

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR.
CITY MANAGER



Crossroads of Flagler County

COMMISSIONERS:

TONYA GORDON

TINA-MARIE SCHULTZ

PETE YOUNG

BUNNELL CITY COMMISSION MEETING

Monday, March 13, 2023

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. Proclamation: Red Cross Month

C. Consent Agenda:

C.1. Approval of Warrant

a. March 13, 2023 Warrant

C.2. Approval of Minutes

a. February 27, 2023 City Commission Meeting Minutes

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):

E.1. Ordinance 2023-05 Amending the Bunnell Code of Ordinance Chapter 34 regarding Open Burning Regulations. - Second Reading

F. Resolutions: (Legislative): None

G. Old Business: None

H. New Business: None

I. Reports:

- **City Clerk**
- **Police Chief**
- **City Attorney**
- **City Manager**
- **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 March 6, 2023



Proclamation

WHEREAS, during American Red Cross Month we celebrate the humanitarian spirit of the City of Bunnell and reaffirm our commitment to help ensure no one faces a crisis alone.; and

WHEREAS, caring for one another is at the heart of our community and exemplified by citizens through simple acts of kindness through the Red Cross who provides help and hope in people's most difficult moments; and

WHEREAS, the Red Cross is continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering; and

WHEREAS, every day, ordinary individuals lend a helping hand through the Red Cross to make an extraordinary difference for neighbors in need through a variety of services whether it's providing emergency shelter, food and comfort for families displaced by natural disasters; donating lifesaving blood; supporting military members and veterans; teaching vital skills such as first aid and CPR to help others survive medical emergencies; or delivering humanitarian aid and reconnecting loved ones separated by crises around the world; and

WHEREAS, the support, volunteerism and generous donations of the Red Cross are critical to our community's resilience; and

WHEREAS, we wish to honor those who fulfill Clara Barton's noble words, "You must never think of anything except the need and how to meet it," and ask everyone to join in this commitment.

NOW, THEREFORE, I, Catherine D. Robinson, by virtue of the authority vested in me as the Mayor of the City of Bunnell, Florida do hereby proclaim the month of March 2023 as "Red Cross Month and encourage all citizens of the City of Bunnell to reach out and support the humanitarian mission of the Red Cross.

Adopted this 13th day of March 2023

Catherine D. Robinson, Mayor

Kristen Bates, CMC, City Clerk



City of Bunnell, Florida

ATTACHMENTS:

Description

Warrant 3/13/2023

Type

Warrant



(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
Vendor: Advance Stores Company, Incorporated	02/08/2023	Advance Stores Company, Inco...	Fuel Filter & Oil Filter	402-0534-534.4620	102.16
		Vendor Advance Stores Company, Incorporated Total:			102.16
Vendor: Advanced Environmental Laboratories, Inc.	03/01/2023	Advanced Environmental Labo...	Lab Testing	404-0535-535.4300	1,369.18
		Vendor Advanced Environmental Laboratories, Inc. Total:			1,369.18
Vendor: Alton Ogden	02/22/2023	Alton Ogden	Safety Footwear Reimburse...	001-0521-521.5220	115.60
		Vendor Alton Ogden Total:			115.60
Vendor: American Family Life Assurance Company of Columbus	02/14/2023	American Family Life Assuranc...	AFLAC February 2023	001-2185000	807.78
		Vendor American Family Life Assurance Company of Columbus Total:			807.78
Vendor: Blue Cross Blue Shield of Florida	03/02/2023	Blue Cross Blue Shield of Flori...	FCL March 2023	001-2184000	1,594.68
	02/22/2023	Blue Cross Blue Shield of Flori...	FCL March 2023	001-2184500	81.17
		Vendor Blue Cross Blue Shield of Florida Total:			1,675.85
Vendor: Bunnell Auto Supply, Inc.	01/25/2023	Bunnell Auto Supply, Inc.	LED Light Magnet Reflective ta...	001-0572-572.4640	212.98
	02/21/2023	Bunnell Auto Supply, Inc.	Oil	001-0549-549.4640	9.49
	02/22/2023	Bunnell Auto Supply, Inc.	Hardware for tool boxes	001-0541-541.5200	10.00
	02/23/2023	Bunnell Auto Supply, Inc.	7IN Diag cut Pliers	001-0549-549.5265	34.99
		Vendor Bunnell Auto Supply, Inc. Total:			267.46
Vendor: Central Hydraulics, Inc.	03/01/2023	Central Hydraulics, Inc.	Repair swivel assembly motor ...	401-0533-533.4640	510.43
	03/01/2023	Central Hydraulics, Inc.	Repair swivel assembly motor ...	404-0535-535.4640	510.25
	03/01/2023	Central Hydraulics, Inc.	Repair boom swing cylinder le...	401-0533-533.4640	99.91
	03/01/2023	Central Hydraulics, Inc.	Repair boom swing cylinder le...	404-0535-535.4640	99.92
		Vendor Central Hydraulics, Inc. Total:			1,220.51
Vendor: Charter Communications	02/21/2023	Charter Communications	200 Tolman 2.26.23 - 3.25.23	404-0535-535.4100	109.26
		Vendor Charter Communications Total:			109.26
Vendor: Christopher Hughes	02/27/2023	Christopher Hughes	January Fire Inspections	001-0512-512.3401	738.00
	02/27/2023	Christopher Hughes	January Fire Inspections	001-0524-524.3401	751.00
		Vendor Christopher Hughes Total:			1,489.00
Vendor: CivicPlus LLC	02/17/2023	CivicPlus LLC	Codification of 2022 Ordinanc...	001-0512-512.3400	342.00
		Vendor CivicPlus LLC Total:			342.00
Vendor: Colonial Life & Accident Insurance Company	02/02/2023	Colonial Life & Accident Insura...	March 2023	001-2185000	887.88
		Vendor Colonial Life & Accident Insurance Company Total:			887.88
Vendor: Communications International, Inc.	02/27/2023	Communications International,...	Radar & Laser Certifications	001-0521-521.5200	197.00
		Vendor Communications International, Inc. Total:			197.00
Vendor: Computers at Work, Inc	01/03/2023	Computers at Work, Inc	Subscription License 1 yr	001-0516-516.5230	527.19
	02/22/2023	Computers at Work, Inc	Sonicwall Advanced Gateway ...	001-0516-516.5230	619.96
		Vendor Computers at Work, Inc Total:			1,147.15
Vendor: DG Hardware, Inc.	02/20/2023	DG Hardware, Inc.	Landscaping tools 18' Machete...	001-0541-541.5265	45.88

Expense Approval Register

Packet: APPKT07947 - 03.13.23 Warrant

(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
	02/23/2023	DG Hardware, Inc.	Key Fob Battery	401-0533-533.5205	3.94
	02/23/2023	DG Hardware, Inc.	Key Fob Battery	404-0535-535.5200	3.94
	02/28/2023	DG Hardware, Inc.	Suplies for daily Operations W...	401-0533-533.5264	199.51
	03/02/2023	DG Hardware, Inc.	Valve Ball	001-0541-541.4610	8.80
			Vendor DG Hardware, Inc. Total:		262.07
Vendor: Duval Asphalt Products, Inc					
	02/02/2023	Duval Asphalt Products, Inc	EZ Street Cold Asphalt	001-0541-541.5300	1,232.00
			Vendor Duval Asphalt Products, Inc Total:		1,232.00
Vendor: Environmental Land Services of Flagler County, Inc					
	02/17/2023	Environmental Land Services of..	Services 2.10.23-2.16.23	402-0534-534.3400	4,687.67
	02/24/2023	Environmental Land Services of..	Services for 2.17.23 - 2.23.23	402-0534-534.3400	4,949.78
			Vendor Environmental Land Services of Flagler County, Inc Total:		9,637.45
Vendor: Ferguson Waterworks #3650					
	02/13/2023	Ferguson Waterworks #3650	Supplies water tap	401-0533-533.5205	1,748.61
			Vendor Ferguson Waterworks #3650 Total:		1,748.61
Vendor: Flagler County Board of County Commissioners					
	02/23/2023	Flagler County Board of County..	Fuel charges December 2022	001-0521-521.5210	3,591.59
	02/23/2023	Flagler County Board of County..	January 2023 Fuel	001-0521-521.5210	3,428.68
	02/23/2023	Flagler County Board of County..	Repaid OBPD2002	001-0521-521.4620	717.90
	02/23/2023	Flagler County Board of County..	Repair OBPD1901	001-0521-521.4620	186.79
	02/23/2023	Flagler County Board of County..	Repaid OBPD1902	001-0521-521.4620	176.39
	02/23/2023	Flagler County Board of County..	Repair Unit OBPD2003	001-0521-521.4620	333.80
	02/23/2023	Flagler County Board of County..	Repair Unit OBPD1901	001-0521-521.4620	186.79
	02/23/2023	Flagler County Board of County..	Repair OBPD1106	001-0521-521.4620	342.11
	02/23/2023	Flagler County Board of County..	Repaid OBPD1901	001-0521-521.4620	469.81
			Vendor Flagler County Board of County Commissioners Total:		9,433.86
Vendor: Flagler Humane Society					
	03/01/2023	Flagler Humane Society	February 2023 Services	001-0562-562.3402	2,134.00
			Vendor Flagler Humane Society Total:		2,134.00
Vendor: Florida Health Care Plans, Inc.					
	02/22/2023	Florida Health Care Plans, Inc.	FHCP - T66 March 2023	001-2184000	37,959.36
	02/22/2023	Florida Health Care Plans, Inc.	FHCP - Retiree March 2023	001-2184500	1,985.93
	02/22/2023	Florida Health Care Plans, Inc.	FHCP - T23 March 2023	001-2184000	3,323.72
			Vendor Florida Health Care Plans, Inc. Total:		43,269.01
Vendor: Galls Parent Holdings, LLC					
	02/16/2023	Galls Parent Holdings, LLC	ZAK Tool-Blk Alloy Entr Tool	001-0521-521.5200	1,600.00
			Vendor Galls Parent Holdings, LLC Total:		1,600.00
Vendor: Guardian Alliance Technologies, Inc					
	02/28/2023	Guardian Alliance Technologies..	Social meadia screening	001-0521-521.4900	80.00
			Vendor Guardian Alliance Technologies, Inc Total:		80.00
Vendor: Hawkins Inc					
	12/21/2022	Hawkins Inc	Ultra-Chlor & Sodium Bisulfite	404-0535-535.5200	1,056.25
	02/17/2023	Hawkins Inc	Chemicals for WWTP	404-0535-535.5200	480.00
	02/24/2023	Hawkins Inc	Chemicals for WWTP	404-0535-535.5200	880.00
	02/24/2023	Hawkins Inc	Chemicals for WTP	401-0533-533.5205	1,000.00
			Vendor Hawkins Inc Total:		3,416.25
Vendor: HD Supply Facilities Maintenance Ltd					
	02/15/2023	HD Supply Facilities Maintena...	85M5 PUMP ADJ, 25PSI, 85GPD	404-0535-535.5264	660.75
	02/21/2023	HD Supply Facilities Maintena...	Ammonia droppers/mono pil...	401-0533-533.5205	815.08
	02/24/2023	HD Supply Facilities Maintena...	Resupply??lab??with??reagen...	401-0533-533.5205	80.74
	02/07/2023	HD Supply Facilities Maintena...	Midnight Powder-free Nitrile...	404-0535-535.5200	30.54
	02/07/2023	HD Supply Facilities Maintena...	pH 10.0 Buffer Blue, 20 Liters,...	404-0535-535.5200	145.45
	02/07/2023	HD Supply Facilities Maintena...	pH 7.00 Buffer Yellow, 20 Liter...	404-0535-535.5200	266.92
	02/07/2023	HD Supply Facilities Maintena...	30-Day CLX Total Chlorine Dry ...	404-0535-535.5200	494.00
	02/07/2023	HD Supply Facilities Maintena...	Universal Chart Pens Series 39...	404-0535-535.5200	172.77
	02/07/2023	HD Supply Facilities Maintena...	934-AH Glass Fiber Filter, 90 ...	404-0535-535.5200	298.68

Expense Approval Register

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(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
	02/08/2023	HD Supply Facilities Maintena...	Midnight Powder-free Nitrile...	404-0535-535.5200	335.94
			Vendor HD Supply Facilities Maintenance Ltd Total:		3,300.87
Vendor: John Deere Company					
	02/20/2023	John Deere Company	GATOR TX 2023 per Quote #2...	001-0541-541.6400	8,016.28
			Vendor John Deere Company Total:		8,016.28
Vendor: Kerri A Uebel					
	02/23/2023	Kerri A Uebel	Pole Saw Blades	001-0572-572.4640	59.72
			Vendor Kerri A Uebel Total:		59.72
Vendor: Kirstyn Seward					
	03/03/2023	Kirstyn Seward	Reimbursement for Nov 22 AF...	001-2185000	109.94
			Vendor Kirstyn Seward Total:		109.94
Vendor: Liberty National Life Insurance					
	02/22/2023	Liberty National Life Insurance	Globe Life - March 2023	001-2185000	808.55
			Vendor Liberty National Life Insurance Total:		808.55
Vendor: Lowe's Companies, Inc					
	02/21/2023	Lowe's Companies, Inc	Kobalt hammers & Post Hole d...	001-0541-541.5265	132.88
	02/21/2023	Lowe's Companies, Inc	1 Pallet Quikrete	001-0541-541.5300	299.55
	02/28/2023	Lowe's Companies, Inc	Crome 2 handle utility faucet	001-0572-572.4610	42.74
			Vendor Lowe's Companies, Inc Total:		475.17
Vendor: McGrath RentCorp and Subsidiaries					
	02/20/2023	McGrath RentCorp and Subsid...	24 mth lease 2.202.23 - 3.21.23	001-0521-521.4400	1,885.70
			Vendor McGrath RentCorp and Subsidiaries Total:		1,885.70
Vendor: Medi-Quick Urgent Care					
	03/01/2023	Medi-Quick Urgent Care	Zuromski , Granda, McCarthy	401-0533-533.4900	247.50
	03/01/2023	Medi-Quick Urgent Care	Zuromski , Granda, McCarthy	404-0535-535.4900	57.50
			Vendor Medi-Quick Urgent Care Total:		305.00
Vendor: Michael Leo Dove					
	02/24/2023	Michael Leo Dove	Services for 2.6.23 - 2.22.23	001-0524-524.3401	1,235.00
			Vendor Michael Leo Dove Total:		1,235.00
Vendor: Millenium Products, Inc.					
	12/23/2022	Millenium Products, Inc.	Surveillance Cameras Quote #...	001-0521-521.6400	29,166.46
	12/23/2022	Millenium Products, Inc.	License Plate Readers 5090/JN...	001-0521-521.6400	25,000.00
			Vendor Millenium Products, Inc. Total:		54,166.46
Vendor: MLG Municipal Services LLC					
	03/01/2023	MLG Municipal Services LLC	April 2023 Services	001-0524-524.3401	2,400.00
			Vendor MLG Municipal Services LLC Total:		2,400.00
Vendor: Norman E Hoffman					
	02/28/2023	Norman E Hoffman	Evaluation Jorge Fernandez	001-0521-521.4900	325.00
			Vendor Norman E Hoffman Total:		325.00
Vendor: North America Fire Equipment Co Inc					
	02/23/2023	North America Fire Equipment...	Class A shirts and pants	001-0521-521.5220	159.00
	02/23/2023	North America Fire Equipment...	XL Polos Coury	001-0521-521.5220	23.50
	02/23/2023	North America Fire Equipment...	Polo Shirts Taylor	001-0521-521.5220	23.50
	02/23/2023	North America Fire Equipment...	Polo Shirts	001-0521-521.5220	23.50
	02/23/2023	North America Fire Equipment...	XL Polos Coury	001-0521-521.5220	2.50
	02/23/2023	North America Fire Equipment...	Class B Cargo Pants and Unde...	001-0521-521.5220	266.00
	02/23/2023	North America Fire Equipment...	Polo Shirts Ogden	001-0521-521.5220	67.38
			Vendor North America Fire Equipment Co Inc Total:		565.38
Vendor: Pace Analytical Services, LLC					
	02/28/2023	Pace Analytical Services, LLC	Lab Testing	404-0535-535.3400	135.00
			Vendor Pace Analytical Services, LLC Total:		135.00
Vendor: Palm Coast Observer, LLC					
	02/23/2023	Palm Coast Observer, LLC	Notice of public hearing	001-0524-524.4800	125.00
			Vendor Palm Coast Observer, LLC Total:		125.00

Expense Approval Register

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(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
Vendor: Preferred Governmental Insurance Trust					
	04/01/2023	Preferred Governmental Insur...	Agreement #WC FL1 0182002 ...	001-2182000	5,702.75
Vendor Preferred Governmental Insurance Trust Total:					5,702.75
Vendor: Rayco Funding & Development, Inc					
	02/20/2023	Rayco Funding & Development...	Dewatering Box dumped	404-0535-535.3400	1,575.00
	02/24/2023	Rayco Funding & Development...	Dumping Dewatering Box	404-0535-535.3400	1,575.00
Vendor Rayco Funding & Development, Inc Total:					3,150.00
Vendor: RDK TRUCK SALES AND SERVICE INC					
	02/01/2023	RDK TRUCK SALES AND SERVIC...	Solid Waste Truck Rental (Fron...	402-0534-534.4400	8,000.00
	02/01/2023	RDK TRUCK SALES AND SERVIC...	Side Loader SW Truck Rental	402-0534-534.4400	8,000.00
Vendor RDK TRUCK SALES AND SERVICE INC Total:					16,000.00
Vendor: Ring Power Corporation					
	11/30/2022	Ring Power Corporation	Repair Generator	401-0533-533.4640	1,058.77
	02/13/2023	Ring Power Corporation	replace bent forks on Unit 503	001-0541-541.4640	800.00
	03/02/2023	Ring Power Corporation	Parts for equipment repair	404-0535-535.5264	113.32
Vendor Ring Power Corporation Total:					1,972.09
Vendor: Rogers Towing & Recovery Service Inc					
	11/14/2022	Rogers Towing & Recovery Ser...	Truck 929 towed Progressive P...	402-0534-534.4600	750.00
Vendor Rogers Towing & Recovery Service Inc Total:					750.00
Vendor: SHI International Corp					
	02/23/2023	SHI International Corp	Ruckus ICX-7150-48 Support	001-0516-516.5264	231.00
	02/23/2023	SHI International Corp	Ruckus ICX-7150-48 Network ...	001-0516-516.5264	1,292.04
	02/23/2023	SHI International Corp	Ruckus ICX-7150-48 Network ...	001-0519-519.5264	4,296.00
	02/28/2023	SHI International Corp	BeyondTrust Software	001-0516-516.5230	2,103.54
Vendor SHI International Corp Total:					7,922.58
Vendor: Sirchie Acquisition Company, LLC					
	02/22/2023	Sirchie Acquisition Company, L...	Evidence Envelope	001-0521-521.5100	12.99
	02/06/2023	Sirchie Acquisition Company, L...	Red Tape/Evidence Bag/Integri..	001-0521-521.5100	140.73
Vendor Sirchie Acquisition Company, LLC Total:					153.72
Vendor: Staples, Inc					
	02/16/2023	Staples, Inc	Case of paper, disposable pens...	001-0521-521.5100	84.19
Vendor Staples, Inc Total:					84.19
Vendor: Sun Country Termite & Pest Control					
	02/26/2023	Sun Country Termite & Pest C...	100 Utility Dr	401-0533-533.3401	30.00
	02/05/2023	Sun Country Termite & Pest C...	200 S Church	001-0572-572.3400	37.00
	02/06/2023	Sun Country Termite & Pest C...	300 Tolman	001-0541-541.3400	40.00
	02/06/2023	Sun Country Termite & Pest C...	200 Tolman	401-0533-533.3401	30.00
	02/06/2023	Sun Country Termite & Pest C...	Versie Lee	001-0572-572.3400	30.00
	02/06/2023	Sun Country Termite & Pest C...	JB King Park	001-0572-572.3400	40.00
	02/06/2023	Sun Country Termite & Pest C...	EJ Park	001-0572-572.3400	75.00
	02/06/2023	Sun Country Termite & Pest C...	Carver Fields	001-0572-572.3400	75.00
	02/06/2023	Sun Country Termite & Pest C...	Heritage Park	001-0572-572.3400	25.00
	02/06/2023	Sun Country Termite & Pest C...	Jackson Park	001-0572-572.3400	30.00
	02/06/2023	Sun Country Termite & Pest C...	604 E Moody Unit 6	001-0519-519.3401	25.00
	02/06/2023	Sun Country Termite & Pest C...	604 E Moody Unit 4	001-0519-519.3401	25.00
	02/06/2023	Sun Country Termite & Pest C...	Police Dept.	001-0519-519.3401	50.00
	02/06/2023	Sun Country Termite & Pest C...	604 E Moody	404-0535-535.3400	25.00
Vendor Sun Country Termite & Pest Control Total:					537.00
Vendor: Sunshine State One Call of Florida, Inc					
	02/28/2023	Sunshine State One Call of Flor...	Monthly assesment FY 2022-2...	401-0533-533.3401	45.53
	02/28/2023	Sunshine State One Call of Flor...	Monthly assesment FY 2022-2...	404-0535-535.3400	45.52
Vendor Sunshine State One Call of Florida, Inc Total:					91.05
Vendor: Terry Taylor Ford Company					
	02/13/2023	Terry Taylor Ford Company	Service repairs Vehicle 2001	001-0521-521.4620	97.59
	02/16/2023	Terry Taylor Ford Company	Service for Vehicle 1702	001-0521-521.4620	59.99
	02/08/2023	Terry Taylor Ford Company	Service Vehicle 2004	001-0521-521.4620	59.99
	03/01/2023	Terry Taylor Ford Company	Center Cap Vehicle 2002	001-0521-521.4620	75.39

Expense Approval Register

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(None)	Post Date	Vendor Name	Description (Item)	Account Number	Amount
	03/03/2023	Terry Taylor Ford Company	Dagnositcs & Service 1701	001-0521-521.4620	486.47
				Vendor Terry Taylor Ford Company Total:	779.43
Vendor: The Gaboton Group, LLC					
	02/28/2023	The Gaboton Group, LLC	March 2023	001-0511-511.3100	2,000.00
				Vendor The Gaboton Group, LLC Total:	2,000.00
Vendor: Tom Nehl Jacksonville, Inc					
	03/01/2023	Tom Nehl Jacksonville, Inc	Mirror head, lower mirror, bla...	402-0534-534.4620	116.35
				Vendor Tom Nehl Jacksonville, Inc Total:	116.35
Vendor: Traffic Supplies & Distribution LLC					
	02/22/2023	Traffic Supplies & Distribution ...	Amber Reflector & Red Reflect...	001-0541-541.5310	475.00
				Vendor Traffic Supplies & Distribution LLC Total:	475.00
Vendor: U Name It					
	02/13/2023	U Name It	Name Plates	001-0511-511.4700	60.00
				Vendor U Name It Total:	60.00
Vendor: UniFirst Corporation					
	02/01/2023	UniFirst Corporation	Unifmors	001-0541-541.5220	28.79
	02/01/2023	UniFirst Corporation	Unifmors	001-0549-549.5220	12.84
	02/01/2023	UniFirst Corporation	Unifmors	001-0572-572.5220	23.16
	02/01/2023	UniFirst Corporation	Unifmors	001-0572-572.5220	21.39
	02/01/2023	UniFirst Corporation	Unifmors	401-0533-533.5220	98.72
	02/01/2023	UniFirst Corporation	Unifmors	402-0534-534.5220	17.78
	02/01/2023	UniFirst Corporation	Unifmors	404-0535-535.5220	22.27
				Vendor UniFirst Corporation Total:	224.95
Vendor: USA Services of Florida Inc					
	02/24/2023	USA Services of Florida Inc	Sweeping State Roads January	001-0538-538.3400	700.00
				Vendor USA Services of Florida Inc Total:	700.00
Vendor: USABLE Life					
	03/01/2023	USABLE Life	USABLE Life March 2023	001-2184000	296.64
				Vendor USABLE Life Total:	296.64
Vendor: Verizon Wireless					
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0512-512.4100	80.60
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0513-513.4100	40.30
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0516-516.4100	45.30
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0521-521.4100	1,206.21
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0524-524.4100	145.08
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0541-541.4100	114.49
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0549-549.4100	152.74
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	001-0572-572.4100	153.16
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	401-0533-533.4100	324.77
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	402-0534-534.4100	193.04
	02/13/2023	Verizon Wireless	Service for 1.14.23 - 2.13.23	404-0535-535.4100	347.96
				Vendor Verizon Wireless Total:	2,803.65
Vendor: Vision Service Plan					
	02/18/2023	Vision Service Plan	VSP March 2023	001-2184000	955.46
				Vendor Vision Service Plan Total:	955.46
Vendor: Vose Law Firm, LLP					
	02/28/2023	Vose Law Firm, LLP	Feb Legal Fees	001-0514-514.3102	7,000.00
	02/28/2023	Vose Law Firm, LLP	Feb Legal Fees	001-0524-524.3102	500.00
				Vendor Vose Law Firm, LLP Total:	7,500.00
Vendor: W.W. Grainger, Inc.					
	03/03/2023	W.W. Grainger, Inc.	Pipe repair parts	404-0535-535.5200	19.95
				Vendor W.W. Grainger, Inc. Total:	19.95
				Grand Total:	208,751.96

Fund Summary

Fund	Expense Amount
001 - GENERAL FUND	164,811.30
401 - WATER	6,293.51
402 - SOLID WASTE	26,816.78
404 - SEWER	10,830.37
Grand Total:	208,751.96

Account Summary

Account Number	Account Name	Expense Amount
001-0511-511.3100	Professional Services Exp...	2,000.00
001-0511-511.4700	Printing / Binding Expense	60.00
001-0512-512.3400	Other Contracted Services	342.00
001-0512-512.3401	Fire Inspection Exp.	738.00
001-0512-512.4100	Communications Expense	80.60
001-0513-513.4100	Communications Expense	40.30
001-0514-514.3102	Legal Services	7,000.00
001-0516-516.4100	Communications Expense	45.30
001-0516-516.5230	Software	3,250.69
001-0516-516.5264	Small Equipment	1,523.04
001-0519-519.3401	Other Contractual Services	100.00
001-0519-519.5264	Small Equipment	4,296.00
001-0521-521.4100	Communications Expense	1,206.21
001-0521-521.4400	Rental / Lease Expense	1,885.70
001-0521-521.4620	Repair / Maint - Vehicles	3,193.02
001-0521-521.4900	Other Current Chgs & Obl...	405.00
001-0521-521.5100	Office Supplies Expenses	237.91
001-0521-521.5200	Operating Supplies	1,797.00
001-0521-521.5210	Fuel	7,020.27
001-0521-521.5220	Uniforms Exp	680.98
001-0521-521.6400	Machinery/Equipment Ex...	54,166.46
001-0524-524.3102	Legal Services	500.00
001-0524-524.3401	Bldg / Fire Inspection Exp -..	4,386.00
001-0524-524.4100	Communications Expense	145.08
001-0524-524.4800	Advertising / Promo Expe...	125.00
001-0538-538.3400	Other Contract Services	700.00
001-0541-541.3400	Other Contract Services	40.00
001-0541-541.4100	Communications Expense	114.49
001-0541-541.4610	Repair / Maint - Bldgs	8.80
001-0541-541.4640	Equipment Repair & Maint..	800.00
001-0541-541.5200	Operating Supplies	10.00
001-0541-541.5220	Uniforms Exp	28.79
001-0541-541.5265	Tools	178.76
001-0541-541.5300	Road Repair Local Option -..	1,531.55
001-0541-541.5310	Signage	475.00
001-0541-541.6400	Machinery/Equipment Ex...	8,016.28
001-0549-549.4100	Communications	152.74
001-0549-549.4640	Repairs & Maint - Equipm...	9.49
001-0549-549.5220	Uniforms	12.84
001-0549-549.5265	Tools	34.99
001-0562-562.3402	Humane Society Contract	2,134.00
001-0572-572.3400	Other Contract Services	312.00
001-0572-572.4100	Communications Expense	153.16
001-0572-572.4610	Repair / Maint - Bldgs	42.74
001-0572-572.4640	Repair/Maint - Equipment	272.70
001-0572-572.5220	Uniforms Exp	44.55
001-2182000	WC Payable	5,702.75
001-2184000	Med/Health Employee Lia...	44,129.86
001-2184500	Retiree Medical	2,067.10
001-2185000	125 Plans Employee Paybl ..	2,614.15
401-0533-533.3401	Other Contract Services	105.53

Account Summary

Account Number	Account Name	Expense Amount
401-0533-533.4100	Communications Expense	324.77
401-0533-533.4640	Repair / Maint - Equipme...	1,669.11
401-0533-533.4900	Other Current Chgs & Obl...	247.50
401-0533-533.5205	Operating Supplies Exp - ...	3,648.37
401-0533-533.5220	Uniforms Exp	98.72
401-0533-533.5264	Small Equipment Purchase	199.51
402-0534-534.3400	Other Contract Services - ...	9,637.45
402-0534-534.4100	Communications - Solid ...	193.04
402-0534-534.4400	Rental/Lease - Solid Waste	16,000.00
402-0534-534.4600	Repair / Maint - Service	750.00
402-0534-534.4620	Repair/Maint Vehicles - So..	218.51
402-0534-534.5220	Uniforms - Solid Waste	17.78
404-0535-535.3400	Other Contractual Services	3,355.52
404-0535-535.4100	Communications	457.22
404-0535-535.4300	Utilities	1,369.18
404-0535-535.4640	Repairs & Maint. - Equip...	610.17
404-0535-535.4900	Other Current Charges & ...	57.50
404-0535-535.5200	Operating Supplies	4,184.44
404-0535-535.5220	Uniforms	22.27
404-0535-535.5264	Small Equipment	774.07
	Grand Total:	208,751.96

Project Account Summary

Project Account Key	Expense Amount
None	208,751.96
	Grand Total:
	208,751.96



City of Bunnell, Florida

ATTACHMENTS:

Description	Type
Proposed Minutes	Minutes
Recusal Form- Mayor Robinson	Exhibit

CATHERINE D. ROBINSON
MAYOR

JOHN ROGERS
VICE-MAYOR

DR. ALVIN B. JACKSON, JR
CITY MANAGER



COMMISSIONERS:

TONYA GORDON

TINA-MARIE SCHULTZ

PETE YOUNG

Bunnell CITY COMMISSION MEETING

Monday, February 27, 2023

7:00 PM

1769 East Moody Boulevard (GSB)

Chambers Room

Bunnell, FL 32110

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

Mayor Robinson called the meeting to order at 7:00 PM and led the Pledge to the Flag.

Roll Call: Mayor Catherine D. Robinson; Vice Mayor Johns Rogers; Commissioner Tina-Marie Schultz; Commissioner Pete Young; City Attorney Paul Waters; City Manager Alvin B. Jackson; City Engineer Marcus DePasquale; Community Development Director Bernadette Fisher; Infrastructure Director Dustin Vost; Finance Director Kristi Moss; City Clerk Kristen Bates

Excused: Commissioner Tonya Gordon

Invocation for Our Military Troops and National Leaders:

Vice Mayor Rogers led the invocation.

B. Introductions, Commendations, Proclamations, and Presentations: None

C. Consent Agenda:

C.1. Approval of Warrant

a. February 27, 2023 Warrant

C.2. Approval of Minutes

a. February 13, 2023 City Commission Meeting Minutes

C.3. Request for Ratification of a Letter of Support from the City Commissioners for the Phoenix Crossing Project for Funding with Federal Home Loan Bank

Motion: Approve the Consent Agenda

Motion by: Commissioner Schultz

Second by: Commissioner Young

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.

Daisy Henry (E. Drain Street)- announced the Carver Foundation will sponsor the annual Motown Madness fundraiser for the Carver Gym. She stated she has tickets to sell for the event which will be held on March 24, 2023. She noted the cake sale is a popular

component of this event with some cakes bringing in as much as \$100.00 apiece. She appreciates the Police Department patrolling the neighborhood more frequently.

E. Ordinances: (Legislative):

E.1. Ordinance 2023-03 Requesting to amend the Future Land Use Map of the Comprehensive Plan for a 4.8+/- acre portion of a parcel Owned by Gpr1 LLC located at 901 E Moody Blvd, from "Public (PUB)" to "Industrial (IND)" Future Land Use category - Second Reading.

City Attorney Waters read the short title into the record.

Motion: Adopt Ordinance 2023-03 Requesting to amend the Future Land Use Map of the Comprehensive Plan for a 4.8+/- acre portion of a parcel Owned by Gpr1 LLC located at 901 E. Moody Blvd, from "Public (PUB)" to "Industrial (IND)" Future Land Use category. – Second Reading

Motion by: Vice Mayor Rogers

Second by: Commissioner Schultz

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

E.2. Ordinance 2023-04 Requesting to change the official zoning map for a 4.8± acre portion of a parcel, owned by Gpr1 LLC, located at 901 E. Moody Blvd, from the "O-1, Office, Medical and Related Services District" to the "L-1, Light Industrial District" – Second Reading.

City Attorney Waters read the short title into the record.

Motion: Adopt Ordinance 2023-04 Requesting to change the official zoning map for a 4.8± acre portion of a parcel, owned by Gpr1 LLC, located at 901 E. Moody Blvd, from the "O-1, Office, Medical and Related Services District" to the "L-1, Light Industrial District" – Second Reading

Motion by: Vice Mayor Rogers

Second by: Commissioner Schultz

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

E.3. Ordinance 2023-05 Amending the Bunnell Code of Ordinance Chapter 37 regarding Open Burning Regulations. – First Reading

City Attorney Waters read the short title into the record. City Clerk Bates presented the item to the Board and Fire Chief Tucker, Flagler County Fire and Rescue, provided additional information about the need to have ability to deal with these types of issues within the City.

Motion: Approve Ordinance 2023-05 Amending the Bunnell Code of Ordinance Chapter 37 regarding Open Burning Regulations. – First Reading

Motion by: Commissioner Schultz

Second by: Commissioner Young

Board Discussion: Mayor Robinson asked if these regulations would assist with muck fires. Commissioner Young asked if these regulations with clearing for development. Chief Tucker addressed both questions. Vice Mayor Rogers asked if the State is still doing controlled burns; Chief Tucker confirmed the State and County both engage in controlled burns.

Public Discussion: None

Vote: Motion carried unanimously

F. Resolutions: (Legislative): None

G. Old Business: None

H. New Business:

H.1. Request Approval of the City Health Insurance Enrollment 2023

City Manager Jackson introduced and explained the item.

Mayor Robinson announced she would recuse herself from this vote as she is employed by Florida Health Care Plans, one of the providers of City insurance.

Motion: Approve the City Health Insurance Enrollment for 2023.

Motion by: Commissioner Schultz

Second by: Vice Mayor Rogers

Board Discussion: Vice Mayor Rogers acknowledge staff for doing their part to take care of their health which contributes to lower renewal rates.

Public Discussion: None

Vote: Motion carried 3-0

Recused: Mayor Robinson

H.2. Request to Accept Grand Reserve Phase 4 Potable Water, Sanitary Sewer, and Storm Sewer Collection Piping and Collections Structure (Minus Stormwater Infrastructure Lying in tracts 4-1, 4-2 and 4-3).

City Engineer DePasquale introduced and explained the item. The City is accepting certain infrastructure as identified in the Bill of Sale. The City will have a Maintenance Bond to use for any repairs of this infrastructure for a two-year period from the date of acceptance.

Motion: Accept Grand Reserve Phase 4 Potable Water, Sanitary Sewer, and Storm Sewer Collection Piping and Collections Structure (Minus Stormwater Infrastructure Lying in tracts 4-1, 4-2 and 4-3).

Motion by: Vice Mayor Rogers

Second by: Commissioner Young

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

H.3. Request Approval to Purchase an Equipment Trailer for the Infrastructure Mini Track Excavator

Infrastructure Director Vost introduced and explained the item. This item was not in this year's budget; however, the funds not used in the purchase of the Vac-Con truck will be used. As a result, the City is able to make this purchase from the existing budget.

Motion: Approve the Purchase of an Equipment Trailer for the Infrastructure Mini Track Excavator

Motion by: Commissioner Schultz

Second by: Commissioner Young

Board Discussion: None

Public Discussion: None

Vote: Motion carried unanimously

H.4. Request Approval of Contract# 2023-01 with Collage Design and Construction, Inc. for the Bunnell Administration/Police Department Complex Design-Build Project.

City Manager Jackson introduced and explained the item. It was explained the cost for design services would need to be pulled from Reserves, but when the City applied for the loan, the costs for the design services would be included to replenish the Reserves.

Motion: Approve Contract# 2023-01 with Collage Design and Construction, Inc. for the Bunnell Administration/Police Department Complex Design-Build Project.

Motion by: Vice Mayor Rogers

Second by: Commissioner Young

Board Discussion: Commissioner Schultz asked what amount needed to be pulled from Reserves. Finance Director Moss advised the full amount would need to be pulled from Reserves and explained the City cannot obtain any loan estimates until the construction costs are known. This means design needs to be completed first. Commission Schultz asked what amount is in Reserves at this time. There is \$1.7 million in Reserves at this time. Commissioner Young sked if this cost would have been cheaper six months ago. City Manager Jackson advised it is hard to say, but the contractor has confirmed there is about a 25% rise in costs since the City did the design concept work at the start on 2022.

Public Discussion: None

Vote: Motion carried unanimously

I. Reports:

- **City Clerk** - None
- **Police Chief**- None
- **City Attorney**- None
- **City Manager**- Asked everyone to check out the City Manager Report as it contains very useful information. He advised the City is about to start managing about \$40 million in capital projects; this is going to keep directors very busy while still tending to day to day operations too. He shared a compliment received from Dan Wilcox for Community Development Director Fisher and City Engineer DePasquale. Infrastructure Director Vost reported the Bid Opening for the Wastewater Treatment Plant Project occurred last week; the Selection Committee will review the submission and meet next week. He also reported on a change made to the agreement with the Army Corps of Engineers which will allow the City to access additional funding. The last update provided involved the Hymon Circle Project. Design has been completed, but permitting through the Department of Environmental Protection and St. Johns River Water Management District, which are both required, is taking a bit more time and effort; there will have to be some wetlands mitigation included in this project too.
- **Mayor and City Commissioners**
 - **Commissioner Schultz** – None
 - **Commissioner Young** – thanked the Board. City Manager and staffing for their welcome into this role. Everyone has been helpful with the adjustment. He has heard nothing but positive things about City staff.
 - **Vice Mayor Rogers** – None
 - **Mayor Robinson** – Agreed the City has great staff. She will be attending the Northeast Florida Regional Council Meeting this week.

J. Call for Adjournment.

Motion: Adjourn

Motion by: Vice Mayor Rogers

Seconded by: Commissioner Schultz

Vote: Motion carried unanimously

Meeting adjourned: 7:40 PM

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

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Robinson, Catherine D.	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Commission
MAILING ADDRESS 913 Gallberry Ct	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Bunnell	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Flagler	NAME OF POLITICAL SUBDIVISION: City of Bunnell
DATE ON WHICH VOTE OCCURRED 2/27/2023	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Catherine D. Robinson, hereby disclose that on February 27, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of Florida Health Care Plans, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am employed full-time by Florida Health Care Plans who provides medical health insurance coverage for the City of Bunnell

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2/27/2023
Date Filed

Catherine D. Robinson
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



City of Bunnell, Florida

Agenda Item No. E.1.

Document Date: 2/20/2023 Amount:
Department: City Clerk Account #:
Subject: Ordinance 2023-05 Amending the Bunnell Code of Ordinance Chapter 34 regarding Open Burning Regulations. - Second Reading
Agenda Section: Ordinances: (Legislative):
Goal/Priority: Quality of Life

ATTACHMENTS:

Description	Type
Proposed Ordinance 2nd Reading	Ordinance

Summary/Highlights:

This is a request to amend the Bunnell Code of Ordinance to adopt open burning regulations within the City.

This matter was last heard at the February 27, 2023 City Commission meeting. At this meeting, the City Commission voted to approve the proposed ordinance. In accordance with Florida Statute, this item was advertised in the March 2, 2023 edition of the Palm Coast Observer.

Background:

Flagler County Fire Rescue provides fire services to properties within the City of Bunnell. Currently, the City does not have regulations regarding open burning.

Recently, there have been instances of open burning of trash and debris within the City limits. This is a danger to structures and adjacent properties if not conducted safely.

After receiving complaints about open burning going on within the City, staff reached out to Chief Tucker to determine what is needed to address the risk created by open burning. Staff was informed the City needed to look into adopting enforceable regulations for open burning.

The proposed ordinance has been approved by Chief Tucker and Flagler Fire Rescue. The ordinance defers to Flagler Fire Rescue to issue and charge for open burning permits when necessary and provides for certain exemptions.

Staff Recommendation:

Adopt Ordinance 2023-05 Amending the Bunnell Code of Ordinance Chapter 34 regarding Open Burning Regulations. - Second Reading

City Attorney Review:

Approved as to form.

Finance Department Review/Recommendation:

City Manager Review/Recommendation:

Approved.

ORDINANCE 2023-05

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE BUNNELL CODE OF ORDINANCE CHAPTER 34 FIRE PREVENTION AND PROTECTION; PROVIDING FOR THE ADOPTION OF REGULATIONS REGARDING OPEN BURNING WITHIN THE CITY LIMITS; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, *Constitution of the State of Florida*, authorizes the City of Bunnell to exercise any power for municipal purposes except as otherwise provided by law; and

WHEREAS, Chapters 166 and 163, Florida Statutes, include authority to enact regulations to protect the health, safety and welfare, and interests of the citizens of the City; and

WHEREAS, the *Bunnell Code of Ordinance* provides for procedures for fire prevention and protection; and

WHEREAS, the City is in need of regulations relating to burning within the City limits; and

WHEREAS, the City Commission of the City of Bunnell finds it is in the best interest and welfare of the citizens of the City to adopt regulations regarding burning within the City limits; and

WHEREAS, the City of Bunnell has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, *** shall constitute ellipses to the original text and ~~strike through~~ shall constitute deletions to the original text.

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

Section 1.

Chapter 34 of the Bunnell Code of Ordinance is hereby amended as follows:

Sec. 34-2. - Local amendments to Fire Prevention Code relating to burning.

The following local amendments to the Fire Prevention Code, are based upon the recitals set forth in the provisions of this section, and shall provide additional fire

prevention standards within the City Limits of the City of Bunnell and shall supplement the Florida Fire Prevention Code requirements. In the event of any conflict between a provision of this local amendment and the Florida Fire Prevention Code, this local amendment shall prevail.

(1) Open burning prohibited.

a. Open burning of commercial waste, residential trash, garbage, lawn debris, clippings, trees or other debris on residential, commercial or industrial property is prohibited within the City limits of the City of Bunnell, but not including commercial land clearing operations which is addressed in subsection b.

b. The following types of open burning are permitted if pre-approved by the Fire Marshal and a permit issued by the Fire Marshal for such activities; permits shall focus on addressing the disbursement of smoke and its adverse effects:

1. Ceremonial fires.

2. Commercial land clearing operations.

3. Prescribed burns conducted by fire control agencies.

4. When an emergency condition exists within the City that warrants burning.

c. Permits for open burning relating to commercial and agricultural land clearing operations shall be issued by the Fire Marshal upon finding that:

1. All conditions precedent to lawful burning have been met, and

2. The Florida Division of Forestry has been notified of the burning, and

3. That the "burn index" of the Florida Division of Forestry will permit burning on the day or days for which an open burning permit is requested.

d. The following types of open burning do not require permitting by the Fire Marshal and are permitted if conducted in a safe manner and without the creation of a nuisance:

1. Outdoor fireplaces, kilns, ovens or other similarly approved devices.

2. Outdoor cooking fires that are engaged in bona fide food provision are constantly attended while cooking food and are no larger than three feet in diameter with flames no higher than three feet.

3. Warming fires conducted at work sites in a metal barrel when the temperature is below 45 degrees Fahrenheit.

4. Campfires built and contained in a fire circle of a licensed camp ground.

(2) Permits for open burning.

a. Applications for open burning permits shall be on forms to be provided by the Flagler County Fire Rescue Department.

b. Flagler County Fire Rescue Department shall be the authority to issue, monitor and enforce open burning permits. Application and permit fees shall be paid to Flagler County Fire Rescue Department.

c. Nothing herein shall relieve any person from complying with any other applicable law, rule, registration and ordinance relating to open burning.

Section 2. Implementing Administrative Actions.

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative forms, policies, procedures, processes and rules.

Section 3. Codification.

The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Bunnell Code of Ordinance* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 2, 3, 4, 5, and 6 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 4. Conflicts.

All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion or application shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon enactment.

First Reading: approved on this 27th day of February 2023.

Second Reading: approved on this 13th day of March 2023.

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: