

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

Mayor Fred Cleveland called the meeting to order. Also in attendance were Vice Mayor Valli Perrine, Commissioners Randy Hartman, 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

- Town of Ponce Inlet Mayor Lois Paritsky, who is also President of the Volusia League of Cities, spoke to the Commission about the League.

CITY MANAGER'S REPORT

Key items the City Manager reported:

- The City's Police Department has been reviewed and received full accreditation without conditions.
- The City Manager and Mayor met with Senator Wright to discuss the "Live Local" bill.
- A Commission workshop will be held to discuss proposed changes to the Chapter 50 historic preservation ordinance.
- City staff is awaiting title work for the acquisition of a property within the Turnbull Creek watershed; staff is looking for other environmentally sensitive properties within the area for acquisition.
- The City is awaiting appraisals for the two properties at 120 Flagler Ave and the Women's Club before proceeding with the RFP for both properties.
- The City received proposals from executive search consultants for the hiring of the new City Manager; four proposers will present their bids to the Commission at the January 9, 2024 meeting.

PUBLIC PARTICIPATION

Nearly 20 residents commented on:

- the annual car show downtown;
- some aggressive roosters in the parking lot near Flagler and Peninsula;
- providing a School Safety Officer at Sacred Heart Catholic School.

CONSENT AGENDA

Nine Consent Agenda items were approved **unanimously**:

- 7.A Consider the adoption of the City Commission Regular Meeting Minutes from October 24, 2023 and November 28, 2023.
- 7.B Consider the approval of a Tetra-Tech, Inc. Professional Engineering Services Proposal of \$79,950 for a Mary Avenue Septic to Sewer System Improvement Project.

- 7.C Consider the approval of the First Baptist Church Right-Of-Way Easement.
- 7.D Consider the approval of a Dock Easement Agreement to allow for a single-family residential dock to be located across from property at 1200 South Riverside Drive.
- 7.E Consider the approval to award RFQ 35-23-PLAN Professional Land Surveying and Mapping Services to Bowman Consulting Group, LTD, CPH Consulting, LLC., Daniel W. Cory Surveyor, LLC., NV5, Inc., and SurvTech Solutions, Inc.
- 7.F Consider the approval of a Memorandum of Understanding (MOU) with IUPA; effective retroactively to 10/1/2022.
- 7.G Consider the approval of relinquishing and transferring ownership, of retired police K9 Marko, a 9-year-old Dutch Shepard, to his handler, Ofc. John Eichhorn.
- 7.H Consider the approval of the addition of a full-time School Safety Officer at Sacred Heart Catholic School.
- 7.L Special Event: Consider the approval of the update to the weekly Food Truck Fridays Event at Messina by the Lake Apartments, ongoing every Friday starting on December 15, 2023.

Items 7.I, 7.J, and 7.K were removed from the Consent Agenda to be considered at a later meeting.

ADMINISTRATIVE ITEMS/NEW BUSINESS

- 8.A Special Event: Consider the approval of the Classic Cars on Canal 2024 Events, held monthly on the second Saturday: January 13, February 10, March 9, April 13, May 11, June 8, July 13, August 10, September 14, October 12, November 9, and December 14, 2024. **Motion** to approve the proposal with a **proviso** that the waiver of fees be only for the first quarter with a review options after that. **Approved 4-1** (Martin voted no).

ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- 9.A Ordinance No. 83-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would authorize the New Smyrna Beach Utilities to enter into a contract for longer than 4 years with Sensus USA, Inc. for New Smyrna Beach Utilities AMI Grid System Project. The contract is \$8.9 million for 10 years. **Motion to approve passed unanimously.**
- 9.B Ordinance No. 79-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would grant a non-exclusive franchise agreement renewal to Waste Management Inc of Florida. **Motion to approve passed unanimously.**
- 9.C Ordinance No. 80-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would annex approximately 1.0 + acres of land located at 664 Louella Street. **Motion to approve passed unanimously.**

- 9.D Ordinance No. 81-23: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would create a Small-Scale Comprehensive Plan amendment changing the Future Land Use to City Rural for property located at 664 Louella Street as part of an overall annexation application. **Motion to approve passed unanimously.**
- 9.E Ordinance No. 82-23: Conduct the Second Reading and Quasi-Judicial Public Hearing of an Ordinance, which if adopted, would rezone approximately 1.0 + acres of land to City A-3, Transitional Agriculture for property located at 664 Louella Street as part of an overall annexation application. **Motion to approve passed unanimously.**

ORDINANCES - FIRST READING

None

BOARDS AND COMMISSIONS

- 11.A Historic Preservation Commission: Consider the reappointments of two (2) members to serve three-year terms, expiring on May 14, 2026. **Unanimously reappointed Joanna Mahood and Terry Bledsoe to continue serving their three-year appointment, expiring on May 14, 2026, as members of the Historic Preservation Commission.**

MAYOR AND COMMISSION REPORTS

- Perrine: provided statistics on the First Step Shelter; is attending legislative training meetings in Tallahassee.
- Martin: applauded a recent addition of a traffic light; recognized those involved in the Christmas Parade
- McGuirk: wants the city to consider naming the park at the corner of Myrtle and Canal as Lois Tipton Park; spoke about citizen concerns about the aggressive roosters
- Cleveland: recognized: City fire department, Christmas and Boat parades, public forum on Chapter 50, and city staff

Meeting adjourned.