

City Commission Regular Meeting
Tuesday, October 10, 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. Staff present were City Manager Khalid Resheidat, Assistant City Manager Ron Neibert, City Clerk Kelly McQuillen, and City Attorney Carrie Avallone.

NOTE – Key decisions and announcements made at this meeting include:

- ***New Smyrna Beach Women’s Club facility*** - the Commissioners decided the best option to preserve the historical design of the building while relieving the city of the financial burden to do so would be to issue an RFP for the sale of the building to include clauses to refurbish it to the historical design of the structure. It will include a right of first refusal for the city to purchase the renovated property, and a short due diligence period. **Unanimously adopted.**
- ***Modifications to the Village Square MDA (near SR 44 and Colony Park Rd):*** the City Attorney indicated that there will be a community meeting on Oct 18. Relatedly, during the Public Participation period, the first presenter provided extensive comments against the proposed changes.
- ***City advisory boards:*** several Commissioners indicated they would like to know more about what the boards do, their contributions, and their benefit to staff as well as impact on staff time. The City Manager indicated that the Commission will be holding a Workshop on this topic on November 21, 2023.
- The City Manager mentioned that an offer to purchase the City’s property at the northwest corner of Flagler and Peninsula has been withdrawn; further discussion will be needed as to what to do with the property.
- The City Clerk confirmed with the Commissioners that their Workshop on Oct 24 (5:15-5:45pm) will consist of a presentation about and discussion of the report of the Parking Task Force.
- Per the Mayor’s request, the City Attorney will provide background and the pros and cons of providing advantage points to local vendors who respond to City RFPs.

CITY MANAGER’S UPDATE

- Withdrawing agenda item 8C at the request of the applicant and withdrawing consent agenda item 7B.
- Oct 3: staff attended a meeting about the Volusia Transform 386 Program.
- Oct 4: held meeting for public input on FDOT’s Sun Trail extensions in NSB.
- Oct 5: FDOT held public meeting regarding intersection improvements at SR 44 and Old Mission Rd.
- Oct 18: will hold public meeting regarding the new construction on the 5th St bridge.
- Update on impact of recent storm (Lee): some street flooding in Venetian Bay; staff looked at streets and ditches/canals in the area; continuing to monitor flood mitigation grant applications with FEMA and other federal and state agencies.
- Responded to Public Participation comments and questions made at previous CC meetings regarding Venetian Bay development, staff personnel policy, City’s golf course funding, the City marina rates, and a special event on Canal Street.

- Shane Corbin, Development Director, briefed the CC on the proposed Venetian Bay development and mini-golf course: bottom line is that such a proposal would require changes and approvals at several levels and would not be something that could rush through without public input.

PUBLIC PARTICIPATION

Seven citizens addressed the Commission, providing comments on:

- the proposed Village Square MDA and its impact on nearby residential areas.
- the city proclamation on domestic awareness and provided contextual comments on domestic violence.
- garbage pickup at a mobile home park along Enterprise Ave.
- the need to review the youth curfew, funding for the women’s club renovation, speed limit of 20 mph for residential beach side, rules for golf carts off beach side.
- the importance of Women’s Club preservation (from two residents).
- agenda item 11A, qualifications of Pension Board membership.

CONSENT AGENDA

Four Consent Agenda items were approved **unanimously**.

Items 7B, 7D, 7E, 7F were removed from the consent agenda and discussion ensued.

- 7B. Consider the approval for the City of New Smyrna Beach to participate in a free Community Showcase Video Program with CGI Communications, Inc. **Item tabled for consideration at next CC meeting without objection.**
- 7D. Consider the award of RFQ 16-23-CIP Professional Architectural Services – Fire Station Management Building to CPH, LLC and authorizing the Mayor to execute the contract. **Unanimously adopted.**
- 7E. Consider the approval of Pegasus Engineering Proposal Hurricane Nicole Grant Services. **Motion to approve adopted 4-1 (Martin voted against).**
- 7F. Consider the approval to purchase Critical IT Infrastructure. **Unanimously adopted.**

ADMINISTRATIVE ITEMS/NEW BUSINESS

- 8A. Consider the approval of an amendment to the City Clerk’s contract. **Unanimously adopted.**
- 8B. Discussion on the disposition of the **New Smyrna Beach Women’s Club facility**. Assistant City Manager Ron Neibert presented four options for the property: 1) remodel and retain the existing structure, 2) demolish structure and sell, 3) demolish building and retain parcel, 4) sell the property and require the buyer to maintain its historical integrity. Any demolition or changes to the property will require a Certificate from the Historical Preservation Board. There was a public meeting in August 2023 about this: Neibert said most opinions were that the building and its historical integrity should be retained, but that no more city funds should be applied to do so; that the building and renovations should be transferred to private hands. City Manager Khalid Resheidat recommended that the City not allocate additional funds to the project and that the City sell the building with the condition that the building be restored to its historical form. Commissioners discussed the options. The consensus was that option 4 would be the best route to preserve the historical design of the Women’s Club building while relieving the city of the financial burden to do so. Motion to adopt option 4 **Unanimously adopted.**

ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- 9A. Ordinance No. 55-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would amend Section VIII, Benefits of the Personnel Policies and Procedures of the City of New Smyrna Beach. **Motion unanimously adopted.**
- 9B. Ordinance No. 65-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would amend Section VIII, B (Holidays) of the Personnel Policies and Procedures of the City of New Smyrna Beach, to add Juneteenth as a City holiday. Commissioners' sentiments: support a city event or activity to celebrate Juneteenth, support the use of flex time off for employee time off on the holiday, but the cost of \$40,000 for the city to create an additional paid employee holiday would be a big hit on the current budget. **Motion to adopt disapproved 4-1 (McGuirk voted in favor).**

BOARDS AND COMMISSIONS

- Police Pension Board: Appointment of Palmer Wilson and Ron Neibert to serve two-year terms set to expire Oct 1, 2025. **Unanimously approved.**
- First Step Shelter: Appointment of Valeri Perrine to serve as the city's elected official member on the FSS board. **Unanimously approved.**

MAYOR AND COMMISSION REPORTS

- Vice Mayor Hartman attended the previous week's County Council meeting with an interest in the discussion about the Transform 386 Program (www.transform386.org) with staff and members of the Housing Authority anticipating funds to assist the authority with funds to replace the Live Oak unit built in the 1950s and damaged during Hurricane Ian. He attended the Police Department open house.
- Commissioner McGuirk asked about scheduling a meeting with the City Manager and County Tax Collector.
- Commissioner Martin asked if annexations could be made administrative decisions (response from the City Attorney was that per Florida statutes such decisions needed to be made by the Commission). She would like to see the Return on Investment related to the Smith Street project for demolition and cleaning the site prior to selling the property. She would like to work with other beach-side Commissioners in Volusia County to secure revenue from the county for maintenance of areas near beach entrance ramps. She would like to attend a training session in Volusia County for local elected officials. (The City Manager indicated there is support for such training.)
- Commissioner Perrine reported on the Florida League of Cities Legislative Committee meeting she attended, where they reviewed six legislative bills of interest to municipalities. She mentioned wanting to understand better the impact of the city's boards and their outputs and duties.
- Mayor Cleveland commented on the service of Sandra Smith as Planning and Zoning Board chair. He and the City Manager attended a recent Volusia County Roundtable. He acknowledged the work of Jessica Fentress with Volusia County's Beach Department. He noted that Volusia County has contracted a company to dredge the inlet and nearby waterways at the end of 2024. He noted there is a new County Emergency Management Director, Clint Mecham. He commented about the
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Federal Feasibility Study which has available funds that municipalities need to apply for. He observed that there may need to be a conversation about possible closure of Read-Patillo Elementary School being floated by the school district. He asked for, and Commissioners agreed to, holding the CRA ten minutes earlier to minimize conflicts with the CC's regular meetings. He commented on, and a discussion ensued, about the Christmas Parade and liability related to candy throwing. He mentioned the city's issuance of RFPs and whether points should be awarded to local vendors (The City Attorney will research this and respond with comments in early 2024.) He attends meetings with Southeast Volusia mayors and Commissioners. He mentioned Daytona Beach's Esplanade opening and commented on it being an improvement project supported with private funds. He wants to reconsider his decision about the Shark Bite Half Marathon.

CITY MANAGER'S REPORT

- Discussed the status of selling the property at the NW intersection of Flagler and Peninsula (an offer to purchase the property the city had received was withdrawn).
- Indicated that the City of Ormond Beach is asking for a letter of support relating to the fuel farm being proposed adjacent to its boundary in Volusia County. Further discussion by Commissioners will be needed.
- Reported that City staff is working on a purchasing policy and will become an agenda item at a future CC meeting.