

City Commission Regular Meeting
Tuesday, September 12, 2023
[Video](#) and [Agenda Packet](#)

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

CITY MANAGER'S UPDATE

- The city activated emergency response operations in preparation for Hurricane Lee; everyone was well-prepared. Luckily, services were not needed.
- The 5th Street bridge project is underway. Some residents have asked for a town meeting regarding scheduling and progress.
- The parking task force will have its final meeting on 9/19 and will finalize its recommendations.
- Resurfacing of city streets is proceeding. The schedule is based on recommendations from a consultant's study.
- There will be a public hearing on the budget 9/13.
- There will be a workshop on city manager recruitment on 9/26.

PUBLIC PARTICIPATION

Nine citizens addressed the Commission. Two individuals expressed that businesspeople on Flagler Ave. have issues with the 4-hour parking rule. They asked the Commission to develop some potential solutions. Three residents expressed concerns about increasing numbers of homeless people in various parts of the city. Two residents spoke in favor of the traffic calming measures on tonight's agenda. One resident spoke regarding forgiveness of old liens (item 7Z on consent agenda). One individual asked for reconsideration of the city's towing contract.

CONSENT AGENDA

Twenty-five Consent Agenda items were approved **unanimously**. Items 7E, 7T, 7Y, and 7Z included discussion.

ADMINISTRATIVE ITEMS/NEW BUSINESS

- 8A. Consider the recommendation to reject the proposal for RFP 27-23-CW, Lease of City Owned Property. **Motion disapproved 4-0 with Commissioner Perrine recusing herself.**
A subsequent motion to proceed with lease negotiations for RFP 27-23-CW was **adopted 4-0 with Commissioner Perrine recusing herself.**
- 8B. Motion to approve three traffic calming proposals (Gibraltar Boulevard between Sugar Mill Dr. and Pioneer Trail; Faulkner Street between Wayne Ave. and US1 near Eleanore Ave.; Fairway Dr. between Fairgreen Ave. and Wayne Ave.) was **unanimously adopted.**

ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- 9A. Motion to approve the removal of 11 historic trees on the property located at 2376 SR 44- Florida Health Care: Application No. 1-23. The applicant will provide appropriate mitigation. **Motion was unanimously adopted.**

BOARDS AND COMMISSIONS

Commissioner Perrine stated that she did not feel comfortable appointing more people to boards until issues related to advisory boards were clarified (e.g., qualifications, expectations). Vice Mayor Hartman stated that it was disrespectful to current board members that have applied based on the existing requirements. He felt that the Commission should move forward with appointments while they work on a revised process. Commissioner Martin would like to hear from department heads as to what they would find helpful from citizen advisory boards. **Motion to move forward with appointments was approved 3-2 with Mayor Cleveland and Commissioner Perrine voting no.**

- 11A. James Dempsey and David Maib were appointed to serve three-year terms on the Airport Advisory Board, terms expiring on September 9, 2026. Celeste Lester was appointed to fill one unexpired seat for the remainder of a three-year term, expiring on September 9, 2024.
- 11B. John Joaquin and Jesus Romero were appointed to serve unfilled three-year terms on the Economic Development Task Force, terms expiring on September 1, 2025.
- 11C. Rosemary Walker was reappointed to a four-year term to the Housing Authority, term expiring on August 31, 2027.
- 11D. James Smith was reappointed to serve a three-year term on the Utilities Commission, with term expiring on September 7, 2026.

Motion to hold a special meeting to discuss the process for conducting advisory boards was adopted unanimously.

MAYOR AND COMMISSION REPORTS

Vice Mayor Hartman stated that more communication with residents is needed regarding the 5th Street Bridge project. Signs posted about the beginning of construction were confusing. Residents need to be kept updated. He also thought that the "Wall of Champions" Board was not in a central enough location at the Sports Complex. He noted that the Commissioners attended a meeting with Volusia League of Cities, and the importance of working with legislators' staff was stressed.

Commissioner Martin asked if the Commission was comfortable in sending a letter of support on city letterhead for a grant for which Volusia Volunteers in Medicine was applying. Commissioners indicated their support. She expressed regret that the city had not made a strong statement regarding the antisemitic materials that were distributed in town. The Mayor pointed out that the Police Chief had sent a bulletin denouncing the materials.

Commissioner Perrine reiterated that more information regarding the 5th Street Bridge project was needed. She attended the first legislative committee meeting in Orlando. Five bills that did not pass in the state legislature last year but were very close were discussed, and feedback from cities was requested. She is concerned about the potential negative impact of the sovereign immunity bill.

Mayor Cleveland stated that a robust communication plan should be included upfront with city projects. He noted that the CRA meetings scheduled before the Commission meetings are frequently disrupted by people arriving early for Commission meetings. He wondered if there was a better option. He praised city staff for the excellent hurricane prep. He provided handouts about the US Delegation of Mayors and asked whether Commissioners thought that the city should join (\$3400 dues per year). He attended a Tunnel to Towers 9/11 event with the Police Chief.

CITY ATTORNEY'S REPORT

The Airgate litigation continues, and additional funding will be required to defend the city against the suit. Motion to approve additional funds not to exceed \$75,000 for outside counsel was **approved unanimously**.

The City Attorney was informed that an appeal regarding the R3 to R3A rezoning decision was forthcoming.