

**City Commission Regular Meeting**  
**Tuesday, October 24, 2023**  
**Video and Agenda Packet**

Mayor Fred Cleveland called the meeting to order at 6:35 PM. Also in attendance were 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.

**ANNOUNCEMENTS/PRESENTATION/RECOGNITION**

- Mayor Cleveland issued a proclamation recognizing November as **National American Indian Heritage Month**.
- **Will Roberts, Volusia County Tax Collector**, gave a presentation on the State of Florida's **PACE (Property Assessed Clean Energy) Program**, which provides loan programs for qualifying homeowners to install solar panels, windows, or roofing.

**CITY MANAGER'S REPORT**

- The Florida Department of Emergency Management approved \$3.5 million in funding to assist with dredging of several canals and drainage systems in the city. The funds must be matched. Other FEMA funds are expected to be approved for Riverside dock repairs.
- Resurfacing of city roadways is underway and expected to be completed at the end of November.

**PUBLIC PARTICIPATION**

Seven citizens addressed the Commission, providing comments regarding:

- the purchase of parking kiosks;
- obtaining occupancy data at city parking lots;
- needed sidewalks in certain areas;
- support of property annexation for Habitat for Humanity;
- support of solar options for the city;
- service on the Planning and Zoning Board;
- uses of the city's property at 120 Flagler Ave.

**CONSENT AGENDA**

The following Consent Agenda items were approved **unanimously**:

- 7.A Adoption of the City Commission Regular Meeting Minutes from Sept.26, 2023
- 7.B Approval of the 2024 City Commission Meeting Dates.
- 7.C Resolution No. 60-23: Adoption of a Resolution to amend the FY 2023-2024 budget.
- 7.D Resolution No. 61-23 to appoint a Vice Mayor to serve a one-year term commencing on November 14, 2023. **Approved unanimously.**
- 7.E Resolution 62-23 to amend the purchasing policy for the City of New Smyrna Beach to allow the City Manager purchase authorization of up to \$50,000 without prior Commission approval. **Approved unanimously.**
- 7.F Resolution No 64-23 to allow the City in the future to issue tax exempt debt and replenish its reserves. **Motion to approve rescinded; item withdrawn.**

- 7.G Accepted a grant from the Florida Inland Navigation District (FIND) in the amount of \$560,000.00 for the Construction of Dock and Amenity Improvements of the North Causeway Boat Ramps. **Motion to approve** (including replacing use of "transient slips" with "floating docks") **passed 4-1** (Hartman voted no).
- 7.H Approved the second amendment, which provides a time extension, to the grant agreement for the Restoration and Stabilization of the Old Fort Wall and the accompanying Restrictive Covenants. **Approved unanimously.**
- 7.I Approved the participation of the City of New Smyrna Beach in a free Community Showcase Video Program with CGI Communications, Inc. **Motion passed 4-1** (Martin voted no).
- 7.J Approved a Pegasus Engineering Contract Amendment -HMGP 4337-197-R Elevate 6 Homes Project. (Hurricane Irma). **Approved unanimously.**
- 7.K Approved a Tetra-Tech Contract Amendment – Historic Westside Drainage Design Services. **Approved unanimously.**
- 7.L Approved an addendum to the City's janitorial services to add City Gym. **Approved unanimously.**
- 7.M Approved partnering with "Friends of NSB Parks" to memorialize and beautify the Watch and Warn Monument at Columbus Avenue Park. **Approved unanimously.**
- 7.N Approved a street sweeping bid. **Approved unanimously.**
- 7.O Approved purchasing two police canines for the New Smyrna Beach Police Department through Metro Dade K-9 Services. **Approved unanimously.**
- 7.P Approved purchasing five parking kiosks for the City of New Smyrna Beach through Parker Systems. **Approved 3-2** (Cleveland and Perrine voted no).

There was discussion on Items 7A, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, and 7P. Item 7Q was shifted for consideration under New Business.

#### **ADMINISTRATIVE ITEMS/NEW BUSINESS**

- 7.Q Special Event: **Shark Bite Expo Half Marathon, and 5k** along with the Feeding Frenzy 5k 2024, on January 13 and 14, 2024. **Approved unanimously.**
- 8.A Discussion: **Solar Options for City Buildings** (Babe James Community Center, Coronado Civic Center, and Live Oak Cultural Center). Report by Maintenance Operations Director David Ray. Martin: use of highly reflective roof paint could significantly reduce cooling costs. Perrine: biggest concern is insurance coverage, particularly with storms and wind damage, and potential replacement or repair costs to solar panels and to roofs; there are high maintenance costs associated with panels. Hartman: point of the solar panel installation was to do a pilot project so that there would be data and results for possible future endeavors. **Motion to proceed** with pilot solar project not to exceed \$300,000 set aside previously **approved 3-2** (Martin and Perrine voted no.)
- 8.B Consider and approve an **RFP for an Executive Search Firm for City Manager Recruitment**. Report by Human Resources Director Heather Kidd on the status and timeline for the RFP to hire a recruitment consultant. Perrine: need for background checks of job candidates. McGuirk: how are recruitment consultants rated and selected. Cleveland: clarification on when background checks of candidates is most helpful. **Motion to proceed approved unanimously.**
- 8.C Discussion of the PACE program, Green Florida Finance Authority. **Motion to discontinue program** but to maintain status quo with individuals currently participating in the program. **Approved unanimously.**

## **ORDINANCES - SECOND READING AND PUBLIC HEARINGS**

- 9.A Conduct a Quasi-Judicial Public Hearing to consider the **approval of Special Exception-5-23 for the property located at 1311 North Dixie Freeway**, requesting to allow for storage of pods, vehicles, and equipment. Report from Planning Manager Stephanie Doster. McGuirk: asked about the height of items stored behind the proposed 8' wall and final look of site. Martin: concern about recourse if applicants do not comply with proposed special use. Cleveland: prefers a one-year requirement to act on special use (rather than two years). The attorney of the applicant clarified intent. **Motion to grant special exception** with one-year from time of permit issuance requirement for special exception, **approved unanimously**.
- 9.C Ordinance No. 66-23, 67-23, 68-23: Conduct the Second Reading and Public Hearing of an Ordinance to annex, change land use, and rezone approximately 0.12 acres of land located at 1309 Findley Street. **Motions approved unanimously**.
- 9.F Ordinance No. 69-23, 70-23, 71,23: Conduct the Second Reading and Public Hearing of an Ordinance to annex, change land use, and rezone approximately 3.1 acres of property located at 1631 Martins Dairy Road. **Motions approved unanimously**.
- 9.I Ordinance No. 72-23, 73-23, 74-23: Conduct the Second Reading and Public Hearing of an Ordinance to annex, change land use, and rezone approximately 0.575 acres for property located on Dolores Street. **Motions approved unanimously**.

## **ORDINANCES - FIRST READING**

10-A through 10-C

The following proposed ordinances were read into the record by the City Attorney:

- 75-23, 76-23, 77-23: Annexation and related land use change, and rezoning of 1409 Enterprise Avenue (.33 acres); second reading will be November 14, 2023.

## **BOARDS AND COMMISSIONS**

- Animal Control Board: Re-appointment of **Dana Hoffman** to serve a two-year term expiring September 13, 2025. **Unanimously approved**.
- Planning and Zoning Board: From a pool of 27 applicants, the Commission **selected through a nomination & ballot process Stephen Yates** (to serve a 2nd three-year term), **John Hall** (1<sup>st</sup> term), and **Thomas Bien** (1<sup>st</sup> term), all expiring on October 31, 2026.

## **MAYOR AND COMMISSION REPORTS**

- Perrine: First Shelter fundraiser in Daytona Beach, Feb 3, 6pm.
- Martin: recognition of Fire Department Crew at Station 50 for education and dinner; interested in moving forward with paid parking.

**Meeting adjourned at 10:30 PM** (and there were no further comments or announcements).