

New Smyrna Beach City Commission Meeting – Oct. 12 2021

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City Commissioners welcomed New Smyrna Beach’s new Deputy Police Chief, Eric Feldman, a seasoned professional who previously completed more than 20 years in a federal law enforcement career.

Police Chief Mike Coffin administered the oath of office to Feldman, who was hired in August. Prior to working here, the deputy chief worked in the Department of Homeland Security/Homeland Security Investigations, where he served in a variety of leadership positions. Those included: special agent, director of the cyber crimes center, SWAT Commander and Assistant Director over training, equipment and tactical programs. Feldman also served as an attaché in the London, UK office, where he was responsible for coordinating international, organized crime investigations between the U.S. and the U.K., Ireland and Iceland. Prior to those positions in law enforcement, Feldman worked for the city of Spokane Parks, as well as the U.S. Border Patrol.

Chief Coffin added that Feldman has been an agency spokesperson on a variety of topics to news agencies, represented the U.S. as an expert on cyber crime issues and provided briefings to all levels of government, intelligence agencies and members of Congress.

He and his family spent many summers in Volusia County, which drew him to New Smyrna Beach.

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The City Commission voted unanimously in favor of a resolution approving an agreement with the federal Division of Emergency Management to (FEMA) demolish and rebuild 17 single-family homes.

This is the third city project approved by FEMA to mitigate flooding from the impacts of Hurricane Irma in 2017 through a Hazard Mitigation Grant Program. Two prior grant programs through FEMA involved elevating flood-prone homes.

For the agreement approved Oct. 12, 17 new homes mostly located in the central beach area and Islesboro subdivision would be rebuilt a minimum of 1.5 feet above the base flood elevation, plus another three feet to account for sea level rise. The dwellings also would be constructed to meet current Florida Building Code guidelines for wind loads, as well as mechanical, electrical and plumbing standards.

City Engineer Kyle Fegley said staff members are working to determine the most cost effective means of funding the city’s share of the project. The total construction cost is estimated at \$3,730,821, of which 75 percent, or \$2,506,146.75, would be reimbursed by FEMA. The city would contribute a maximum of \$595,000, not to exceed \$35,000 per property, including any temporary housing or displacement costs. The remaining costs for home construction would be the property owners’ responsibility.

In a memo to the City Commission, he cautioned there still are some variables to work out on the project. Since the application for the program was submitted prior to the onset of the pandemic, it didn’t anticipate the extreme increase in the cost of construction materials. Also, he noted that FEMA took more than three years to approve the city’s flooding mitigation application because of the high volume of applications it received.

Fegley wrote it is likely bids for the work may exceed the projected rebuild costs. That means additional funds may need to be requested, and/or property owners whose homes are slated for reconstruction may need to contribute more.

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City Commissioners voted 4-1, with Commissioner Randy Hartman dissenting, to deny a request from Tiano’s restaurant at the Municipal Golf Course to waive rental fees for three months. The business made the request after making improvements to its premises.

Tiano’s has leased the golf course restaurant since 2009 for a monthly fee of \$1,755, and previously spent about \$55,000 on remodeling. The recent work cost \$15,000, and included pressure washing walls and floors in the kitchen, then installing tile on those surfaces.

“I think they’ve been great business partners ... I’m happy to see their business succeeding,” Mayor Russ Owen observed, but he questioned why Tiano’s did not come to the city first and request the rental relief in return for improving its interior.

“I think you hit the nail on the head,” Commissioner Jason McGuirk added. “You don’t do the renovations and ask for the money.” Like his colleagues, McGuirk suggested the restaurant owners should have advised the city they planned to renovate and seek a rental waiver prior to starting the job.

City Manager Khalid Resheidat pointed out the improvements made to Tiano’s are not something its owners could take back if they left, and that’s why the staff members recommended in favor of the requested waiver. He said he wasn’t aware of the renovation project before it was done.

Commissioners who voted against the fee waiver explained they couldn’t support it because the establishment’s representatives didn’t come to the city first and request the rental relief in return for improving its interior. Commissioners stressed they didn’t want to send a message that they would waive future fees in similar circumstances.

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The City Commission voted unanimously to renew the city’s annual agreement with the Southeast Volusia Humane Society, Inc. and extend it until Oct. 1, 2022.

The city will pay \$4,166.67 per month to cover the cost of animals brought to the Humane Society.

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City Commissioners voted 5-0 to reappoint Planning and Zoning Board members Susan Neylon and Steven Danskine to their second, three-year terms, which will expire Oct. 31, 2024.

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