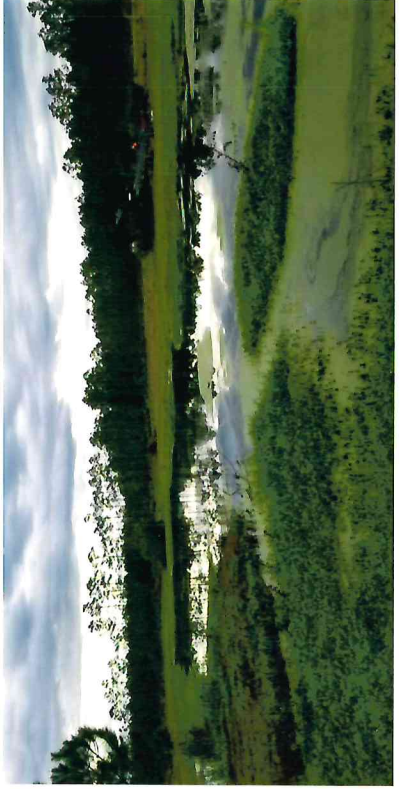
Concern #4; The Site Plan

- **Is not a survey,**
- **Does not show know drainage easements**
- **Does not show wetland lines. DEP doesn't allow this activity to take place in or near wetlands.**
- **Does not meet DEP SOPF Permit Requirements,**

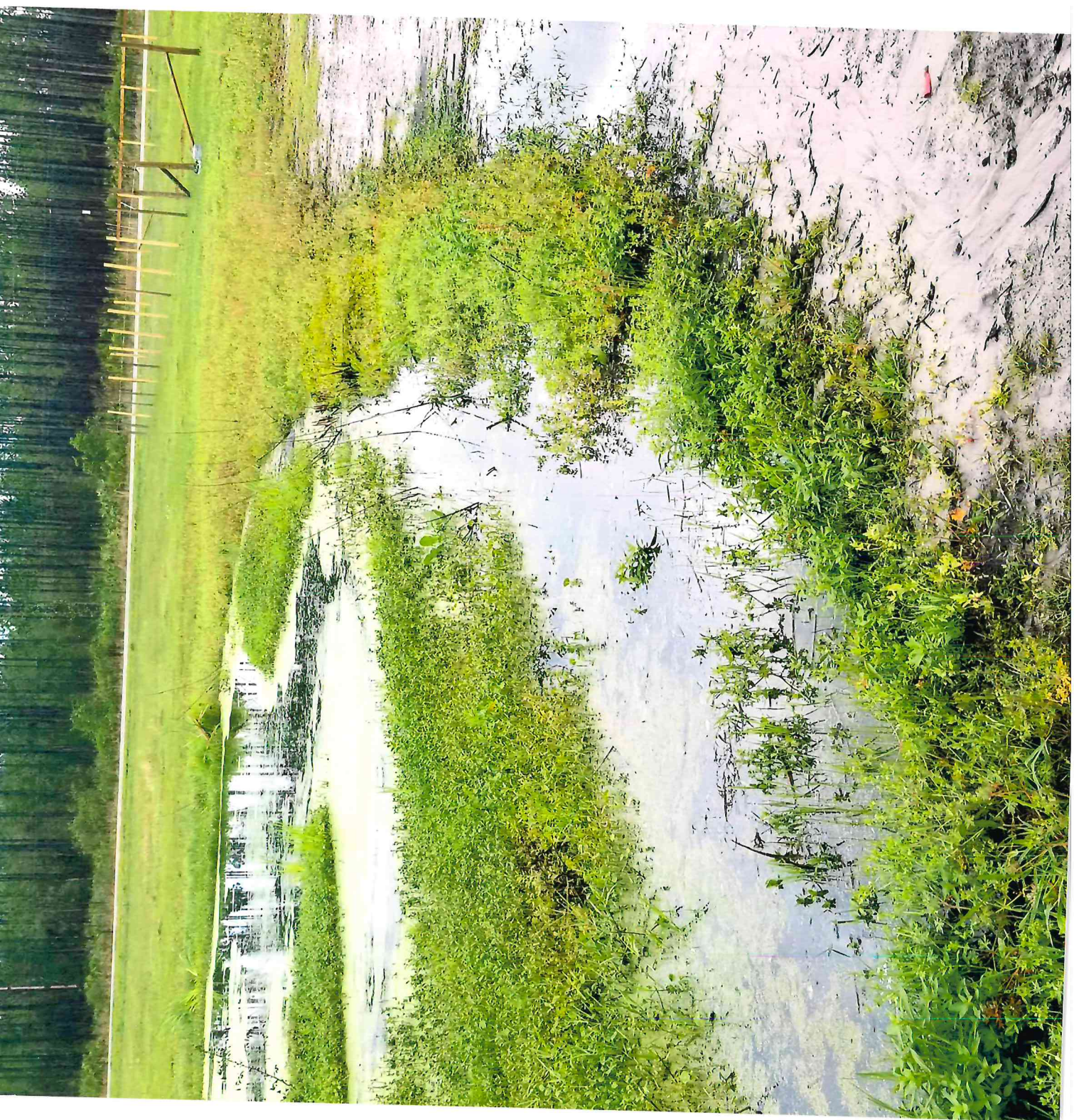


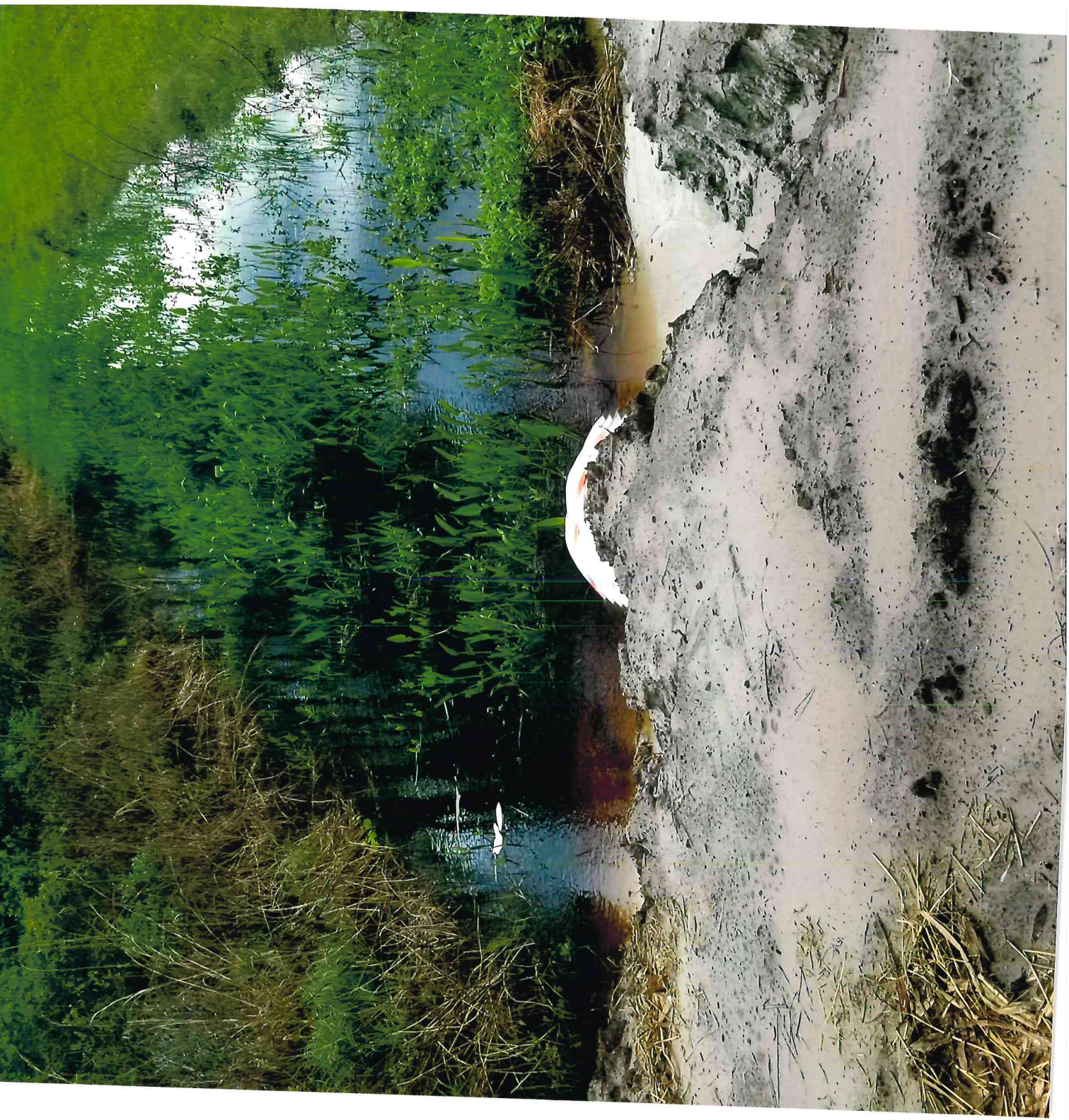








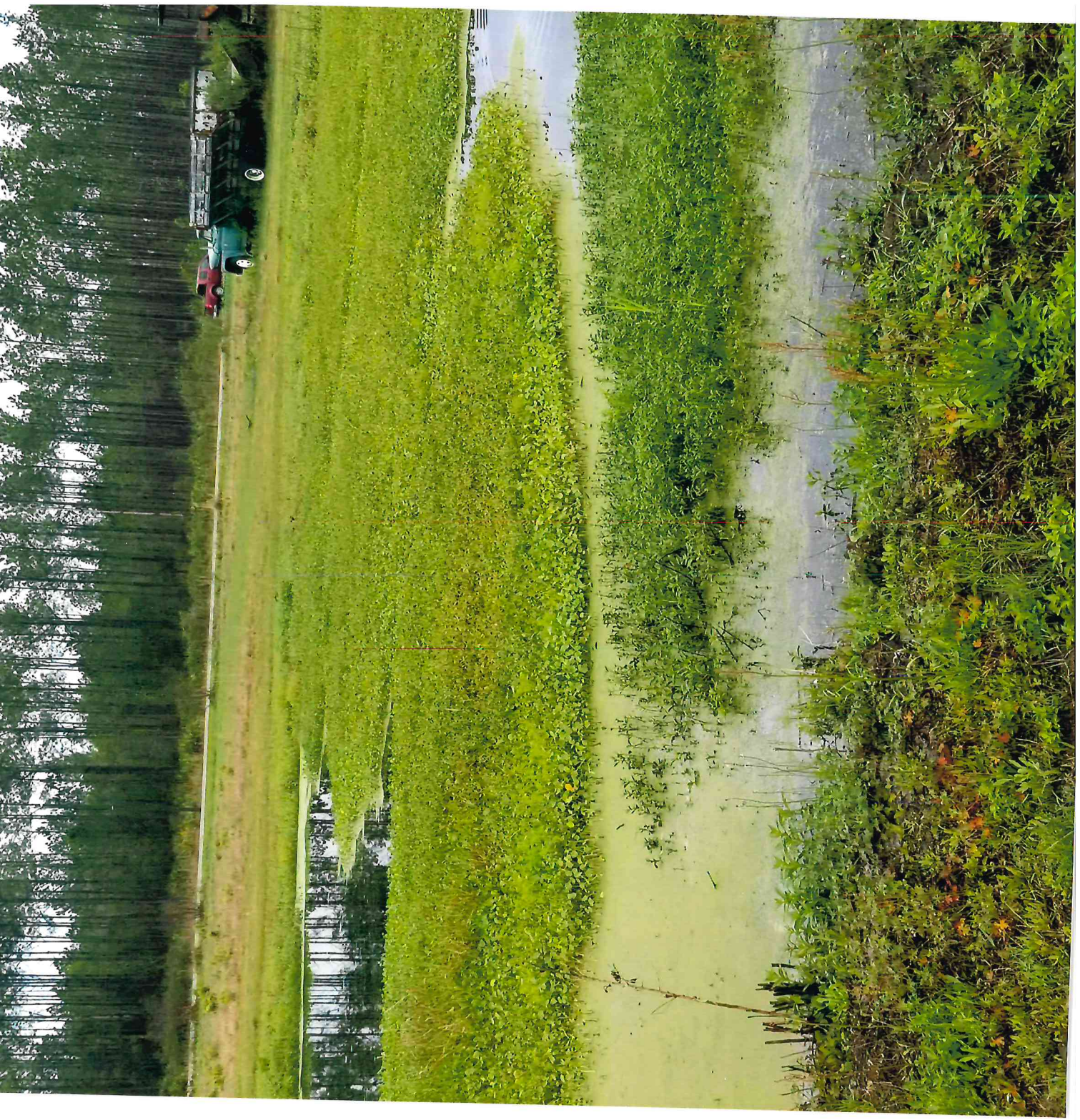












Sign In

Mare Spalding

John C. Spalding

Brittany Schaefer

Alex Schaefer

CHARLIE FAULKNER

T.J. Bratcher



Board Members:
Carl Lilavois, Chair
Gary Masten, Co-Chair
Manuel Madaleno
Nealon Joseph

Crossroads of Flagler County

PLANNING, ZONING AND APPEALS BOARD
MINUTES
Tuesday, June 7, 2022
6:00 PM

1769 East Moody Boulevard (GSB),
Chambers Meeting Room
Bunnell, FL 32110

1. Call Meeting to Order for Planning and Zoning Meeting and Roll Call

The meeting was called to order at 6:00 PM and led the Pledge of Allegiance

Present: Carl Lilavois, Chair; Gary Masten, Co-Chair; Manuel Madaleno

Excused: Nealon Joseph

Absent: N/A

Non-Voting: City Attorney John Cary; City Planner Mark Karet; Code Enforcement Officer Gary Harris; Community Development Coordinator Christine Hancock; Permit Technician Adrian Calderin; Community Development Director Bernadette Fisher

2. Disclosure of Ex-Parte communications.

None

3. Approval of Minutes

a. April 5, 2022 Planning, Zoning and Appeals Board Minutes

b. May 3, 2022 Planning, Zoning and Appeals Board Minutes

Motion: Approve the April 5, 2022 and May 3, 2022 Planning, Zoning and Appeals Board Meeting Minutes.

Moved By: Gary Masten

Seconded By: Manuel Madaleno

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - Yes

Manuel Madaleno - Yes

Vote: Motion carried by unanimous vote

New Business:

4. Public Hearing - Ordinance 2022-XX Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-

000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category.

Chair Lilavois read the short title into the record. City Planner Karet introduced and explained item 4 and item 5 together. The applicant wishes to place a mobile home on the property but must have City zoning. City Planner Karet stated the zoning and FLUM change will be consistent with the area surrounding the subject property.

Motion: Approve Ordinance 2022-XX Requesting to change the Future Land Use Map in the Comprehensive Plan for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the "Rural Estates" to the "Agricultural" future land use category.

Moved By: Gary Masten

Seconded By: Manuel Madaleno

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Manuel Madaleno - Yes

Gary Masten - Yes

Vote: Motion carried by unanimous vote.

5. Public Hearing - Ordinance 2022-XX Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district.

Chair Lilavois read the short title into record. City Planner Karet introduced and explained item 5 with item 4.

Motion: Approve Ordinance 2022-XX Requesting to change the official zoning map for 5± acres of land, owned by Marion Keith Milne Jr, Bearing the Parcel ID: 21-13-31-0650-000A0-0070 from the Flagler County "MH-1, Rural Mobile Home" district to the City of Bunnell "AG, Agricultural" district.

Moved By: Gary Masten

Seconded By: Manuel Madaleno

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Manuel Madaleno - Yes

Gary Masten - Yes

Vote: Motion carried by unanimous vote

6. PZA Case 2021-52 Whistle Stop Farms Minor Subdivision

City Planner Karet introduced and explained the item. The applicant wishes to divide the subject property located near County Road 13 and Opossum Lane into six new lots. Staff explained this has been reviewed by the City Technical Review Committee and has been found it to be in compliance with the Land Development Code. The

Flagler County School Board has raised a concern about approving the final plat without a proportionate mitigation agreement being in place.

Motion: Approve PZA Case 2021-52 Whistle Stop Farms Minor Subdivision.

Moved By: Manuel Madaleno

Seconded By: Gary Masten

Board Discussion: Co-Chair Masten asked City Planner Karet if the applicant is aware of the gun range located within 100 yards of this property. Staff confirmed the applicant is aware of the gun range operation.

Public Discussion: The applicant's representative, Dennis (last name not provided), stated most of the intended uses for these new lots will be agricultural and one of the contract owners plans to store agricultural equipment on his lot; all are well aware of the gun range in the area.

Roll Call Vote:

Carl Lilavois - Yes

Manuel Madaleno - Yes

Gary Masten - Yes

Vote: Motion carried by unanimous vote

7. PZA Case 2022-64 Request for Site Plan Approval for New Construction in Palm Industrial Park

City Planner Karet introduced and explained the item. Major site plan approval is required because it involves more than 5,000 square feet of new impervious surface. This has been reviewed by the City Technical Review Committee and has been found to be compliant with the Land Development Code.

Motion: Approve PZA Case 2022-64 Request for Site Plan Approval for New Construction in Palm Industrial Park.

Moved By: Gary Masten

Seconded By: Manuel Madaleno

Board Discussion: None

Public Discussion: None

Roll Call Vote:

Carl Lilavois - Yes

Manuel Madaleno - Yes

Gary Masten - Yes

Vote: Motion carried by unanimous vote

Old Business:

8. Public Hearing: PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.

City Planner Karet introduced and explained the item. This item was continued from the May 2022 Planning, Zoning and Appeals Board Meeting. The applicant plans to process organic material on the property; the material will be from offsite properties. The material will be turned into a product to be used for paper mills, chips for electricity plants, and/or soil. Staff has looked at similar facilities in surrounding counties. In Flagler County, there are four facilities, three have agriculture zoning and one has industrial zoning. There

are two in St. Johns County, both are zoned open/rural. In Volusia County there are 22 facilities, 15 of them have agriculture zoning and three have industrial zoning. Staff recommended approval of the request with the condition the applicant follow all Department of Environmental Protection (DEP) regulations and practices.

Board and Public Discussion:

The applicant's attorney, Zack Brune, explained the City has an unusual AG classification; the subject property is zoned AG&S. Under this zoning, this special exception would be compatible with the permitted uses set forth in the Code for this designation. The applicant's planned use and activities would be no less detrimental than that of a sawmill, which is a permitted use in the AG&S zoning. The facility would be heavily regulated by the State, with the criteria stated under Florida Administrative Code 62.709.

The applicant, John Adams, addressed the Board and clarified concerns and statements made in the April 5, 2022 Planning, Zoning and Appeals Board meeting.

Mark Spalding spoke in opposition of the request. He is concerned about a fire breaking out and spreading across the nearby farmland.

Alex Schaefer spoke in opposition to the request. He stated the dangers of a fire are very real and to put a fire out, if one did break out, would require a large amount of water that is otherwise not substantially available in the area. He also mentioned there has been work done to the property prior to this meeting.

John Spalding spoke in opposition to the request. He cited the Espanola fire that happened in 2011 and how it destroyed 1200 acres of land. He argued if a fire spread, it would destroy much of the land. Member Madaleno asked Mr. Spalding if he previously owned this property. Mr. Spalding stated he did, but it was sold to someone else first and then sold to this applicant.

TJ Bratcher spoke in opposition to the request. His main concern was water runoff and possible contamination of the waterways from any burning of mulch the applicant may do on the property. He also stated the applicant's business is regulated by DEP and therefore is not an agricultural use despite the zoning designation.

Charlie Faulkner spoke in opposition to the request. He restated the threat of possible fire this type of operation creates.

Patrick Kennedy represented some of the citizens that are opposed to the request. He argued the applicant does not have substantial evidence to support the approval of this special exception. He further explained how this proposed special exception does not comply with the City's Comprehensive Plan.

Lynn Lafferty spoke in opposition to the request. She said she looked up the City's code and said nowhere does it say that this proposed business for this land is a permitted special exception.

John Adams and Attorney Zack Brune addressed, explained and rebutted all the arguments made in opposition to the request from the Public.

Motion: Approve Public Hearing: PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.

Moved By: Gary Masten

Seconded By: None

Vote: Motion died for lack of second

Motion: Deny Public Hearing: PZA 2022-66 Application by First Coast Roll Off, LLC for a special exception to allow a Source-separated Organics Processing Facility (SOPF) in the AGS, Agricultural & Silviculture district.

Moved By: Manuel Madaleno

Seconded By: Carl Lilavois

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - No

Manuel Madaleno – Yes

Vote: Motion carried 2-1.

9. Ordinance 2022-16 Requesting to change the official zoning map for 17,527± acres of land within the City of Bunnell.

City Planner Karet introduced and explained the item. He stated land annexed into the City 15+ years ago was never switched over to City zoning from their Flagler County zoning designations; some properties never had zoning designations to begin with. The proposed changes to the zoning designations will match up with the Future Land Use designations currently on the properties. Any land that has a conservation zoning designation on a portion of the property is not included in the proposed ordinance.

Motion: Approve Ordinance 2022-16 Requesting to change the official zoning map for 17,527± acres of land within the City of Bunnell.

Moved By: Manuel Madaleno

Seconded By: Gary Masten

Board Discussion: None

Public Discussion:

Lloyd Connor stated he bought property four years ago planning to build houses on it for him and his family. He called the City before about subdividing the property into one-acre parcels and was told he cannot do it. He asked why he is in this mass rezoning action. City Planner Karet explained the property still carries a Flagler County zoning designation and that a City designation is needed; the proposed designation is the City's AG&S district which is compatible with the current City future land use designation. Staff also advised to proceed with development of the property, a City zoning designation is needed.

Lloyd Connor's neighbor (name was not provided) asked why his property is being restricted to one unit instead of the 1-3 units on his certificate of occupancy that was issued in 2017. City Planner Karet said the restrictions have been in place since annexation.

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - Yes

Manuel Madaleno – Yes

Vote: Motion carried by unanimous vote.

10. Public Comment

None

11. Board comment

None

12. Adjournment of Planning and Zoning Meeting

Motion: Adjourn

Moved By: Gary Masten

Seconded By: Manuel Madaleno

Roll Call Vote:

Carl Lilavois - Yes

Gary Masten - Yes

Manny Madaleno - Yes

Vote: Motion carried by unanimous vote.

PZA Chair

*****The City adopts summary minutes. Audio files in official City records are retained according to the Florida Department of State GS1-SL records retention schedule*****

Special Exception. PZA 2022-666

Date: 6/7/2022 PZA Board Meeting

We want to ensure the minutes are accurate.

If you speak during the meeting, please **PRINT** your name and address below. Thank you!

NAME

Alex Schaefer

Brittany Schaefer

Call Brown

Jul Art

Marc Spalding

Spalding John C.

T.J. Bratcher

Patrick Kennedy

Lyn Lafferty

ADDRESS

515 John Campbell Dr.

515 John Campbell Dr.

600 Jennings Ave Eustis FL 32722

520 W. Chalmers St

PO BOX 39 San Mateo FL 32187

369 Garden Lane Bunnell, FL 32110

763 3rd Av Wekiwa FL

518 CR 45

Mr. Randy Simmons (386) 585-0099

Lives next door to JW site, constantly smells, noises at all hours - has called & complained as has his family that own that piece next to him (998 State Hwy 100)
→ (882 State Hwy 100, Bunnell)

Mr. Keith Russell, who resides on Black Point Rd. has called in & complained, requesting additional information from DEP, to date nothing has been presented, as to my knowledge.

Stop work order issued for MW Horticulture amid multiple fires and code violations

by **ABC7 News** 11:00 PM EDT, Tue April 19, 2022

UPDATE – Friday, 6 pm:

SAN CARLOS PARK, Fla. — The fire at MW Horticulture has entered its sixth day. The mulch fire is still smoldering, with crews keeping a close eye on flare-ups.

The fire is now 100% contained to the MW Horticulture property, fire officials said. Crews have been using an estimated 63,000 gallons of water per hour to douse the blaze. The size of the fire has now been reduced from 10 acres to seven acres.

People living and working in the area can still expect smoky conditions throughout the day.

On Monday, the fire spread to a portion of the property that wasn't initially accessible to fire crews, according to San Carlos Park Fire.

The fire started last Sunday morning just before 10am.

Due to multiple code violations, MW Horticulture was issued a stop work notice on April 6th due to several code violations and a string of recent fires.

RELATED STORY: Fire sparks at MW Horticulture in Fort Myers

The order bars the company from taking in more material, but does not prevent them from processing other material on site.

As for the person who was injured yesterday, MW Horticulture's co-owner is being treated for smoke inhalation, as a result of trying to fight the fire Sunday afternoon.

Co-Owner Denise Houghtaling says fires at compost facilities are normal but her husband Mark Houghtaling and other crew members risked their lives to put it out. Mark is now at a nearby hospital recovering from smoke inhalation.

"I said hey they are going to have to do something. I didn't tell him what, but they are going to have to do something to make you stay alive."

The Fire Marshal says the fire started because the mulch piles were not handled properly.





Houghtaling says she appreciates her crew members for their hard work and also risking their lives.

“We’ve got a great team. When all of that happened yesterday I was stressed out. I told everyone to pack up and go home. They didn’t. They stayed there.”

She also wanted to apologize to the community for any troubles it may be causing them.

“I feel for the community around and I apologize for any inconvenience. I understand the smoke and I apologize.”

History of headaches

This year alone, firefighters have responded to the MW Horticulture recycling center 23 times. If you go back to 2015, they’ve responded more than 130 times.

That leaves taxpayers on the hook for hundreds of hours of response time.

Half the battle for fire crews is being able to get to those fires. A spokesperson for the San Carlos Park Fire District said these huge piles are so big and so close together that firefighters can’t get to them easily, leading to longer burns.

The Florida Department of Environmental Protection (FDEP) said the state denied registration for both sites back in December of 2020 and that despite that order, the facility has continued to operate. The two groups are now headed to civil court.

San Carlos Park fire did issue a stop-work order on April 6, 2022. This means they can’t take in any new material, but they can process what’s already on the property. Fire officials did this to try and get those pile sizes under control.

FDEP is responsible for handling enforcement at the site in south Fort Myers while Lee County handles enforcement at the second location in North Fort Myers.

In recent years Lee County has issued fines against the company. Both the county and DEP have sued the company in the past.

The fire department's stop-work order will stay in place for at least two weeks. Breaking that order is a second-degree misdemeanor.

As for that upcoming court date with the FDEP, we are working to find out when it will happen.

Who foots the bill?

So far, more than 40 firefighters have spent the last 36 hours dousing massive mulch piles with 9.8 million gallons of water. That number continues to rise to the tune of 400,000 gallons every hour, according to San Carlos Park Fire officials.

By midnight on Tuesday, more than 10 million gallons of water will have been pumped into the still-burning fire.

"The battle is just at the start," said Alexis McLellan, the Public Information Officer for the San Carlos Fire District. "There are fires in the interior of this property that no fire truck can possibly reach."

The unreachable fires burning inside the plant is why crews have remained at the site off Thomas Road and will be for some time.

"We hope 24 hours, but we could be here for a week," McLellan said.

So who's fronting the bill for all this water and work? The company, that's violating fire code... or you, the taxpayer?

"I wouldn't like to see that bill," said Jim Waterson, who owns a home in Estero but as a piece of equipment at the plant.

When it comes to firefighters on the front line, San Carlos Park will charge the company.

"Because they're in code violation, we do operate for one hour and after that they are billed for our man-hours out here," McLellan said.

That exact number won't be known until firefighters clear out, which could take days.

MW Horticulture was given a Stop Order on April 6 after a fire broke out at the facility the previous Monday. It was then that fire officials saw the facility's current situation.

According to fire officials, mulch composting piles can only be a certain length and width, not to exceed 25 feet in height. They also must have 30 feet of space in between piles to give access to fire trucks.

McLellan said there was no pathways and piles exceeded 35 feet in height, as well as exceeded dimensional requirements.

Other mutual aid departments and Florida Forest Service will make their own decision on whether or not to bill MW Horticulture for their time at the property.

When it comes to the 9.8 million gallons of water, that's still up in the air.

All the water is coming from hydrants serviced by Lee County Utilities. At one point, fire crews were using so much water they say the county asked them to scale back to avoid running the supply dry.

If you used that much, your bill would top \$64,092.

A county spokesperson told NBC-2 they're investigating who's paying for the water used.

This fire is just one of nearly two dozen times firefighters have been called out to the site in 2022.

Since 2017, San Carlos Fire responded to this plant 131 times, many of those at the expense of taxpayers.

How breathing in smoke from fires can affect your health

The smoke, which contains toxic pollutants, has filled communities near the plant, raising concerns of how it might impact people's health.

"It actually smells like somebody is burning trash in your backyard, it's that bad," said Chuck Weis, who lives seasonally at the Fort Myers RV Resort.

Smoke travels across U.S. 41 and into the community whenever the wind blows eastward.

"Total living hell. It's total hell," said Manager of the Fort Myers RV Resort Jan Waten.

The smoke is produced by the fires that started on their own, internally combusting during the organic decomposition of the mulch.

“You can get an instant headache off of it,” said Weis. “It makes it harder to breathe,” added Howard Watern, the RV park manager. “I can feel it.”

Is the smoke bad for your health? If so, how?

“Being exposed to pollutants in the air, including a fire such as this one, is going to be detrimental to your health,” said Dr. Shyam Kapadia, a pulmonary and critical care doctor with Lee Health.

Dr. Kapadia said people with underlying health conditions like asthma, COPD, and other respiratory issues are much more likely to have a tough time breathing.

“A lot of these irritants in the smoke can cause exasperations in your underlying medical conditions,” he said. “Symptoms of some smoke exposure can be irritation to the eyes, the respiratory tract. You may have shortness of breath, trouble breathing, and chest tightness.”

Earlier this year, over 270 people at the RV park signed a petition. It was sent to the Department of Environmental Protection, outlining their concerns.

The fear? Exactly what’s happening now.

A major fire puts their health at risk and possibly causing long-term damage in the years to come.

“It’s always a possibility. You never know until years down the road,” said Weis. “They should step up to the plate. They should be controlling their smoke and their ash.”

The residents of the RV community want the park to operate legally and without all the fires.

In the meantime, firefighters here are wearing respirators and eye protection. This helps lessen the impacts of the smoke and pollutants billowing from the still-burning fire.

U.S. Fire Administration TOPICAL FIRE RESEARCH SERIES

**Volume 1, Issue 18
March 2001 (Rev. December 2001)**

Landfill Fires

FINDINGS

- Each year, an average of 8,300 landfill fires causes up to \$8 million in property loss. Few casualties result from these fires.
- Landfill fires are most prevalent in the spring and summer months, when there is a greater chance of spontaneous combustion.
- Landfill fires include not only refuse, but vehicles, structures, and surrounding brush and grass.
- Fires at discarded tire sites produce large amounts of oil and smoke and are difficult to contain and extinguish.
- Matches, open fire, and hot embers/ashes are the leading forms of heat ignition.
- The cause of more than half of landfill fires is not reported; 40% are attributed to arson.

Each year in the United States, an average of 8,300 landfill fires occur. These fires are responsible for less than 10 civilian injuries and between \$3 and \$8 million in property loss each year.¹ It is difficult to assign value to these fires as the refuse itself has little or no value. Approximately 30 firefighters are injured fighting landfill fires each year. No fatalities were reported to the National Fire Incident Reporting System (NFIRS) during the 1996–98 period.

Unlike the common definition a landfill that signifies a public or private area where waste is buried (commonly known as a municipal solid waste (MSW) landfill), the definition used by NFIRS encompasses not only MSWs, but general refuse disposal areas and dumps in open ground.

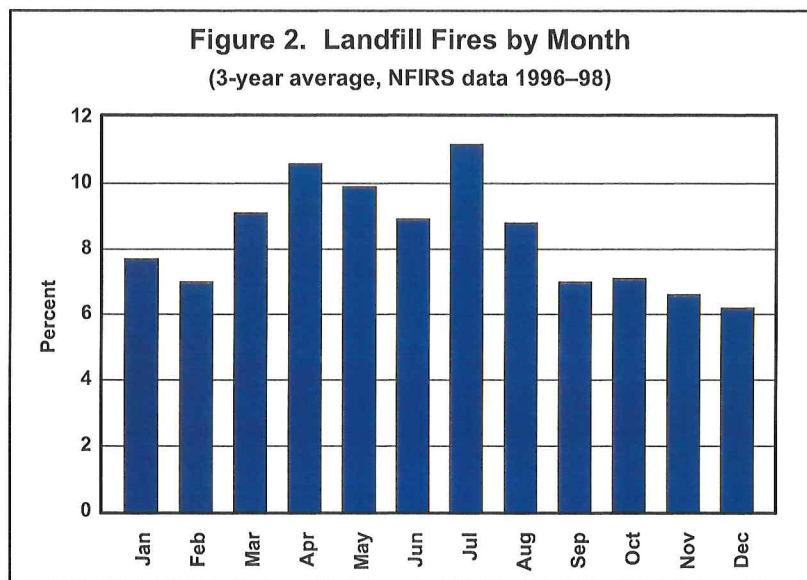
As shown in Figure 1, landfill fires account for a significantly lower amount of property loss when compared to the average of all fires. They also result in considerably less civilian casualties. This topical report examines the causes and characteristics of these fires.

Figure 1. Loss Measures for Landfill Fires
(3-year average, NFIRS data 1996–98)

LOSS MEASURE	ALL FIRES	LANDFILL FIRES
Dollar Loss/Fire	\$5,619	\$1,011
Civilian Injuries/1,000 Fires	15.7	1.0
Civilian Fatalities/1,000 Fires	2.4	0.02

WHEN FIRES OCCUR

Landfill fires are at their highest number from March through August (Figure 2), with July as the peak month. This is likely due to the hotter temperatures in these months, when there is a greater chance of spontaneous combustion and hot, smoldering discarded products igniting in landfills.



WHERE FIRES START

Not surprisingly, the majority of landfill fires involve refuse fires, 64% occurring in trash or rubbish containers. However, other fires do occur on landfills. Vehicle fires involve dump trucks, recycling trucks, and other vehicles that are commonly found in landfills. Another type of fire found in landfills is structure fires, possibly involving structures such as small offices commonly found on landfill sites. Other types of fires in landfills are tree, brush and grass fires that can occur when landfill fires spread to surrounding areas. The property losses by type of fire are listed in Figure 3.

Figure 3. Property Loss in Landfill Fires (\$ millions)
(3-year average, NFIRS data 1996-98)

TYPE OF LANDFILL FIRE	DOLLAR LOSS
Vehicle	\$4.2
Structure	\$2.5
Other	\$1.7

WHAT IGNITES FIRES

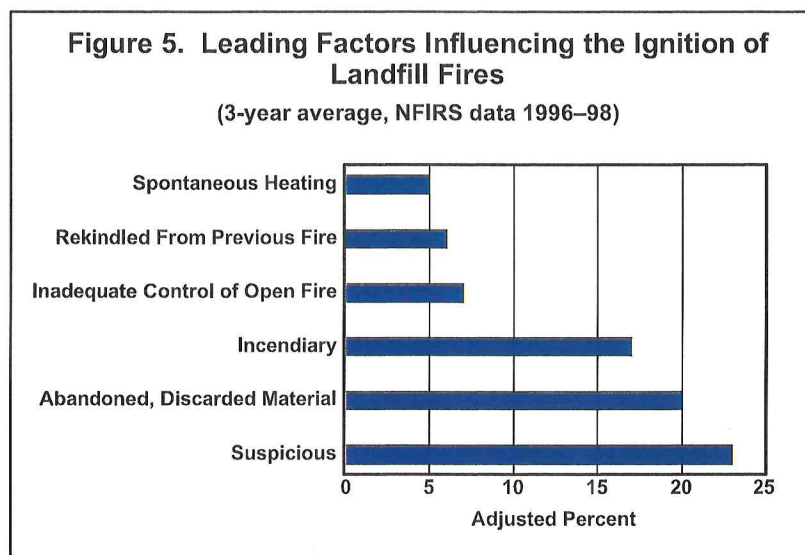
The leading form of heat ignition in landfill fires is matches (23%) (Figure 4). The second and third leading forms of heat ignition are open fire and hot embers and ashes (both 13%). Sometimes hot embers and ashes are discarded without the realization that the ashes are still slightly hot and fire could ensue.

Figure 4. Leading Form of Heat of Ignition in Landfill Fires
(3-year average, NFIRS data 1996-98)

FORM OF HEAT OF IGNITION	PERCENTAGE OF FIRES
Matches	23
Open Fires	13
Hot Embers, Ashes	13

FACTORS INFLUENCING THE FIRE'S IGNITION

Over half of the landfill fires reported to NFIRS have no information available as the primary ignition factor. This lack of information is not surprising and reflects challenges in pinpointing causes of landfill fires. Of the remaining fires, incendiary and suspicious origins (commonly referred to as arson) account for 40% (Figure 5).



Not unexpectedly, 20% of landfill fires are attributed to abandoned or discarded materials. Included are discarded matches, cigarettes, and the like, which may have been discarded while still smoldering. Also included are containers with flammable residues. Spontaneous heating is attributed to 5% of landfill fires. This occurs when underground, decomposing waste rising in temperature combusts as it comes in contact with a methane gas pocket. This is known as a “hotspot” and can be identified when white or brown smoke emanates from the surface of a landfill.

TIRE FIRES³

Tire fires pose a unique challenge to the fire service. Hundreds of millions of tires are discarded each year. These tires are stockpiled in dumps, landfills, and recycling facilities throughout the United States. When ignited, tires burn with a higher per-pound heat output than most coal; they also produce large amounts of oil and smoke, which can cause serious air and water contamination. Further, tire fires can be extremely difficult to contain and extinguish. Even after they are extinguished, tire fires can flare up again weeks, even months, later.

EXAMPLES

- On January 26, 1998, an employee at Richard DeCoite’s construction and demolition (C&D) landfill in Ma’alaea, Maui, noticed an odd odor, which led to the discovery of a fire 15 to 20 feet underground. Attempts were made to smother it with injections of more than 1,000 pounds of liquid carbon dioxide. The fire was eventually

deemed to be extinguished in a matter of weeks, although it continued to smolder for 4 months.⁴

- An underground landfill fire that was discovered in December of 1996 in Danbury, New Jersey, caused an unpleasant odor (which smelled like rotten eggs due to the high concentration of hydrogen sulfide in landfills). The odor spread into two surrounding neighborhoods. The fire lasted for weeks and the town was forced to install a gas recovery system, whose cost exceeded \$1 million.⁵

CONCLUSION

Landfill fires can be prevented, and property loss decreased, by further compacting waste so less air or methane pockets are formed. By checking to make sure material is properly extinguished (such as ashes, cigarettes) and that flammable and volatile materials are corrected disposed of, the number of landfill fires could decrease.

For more tips on how to prevent landfill fires in your state, see the USFA website: <http://www.usfa.fema.gov>, or contact your local fire department.

NOTES

1. National estimates are based on data from the National Fire Incident Reporting System (NFIRS) (1996–1998) and the National Fire Protection Association's (NFPA's) annual survey, *Fire Loss in the United States*.
2. Since civilian and firefighter deaths associated with landfill fires are rare and because this report represents statistical estimates based on a sample of fires, it is possible that the estimates reflect no deaths during a time period where a fatal fire occurred
3. *Scrap and Shredded Tire Fires Special Report*, Major Fires Investigation Project #93, FEMA, USFA, December 1998.
4. "Ma'alaea Landfill Fire Sparks State Effort To Develop Guidelines," *Environment Hawai'i, Inc.*, Volume 9, Number 4, October 1998.
5. <http://www.newstimes.com>

[CLICK TO REVIEW THE DETAILED METHODOLOGY USED IN THIS ANALYSIS](#)

[CLICK TO SEE ALL THE REPORTS IN THIS TOPICAL FIRE RESEARCH SERIES](#)

[Watch Live](#)

Massive 2-acre mulch fire erupts at recycling plant in Apopka

By FOX 35 News Staff | **Published** April 30, 2022 11:31AM | **Updated** 2:57PM | News | FOX 35 Orlando

APOPKA, Fla. - A massive first-alarm fire erupted at an environmental recycling plant in Florida early Saturday morning illuminating the sky in orange and yellow hues, and sent smoke high into the air.

The fire sparked around 3 a.m. at the Raynor Shine Environmental Recycling Services where firefighters found about two acres of recycled mulch and brush on fire, according to the Apopka Fire Department.

It took firefighters almost three hours to bring the fire under control, said Lieutenant Jerry Maynard. Late Saturday morning, crews were working to clean up and put out any flare-ups.

No one was hurt in the fire. The cause remains under investigation.



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WILLIAMSON COUNTY

Recycling materials catch fire outside plant near Taylor

by: [Grace Reader](#), [Billy Gates](#), [Kate Winkle](#), [Jaclyn Ramkissoon](#)

Posted: Jan 14, 2022 / 02:05 PM CST

Updated: Jan 14, 2022 / 06:18 PM CST

SHARE



TAYLOR, Texas (KXAN) — A large fire burned Friday [at a recycling plant between Taylor and Hutto](#), officials said. At least two firefighters were hurt while battling the flames.

The fire was in the back of the Balcones Resources recycling plant located at 9801 Chandler Rd. Multiple agencies fought the fire burning recycling materials outside the building, Taylor city officials said.

[RELATED: At least 3 fires spark in Williamson County](#)

Balcones Resources told KXAN everyone is safe, and it's working with the fire department to contain the fire.

In an update around 6 p.m., the Taylor Fire Department said the fire was “mostly extinguished,” with the exception of flames remaining in deep-seated debris piles.

Construction equipment will help remove the debris, and firefighters will continue to work to put out the fire completely before winds pick up Friday night.

Taylor FD said two firefighters, one from Taylor and the other from Jarrell, were hurt and taken to the hospital. The Taylor firefighter has been released.

BREAKING NEWS:

< 2 / 3 > ||

California COVID-19 vaccine tracker: How doses have been administered by county, ZIP code



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Crews battle fire overnight at recycling plant in Modesto

Modesto Fire officials said after hours of battling the flames at the recycling plant near Morgan Road and Whitmore Avenue, the fire is now under control.

Updated: 10:04 AM PST Feb 15, 2022

Infinite Scroll Enabled

KCRA Staff

MODESTO, Calif. — Crews battled a fire at a recycling facility that began overnight Monday in Modesto.

The recycling plant is in the area of Morgan Road and East Whitmore Boulevard. The Modesto Fire Department said Monday night that both heavy fuel load and poor water supply was making it harder for crews to suppress the flames.

[facebook align='center']<https://www.facebook.com/ModestoFire/posts/311523904353094>[/facebook] target="_blank">

Just before 2 a.m. Tuesday, fire officials said the fire was under control, and crews will spend the rest of the early morning providing "overhaul operations."

[facebook align='center']<https://www.facebook.com/ModestoFire/posts/311602724345212>[/facebook]

This is a developing story.

Stay with KCRA 3 for the latest.

GOOD HOUSEKEEPING



Fire under control at recycling plant near State Road 429

BY SPECTRUM NEWS STAFF ORLANDO

UPDATED 2:42 PM ET APR. 30, 2022



ADVERTISEMENT

APOPKA, Fla. – First responders in Apopka responded to a large fire near State Road 429 early Saturday morning.

The fire started around 3:30 a.m., according to a release from the Apopka Fire Department.

An EMS chief tells Spectrum News that a pile of hardwood recycled products went up in flames at Raynor Shine, a recycling facility. He says they usually take that material and turn it into mulch.

The release goes on to state that most of the fire was under control by 6:00 a.m. with crews on the scene as of 2:30 p.m., continuing to clean up and watch for possible flare-ups.

Crews fighting a fire near the Amazon warehouse in Apopka, just off SR-429. It appears a mulch pile is on

fire. [@MyNews13](https://twitter.com/MyNews13) [#News13Seminole](https://twitter.com/MyNews13) pic.twitter.com/ppH4RPYdqP

— Nicole Griffin ([@NicoleNews13](https://twitter.com/NicoleNews13)) [April 30, 2022](https://twitter.com/NicoleNews13)

The lot is located near a lot of other warehouses, including a large Amazon distribution center, but the chief says the wind actually worked in their favor, blowing the flames away from other structures.

The chief shared that Raynor Shine employees have been showing up all morning, helping to move equipment on the property away from the fire. At this point they still do not know the cause of that fire, however they did have a similar fire here last year.

This is a developing story. Stay tuned to Spectrum News 13 for more details.

by: [Heather Monahan](#)

Posted: May 21, 2017 / 08:54 AM EDT

Updated: May 21, 2017 / 08:54 AM EDT

SHARE



LAKELAND, Fla. (WFLA) — More than two dozen firefighters battled a large fire at a business in Lakeland Sunday morning.

Polk County Fire Rescue and the Lakeland Fire Department were called to **Wood Mulch Products, Inc.** on Lasso Lane around 9:30 a.m. A large column of smoke could be seen from miles away.



Responding firefighters found a 53-foot mulching trailer, a concrete storage building and piles of mulch and timber on fire.

Part of a building with a 500-gallon diesel tank and other heavy equipment inside was also on fire. Crews were able to prevent the flames from getting to the diesel tank.

Firefighters were able to contain the fire, but are still on scene to make sure flames don't start up again. People living in the area could see or smell smoke.

One firefighter injured her leg during the fire and was taken to the hospital. Polk County Fire Rescue says she is expected to be okay.



Mulch fire at Lake County landfill could impact visibility for 2 weeks, authorities say

Published: May 15, 2022, 10:33 PM

Tags: Lake County Fire Rescue, Lake County



Lake County deputies are searching for a man accused of raping an 18-year-old woman at an apartment complex in Clermont. (WKMG)

The Lake County landfill experienced a mulch fire on Sunday afternoon that could produce smoldering that is expected to last two weeks, authorities said.

The landfill is located in Tavares near County Road 561.

Crews are expected to spread the mulch and extinguish hot spots, which may affect visibility along County Road 561, State Road 19 and surrounding areas, authorities said.

Motorists who encounter smoky conditions are encouraged to turn on their headlights and reduce their speed.

Mulch fire in Collier County not growing



Oscar Santiago Torres

Naples

A mulch fire that began Sunday in Collier County remains at 6 to 8 acres as of Friday afternoon, according to the North Collier Fire Control and Rescue District.

On Sunday, firefighters responded to the fire at Environmental Turnkey Solutions on Immokalee Road and Jones Mining Road. The mulch fire is in a small wooded area near the northeastern edge of the property, which is surrounded by farm fields, fire officials said.

The Florida Department of Health in Collier issued a smoke advisory on Wednesday.

"We have told people in the area if they have respiratory issues, they should try to remain inside as much as possible," North Collier Fire spokeswoman Heather Mazurkiewicz, said.

The advisory remains in place, Julissa Cuthbert from the Florida Department of Health said.

Fire crews have responded to the location other times over the past few years, Mazurkiewicz said.

Smoky skies for a week or so

May 25, 2022



Photo courtesy Lake County.

Last week, Lake County Fire Rescue responded to a mulch fire at the Lake County landfill in Tavares near County Road 561. The Tavares Fire Department and Florida Forest Service were also on hand to subdue the flames.

“Smoldering is expected to persist for approximately two weeks as crews continue to spread the mulch and extinguish hot spots. Smoke may affect visibility along County Road 561, State Road 19 and surrounding areas. Motorists encountering smoky conditions along the roadways should turn on their headlights and reduce their speed,” the county said in a news release.

“Mulch piles can build up heat and spontaneously catch fire as they decompose. Mulch fires start more readily when the weather is hot, and it has been dry for an extended time,” according to the county.

Regular landfill operations will continue as usual.

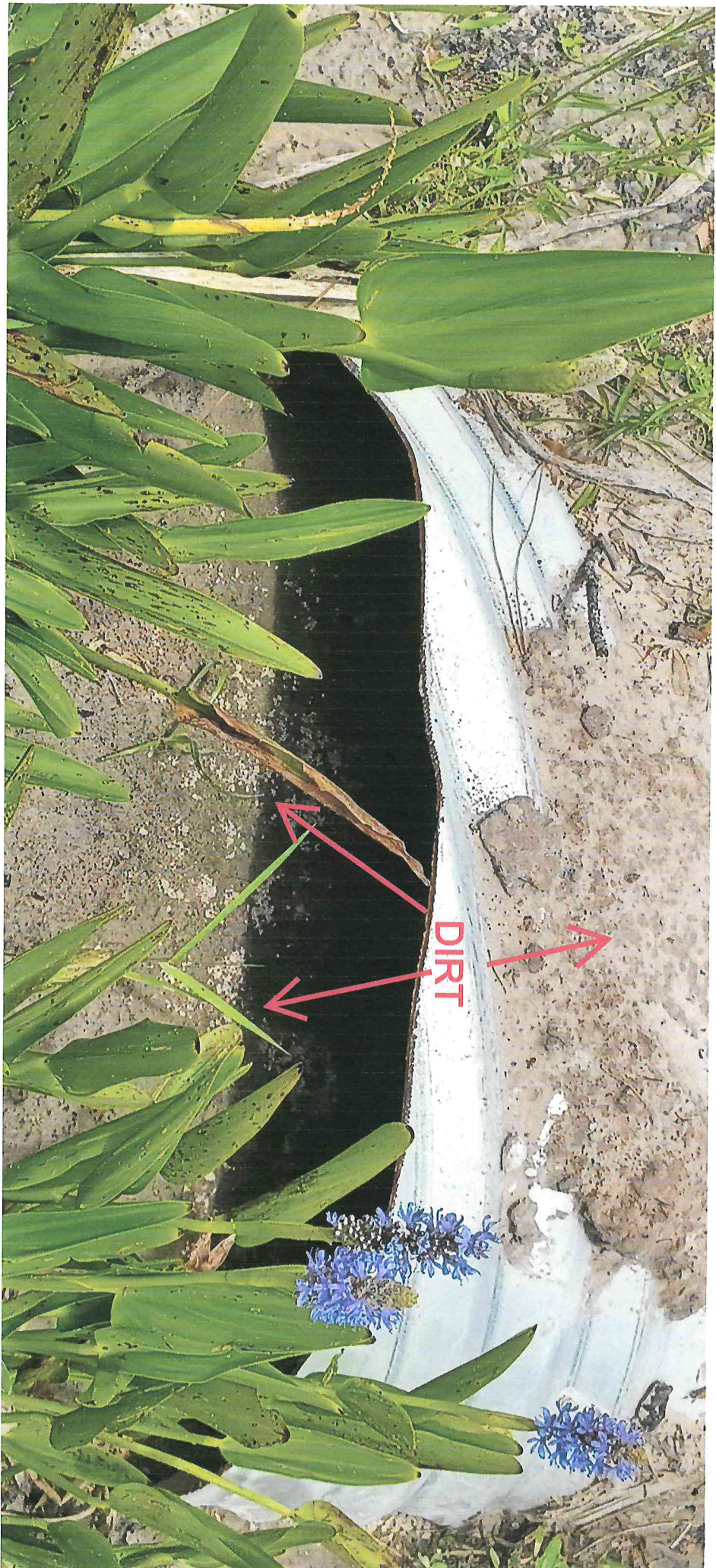




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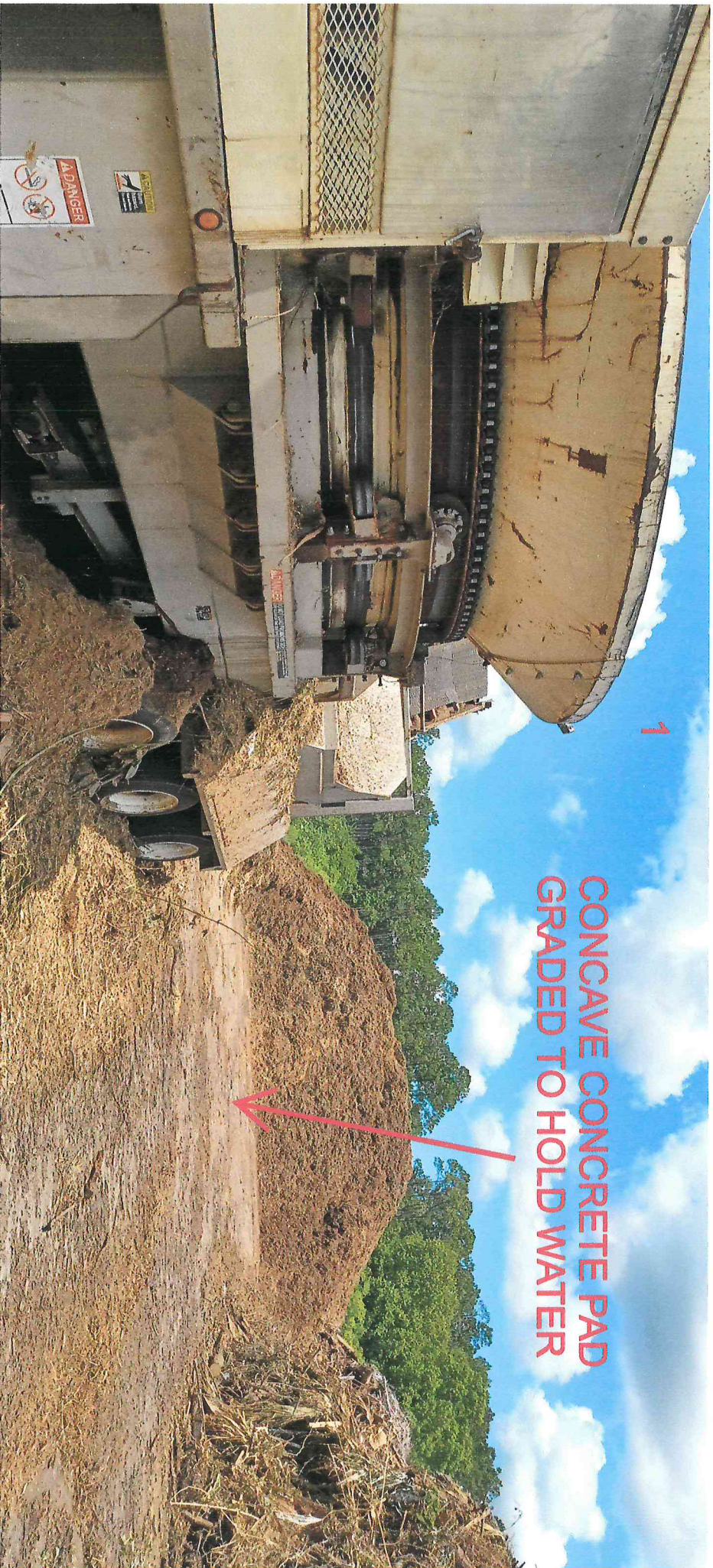
FIRST COAST WOOD RECYCLING, LLC

AND

FIRST COAST ROLL-OFFS, LLC

NOT A LANDFILL

VERMONT OWNED JOHN ADAMS 90 237-5759



CONCAVE CONCRETE PAD
GRADED TO HOLD WATER

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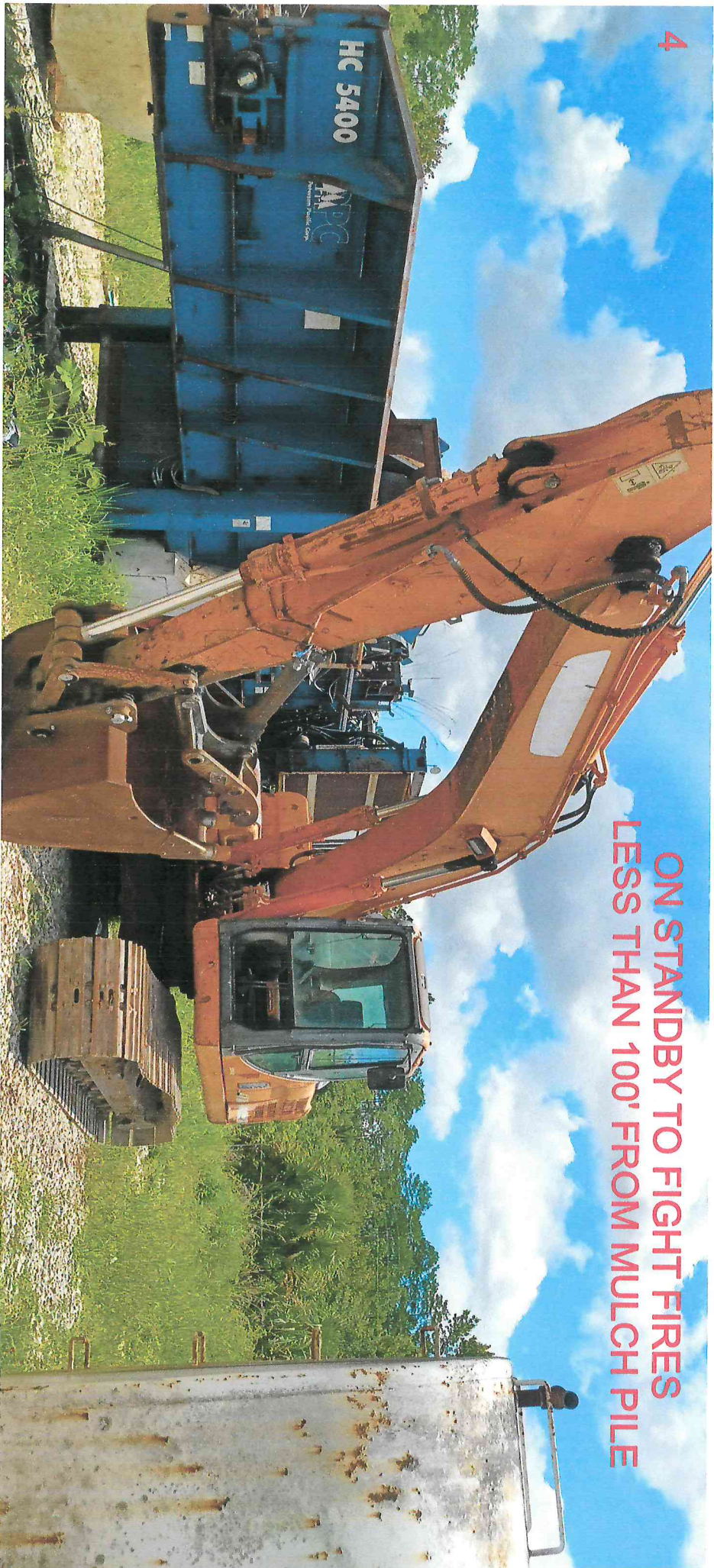
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LESS THAN 100' FROM MULCH PILE



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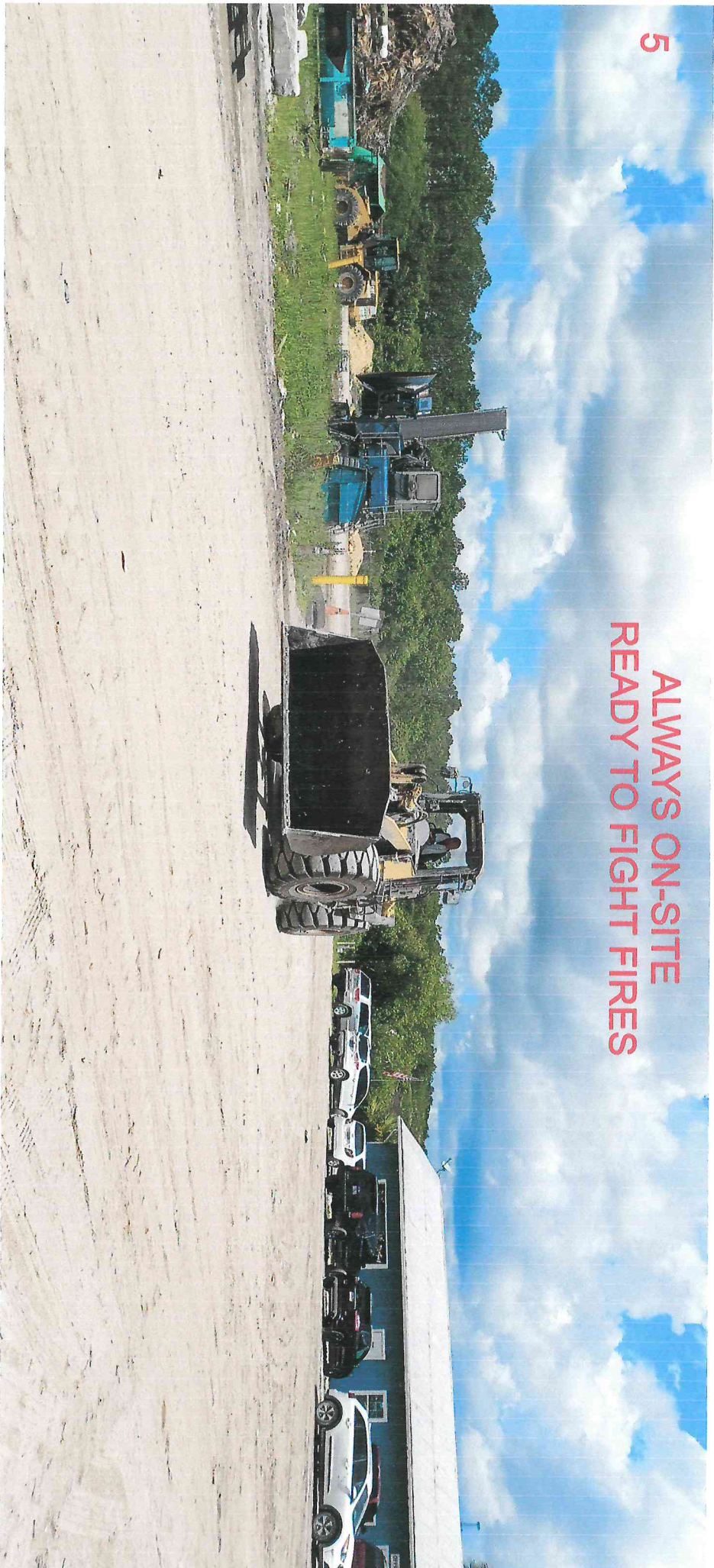


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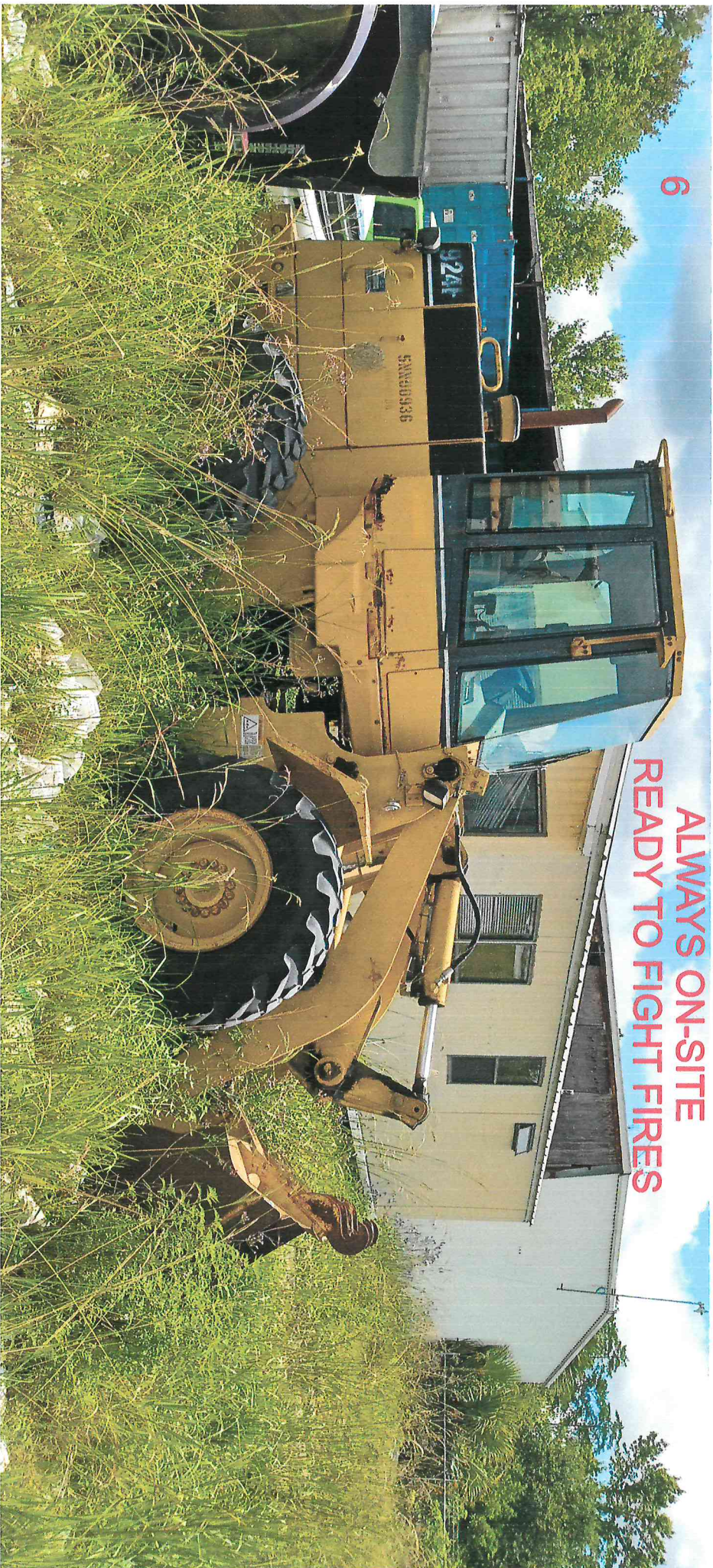
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READY TO FIGHT FIRES**

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**ALWAYS ON-SITE
READY TO FIGHT FIRES**

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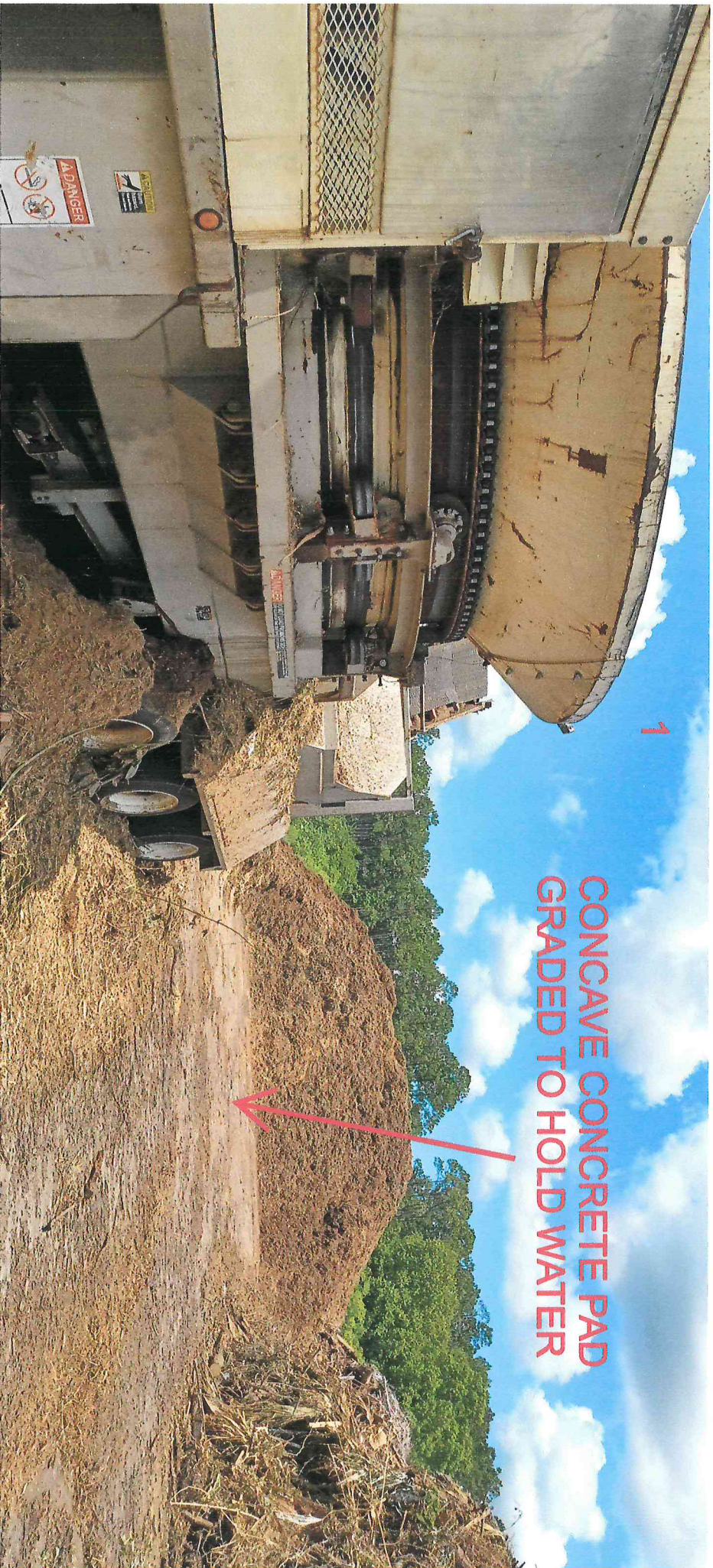




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ALWAYS ON-SITE
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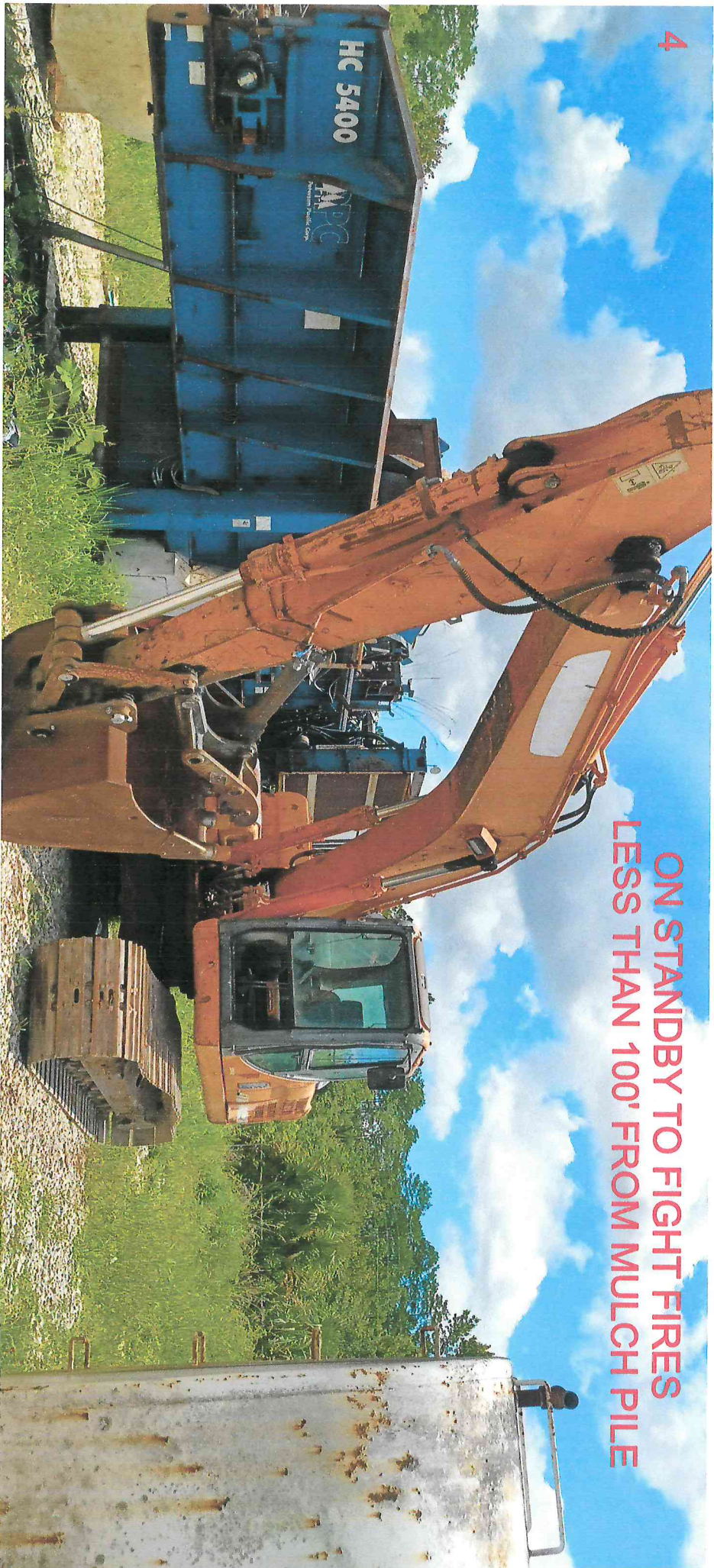
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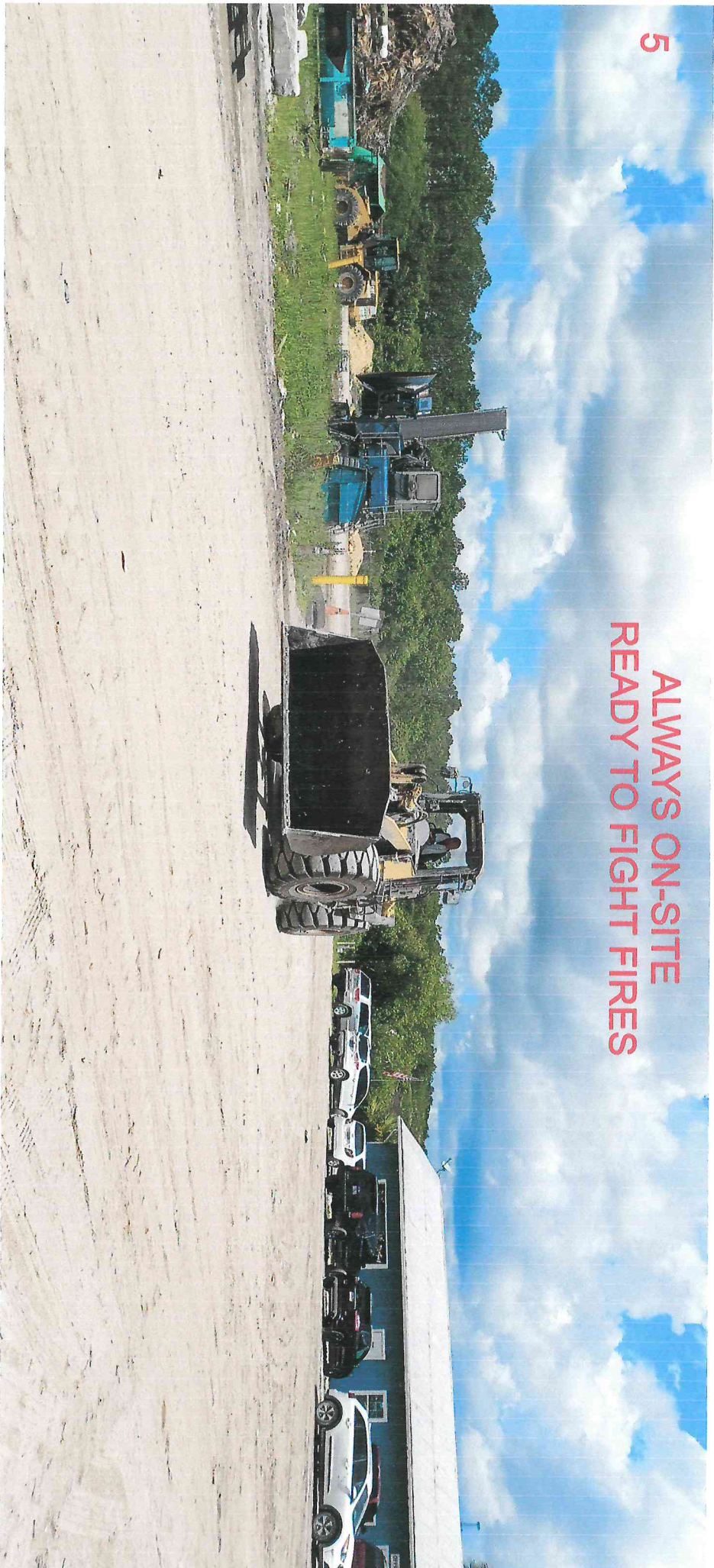


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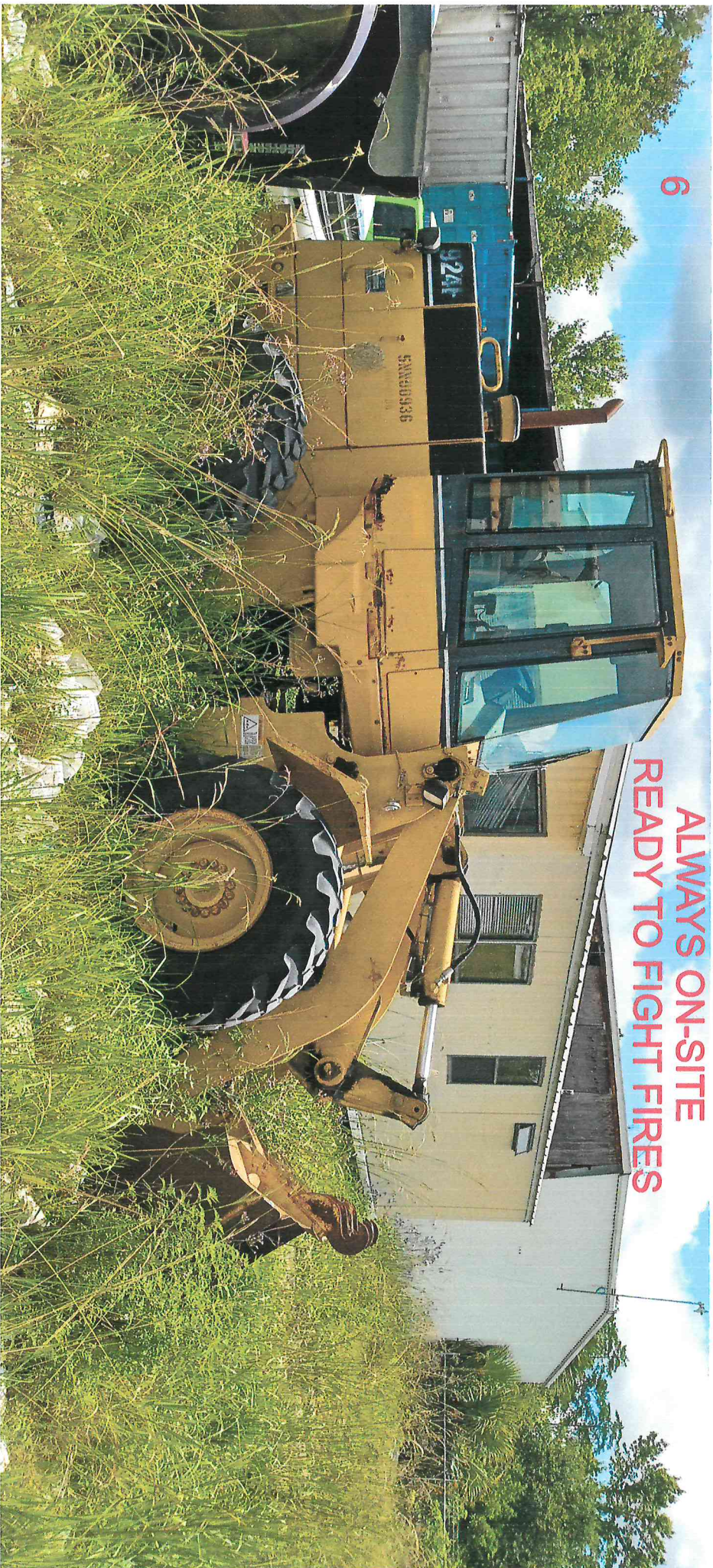
**ALWAYS ON-SITE
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**ALWAYS ON-SITE
READY TO FIGHT FIRES**

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2nd 20,000 GALLON
TANK TRUCK ON
STANDBY

**ALWAYS ON-SITE
READY TO FIGHT FIRES**



Analysis and Recommendation to City of Bunnell Planning, Zoning and Appeals Board

DEVELOPMENT/ PROJECT: Proposed Land Clearing Debris Processing and Stockpiling Facility CASE NO. PZA 2022-66

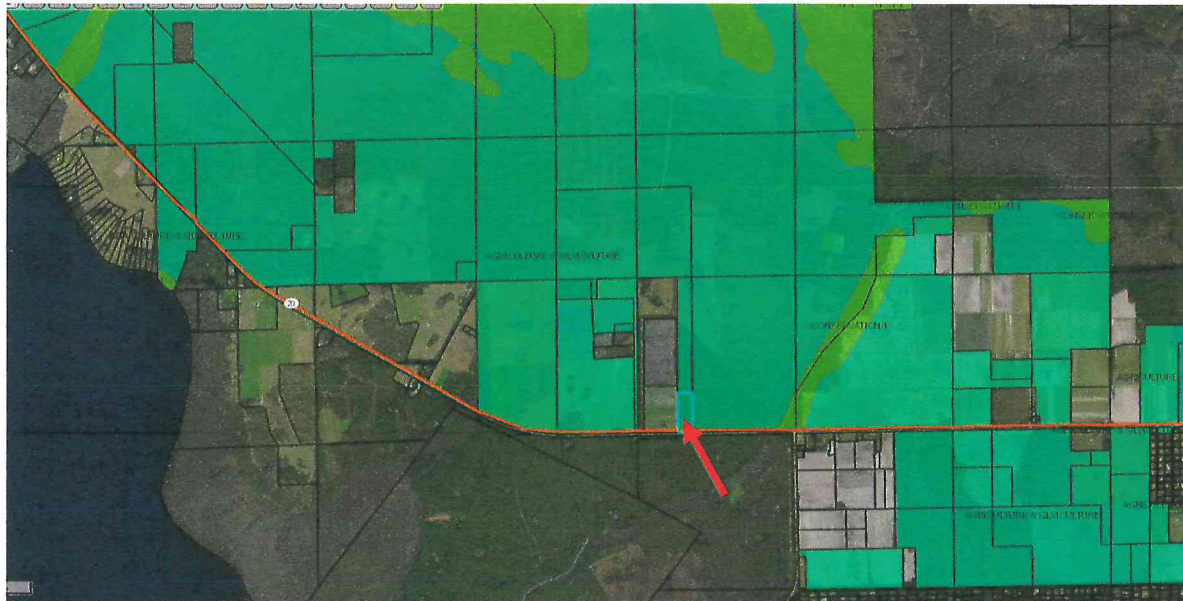
PROJECT ADDRESS AND PARCEL NUMBER: 10900 SR100, W APPLICANT: First Coast Roll Off, LLC

Special Exception Requested: Per the staff report, the applicant is seeking a special exception to allow for a “Source-separated Organics Processing Facility” (SOPF) performing wood chipping/grinding operation that will intake land clearing debris, chip and grind the material and stockpile on site.

Size of Parcel: ~ 15 acres

Future Land Use Designation: Agriculture & Silviculture **Zoning:** Ag&S

FUTURE LAND USE MAP
10900 STATE HWY 100 W



01-12-28-0000-01010-0011
2000963
VACANT
1.15
659,781.832

Owner FIRST COAST ROLL OFFS LLC
1600 NORTHWOOD DRIVE
SAINT AUGUSTINE, FL 32084
Physical Address 10900 STATE HWY 100W

Land Value \$95,700
Ag Land Value \$0
Building Value \$0
Misc Value \$0
Just Value \$95,700
Assessed Value \$95,700
Exempt Value \$0
Taxable Value \$95,700

Last 2 Sales			
Date	Price	Reason	Qual
11/19/2021	\$300,000	F	Q
10/15/2020	\$136,500	Y	Q

Key Considerations

The City of Bunnell has does not have specified criteria for analyzing a proposed Special Exception. This does not usually present a problem when the allowed special exceptions are specifically identified. However, the proposed use is not expressly recognized as a use allowed by right or by special exception under the relevant future land use designation and the zoning. As a result, the Planning, Zoning and Appeals Board (PZAB) must fall back on two very basic considerations that must be a part of any land use decision they face:

1. Is the proposed use consistent with the Comprehensive Plan?
2. Is the proposed use consistent with the land use regulations?

Charlie Faulkner of Faulkner and Associates provided a thorough and appropriate analysis as to why this proposed use in not consistent with the City's land use regulations at the April 5, 2022, hearing. I refer you to his 7-page response submitted at this hearing for the answer to this question. This analysis will focus on basic legal considerations and the City's Comprehensive Plan.

I. The Applicant Failed to Demonstrate that the Proposed use is Consistent with the City of Bunnell's Land Use Plan.

It is important to note that the burden is on the applicant to demonstrate with competent substantial evidence that his proposed special exception is consistent with the City's comprehensive plan and land use code. It is not city staff's job and it is not the PZAB's job to provide or even elicit the evidence – this is the applicant's burden. As of date of this memorandum, the applicant has not provided any evidence or analysis with its application, other than submitting a crude line drawing that lacks any detail about the nature of the operation. There has been no traffic analysis, no environmental surveys, no stormwater management plan, no buffering or screening plan, no fire safety plan, etc. There is not even a clear explanation of the size, scope, and nature of the proposed use. This type of data is necessary to properly assess the application and should be required before you even accept an application for special exception the seeks to establish a use that is not even recognized by your Comprehensive Plan and land use code.

Despite the lack of any analysis or support for its application, the City's staff still accepted the application and issued a report supporting it. But even the staff report fails to provide anything that could be considered competent or substantial evidence supporting the applicant's request.

The staff report leans almost entirely on an email from FDEP staffer that says little more than a tub grinder uses diesel fuel same as typical farm equipment, then points to a set of complex FDEP regulations and an FDEP inspection checklist that addresses solid waste facilities that do much more than just process trees into mulch. The staff provides no traffic analysis, no compatibility analysis, no attempt to clarify the nature of the use and why it should be allowed.

It is both inappropriate and insufficient to recommend approval of a special exception for simply by punting it to a state agency. The staff recommendation does little more than state that as long as the FDEP is okay with it, then the City should be okay with it, as long the use meets the unexplained conditions of an FDEP inspection that occurs once every 4 years. More must be required before making such an important local land use decision. This is especially true when the decision involves a special exception to allow an unlisted use that, on its face, is not remotely similar to any of the uses anticipated by the City's comprehensive plan: agriculture, silviculture, rural residential, or conservation.

The irony of the staff reliance on the FDEP email is that this same email actually point to many of the problems with this application and help to demonstrate why the proposed use is not consistent with the City's Comprehensive Plan and land use code. Some of the concerns you can glean from this FDEP communication include:

- FDEP staffer identifies a significant problem with finding a place to market/relocate the processed tree debris.
- The FDEP staffer's email and the SOPF criteria demonstrate that there is a possibility of much more than tree debris associated with an SOPF but the staff recommends a blanket and unconditional approval allowing the applicant to operate an SOPF at this location, and the applicant submittals do not expressly limit the what would be allowed. (There are at least 4 different facility types under the FDEP SOPF regulatory scheme allowing for the dumping of everything from yard trash to animal by-products, and even "clean" wood from construction debris.)
- The FDEP can authorize longer storage times.
- The FDEP only inspects once every 4 years.

II. The Proposed Use of a Source-Separated Organics Processing Facility is NOT Consistent with the Bunnell Comprehensive Plan

Consistency with the Comprehensive Plan is the primary concern when considering this proposed special exception, and as stated above, it is the applicant's burden to demonstrate it. Clearly, he has not done so. We could simply rest our opposition to this case on the applicant's failure to provide competent substantial evidence to support his application. However, the level of concern for locating this use at this location has compelled us to offer our own analysis under the Comprehensive Plan future land use element to illustrate why this proposed waste recycling and transfer station should not be allowed. The first place to start is the applicable future land use designation for this property.

A. The Proposed Use Is Expressly Inconsistent with the Future Land Use Designation.

The property in question is governed by the Agriculture and Silviculture future land use category and the policies implementing this future land use category state in pertinent part as follows:

FLU Policy 16 - Agriculture and Silviculture (Ag&S).

The agriculture and silviculture land use category shall accommodate a range of agricultural and/or agricultural related uses and accommodating low density residential development, including modular, mobile and manufactured homes at a maximum density of one (1) dwelling unit per five (5) acres. Appropriate uses include agricultural, recreation, public and institutional uses, PUD developments, conservation areas, participation in the City rural preservation program, including rural nodes, conservation communities, clustering and mixed-use. This category is created by the City to specifically designate the Agriculture and Timberlands (Ag&T) acreage annexed into the City from Flagler County.

Such uses include, but not limited to:

- *Bona-fide agricultural uses;*
- *Silviculture uses;*
- *Ornamental horticulture, floriculture and nursery products, wholesale and retail;*
- *Livestock;*
- *Single-family residences;*
- *Churches;*
- *Passive recreational uses;*
- *Private hunting clubs and public hunting areas;*
- *Special exception uses, such as cemeteries, kennels, seasonal farm housing; and,*
- **Other similar uses.** *(Emphasis added)*

The proposed use is not specifically listed as an allowed use or special exception under Ag&S land use designation and can only be considered for a special exception under the Ag&S land use designation if it is found to be “similar” to the enumerated uses. Thus, before even getting into traffic studies, environmental surveys, and the other required areas of inquiry for consistency with the comprehensive plan, the applicant must demonstrate and the PZAB must conclude that the proposed use is “similar” to bona-fide agriculture or silviculture uses. Unfortunately for the applicant, there is ample evidence presented demonstrating why the proposed SOPF is not even remotely similar to agriculture and silviculture uses, nor does it support them in any way. As already pointed out by Faulkner and Associates at the April 5th hearing:

Agriculture is defined as the science, art, or practice of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation and marketing of the resulting products. (Marriam-Webster)

Silviculture is defined as the art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands to meet the diverse needs and values of landowners and society on a sustainable basis. (Helms 1998, USDA Forest Service 2004).

In stark contrast to these basic understanding of agriculture and silviculture, the FDEP defines Source-separated Organics Processing Facilities as:

- Yard trash transfer stations;
- Yard trash recycling operations;
- Manure blending operations; and
- Composting operations that process:
 - Manure;
 - Animal by-products (meats);
 - Vegetative waste (produce culls, florists waste, etc.); and
 - Pre-consumer vegetative wastes.

When you mix in the fire hazard, odors, noise, and the constant truck traffic for an industrial/manufacturing type use operating 5 days a week 52 weeks a year, it does not require much imagination to see just how dissimilar the SOPF is from bona-fide agriculture and silviculture uses. In fact, it makes it clear the SOPF is the antithesis of agriculture and silviculture.

There is a reason why the Flagler County Property Appraiser assesses the other SOPF facilities in the Bunnell area as light industrial and light manufacturing uses. There is a reason why this proposed use is regulated by the Division of Waste Management with the FDEP. It is because the proposed use is an intensive, potentially hazardous combination of landfill, waste transfer and manufacturing use that thrives by supporting remote commercial and residential development; the very uses that are discouraged by the City's Comprehensive Plan for this location. It is not remotely akin to agriculture, silviculture, horticulture, rural residential or any of the land uses identified in your comprehensive plan as appropriate for the Ag&S future land use category.

B. The City of Bunnell considers the protection of agricultural uses and the preservation of the rural character of its community to be of primary importance.

I have reviewed numerous comprehensive plans in my 22-year career in planning and local government and I have not seen one so dedicated to prioritizing agriculture and rural living more than City of Bunnell's plan. The emphasis on these priorities permeates nearly every goal and objective of the Comprehensive Plan. Some examples include:

Goal 7 Agricultural Land Use Pattern:

The City of Bunnell shall create a regulatory system, which supports the agricultural industry and lifestyle as a desired land use pattern.

FLU Objective 13 - Agricultural Land Use Category.

Encourage the agricultural lifestyle within the municipal limits of the City.

FLU Policy 13.1 - Protection of Agricultural Uses

The City shall implement and enforce policies and programs designed to preserve and reinforce the positive qualities of the agricultural lifestyle presently enjoyed in Flagler County as they are annexed into the municipal limits of the City of Bunnell.

FLU Policy 13.3 - Agricultural Primacy

The City shall encourage the continuation of agricultural operations. Agricultural uses on lands that have an agricultural exemption from the Flagler County Property Appraiser will be considered to have “primacy” in the area. **Primacy means that conflicts between such agricultural lands and other non-agricultural uses will be resolved in favor of the agricultural interests.**

If the PZAB is on the fence with the case, this is not a “tie goes to the runner” situation. Policy 13.3 provides that if there is any conflict between agricultural interest and developer interests, the matter must be resolved in favor the agricultural interests. Policy 13.3 practically mandates that the City deny this application for special exception to establish such a use in the heart of these active agriculture and silviculture lands.

RECOMMEDED FINDINGS:

DENY THE APPLICATION FOR SPECIAL EXCEPTION SUBMITTED BY FIRST COAST ROLL OFF, LLC TO OPERATE A SOURCE-SEPARATED ORGANICS PROCESSING FACILITY AS PRESENTED UNDER CASE NO. 2022-66, FINDING THAT, BASED ON THE EVIDENCE PRESENTED, THE APPLICANT’S PROPOSED USE IS INCONSISTENT WITH THE CITY OF BUNNELL’S COMPREHENSIVE PLAN AND LAND USE REGULATIONS.



City of Bunnell, Florida

Agenda Item No. H.3.

Document Date: 7/8/2022 Amount:
Department: Finance Account #:
Subject: Set FY 2022/2023 Tentative Millage Rate & First Budget Public Hearing
Agenda Section: New Business:
Goal/Priority: Financial Stability/Sustainability

Summary/Highlights:

Set FY 2021/2022 Tentative Millage Rate & First Budget Public Hearing

Background:

Annually, the Property Appraiser must certify the taxable value by July 1st. Afterwards, the City has 35 days to set a tentative millage rate and the first public hearing for the budget. The Property Appraiser will then complete and mail out the TRIM notices to all property owners in August.

Staff Recommendation:

Set the tentative millage rate at 7.43 mills (no change to the current millage rate) and the first public hearing for Monday, September 12th at 7:00pm in the Flagler County Commission Chambers.

City Attorney Review:

The final millage rate, by law, cannot be adjusted upward.

Finance Department Review/Recommendation:

Approve

City Manager Review/Recommendation:

Approved.



City of Bunnell, Florida

Agenda Item No. H.4.

Document Date: 7/8/2022 Amount:
Department: Community Development Account #:
Subject: Approval of the Whistle Stop Farms Minor Subdivision Final Plat
Agenda Section: New Business:
Goal/Priority: Increase Economic Base

ATTACHMENTS:

Description	Type
Whistle Stops Farms Plat Sheet 1 Certifications	Plans
Whistle Stop Farms Plat Sheet 2 Layout	Plans
Whistle Stop Farms Survey	Plans
Whistle Stop Farms Location Map	Location Map(s)

Summary/Highlights:

This is a request by EQS3N Partners LLC for approval of a minor subdivision of the property identified as Parcel ID: 04-12-30-5550-00050-0022.

The Planning, Zoning and Appeals Board heard this request at their June 7, 2022 Meeting. At that meeting, the PZA voted to recommend approval of the minor subdivision by the City Commission.

Background:

The applicant, EQS3N Partners, LLC, owns 31± acres of land located at 415 County Road 13.

This a roughly triangular shaped property located west of the intersection of County Road 13 and Opossum Lane. The applicant plans to subdivide the property into 6 lots ranging in size from 5.01 acres up to 5.39 acres. All of the proposed lots will have frontage on an existing public road. Each lot will have their own potable water well and septic tank.

A minor subdivision is defined in Section 30-7 of the LDC as the division of land into 3 or more, but less than 10 lots. All the resulting lots must the meet minimum lot size of the zoning district in which they are located. In this case, the property is zoned in the AG- Agricultural district which has a minimum lot size of 1-acre.

The difference between a minor subdivision and a major subdivision is that minor subdivisions proceed straight to final plat approval without the need to first seek preliminary plat approval.

The final plat documents have been reviewed by the City's Technical Review Committee and the City's surveyor for compliance with the City's LDC and the Florida Statutes. All outstanding comments have been resolved.

Staff Recommendation:

Approve the Whistle Stop Farms Minor Subdivision and Final Plat Document.

City Attorney Review:

Approved as to form and legality.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

A SUBDIVISION PLAT OF
WHISTLE STOP FARMS

LOCATED IN GOVERNMENT SECTIONS 3 & 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST, CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA

BEING A PORTION OF THE PROPERTY DESCRIBED IN OFFICIAL REORDS BOOK 1064, PAGE 1573 AND OFFICIAL RECORDS BOOK 1064, PAGE 1607, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING PART OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1064, PAGE 1573 AND OFFICIAL RECORDS BOOK 1064, PAGE 1607, FLAGLER COUNTY PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID GOVERNMENT SECTION 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST; THENCE N00°52'24"W ALONG THE EAST LINE OF SAID SECTION 4 FOR A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OPOSSUM LANE (A 30 FOOT WIDE RIGHT OF WAY AS OCCUPIED) SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S89°08'31"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF OPOSSUM LANE FOR A DISTANCE OF 1,822.76 FEET; THENCE DEPART SAID NORTHERLY RIGHT-OF-WAY LINE AND RUN N55°26'11"W ALONG A LINE PARALLEL TO AND 1,180 FEET FROM THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 13 FOR A DISTANCE OF 322.82 FEET; THENCE N34°33'49"E ALONG THE EASTERLY LINE OF THE ESPANOLA TIMBER COMPANY'S PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1151, PAGE 1318 FOR A DISTANCE OF 1,180.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD 13 BEING ALSO COMMON WITH THE NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY BUNNELL-PALATKA LINE (NOW ABANDONED); THENCE S55°26'11"E ALONG SAID COMMON RIGHT-OF-WAY LINE FOR A DISTANCE OF 1,714.11 FEET TO THE BEGINNING OF A TRANSITIONAL SPIRAL CURVE AS SHOWN ON THE FLORIDA EAST COAST RAILWAY RIGHT OF WAY MAPS FOR THE BUNNELL-PALATKA LINE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RAILROAD RIGHT OF WAY LINE BEING ALONG A TRANSITION SPIRAL TO THE RIGHT HAVING A TOTAL DEFLECTION ANGLE OF 00°06'09", A RADIUS OF 55,902.50 FEET, AN ARC LENGTH OF 6.17 FEET, A CHORD BEARING S55°26'17"E, AND A CHORD DISTANCE OF 6.17 FEET TO A NON-TANGENT LINE, SAID EAST LINE OF SAID SECTION 4; THENCE DEPARTING SAID CURVE ALONG SAID SECTION LINE S00°52'24"E FOR A DISTANCE OF 151.64 FEET TO THE AFOREMENTIONED NORTH LINE OF OPOSSUM LANE AND THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS CONTAINING 30.84 ACRES, MORE OR LESS, ALONG WITH RIGHTS, IF ANY, IN THE RIGHT OF WAY OF SAID OPOSSUM LANE.

GENERAL NOTES:

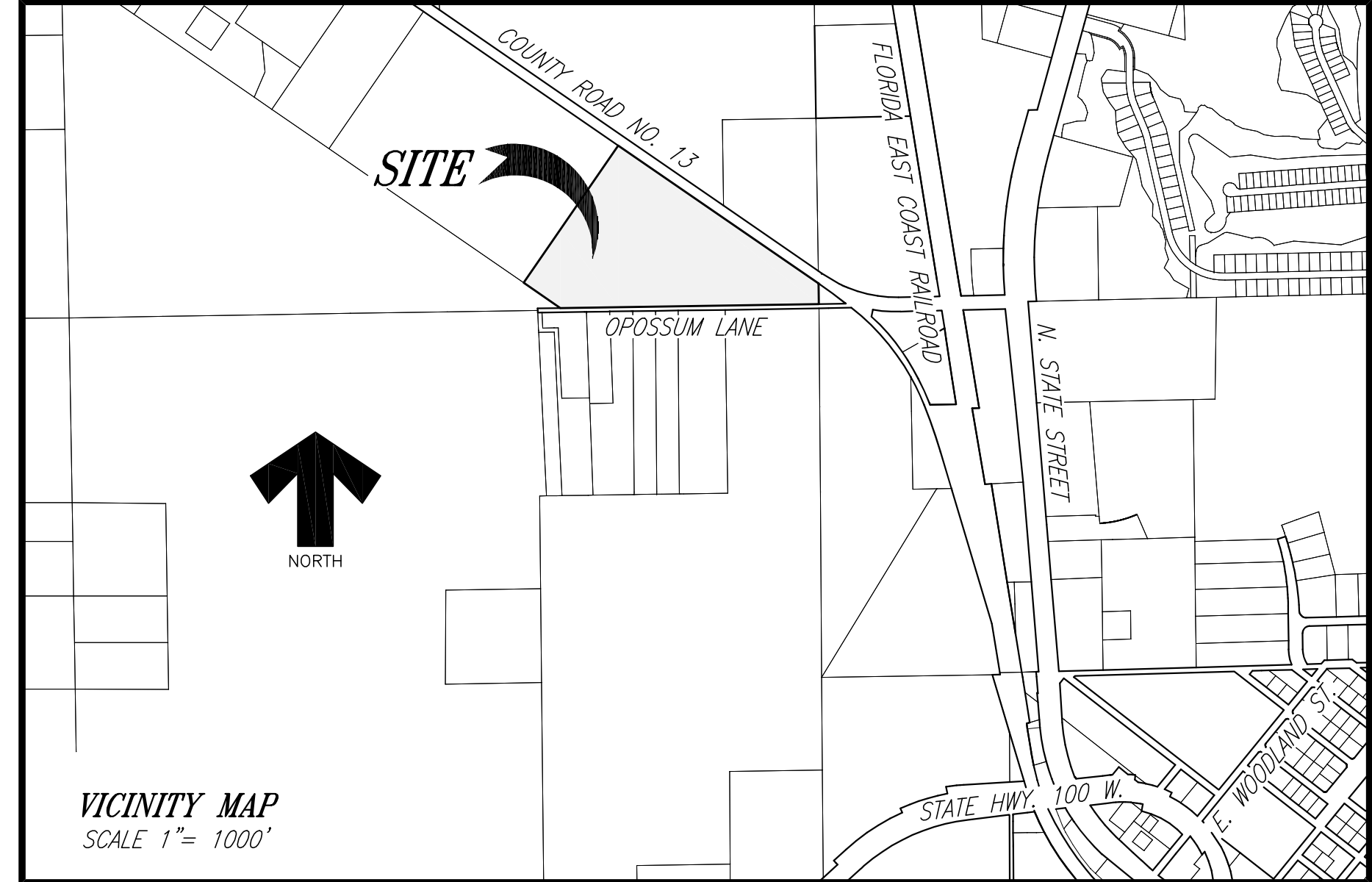
- BEARINGS ARE BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM (NAD83), EAST ZONE AS ESTABLISHED BY GPS NETWORK RTK OBSERVATIONS AND THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 13 HAVING A BEARING OF S55°26'11"E.
- ALL UTILITIES SHALL BE LOCATED UNDERGROUND.
- THE SUBJECT SITE LIES WITHIN ZONE "X" FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 0207, MAP NUMBER 12035C0207E, DATED JUNE 6, 2018. (DO NOT USE PLAT FOR FLOOD ZONE DETERMINATIONS. FEMA FLOOD INSURANCE RATE MAP INFORMATION IS SUBJECT TO CHANGE. USE THE CURRENT APPROVED FIRM FOR COMMUNITY PANEL NUMBER, DATE AND FLOOD ZONE DETERMINATIONS)
- LOT LINES INTERSECTING ARCS, IF ANY, SHOWN HEREON ARE RADIAL UNLESS OTHERWISE NOTED.
- MEASUREMENTS ARE IN U.S. FOOT AND DECIMAL PARTS THEREOF. ALL MEASUREMENTS REFER TO HORIZONTAL PLANE IN ACCORDANCE WITH THE DEFINITION OF THE UNITED STATES SURVEY FOOT ADOPTED BY THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- PER FLORIDA STATUTE CHAPTER 177.091(9), INTERIOR LOT CORNERS (IRONS NOT SHOWN HEREON) MUST BE SET PRIOR TO LOT TRANSFER OR THE EXPIRATION OF A BOND IF A BOND EXISTS.
- THIS PLAT MADE IN ACCORDANCE WITH A TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER 1155282, ISSUING OFFICE FILE 2021EQS3N, DATED SEPTEMBER 16, 2021. SEE SHEET #2.
- NOTHING HEREIN SHALL BE CONSTRUED AS CREATING AN OBLIGATION UPON ANY GOVERNING BODY TO PERFORM ANY ACT OF CONSTRUCTION OR MAINTENANCE WITHIN SUCH DEDICATED AREAS EXCEPT WHEN THE OBLIGATION IS VOLUNTARILY ASSUMED BY THE GOVERNING BODY.

NOTES REGARDING TRACTS, EASEMENTS:

- ALL PLATTED UTILITY EASEMENTS (IF ANY) SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND THE OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
- UTILITY EASEMENTS (INCLUDING, BUT NOT LIMITED TO, FLORIDA POWER & LIGHT CO. AND ALL PUBLIC UTILITY COMPANIES), EXCEPT AS OTHERWISE SHOWN, ARE PROVIDED AS FOLLOWS: 10' ADJACENT TO ALL PUBLIC AND PRIVATE STREETS AND ON ALL LOTS, PARCELS, TRACTS AND COMMON AREAS.

NOTICE:

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS, THAT EQS3N PARTNERS, LLC., A FLORIDA LIMITED LIABILITY COMPANY, BEING THE OWNER IN FEE SIMPLE OF THE LAND DESCRIBED IN THE FOREGOING CAPTION TO THIS PLAT ENTITLED "WHISTLE STOP FARMS," LOCATED IN THE CITY OF BUNNELL, COUNTY OF FLAGLER, STATE OF FLORIDA, DOES HEREBY DEDICATE SAID LANDS AND PLAT FOR THE USES AND PURPOSES THEREIN EXPRESSED.

TRACT "A" IS HEREBY DEDICATED TO THE COUNTY OF FLAGLER, FLORIDA FOR PUBLIC RIGHT-OF-WAY. TRACT "A" SHALL BE OWNED AND MAINTAINED BY SAID COUNTY WITH NO RECOURSE TO EQS3N PARTNERS, LLC., A FLORIDA LIMITED LIABILITY COMPANY.

A 10.00 FOOT WIDE NON-EXCLUSIVE UTILITY EASEMENT ACROSS THE FRONTAGE OF ALL LOTS IS HEREBY GRANTED TO THE CITY OF BUNNELL, AND TO ANY PUBLIC OR PRIVATE UTILITY PROVIDER, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC UTILITIES.

IN WITNESS WHEREOF, EQS3N PARTNERS, LLC., A FLORIDA LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE EXECUTED IN ITS NAME ON THIS _____ DAY OF _____, 2022.

SIGNED AND SEALED IN THE PRESENCE OF

EQS3N PARTNERS, LLC.
A FLORIDA LIMITED LIABILITY COMPANY

BY: _____
LIND BARA-WEAVER (MANAGING MEMBER)

PRINT NAME: _____

PRINT NAME: _____

CERTIFICATE OF APPROVAL BY THE CITY OF BUNNELL, FLORIDA

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 2022, THE FOREGOING PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF BUNNELL, FLORIDA.

BY: _____
MAYOR, CITY OF BUNNELL

ATTEST: _____
CITY CLERK

CERTIFICATE OF SURVEYOR

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.s") AND PERMANENT CONTROL POINTS ("P.C.P.s") WILL BE PLACED AS REQUIRED BY LAW; AND FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF BUNNELL, FLORIDA.

KUHAR SURVEYING & MAPPING, LLC
 1501 RIDGEWOOD AVENUE, SUITE 205, HOLLY HILL, FLORIDA 32117
 Phone: 386-672-0002 386-295-8051 WWW.KUHARSURVEYING.COM

PRELIMINARY FOR REVIEW ONLY

PROJECT # **K21127** ISSUE DATE: **6/28/2022**
LB 7991 ©2022 KUHAR SURVEYING & MAPPING, LLC LS (PSM) 6105

KENNETH J. KUHAR DATE
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NUMBER LS6105

CERTIFICATE OF CLERK (FLAGLER COUNTY)

I HEREBY CERTIFY THAT THE FOREGOING PLAT WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2022, AT _____.

FILE NO. _____

BY: _____
CLERK OF THE CIRCUIT COURT AND
COMPTROLLER, FLAGLER COUNTY, FLORIDA

CERTIFICATE OF APPROVAL BY CITY ENGINEER

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 2022, THIS PLAT WAS APPROVED.

BY: _____ DATE _____
CITY ENGINEER
PRINTED NAME: _____

CERTIFICATE OF APPROVAL:

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 2022, THIS PLAT WAS APPROVED.

BY: _____
CITY ATTORNEY

CERTIFICATE OF CHAIRMAN OF THE PLANNING, ZONING AND APPEALS BOARD

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____, 2022, THE FOREGOING PLAT WAS APPROVED BY THE PLANNING, ZONING AND APPEALS BOARD.

BY: _____
CHAIRMAN, PLANNING, ZONING AND APPEALS BOARD

TITLE CERTIFICATION - STATE OF FLORIDA - COUNTY OF FLAGLER

I, _____, A LICENSED REAL ESTATE ATTORNEY IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE TITLE TO THE HEREON DESCRIBED PROPERTY; THAT I FIND THE TITLE TO BE VESTED TO EQS3N PARTNERS, LLC, A FLORIDA LIMITED LIABILITY CORPORATION; THAT THE CURRENT TAXES HAVE BEEN PAID; THAT ALL MORTGAGES NOT SATISFIED OR RELEASES OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON; AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____ SIGNED: _____

PRINT NAME & TITLE

STATE OF FLORIDA COUNTY OF FLAGLER

THIS IS TO CERTIFY, THAT ON _____ 2022, BEFORE ME, AN OFFICER DULY AUTHORIZED TO TAKE ACKNOWLEDGMENTS IN THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE PERSON WHO FOR AND ON BEHALF OF _____, A FLORIDA LIMITED LIABILITY COMPANY, EXECUTED THE FOREGOING DEDICATION AND RESERVATION FOR THE LLC AND SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF FOR AND ON BEHALF OF SAID LLC. HE/SHE (IS) _____ (IS NOT) _____ KNOWN TO ME OR HAVE PRODUCED _____ AS IDENTIFICATION AND THEY (HAVE) _____ (HAVE NOT) _____ TAKEN AN OATH.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL ON THE ABOVE DATE.

NOTARY PUBLIC

STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES:

SEAL

TITLE/RANK:
COMMISSION NUMBER:

CERTIFICATE OF REVIEW

I HEREBY CERTIFY THAT THE UNDERSIGNED IS A LICENSED PROFESSIONAL SURVEYOR AND MAPPER AND IS EITHER EMPLOYED OR UNDER CONTRACT WITH THE CITY OF BUNNELL, FLORIDA. I ALSO CERTIFY THAT I AM NOT REPRESENTING THE OWNER OR OWNERS OF RECORD AND HAVE REVIEWED THIS PLAT AND FOUND IT TO COMPLY WITH THE REQUIREMENTS OF CHAPTER 177 PART 1, FLORIDA STATUTES AND FLAGLER COUNTY PLATTING REQUIREMENTS.

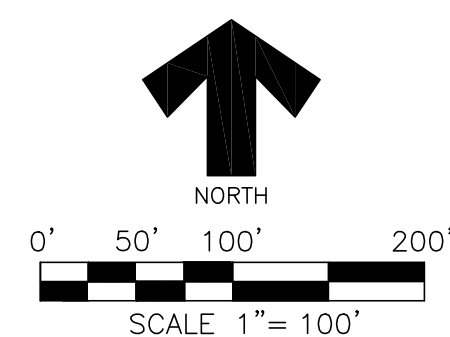
DATE: _____ BY: _____

PRINT NAME: _____
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LICENSE NUMBER LS _____

A SUBDIVISION PLAT OF
WHISTLE STOP FARMS

LOCATED IN GOVERNMENT SECTIONS 3 & 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST, CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA

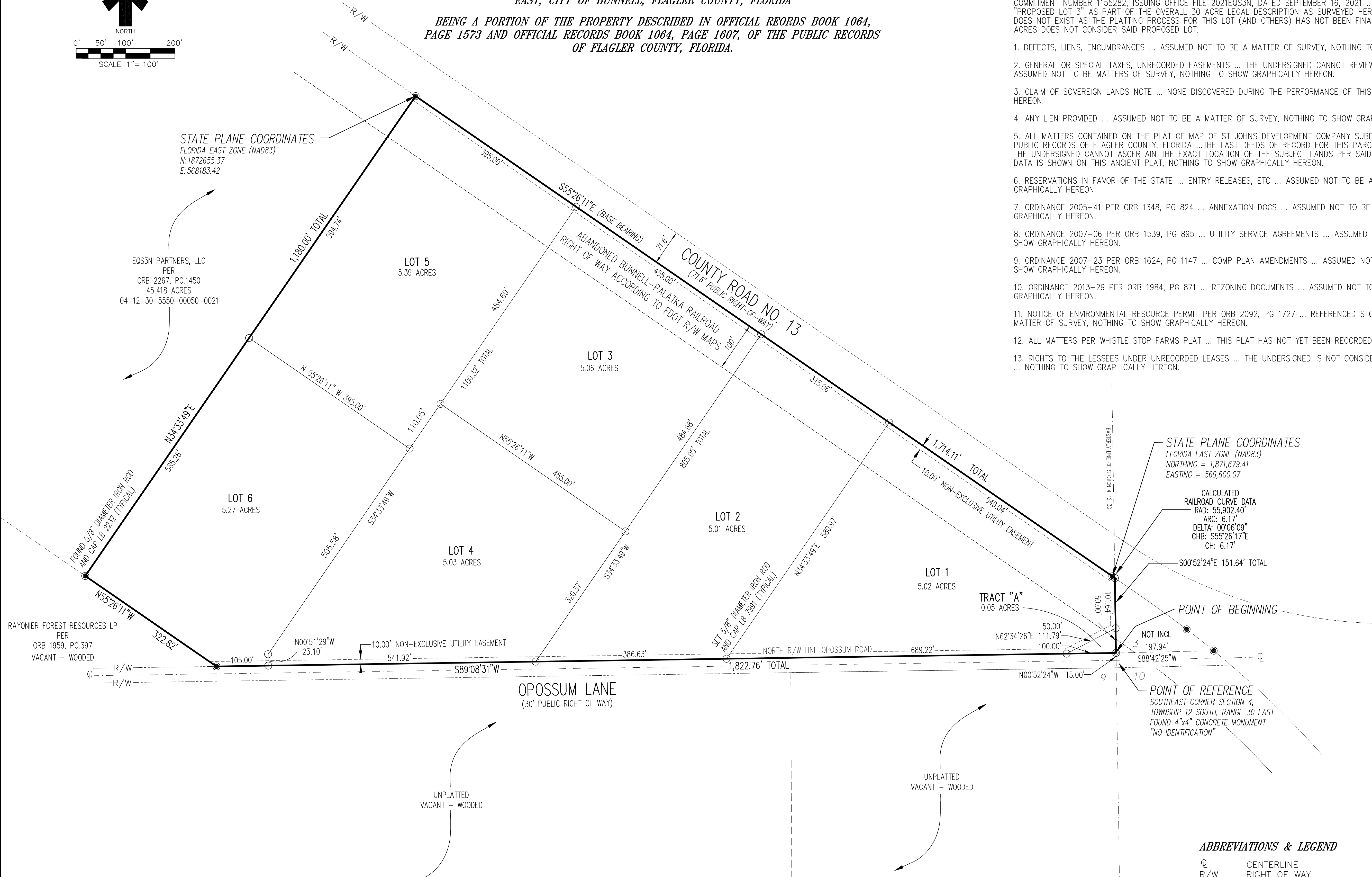
BEING A PORTION OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1064, PAGE 1573 AND OFFICIAL RECORDS BOOK 1064, PAGE 1607, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.



SURVEYOR'S NOTES REGARDING TITLE COMMITMENT:

THIS SURVEY WAS MADE IN ACCORDANCE WITH A TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NUMBER 1155282, ISSUING OFFICE FILE 2021E053N, DATED SEPTEMBER 16, 2021 ... NOTE: THIS DOCUMENT REFERS TO A "PROPOSED LOT 3" AS PART OF THE OVERALL 30 ACRE LEGAL DESCRIPTION AS SURVEYED HEREON. AS OF THIS DATE, THIS PROPOSED LOT DOES NOT EXIST AS THE PLATTING PROCESS FOR THIS LOT (AND OTHERS) HAS NOT BEEN FINALIZED. THIS REVIEW OF THE (SCHEDULE B2) 30 ACRES DOES NOT CONSIDER SAID PROPOSED LOT.

1. DEFECTS, LIENS, ENCUMBRANCES ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
2. GENERAL OR SPECIAL TAXES, UNRECORDED EASEMENTS ... THE UNDERSIGNED CANNOT REVIEW UNRECORDED EASEMENTS ... OTHER MATTERS ASSUMED NOT TO BE MATTERS OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
3. CLAIM OF SOVEREIGN LANDS NOTE ... NONE DISCOVERED DURING THE PERFORMANCE OF THIS SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
4. ANY LIEN PROVIDED ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
5. ALL MATTERS CONTAINED ON THE PLAT OF MAP OF ST JOHNS DEVELOPMENT COMPANY SUBDIVISION PER MAP BOOK 1, PAGE 7 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA ... THE LAST DEEDS OF RECORD FOR THIS PARCEL DO NOT REFERENCE THIS VERY OLD PLAT. THE UNDERSIGNED CANNOT ASCERTAIN THE EXACT LOCATION OF THE SUBJECT LANDS PER SAID PLAT. NO EASEMENTS OR OTHER PERTINENT DATA IS SHOWN ON THIS ANCIENT PLAT, NOTHING TO SHOW GRAPHICALLY HEREON.
6. RESERVATIONS IN FAVOR OF THE STATE ... ENTRY RELEASES, ETC ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
7. ORDINANCE 2005-41 PER ORB 1348, PG 824 ... ANNEXATION DOCS ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
8. ORDINANCE 2007-06 PER ORB 1539, PG 895 ... UTILITY SERVICE AGREEMENTS ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
9. ORDINANCE 2007-23 PER ORB 1624, PG 1147 ... COMP PLAN AMENDMENTS ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
10. ORDINANCE 2013-29 PER ORB 1984, PG 871 ... REZONING DOCUMENTS ... ASSUMED NOT TO BE A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
11. NOTICE OF ENVIRONMENTAL RESOURCE PERMIT PER ORB 2092, PG 1727 ... REFERENCED STORMWATER MANAGEMENT ISSUES ... NOT A MATTER OF SURVEY, NOTHING TO SHOW GRAPHICALLY HEREON.
12. ALL MATTERS PER WHISTLE STOP FARMS PLAT ... THIS PLAT HAS NOT YET BEEN RECORDED AND IS NOT CONSIDERED HEREON.
13. RIGHTS TO THE LESSEES UNDER UNRECORDED LEASES ... THE UNDERSIGNED IS NOT CONSIDERING UNRECORDED DOCUMENTS AT THIS TIME ... NOTHING TO SHOW GRAPHICALLY HEREON.

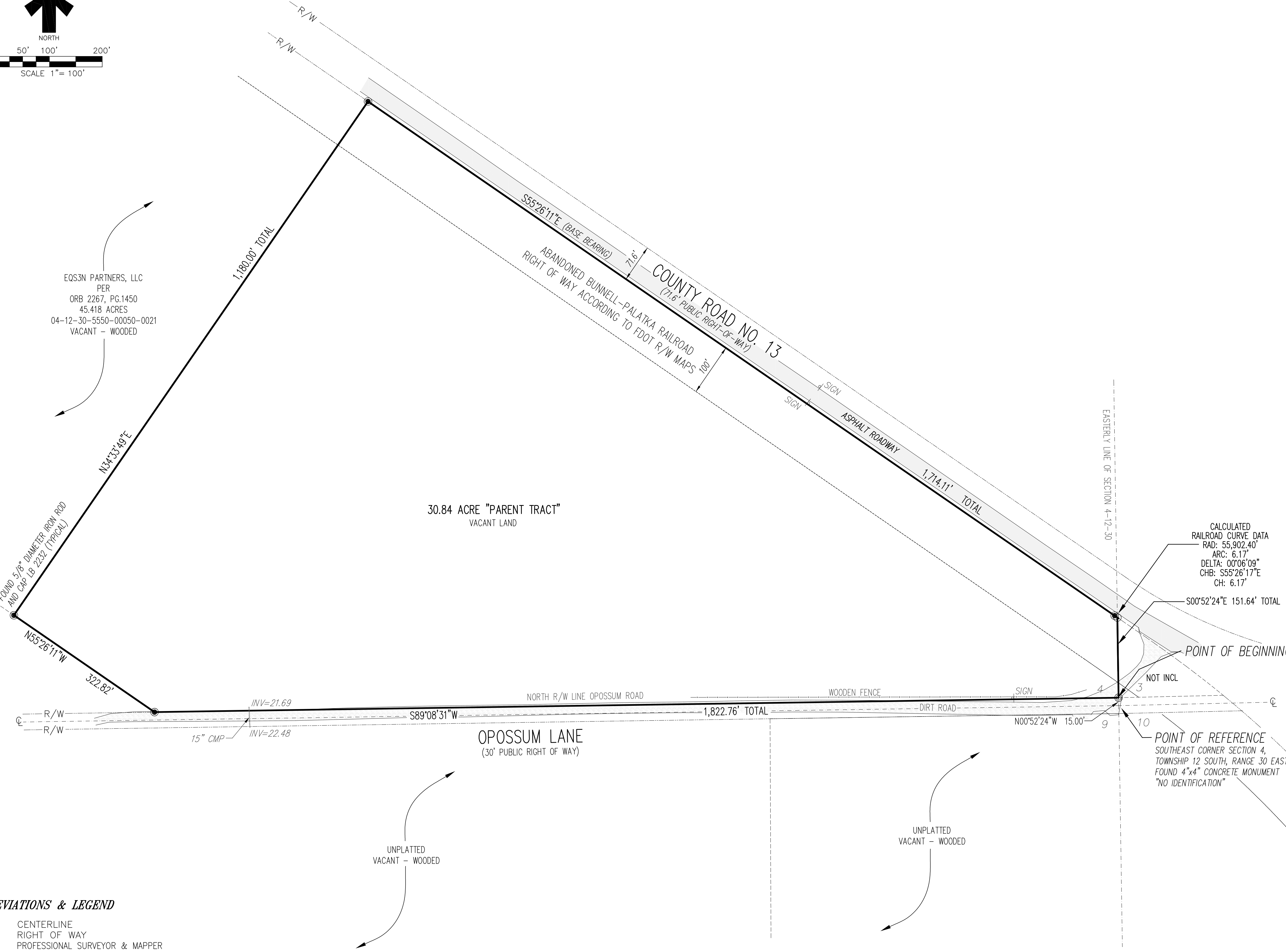
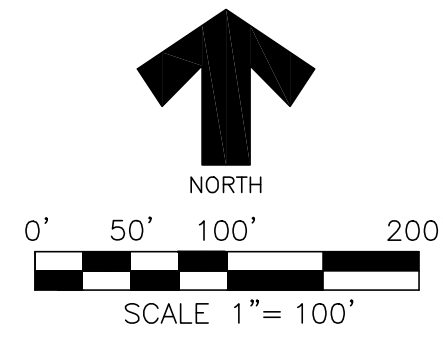


ABBREVIATIONS & LEGEND

⊙	CENTERLINE
R/W	RIGHT OF WAY
PSM	PROFESSIONAL SURVEYOR & MAPPER
LB	LICENSED BUSINESS
PRM	PERMANENT REFERENCE MONUMENT
●	FOUND 5/8" DIAMETER IRON ROD AND CAP LB 2232 (PRM)
○	SET 5/8" DIAMETER IRON ROD AND CAP LB 7991 (PRM)

KUHAR SURVEYING & MAPPING, LLC
1501 RIDGEWOOD AVENUE, SUITE 205, HOLLY HILL, FLORIDA 32117
Phone: 386-672-0002 386-295-8051 WWW.KUHARSURVEYING.COM
PROJECT # K21127 ISSUE DATE: 6/28/2022
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30.8 ACRE PARENT TRACT



EQS3N PARTNERS, LLC
PER
ORB 2267, PG.1450
45.418 ACRES
04-12-30-5550-00050-0021
VACANT - WOODED

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN GOVERNMENT SECTION 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING PART OF THE PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 1064, PAGE 1573 AND OFFICIAL RECORDS BOOK 1064, PAGE 1607, FLAGLER COUNTY PUBLIC RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE, COMMENCE AT A CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF SAID GOVERNMENT SECTION 4, TOWNSHIP 12 SOUTH, RANGE 30 EAST; THENCE N00°52'24"W ALONG THE EAST LINE OF SAID SECTION 4 FOR A DISTANCE OF 15.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OPOSSUM LANE (A 30 FOOT WIDE RIGHT OF WAY AS OCCUPIED) SAID POINT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S89°08'31"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF OPOSSUM LANE FOR A DISTANCE OF 1,822.76 FEET; THENCE DEPART SAID NORTHERLY RIGHT-OF-WAY LINE AND RUN N55°26'11"W ALONG A LINE PARALLEL TO AND 1,180 FEET FROM THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD 13 FOR A DISTANCE OF 322.82 FEET; THENCE COUNTY ROAD 13 BEING ALSO COMMON WITH THE NORTHERLY RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY BUNNELL-PALATKA LINE (NOW ABANDONED); THENCE S55°26'11"E ALONG SAID COMMON RIGHT-OF-WAY LINE FOR A DISTANCE OF 1,714.11 FEET TO THE BEGINNING OF A TRANSITIONAL SPIRAL CURVE AS SHOWN ON THE FLORIDA EAST COAST RAILWAY RIGHT OF WAY MAPS FOR THE BUNNELL-PALATKA LINE; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RAILROAD RIGHT OF WAY LINE BEING ALONG A TRANSITION SPIRAL TO THE RIGHT HAVING A TOTAL DEFLECTION ANGLE OF 00°06'09", A RADIUS OF 55,902.50 FEET, AN ARC LENGTH OF 6.17 FEET, A CHORD BEARING S55°26'17"E, AND A CHORD DISTANCE OF 6.17 FEET TO A NON-TANGENT LINE, SAID EAST LINE OF SAID SECTION 4; THENCE DEPARTING SAID CURVE ALONG SAID SECTION LINE S00°52'24"E FOR A DISTANCE OF 151.64 FEET TO THE AFOREMENTIONED NORTH LINE OF OPOSSUM LANE AND THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS CONTAINING 30.84 ACRES, MORE OR LESS, ALONG WITH RIGHTS, IF ANY, IN THE RIGHT OF WAY OF SAID OPOSSUM LANE.

KUHAR SURVEYING & MAPPING, LLC
1501 RIDGEWOOD AVENUE, SUITE 205, HOLLY HILL, FLORIDA 32117
Phone: 386-672-0002 WWW.KUHARSURVEYING.COM
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LB 7991 LS (PSM) 6105

NO	DATE	DESCRIPTION
2	4/21/2022	REVISED PER CITY OF BUNNELL REVIEW COMMENTS
2	4/19/2022	REVISED TITLE BLOCK & UPDATE/RECERTIFICATION
1	10/27/2021	REVISED TO EXCLUDE TRIANGLE EAST OF THE SECTION LINE

SURVEYOR'S NOTES:

- BEARINGS BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, WITH THE BEARING OF THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 13 BEING S55°26'11"E.
- HORIZONTAL DATUM IS NORTH AMERICAN DATUM 1983 (NAD 83), FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE.
- VERTICAL DATUM (IF ELEVATIONS SHOWN) IS NORTH AMERICAN VERTICAL DATUM 1988 (NAV88) AS REFERENCED TO A LOCAL NGS PUBLISHED BENCHMARK.
- THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. SEE TITLE REVIEW NOTES.
- UNDERGROUND FOUNDATIONS AND UTILITIES (IF ANY) NOT SHOWN HEREON.
- FIELD WORK FOR THIS SURVEY WAS PERFORMED ON 04/29/2019.
- THIS SURVEY COMPLIES WITH THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.
- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR/MAPPER.
- SYMBOLS SHOWN HEREON SUCH AS VALVES AND UTILITY POLES ARE NOT TO SCALE.
- TREES, WETLANDS (IF ANY) NOT SHOWN HEREON. THE UNDERSIGNED HAS NOT BEEN PROVIDED WITH ANY DATA REGARDING SOILS, SOIL CONDITIONS, WETLANDS, WETLAND CONDITIONS, OR OTHER ENVIRONMENTAL REPORTS, HISTORICAL OR CURRENT.

- ABBREVIATIONS & LEGEND**
- ⊕ CENTERLINE
 - R/W RIGHT OF WAY
 - PSM PROFESSIONAL SURVEYOR & MAPPER
 - LB LICENSED BUSINESS
 - PRM PERMANENT REFERENCE MONUMENT
 - FOUND 5/8" DIAMETER IRON ROD AND CAP LB 2232
 - SET 5/8" DIAMETER IRON ROD AND CAP LB 7991
 - ⊥ SIGN

CERTIFIED TO:
LYNN WEAVER; EQS3N PARTNERS, LLC

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS PER CHAPTER 5J-17.050 THRU 17.053, FLORIDA ADMINISTRATIVE CODE.

KENNETH J. KUHAR
FLORIDA PROFESSIONAL SURVEYOR/MAPPER #6105

BOUNDARY SURVEY
CITY OF BUNNELL - FLAGLER COUNTY, FLORIDA
PREPARED FOR: LYNN WEAVER; EQS3N PARTNERS, LLC

PROJECT NO.
K21127





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K21127 PLAT REV 4-18-22 MB DWG

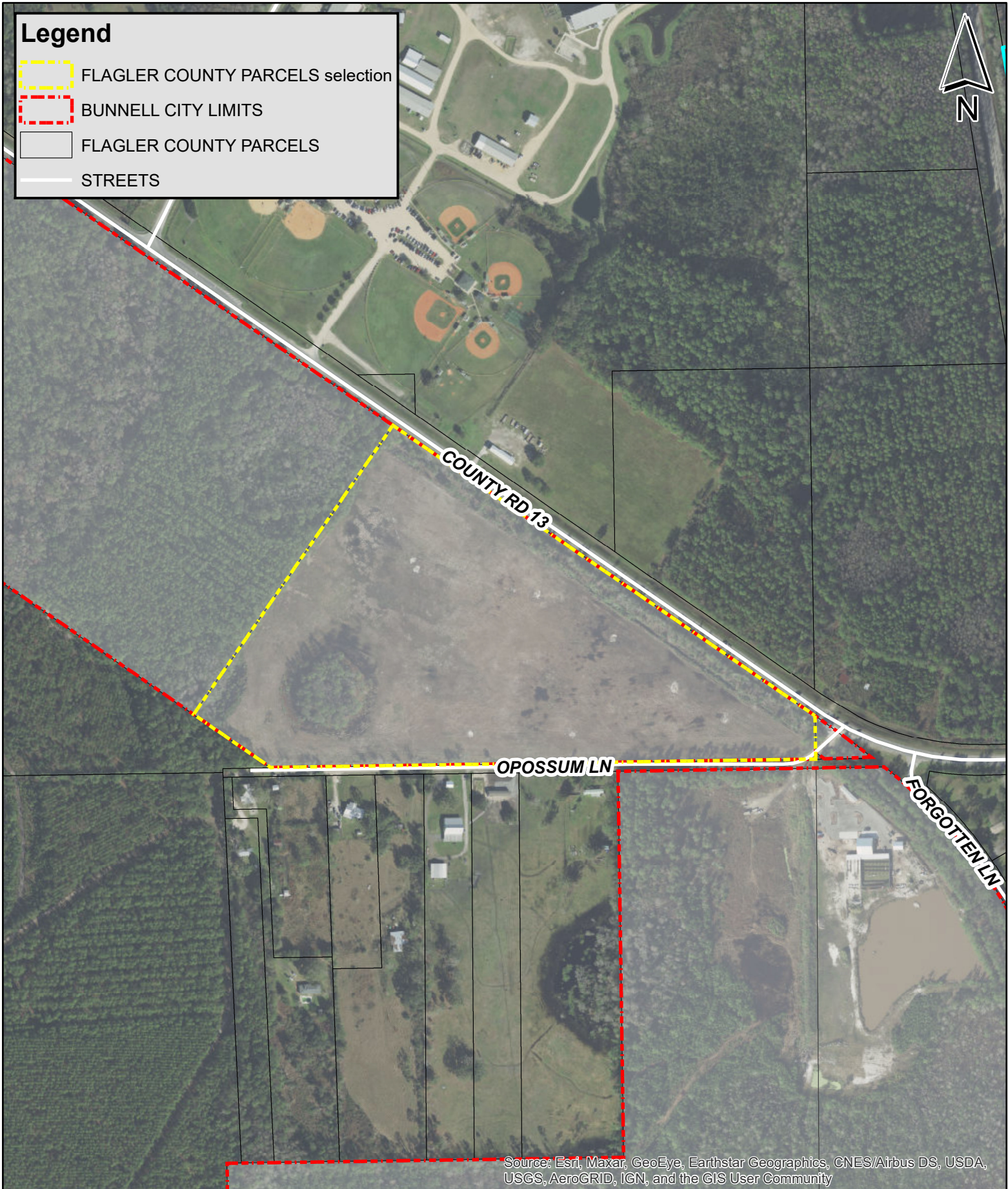
REVISION NO./DATE
4/21/2022

ORIGINAL ISSUE DATE
04/29/2019

SHEET 1 OF 1

Legend

-  FLAGLER COUNTY PARCELS selection
-  BUNNELL CITY LIMITS
-  FLAGLER COUNTY PARCELS
-  STREETS



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

250 125 0 250 Feet



Date Saved: 5/26/2022

Created by: eobrien
Path: Z:\PROJECTS\2021\21132 City of Bunnell Planning Services\Weaver Property\Whistle Stop Minor Sub, Aerial Map.mxd

Aerial Map Whistle Stop Farms Minor Sub. Bunnell, Florida

 **ZEV COHEN**
& ASSOCIATES INC
300 Interchange Blvd
Ormond Beach, FL 32174
ph 386-677-2482



City of Bunnell, Florida

ATTACHMENTS:

Description	Type
City Manager Report- June 2022	Exhibit

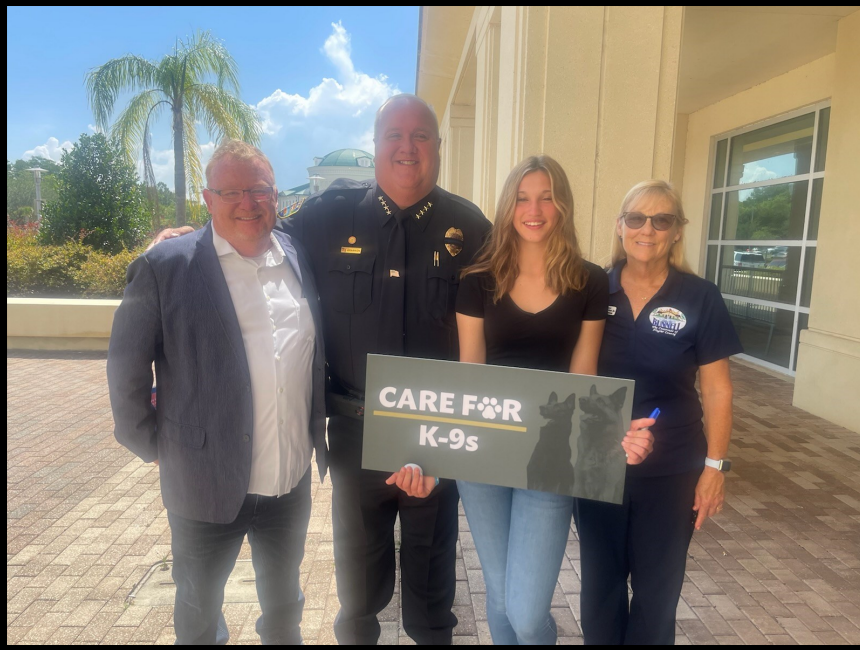
City Manager's Monthly Report



Dr. Alvin B. Jackson, Jr.
City Manager
For June 2022

Published: July 2022

Bunnell in the Community



June 15, 2022 Care for K9s Bill signing

June 15, 2022 Palm Coast Chamber of Commerce Dinner. Mayor Robinson and Vice Mayor Rogers presented Senator Hutson and Representative Renner with Certificates of Appreciation



We Love Bunnell – June 18, 2022



**FIRST ANNUAL
CLEAN-UP EVENT**

We Love Bunnell

JOIN NEIGHBORS, FRIENDS, AND VOLUNTEERS IN THE FIRST "WE LOVE BUNNELL" CLEAN-UP EVENT AND HELP BUILD STRONGER COMMUNITIES TOGETHER!

RALLY POINT
GEORGE WASHINGTON CARVER COMMUNITY CENTER
201 E. DRAIN STEET
BUNNELL, FL 32110

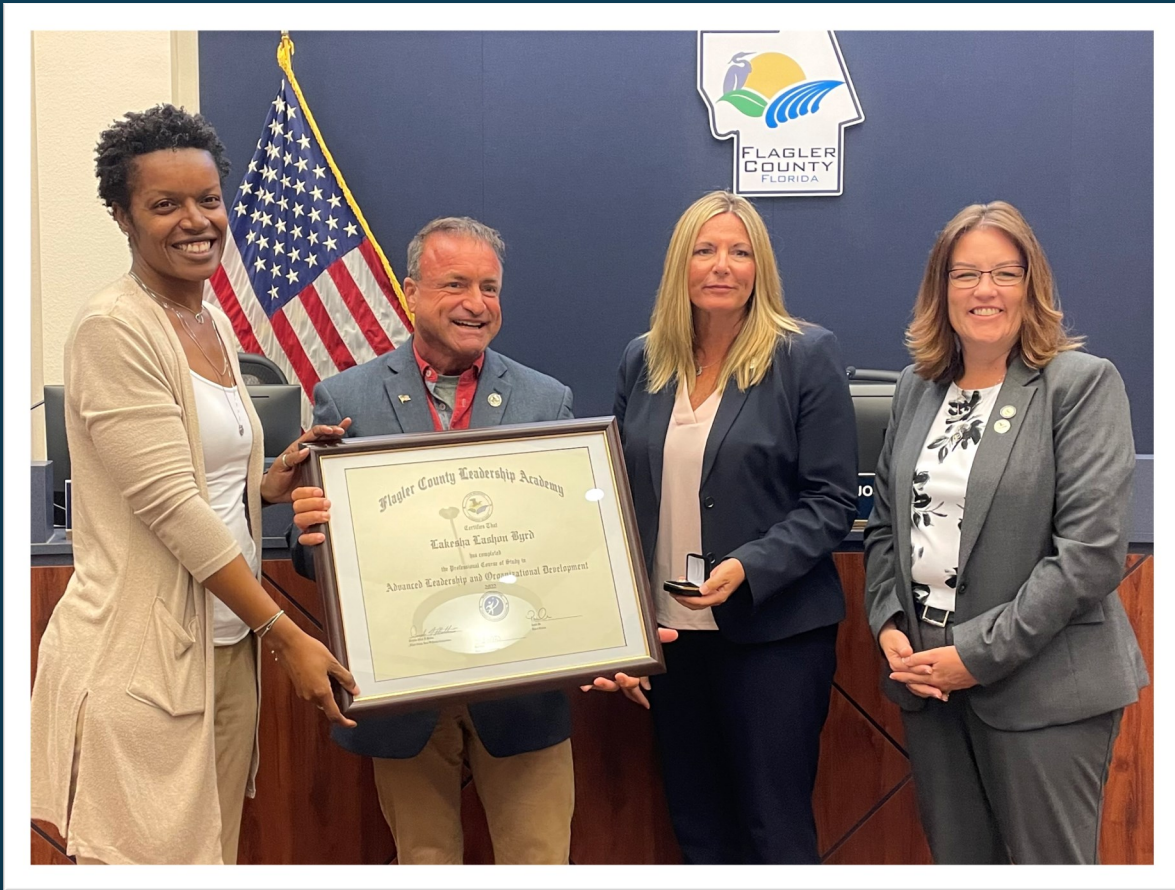
TO VOLUNTEER, SPONSOR, OR PARTICIPATE
PLEASE CONTACT US AT:
386-437-7508 | RSCALF@BUNNELLPD.US



SATURDAY, JUNE 18TH | 8AM - 12PM



CONGRATULATIONS



Congratulations Lakesha Byrd, from the City Finance Department, on graduating from the 2022 Flagler County Leadership Academy! Not only did she graduate, but she was unanimously nominated to serve as the class Valedictorian. She gave an amazing speech in front of the County Commission at the graduation ceremony on June 20, 2022. Thank you for representing the City of Bunnell so well! We're proud of you!

City Commission Mission Statement

The City Commission of the City of Bunnell is dedicated to providing its citizens, businesses and visitors with quality services that ensure Life, Liberty and the Pursuit of Happiness!

Core Values

The following are the core values for the City of Bunnell:

- Loyalty to the team, the objectives, and the mission.
- Teamwork. Cultivate a “we environment.”- Be passionate team player.
- Communication. Share information freely, maintain an on-going dialog.
- Respect individual strengths; Embrace diversity.
- Empathy. Care about people.
- Always determine what is important to team members.
- Honor everyone. Demonstrate respect for all persons.
- Say “thank you.” Show appreciation in every way possible.
- Self-Control. Stay open, ask questions & maintain clam demeanor in the face of every challenge.
- Have a forgiving spirit.
- Professionalism always. Maintain a positive attitude & a pleasing personality.
- Cultivate creativity.
- Seek great personal satisfactions in helping others succeed.
- Be an active listener– quick to hear, slow to speak.
- Be a person of fairness & justice to all.
- Have an action plan, including results oriented goals with measurable outcomes.
- Create a culture of warmth & belonging, where everyone is welcome.
- Have fun; create an environment where employees can think big & excel.
- Integrity: to be honest, open, ethical & fair.
- Fiscal accountability: to be good stewards of agency funds.



Mission Statement

The City of Bunnell will provide its residents, businesses, visitors, partners and staff with value centric leadership to create a safe, sustainable, attractive, strong and vibrant community while building on our rich heritage as the foundation to improve the City's economic future and to achieve the highest possible quality of life for the overall community through the exemplary services we provide.

Vision Statement

The City of Bunnell commits to building on its heritage, while enhancing a high quality of life for all its citizens. We pledge to work in collaboration with our residents and business community to foster pride in the City, develop a vibrant and diverse economy and a thoughtful plan for the future.

Park Updates, Facility Rentals and Garage Sale Permits

All City parks are open. Parks operate during daylight hours (ie. dawn to dusk).

The City is accepting applications for the rental of parks and other available facilities. Applicants are required to turn in a completed application with sufficient time to process the rental request. If renting a City facility AND providing a bounce house or water slide for your event, you are required to provide an insurance certificate to the City.

FACILITY ALERTS



- Coquina City Hall located at 200 S. Church Street is not currently available to rent.
- Due to on-going vandalism at JB King park, security cameras have been installed and activated. The City is exploring the cost to install cameras at other City parks.



Garage Sale Permits:

The City is accepting requests for Garage Sale Permits. Residents need to make their request to the Utility Billing Department. Per the City Code of Ordinance, there is a limit on the total number of garage sale permits that can be issued to a property/address point in a calendar year. Speak with the staff in Utility Billing for any questions regarding Garage Sale Permits 386-437-7500 x 3.

Information Technology

Have spent quite a bit of time speaking with various vendors to obtain quotes and purchasing options to replace the existing locations, and add several more. Presented the project to the Board who voted to move forward with the Motorola solution. Working with the vendor, and Florida Power and Light to finalize the paperwork to bring back to the Board for execution.

Moved the internet connection, and the final server for the PD to the office trailer. Assisted the officers in connecting to the new server location remotely.

Assisted the new Engineer, and new Finance Accountant in getting equipment, and setting them up to work from home.

Had an issue with our Facebook account. Spent quite a bit of time trying to get support from Facebook to help resolve the issue. The profile all of our FB pages were created with was called a "gray" account and is being phased out. After much back and forth was able to get it resolved.

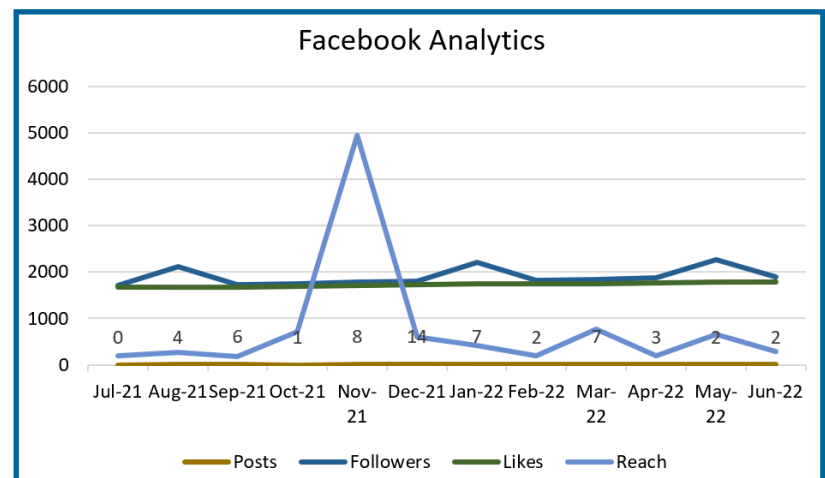
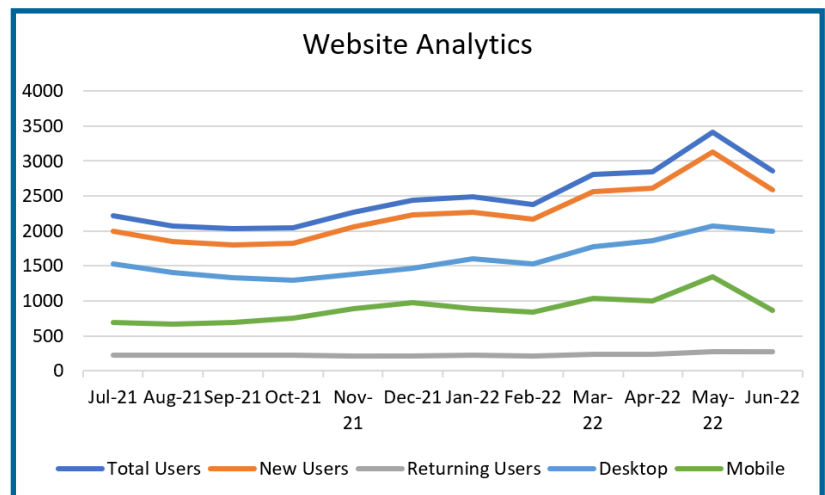
Received quotes and ordered networking equipment for the relocation of Infrastructure to Suite 5. Going to upgrade the switches in all 3 suites. However supply chain issues may cause us to install an older switch temporarily in Suite 5. The contractor has started working on the renovations of the suite. Will be in there shortly pulling networking wires.

Finalized quotes, and purchased annual replacement hardware. This is usually done in January, however this year with all of the office moves, put it off in case we needed to purchase equipment to accommodate the moves. Most of the laptops have been received and are being prepared to be installed. Still have a rugged laptop, and several desktop machines yet to be shipped.

After the PD finished moving everything out of 201 W. Moody Blvd., was able to finish the decommissioning of the equipment in the building, and ordered all of the telecom and other services to the building disconnected. Had an e-waste recycler pickup decommissioned equipment.

Top 10 web pages:

- | | |
|---------------------|-----------------------|
| 1. Home Page | 6. Community |
| 2. Open Positions | 7. Contacts Directory |
| 3. Agendas | 8. Voluntary Boards |
| 4. Building Permits | 9. Infrastructure |
| 5. Police | 10. Human Resources |



City Clerk Office

The City Clerk Office published agendas for all City's Public meetings: 3 City Commission Meetings, the Planning Zoning and Appeals Board Meeting, the Code Enforcement Board Meeting and the Charter Review Advisory Committee Workshop.

The Clerk's Office also worked on the following issues throughout the month:

- Facility projects– Coquina remediation; Municipal Park move
- Sale of the 201 W. Moody Blvd property preparation
- Work on and with the 2022 Charter Review Committee
- Going through official records to get ready to destroy those eligible for destruction per State guidelines; storage of official City records due to pending sale of 201 W. Moody Blvd.
- RFQ2022-01 Architectural Services and Project Management for Coquina City Hall project; Bid opening and Selection Committee meetings
- Covering Human Resources face to face tasks and responsibilities
- Organization and correction to filing system in Human Resources
- Assistance to Community Development
- 112.25 hours spent on records requests (on those taking more than 30 minutes to complete)
- Working through on-going vehicle issues in the Solid Waste Department

Business Tax Receipts (BTRs)

Notices for BTR renewals were mailed out June 24, 2022. The City sent out 1,317 BTR Renewal notices for all registered businesses, this includes both in City and out-of-the-City businesses. Payments for FY 22/23 BTR can be processed after July 1, 2022.

Businesses should pay their BTR Renewal fees by September 30, 2022 to avoid paying penalties. Florida Statute and the City's Code of Ordinance require penalties be added to a BTR if not paid by **September 30th**. The required penalties are as follows: 10% October 1st; 15% November 1st; 20% December 1st; and 25% January 1st.

Businesses with questions about their BTR should call the City Clerk Office at 386-437-7500 x 5

2022 Charter Review

In accordance with the City Charter, a review of the Charter is required every 5 years. This year, 2022, a Charter Review Committee needed to be appointed so any proposed Charter Amendments can be placed on the 2023 Municipal Ballot.

On May 9, 2022, the City Commission appointed the members of the 2022 Charter Review Advisory Committee. The members of the Charter Review Advisory Committee are:

Bonita Robinson (Alternate)

Daisy Henry

Darial Williams

David Wilhite

Gary Masten

Joe Kowalsky

Joe Allen

Michelle Heider

The required workshop for the Charter Review Committee was held on June 22, 2022. After the workshop, the Committee will begin the work of reviewing the City Charter to determine if any Charter Amendments need to be suggested to the City Commission for placement on the 2023 Municipal Ballot.

2023 Municipal Election

The next scheduled election for the City Commission is May 2023. There will be two Commission seats up for election.

Stay tuned to the City website and this report for information on when the Candidate Handbook will be available. This is a very useful tool for anyone considering running for City Office. It provides very important dates and deadlines for qualifying and campaign reports. This handbook will most likely be ready in October.

To be placed on the ballot you must qualify to run. The City Clerk is the Municipal Elections Officer. If you have questions about the upcoming election, contact the City Clerk.

Human Resources

ANNIVERSARIES: The City acknowledges and celebrates the following for their continued commitment to the City and her citizens and business owners:

Robinson, Joseph— June 6, 17
Years!

Schalk, Scott— June 11, 10 Years!

Groth, Shane— June 24, 9 Years!

Giannini, Stefano— June 14, 1
Year!

Lynch, Joseph— June 21, 1 Year!

**HAPPY
ANNIVERSARY**

NEW EMPLOYEES: The City wants to give a warm welcome to our newest employees :

June 6— Bernadette Fisher, Community Development Director

June 20— Jeffery Gibson, Utilities Maintenance Technician Trainee

June 20— Alexander McCarthy, Utilities Maintenance Technician Trainee

June 20— Kathryn Brumley, Water Treatment Plant Operator Trainee

June 20— Jefferson Traylor, Police Officer



WE ARE HIRING. OPEN POSITIONS:

Police Officer (2 vacancies)

Water Plant Operator

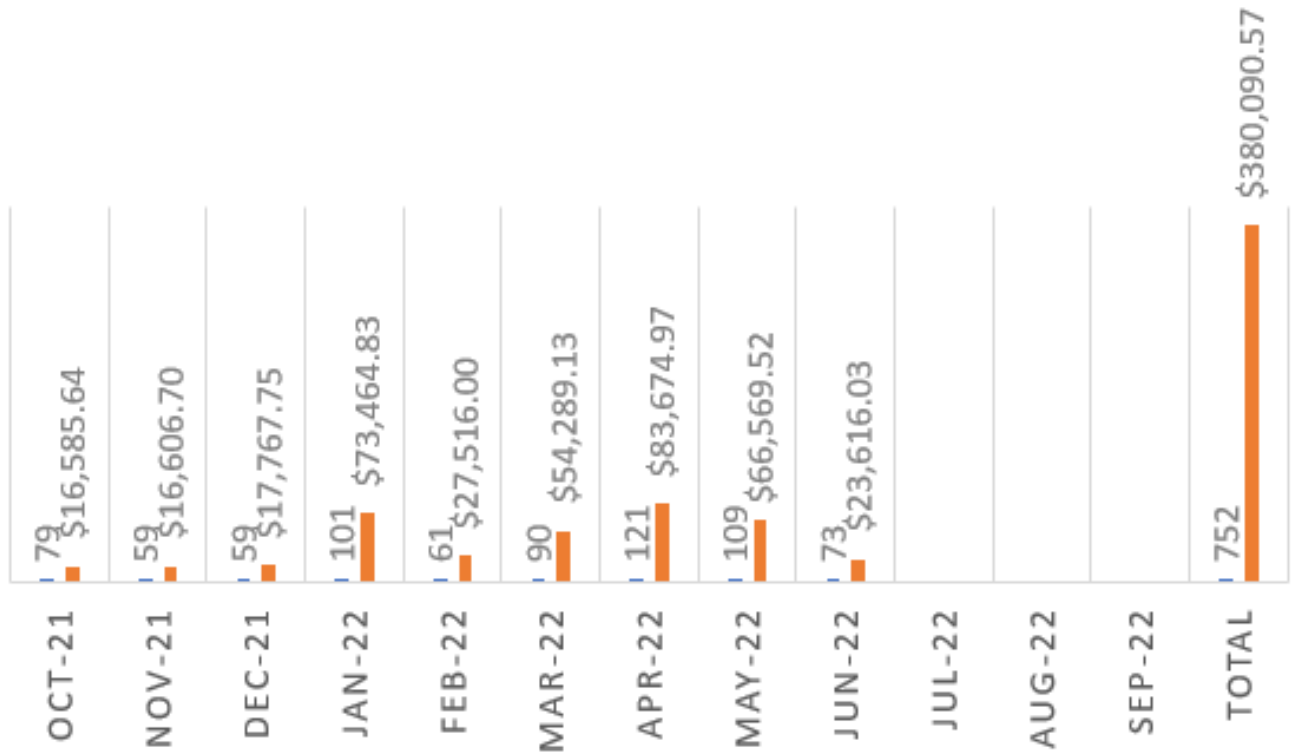
Wastewater Plant Operator

Lead Wastewater Plant Operator

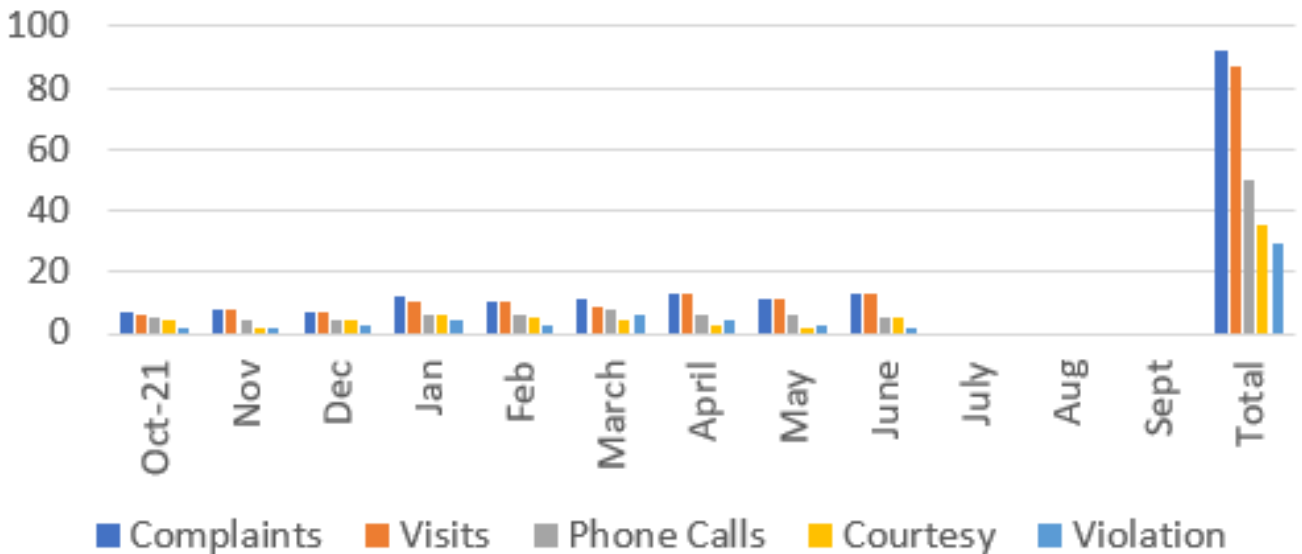
Community Development

PERMITS

of Permits Permit Amount

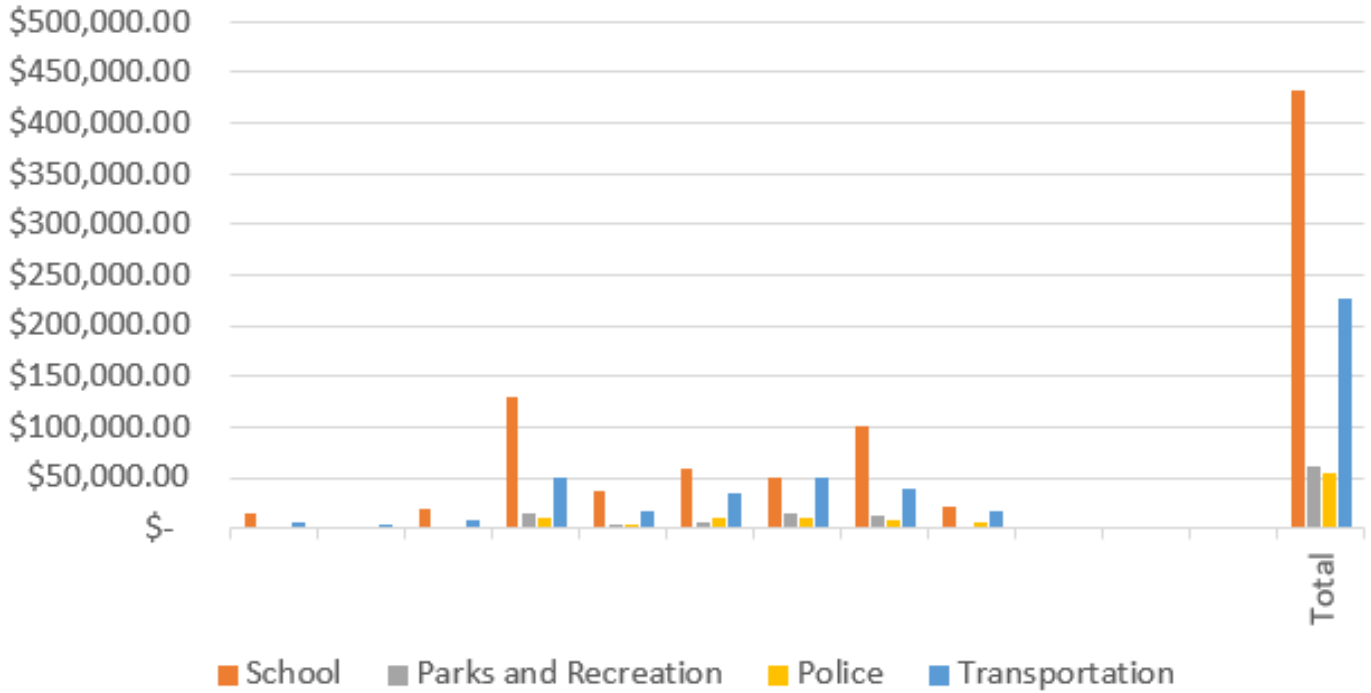


Code Enforcement

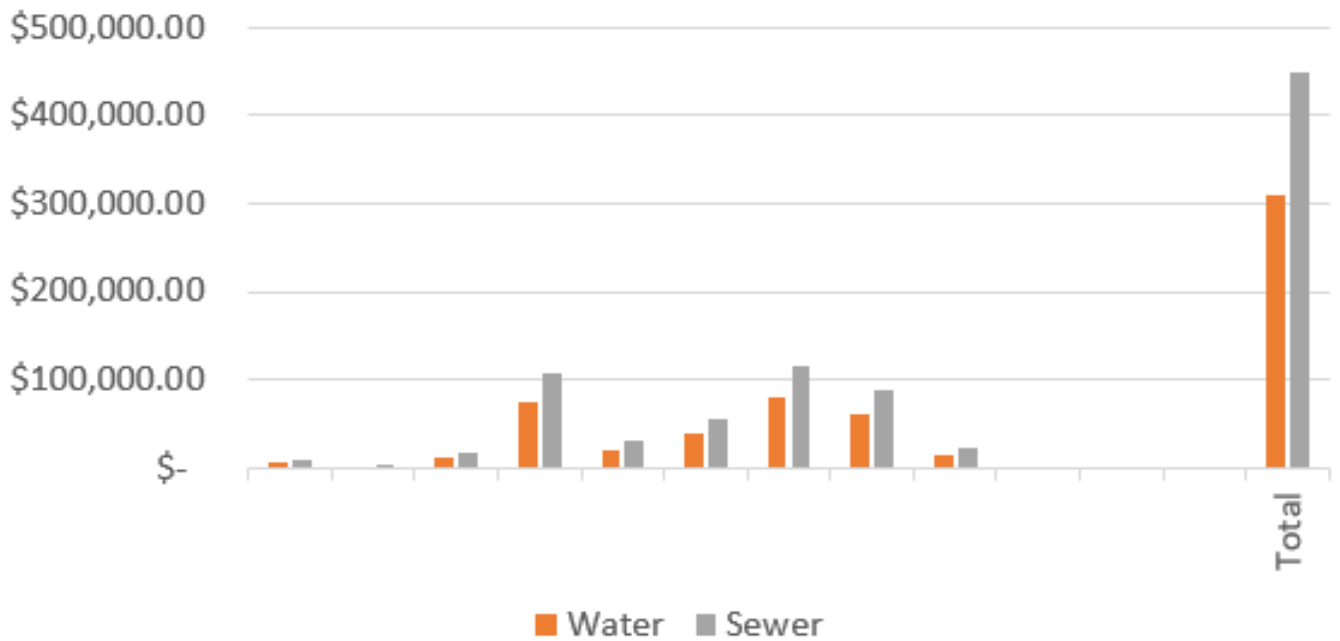


Community Development

Impact Fees General Fund



Impact fees Water/Sewer



Projects

Grant Projects:	Expense	Grant Amt
Community Development Block Grant (CDBG) - Hymon: Design and bid documents in process. Surveying and locating to be scheduled.	\$7,500	\$700,000
Hazard Mitigation Grant Program (HMGP) - Mobile Generators: Grant reimbursement and closeout in process.	\$122,411	\$ 122,411
2022 REDI - Sewer Slip Lining Rehabilitation - Phase 4: Grant reimbursement and closeout in process.	\$441,895	\$ 500,000
Master Plan Projects:		Funding Amt
WWTP Rehab/Expansion Construction Funding: SRF Loan Agreement received for review and signature.		\$12,000,000
SJRWMD REDI Grant Agreement in process.		\$ 500,000
Water Protection Grant Funding This grant funding opportunity became available through Florida Department of Environmental Protection's Protect FL Together program. The amount applied for is 50% of the estimated construction cost with a required 50% local match. Could be used with SRF loan if awarded both. Notice of selection for project funding received. Agreement in process.		\$ 7,080,000
In-House Projects: Stormwater Culvert Installation - 804 Fifth This is an internal project managed by the City's Infrastructure Public Works Department. Involves installation of grass retention swales and conveyance culverts in the place of the current ditches. Construction complete. Sod pending availability.	Expense \$5,996	Budget \$15,000

Infrastructure

Capacities WTP/WWTP

- Capacity for the WWTP in June 2022 was 55% with a total of 2.34" of rainfall. Total influent flow for the month was 9.907MG, with a Daily Average of 0.330MG
- The WTP produced 12.500MG of drinking water, with a daily production average of 0.403MG in June 2022.
- Total Billed Meters June- 2110

Police Department

PATROL OPERATIONS June 2022

	This Month	Same Month Last Year	Year to Date
Residential Burglaries	0	0	6
Vehicle Burglaries	1	1	6
Business Burglaries	1	0	2
Auto Thefts / Recovered	1 / 0	3 / 2	8 / 10
Traffic Crashes	15	20	109
Traffic Stops	254	136	1166
- Citations	33	13	143
- Written Warnings	156	2	433
Warrants Attempted / Served	11 / 1	18 / 7	74 / 23
Reports Written	101	96	747
Arrests	29	17	132
- Felony	9	12	56
- Misdemeanor	20	5	76
Criminal Charges Filed	41	34	212
- Felony	10	21	80
- Misdemeanor	31	13	132
Public Records Requests	46	N/A	219
Security Checks	1078	819	4355
Community Policing	539	914	3231

CRIMINAL INVESTIGATIONS DIVISION PERSON CRIMES June 2022

	This Month	Same Month Last Year	Year to Date
Cases assigned	0	0	97
Cases completed	0	0	0
Current caseload	0	0	0
- Cases active	0	0	0
- Cases pending	3	0	0
- Cases closed	2	0	0
Investigation call outs	2	0	0
SA 707's Filed	1	0	0
Arrest warrants	11	18	75
Search warrants	1	0	0
Felony arrests	4	0	0
Assist Other Agencies	16	0	0
Cases Reassigned to FCSO	3	0	0

Police Department

CRIMINAL INVESTIGATIONS DIVISION PROPERTY CRIMES

June 2022

	This Month	Same Month Last Year	Year to Date
Current Assigned Caseload	0	0	0
- Burglary (Residential)	0	0	2
- Burglary (Conveyance)	1	0	7
- Burglary (Commercial)	1	0	2
- Fraud / Theft	2 / 2	1 / 4	15 / 16
Cases Completed	0	0	0
- Burglary (Residential)	0	0	0
- Burglary (Conveyance)	0	0	0
- Burglary (Commercial)	0	0	0
- Fraud / Theft	0 / 0	0 / 0	0 / 0
Cases – Active	4	0	0
Cases – Closed	0	0	0
Cases – Inactive	1	0	0
Recovered Stolen Property Value	\$0.00	\$0.00	\$0.00
Investigative Callouts	0	0	0
SA 7-07 Affidavit Filed	4	0	0
- Felony Charges	1	0	0
- Misdemeanor Charges	3	0	0
Arrests	29	0	0
- Felony	9	0	0
- Misdemeanor	20	0	0
Arrest Warrants Obtained	0	0	0
Search Warrants Obtained	0	0	0
Assist Other Agency	16	14	97