

**City Commission Regular Meeting**  
**Tuesday, January 9, 2024**  
**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 Assistant City Attorney Shey McCurdy.

**CITY MANAGER'S REPORT**

The City Manager reported that:

- a Special meeting of the Commission will be held January 10, 2024, regarding selection of a search firm to fill the upcoming vacancy of the City Manager.
- several construction projects will be completed soon.
- there will be a joint meeting with NSB Utilities on January 16, 2024.
- Commissioner Martin will be holding a community meeting with the Flagler business and property owners on January 17, 2024, at the Coronado Community Center.
- The SE Volusia Chamber of Commerce Expo is scheduled for February 17, 2024.

**PUBLIC PARTICIPATION**

Ten citizens addressed the Commission, providing comments regarding:

- the proposal to vacate a portion of Cooper Street and build a boardwalk and gazebo over the mangrove wetland.
- increasing membership fees for the Racquet-Tennis Center.
- acceptance of a grant to support Habitat for Humanity.
- adopting the consulting contract related to parking and transportation.

**CONSENT AGENDA**

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

- 7.A Consider the adoption of the City Commission Special and Regular Meeting City Commission Regular Meeting Tuesday, January 9, 2024, at 6:30 PM City Commission Chambers 214 Sams Avenue, New Smyrna Beach, Florida 32168 The City of New Smyrna Beach January 9, 2024 1 Minutes from September 12, 2023 and December 12, 2023.
- 7.B Resolution No. 01-24: Consider the adoption of a Resolution, which if adopted, would adjust the fee schedule for membership and play at the Racquet Tennis Center.
- 7.D Resolution No. 03-24: Consider the adoption of a Resolution, which if adopted, would amend the FY2023-2024 budget.
- 7.E Consider the approval to award RFP 03-24-AIR, Aviation Fuel Supplier Service to Eastern Aviation Fuels, Inc. DBA Titan Aviation Fuels
- 7.F Consider the approval of FY 23/24 Homeless and Disadvantaged Grant Fund awards to local non-profit organizations and/or disadvantaged programs. After clarification of the list of awardees, the item was **approved unanimously**.
- 7.G Consider the approval of the Legislative Appropriations Program Grant through the Florida Department of Emergency Management (FDEM) and authorizing the Mayor to execute the LAP Agreement on behalf of the City.
- 7.H Consider the approval of hardcourt repair and resurfacing at Pettis Park and Rocco Park

- 7.I Consider the approval of pipe inspections and repair with Shenandoah General Construction, LLC.
- 7.J Consider the approval of a purchase of an Air Conditioning Unit for the Brannon Center.
- 7.K Consider the approval for the request for donation to the Boys & Girls Club.
- 7.L Special Event: Consider the approval request of Apex Feature Filming for Apple Studios LLC, intermittent US 1 road closure from January 15th through January 31, 2024.
- 7.M Special Event: Consider the approval of the Fat Tuesday on Flagler Mardi The City of New Smyrna Beach January 9, 2024 2 Gras Parade 2024 Event, held on Tuesday February 13, 2024. 7.N Special Event: Consider the approval of the Flagler Avenue Wine Walk Events for 2024, on the following Saturdays: January 27, February 24, March 23, April 27, May 25, June 29, July 27, August 24, September 28, October 26, November 30 and December 28, 2024.

Item 7.C was removed from the Consent Agenda and listed as item 8.B under Administrative Items/New Business.

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

8.A Consider and approval of a proposal from LTG Engineering and Planning regarding the Parking Task Force recommendations (amended during discussion by McGuirk to include non-business-owning residents as part of the study). Funding for this proposal will be taken from the Parking fund reserves at a cost of \$83,330 to undertake seven tasks:

- project kick-off and coordination,
- data collection and research,
- explore parking payment app 6-month pilot program,
- explore seasonal remote parking and dynamic wayfinding pilot programs,
- community outreach and engagement,
- establish a Mobility Department, and
- provide final recommendations and implementation plan.

The project would start immediately and take about 8 months to complete all tasks. Commissioner Martin mentioned several concerns about the timing of which months will be studied, inclusion of non-motorized transportation and pedestrians in the study, ongoing funding source for the mobility department, current collection rate of parking tickets, and staff liaison with the consultant. Hartman expressed interest that the data collected by the consultant would be owned by the city and wanted to include non-business-owning parking activists as part of the cohort the consultant contacts. McGuirk wants action to result from this study. Cleveland echoed comments of Hartman and McGuirk. Motion to approve the proposal as amended was **approved unanimously**.

8.B (previously 7.C on Consent Agenda) Resolution No. 02-24: Consider the adoption of a Resolution, which if adopted, would express the intent of the City Commission to vacate a portion of platted Cooper Street. This section of un-opened right-of-way is located south of East 3rd Avenue, between South Peninsula Avenue and Saxon Boulevard. McCurdy explained the intent of the resolution. City Planner Bob Mathan presented the background of the resolution. City Manager provided some context. Commissioners discussed the issue. **Motion** to approve the resolution **passed 4-1 (Martin voted no)**. **Motion** to send

the request for vacation back to the Planning and Zoning Commission for consideration was **approved unanimously**.

### **ORDINANCES - FIRST READING**

The following proposed ordinances were read into the record by the City Attorney. **Second readings and action** will occur at the Commission's **January 23, 2024**, meeting.

- 10.A Ordinance No. 01-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend the Police Pension benefits.
- 10.B Ordinance No. 02-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex approximately 0.21 + acres of land located at 209 Hickory Street.
- 10.C Ordinance No. 03-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment changing the Future Land Use to City Medium Density Residential for property located at 209 Hickory Street as part of an overall annexation application.
- 10.D Ordinance No. 04-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would would rezone approximately 0.21 + acres of land to City R-2, Single Family Residential with an "A" attached attached for Airport Height Notification Zone for property located at 209 Hickory Street as part of an overall annexation application.
- 10.E Ordinance No. 05-24: Conduct the First Reading of an Ordinance, which if The City of New Smyrna Beach January 9, 2024 3 adopted upon the Second Reading and Public Hearing, would annex approximately 0.14 + acres of land located at 1100 Mary Avenue.
- 10.F Ordinance No. 06-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment changing the Future Land Use to City Medium Density Residential for property located at 1100 Mary Avenue as part of an overall annexation application.
- 10.G Ordinance No. 07-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would, would rezone approximately 0.14 + acres of land to City R-2, Single Family Residential with an "A" attached for the Airport Height Notification Zone for property located at 1100 Mary Avenue as part of an overall annexation application.
- 10.H Ordinance No. 08-24: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would grant a non-exclusive franchise agreement to We Got This Hauling, LLC - DBA WGT Hauling.

### **BOARDS AND COMMISSIONS**

City Clerk McQuillen noted that there are seven boards that have upcoming openings.

### **MAYOR AND COMMISSION REPORTS**

- Perrine: commented on an unsigned letter that had arrived at her personal residence.
- Martin: commented on the public response against the Flagler Commons proposal.
- McGuirk: commented on the need to improve smaller back roads and intersections to allow for better mobility for residents.

- Hartman: discussed recent vacancies on the Volusia County Transportation Planning Organization (TPO).
- Cleveland:
  - reiterated the need for slow deliberation on important or contentious issues, such as the proposal to vacate the Cooper St. parcel and several recently proposed developments.
  - attended the Volusia County mayors' meeting, where a major topic was rising insurance costs. Also addressed was sea level rise and how that affects communities both beach side and along inland waterways. The impact of Florida's Form 6 (Full and Public Disclosure of Financial Interests) on local elected officials.
  - commented on new initiatives emerging in 2024 related to parking and transportation and to diversifying economic development.
- Resheidat: emphasized that there would be a lengthy and public process ahead for the proposed Flagler Commons development.

**Meeting adjourned.**