

New Smyrna Beach City Commission Meeting

Jan. 14, 2020

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1. City Commissioners voted unanimously (*with Mayor Russ Owen absent*), to seek appraisals for 19 properties along Turnbull Creek that were ranked as top candidates for potential purchase, plus another parcel that was added for consideration at the Commission meeting.

The city's Turnbull Creek Land Preservation Committee began meeting last year to review and narrow down a lengthy list of parcels eligible to be bought with money from a bond issue that voters passed in November 2018. The goal of the (up to) \$15-million-dollar bond issue was to buy environmentally important properties along Turnbull Creek to protect the creek's pristine waters and prevent future development along its banks. New Smyrna Beach also was awarded a Florida Communities Trust grant of \$3.6 million to offset the cost of buying land for preservation.

The Commission's first land purchase was 152 acres known as the Turnbull Trace property, which could have been developed with hundreds of homes.

The Turnbull Committee met several times over the past five months to review detailed property information and develop a prioritized list of remaining parcels of land to be targeted for city acquisition.

"Out of the approximately 100 target parcels these 19 were recommended because they scored the highest in our evaluation criteria: the environmental value, the economic development potential, as well as the potential public benefit," said Assistant City Manager Brian Fields.

He said six properties on the north and south sides of SR-44 were deemed the highest priority for purchasing due to their high potential for development and highly ranked value to the environment.

Thirteen properties with the second highest purchase priority include acreage owned by the owners of nearby Sugar Mill Ruins Travel Park. Fields said the latter landowners have not indicated they're interested in selling.

Five additional properties that were ranked as the third highest priority, as well as the balance of unranked parcels, make up about 81 properties on the Committee's list that mainly consist of wetlands or land in the flood plain, he added. For that reason, the Turnbull Committee and staff recommended that the city pursue acquiring voluntary conservation easements from those respective property owners.

Fields said conservation easements can't be bought with money from the bond issue. City Manager Khalid Resheidat said staff members would provide possible funding options for Commissioners to consider at a future meeting.

Vice Mayor Michael Kolody proposed adding a 20th property to the proposed acquisition list, a parcel that he said would link the Sugar Mill Ruins State Park at 600 Mission Drive with the Turnbull Creek waterway.

Fields said city staff members toured that parcel and it was mostly wetlands that would be more suited for a conservation easement.

The city's staff will obtain two appraisals for each of the properties on the list proposed for purchase. The next steps include obtaining field surveys, title work, and meeting with property owners to negotiate a purchase price, which would be subject to City Commission approval. A final parcel list with recommended purchase prices could be ready for Commissioners to consider in about 90 days.

Staff members also will start drafting a conservation easement template and will follow up with the owners of parcels proposed for those easements, which would also be subject to the City Commission's approval.

Commissioners agreed they would prefer that land prices be negotiated by a third party with expertise in doing that on behalf of local governments.

2. The City Commission unanimously agreed to go ahead with the over-budget construction of a long-awaited Splash Pad at Babe James Community Center to ensure the water feature can open this summer.

Capital Improvement Projects Manager Michelle Vallance briefed Commissioners about the Splash Pad, reporting that several companies had picked up packages when the project went out to bid. However, the city received only one actual bid for the work at the Center, 201 N. Myrtle Ave., from Saboungi Construction.

Proposed improvements include a 40-foot-diameter Splash Pad with a dedicated waterplay area and equipment, a stand-alone Men's and Women's Restroom complete with a handicapped-accessible water fountain and shower, perimeter security fencing and cameras for enhanced security, a concrete seat-wall, sidewalks and landscaping.

The city budgeted \$430,000 for the project, including engineering costs and \$215,000 from a Volusia County ECHO grant. Of the budgeted amount, actual funds allotted for the construction were \$339,370.

However, the base bid from Saboungi Construction came back at \$467,560. In addition, there were some add-ons to the Splash Pad work that totaled another \$53,426, adding up to a grand total of about \$520,986 for the improvements.

Vallance said the difference between the actual construction funds and the grand total for the project is \$181,615, which could come out of the city's Recreation Impact Fee Fund.

Due to the anticipated costs being over budget, staff members initially recommended rejecting the bid and seeking new ones. But Vallance and City Manager Resheidat cautioned that would create a delay of at least three months and require the city to request an extension from Volusia County on accepting the grant money. It also would mean the Splash Pad wouldn't be finished and open during July. Instead, it would not be complete until late fall.

Vallance noted community residents had requested a Splash Pad as long as 10 years ago, and Resheidat suggested even if the project was rebid, he didn't think new bids would come in much lower than the current proposal.

Commissioner Randy Hartman agreed. "I just know this project has been going on a long time, over 10 years," he said. "The residents on the West Side ... some of them say, 'Yeah, I'll believe it if it ever shows up.' I just don't think construction costs are going to get any cheaper if you wait three months."

3. City Commissioners unanimously approved annexing about 2.5 acres at 2565 Glencoe Farms Road, changing its future land use to city rural, and rezoning it to Rural Agriculture Estate. The new land use and zoning districts are similar to what the property was designated by Volusia County.

4. The City Commission voted unanimously to annex about 0.76 of an acre at 1086 Corbin Park Road, designate its Future Land Use as City Low Density Residential and rezone the parcel to City R-2 (Single-Family Residential). The land use and zoning are similar to those designations for the property prior to its annexation.

5. City Commissioners unanimously agreed to annex about 2.5 acres on Glencoe Farms Road, designate its Future Land Use as Rural and changed its zoning to Rural Agriculture Estate. The acreage is on the south side of Glencoe Farms Road, west of South Glencoe Road and north of Cone Lake Road. Its land use and zoning are similar to what they were in Volusia County.

6. City Commissioners had the first reading of an ordinance to amend city laws about tethering animals. The new language says no dog may be tethered outside if it is sick, injured and in distress, under six months old or in the advanced stages of pregnancy. The second reading and public hearing for the possible adoption of this ordinance will be Jan. 28.

7. The City Commission heard the first reading of ordinances proposing to annex 0.1994 acres at 1110 Canal St., change its future land use to commercial and its zoning to B-3 (Highway Service Business District). The property is developed with a single-family home and no increased density is proposed there. Second readings and public hearings for the possible adoption of these ordinances will be Jan. 28.

8. City Commissioners unanimously approved the city staging its 58th Annual New Smyrna Beach Art Fiesta on Saturday and Sunday, Feb. 22-23.

The art show and associated events will be in and around Old Fort Park and along Sams Avenue, Julia Street, and parts of Canal and Magnolia streets. The show will feature live music, food vendors and arts and crafts exhibitors. In addition, New Smyrna Beach Leisure Services is partnering with The HUB on Canal Street and the Canal Street Historic District to have the "Chalk It Up" art contest on Saturday. The Art Fiesta runs from 10 a.m. to 5 p.m. Saturday and 9 a.m. to 4 p.m. Sunday.

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