

City Commission Regular Meeting  
**Tuesday, February 28, 2023**  
[Video](#) and [Agenda Packet](#)

Mayor Cleveland called the meeting to order at 6:30 PM. In attendance were Mayor Fred Cleveland, Commissioner Valli Perrine, Commissioner Lisa Martin, and Commissioner Jason McGuirk. Vice Mayor Randy Hartman was excused.

### **PRESENTATION**

Director of CRA/Economic Development Christopher Edwards presented an update on draft NSB economic development action strategies that were developed in concert with the Southeast Volusia Economic Development Strategic Plan. Proposed strategies include the development of a 500,000 to 1,000,000 sq. ft. business park to be built west of I-95.

### **CITY MANAGER'S UPDATE**

The city just received information that grant applications for hazard mitigation (flooding resulting from hurricanes Ian and Nicole in 2022) are due March 10. An emergency public meeting has been scheduled for Tuesday, March 7, 6:00 pm at the Brannon Center for affected residents to determine if they want to participate. The city must be the applicant; a local match of 25% is required of the homeowner. Volusia County has received \$48M, but there will be much competition with other county cities/towns in the county.

The City Manager provided updates on citizen concerns from the previous commission meeting.

- City staff are following up on complaints from residents regarding Volusia Crushing. The company has obtained a license to operate, and a new site plan has been approved. Code enforcement will make unannounced visits to monitor noise and will do additional air quality testing.
- City staff are following up on noise complaints regarding a new Flagler Avenue restaurant.

Interim Chief of Police Eric Feldman described proactive planning measures to be taken for Spring Break.

### **PUBLIC PARTICIPATION**

- Seven residents who reside beachside spoke about the overwhelming and chaotic traffic and parking issues they encounter each weekend, not just during special events. They requested that these issues be addressed. One resident suggested the need for a police substation beachside. Another resident questioned whether there should be a limit on the number of special events.
- A Venetian Bay resident, representing a group of residents, stated that the design for the building in the Town Center East is not consistent with the existing architectural style as required.

### **CONSENT AGENDA**

Twelve Consent Agenda items, including seven special events were approved, without discussion, **unanimously**.

Following discussion, the following were approved:

- 6.D Consider the approval of an application for an amended Sidewalk Café Agreement for the Ciao Bella restaurant located at 103 South Pine Street. **Motion approved 3-1 with Commissioner Martin voting no.**
- 6.I Special Event: Consider the approval of Clancy's Cinco de Mayo Celebration 2023, May 5, 2023. **Following a change in the event time, the motion was approved unanimously.**
- 6.J Special Event: Consider the approval of Clancy's St. Patrick's Day Celebration 2023, March 17, 2023. **Following a change in the event time, the motion was approved unanimously.**

## **8. ORDINANCES – SECOND READING AND PUBLIC HEARINGS**

- 8.A Special Exception: Conduct a Quasi-Judicial Public Hearing to consider the approval of SE-1-23 for the property located at 720 South Dixie Freeway. **Unanimously adopted.**
- 8.B Ordinance No. 12-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would amend Chapter 54, establishing Article I, Offense and Article II, Youth Protection Curfew.  
Fifteen residents spoke regarding the ordinance. Those in favor cited the need for police officers to have another tool to rein in dangerous and unlawful behavior by minors. Those opposed stated that there was no need for the curfew to be in effect 365 days when the unwanted behaviors were in evidence during a small window of time. Speakers were also concerned that NSB youth were being penalized and targeted when it was mostly out-of-town youth who created the disturbances. Commissioner McGuirk urged police to use discretion and proposed the curfew be subject to periodic review rather than permanent. **Unanimously adopted.**

The following motion was made by Commissioner McGuirk: At the first meeting in October each year, the Commission will review the status of the curfew ordinance. **Unanimously adopted.**

- 8.C Ordinance No. 13-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would amend the Code of Ordinances, Chapter 2, Article III, Section 2-86 to provide a detailed process for excusing city commissioner absences from regular city commission meetings. **Unanimously adopted.**

## **BOARDS AND COMMISSIONS**

- 10.A Parking Task Force: Consider the appointments of seven (7) regular members to serve as regular members from March 1, 2023 through September 26, 2023. The city clerk noted that additional applications were still being received. **No action. Item tabled until next Commission meeting.**

## **MAYOR AND COMMISSION REPORTS**

Commissioner Perrine stated that she has personally experienced the problems reported by beachside residents.

Commissioner Martin stated that she is working with staff to spruce up some of the water access points which are dilapidated.

Commissioner McGuirk wondered how to best deal with issues raised during public comment that includes wrong information. He suggested that residents be encouraged to discuss issues with their zone commissioner first.

The Mayor and City Manager will be at the Farmers' Market Saturday.