

**New Smyrna Beach City Commission Meeting**  
**March 26, 2019**

*YouTube Channel to view current and archived City Commission Meetings:*  
<https://www.youtube.com/channel/UCFnpWTUfup3BtTrUyHaJisA>

**1. City Commissioners voted 3-2 in favor of employing several methods to slow down traffic exiting north onto Magnolia Street from North Ridgewood Avenue (US-1) in Edgewater.**

A majority of the Commission directed staff members to install a regular stop sign at the intersection of Magnolia and Third streets; install "speed cushions" between Seventh and Eighth streets and between Fourth and Fifth streets, and conduct traffic studies of Live Oak and Palmetto streets and Riverside Drive. Speed cushions are wide, flat-topped, raised areas affixed to the roadway.

Mayor Russ Owen and Commissioner Jake Sachs cast the dissenting votes, indicating they thought the approved measures wouldn't be enough to slow down through traffic.

Residents who live along Magnolia Street near its intersection with North Ridgewood have complained about the high speed of vehicles traveling through their neighborhood.

**2. The City Commission unanimously voted to apply for grant money to move forward with the second phase of work on a Mooring Field and other facilities for transient boats to stay on the Indian River in New Smyrna Beach.**

**Afterward, Commissioners agreed *not* to seek another grant from the same state agency. The second grant would have been earmarked for public boating and park facilities on the North Causeway site of a former sewer plant and city administrative buildings.**

Grant money for construction of a boat mooring field in the Indian River, south of the South Causeway, will come from the Florida Inland Navigation District (FIND) in the form of a 50/50 match: \$228,000 in funding from FIND plus \$228,000 from the City Marina fund. Besides installing 50-60 boat moorings, the project calls for support facilities such as a boat to pump out the holding tanks of moored boats, a floating dock for dinghy and boat docking, and renovations/expansion of the City Marina restrooms.

**3. City Commissioners unanimously favored the first reading of changes to the city's Animal Control Ordinance, including allowing "urban chickens" to be kept in the city and upgrading requirements for the tethering and shelter of outside dogs. The second reading and public hearing for the amended ordinance is set for April 9.**

Proposed revisions also would remove the requirement for city licensing, but still require that animals have some form of identification carrying the owner's name and phone number.

The law would establish an “urban chicken program” permitting residents to keep up to five hens on a single-family residential lot with a single-family detached home, for their personal use. Roosters would not be permitted, and residents would need to apply to the city’s Animal Control Officer for an urban chicken permit to be sure they can meet the required conditions.

Other parts of the ordinance remove references to the Southeast Volusia Humane Society as the place where unwanted or quarantined animals would be taken and replace it with references to qualified holding facilities. Additional changes would require a seven-day holding period for impounded stray animals whose owners can be identified, and a three-day holding period for animals with no identifying tags, collars or microchips. If an animal hasn’t been claimed by an owner after the holding period ends, it could be euthanized.

Another section of the animal ordinance spells out extensive requirements for the proper tethering of dogs kept outside. It states the “*chaining or tethering of dogs is discouraged.*” However, in situations where the owner has no choice but to restrain dogs on a tether, the ordinance says:

- a. A dog or puppy must not be able to leave the property.
- b. A dog or puppy must be on a properly maintained collar or harness.
- c. No choke chains or ropes are allowed to restrain animals.
- d. The restraint must be at least 10 feet or longer if it is attached high off the ground.
- e. The area in which the animal is tethered must be cleaned daily.
- f. Female dogs in heat must be kept in a secured area.

In addition, the ordinance says dogs kept outside must have a properly sized shelter, in good repair and with adequate ventilation and bedding material. Animals also shall not be housed outside when temperatures fall below freezing.

**4. City Commissioners voted 3-2, with Commissioners Michael Kolody and Sachs dissenting, to approve a Special Exception for a public parking lot at 611 Jefferson St. Commissioners agreed the project will come back to them for a final site plan approval, and citizen Timothy Washington will assist staff members in the site plan review process.**

The city bought two vacant, Jefferson Street lots containing about 13,765 square feet, near Pettis Park and the Mary S. Harrell Black Heritage Museum. Officials say the city’s Community Redevelopment Agency and Economic Development Department would develop the lots with 21 spaces to provide parking for Pettis Park and the museum.

Several residents spoke against that proposal, suggesting the lot would adversely affect the residential character of the area. They also questioned whether it would pose security issues, and if the parking lot was needed.

Mayor Owen expressed concern that the city hadn’t discussed the project enough ahead of time with residents living in the vicinity of the proposed parking lot.

**5. The City Commission unanimously approved the first reading of amendments to the law regulating peddlers, canvassers and solicitors who sell items or hand out informational material. The second reading and public hearing for the ordinance will be April 9.**

The city requires these individuals to register with the Police Department and obtain a permit that is valid for six months. New language added to the ordinance establishes criteria for reviewing these permit applications, including whether the solicitors have the proper driver's license, have been convicted of a felony within the past five years or a misdemeanor in the past three years, or if the applicant is on parole or probation, as well as several more provisions.

**6. City Commissioners endorsed the \$67,000 purchase of a 22-foot, aluminum Fire Boat with the capability for rescue work and fire fighting.**

Fire Chief Shawn VanDemark researched the cost of fire boats and located a demonstration firefighting vessel from Lake Assault Boats in Superior, Wis. The boat is less than a year old, has less than 25 hours in operation, and has never been deployed in salt water. The craft is powered by a 200 horsepower outboard motor and is equipped with a fire-fighting water pump capable of pumping 300 gallons per minute.

**7. The City Commission tabled discussion of an ordinance strengthening city guidelines for saving trees threatened by development until a special meeting April 2.**

Proposed amendments to the city's existing tree ordinance are intended to further restrict and clarify the criteria for removing what are judged to be Historic and Specimen trees.

Previously, the land development regulations addressing Historic Trees only protected live oaks and bald cypress trees with a 36-inch or greater diameter. The newly proposed tree ordinance expands Historic Tree preservation to *any* tree of 36 inches or greater diameter, as long as it isn't listed on the Florida Exotic Pest Plant Council's list of invasive species. In addition, the ordinance recognizes a list of Specimen Tree species of 24 inches in diameter or larger as being subject to specific criteria for removal, because they would typically continue to grow until they reach Historic Tree size.

###