

New Smyrna Beach City Commission Meeting – May 10, 2022

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City Commissioners reaffirmed their support for murals on local buildings after a full audience of area artists told them an ordinance proposing to regulate such artwork would kill the city's reputation as an arts community.

City Manager Khalid Resheidat announced early in the meeting that he was withdrawing the first reading of the wall art ordinance because the city had been bombarded with phone calls and emails objecting to it. He recommended that city officials schedule public meetings to learn from local artists how the city could set some acceptable parameters for wall art in the future.

The ill-fated ordinance proposed requiring an application for a permit to create murals or wall art, and establishing a lengthy set of requirements and standards, such as information about the durability of materials, the name and previous work of artists and addresses where their work was displayed, plans and specifications for the proposed artwork, and a prohibition of written messages, letters, words, logos and several other items.

The City Commission unanimously voted to adopt a resolution to dispose of eight city-owned properties that will be earmarked for use as affordable housing.

The non-CRA properties are all vacant lots: two on Francis Avenue, one on Auburn Avenue and one on Nordman Avenue. The city will consider offers on all the properties, with the understanding the individual or agency to whom they are donated must apply for a building permit within one year. Mayor Owen also said it is important for the city to notify surrounding property owners about the process so they know what the city is doing. Florida Statute 166.0451 requires cities to identify properties they own that would be appropriate for use as affordable housing. The list of those properties must be updated every three years.

City Clerk Kelly McQuillen made a presentation to the Commission as a culmination of her office's study of the original missions assigned to a myriad of city advisory boards, how their responsibilities have grown and diverged from those tasks, and recommendations to address that issue.

The Commission voted 4-1, with Commissioner Kolody voting no, to accept the first and second phases of McQuillen's proposals. Her report suggested several boards should be "rebooted" or disbanded. Those included the city's Economic Development Advisory Board, Golf Advisory Board, Leisure Activities Advisory Board and Neighborhood Council.

The boards' founding goals and objectives were completed long ago resulting in disappointed members, increased absences and no (meeting) quorums.

In some cases, the city clerk's report recommended creating new boards with more specific tasks, such as:

- Establishing a new Economic Development Task Force to work on specific economic development initiatives.
- Creating a Community Engagement Enhancement Committee to strengthen neighborhood identity and resiliency, and review the value of community events to ensure good outcomes for the community, as well as the relevancy, entertainment

and cultural values of community programs. This Committee also could recommend mentoring and volunteering opportunities for the city.

- Establishing a City Facilities Advisory Committee to provide feedback on capital projects for streetscapes, parks and recreational facilities.

Phase three of the advisory board revamp will be forthcoming, McQuillen said, and will recommend that new advisory board members be given a member orientation to train them on adhering to the requirements of the state's Sunshine Law and the responsibilities of board members, as well as establishing a set time period for the terms of all advisory board members.

City Commissioners voted 3-2 to approve the removal of a 37-inch diameter, Historic Live Oak tree on the property of Tionia Road Boat and RV Storage Facility, one parcel north of 1674 Tionia Road. Commissioners Sachs and Kolody cast the dissenting votes.

Staff members recommended that the tree be removed with the condition that two replacement Live Oak trees are planted on the property, which are a minimum of four inches in diameter and 12 feet tall.

An arborist report said the tree's canopy had died back severely, so only about 40 percent of it was still alive. The tree's likelihood of failure was judged to be "probable."

Commissioner Sachs observed the arborist didn't indicate how much longer the tree could live, adding, "It could last another 50 to 75, 100 years in its senescing state so I don't approve of removing this historic tree."

The City Commission surprised City Clerk McQuillen by publicly honoring her for achieving the designation of Certified Municipal Clerk.

Patricia J. Burke, who serves as Director of the Central East District of Florida Association of City Clerks, and Town Clerk for the town of Palm Shores, formally presented McQuillen with a pin and framed certification.

"Currently, of the 669 Members of the Florida Association of City Clerks, only 35%, or 233 members, have reached their Certified Municipal Clerk designation."

Burke noted that McQuillen completed 120 hours of in-depth courses and training, attended educational seminars and gained responsible experience to qualify for her achievement.

City Commissioners heard the first reading of ordinances proposing to annex, rezone and change the land use for 5.1 acres at 1070 10th Street, on the south side of 10th Street, east of Tatum Boulevard, as well as change the land use on an adjacent five-acre site.

City Planner Bob Mathen said the applicant intends to develop both of the five-acre parcels as one development project. The second reading and public hearing for these ordinances is set for May 24.

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