

City Commission Regular Meeting  
**Tuesday, April 23, 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 City Attorney Carrie Avallone.

**PRESENTATION: Flagler Avenue Loading Zones**

Police Captain Jason Reve provided an update on the seven loading zones in the NSB Flagler Ave area. Commissioners asked questions about modifying hours of the loading zones to allow for non-loading parking on weekend evenings, and about painting the parking box outlines blue to better distinguish allowable parking areas from loading zones.

**CITY MANAGER'S REPORT**

- Discussions with FEC and FDOT regarding the railroad crossing at Julia.
- Volusia County received notice from the Fish & Wildlife Commission to extend the allowable construction period beyond the official beginning of turtle nesting season.
- Attendance of staff at a FEMA meeting on emergency operations.
- Bids for the city's property at 120 Flagler are out again and due on Apr 25.
- Applied for grant to support dock repair on Riverside Park.

**PUBLIC PARTICIPATION**

Five (5) residents spoke about the positive outcome of the city's developing and enforcing the truck route on Flagler, the ditch cleanout along 2<sup>nd</sup> Ave, positive interactions with staff when making complaints or raising concerns, the need for oversight of pension funds, questioning the need for vehicle use for the law enforcement public information officer, the need for plantings near a new parking lot, support for the temporary parking lot at 409 Flagler, and the need for consistent hours for all Flagler area loading zones.

**CONSENT AGENDA**

The following nine (9) Consent Agenda items were **approved unanimously**:

- 7.B Resolution No. 26-24: Consider the adoption of a Resolution, which if adopted, would amend the FY2023-2024 budget. **After budget clarification by staff and discussion by Commissioners, motion to approve passed unanimously.**
- 7.C & D Resolutions No. 27-24 and 28-24: Consider the adoption of a Resolution, which if adopted, would approve applying for a FWC (Florida Fish and Wildlife Conservation Commission) Grant for North Causeway Boat Ramp: Dock & Amenity Improvements Project I and II.
- 7.E Resolution No. 29-24: Consider the adoption of a Resolution, which if adopted, would establish a new rate structure for annual and transient boat slips for the City Marina.
- 7.F Consider a Request to Ratify the Acceptance of ECHO Grant Funds for Skate Park Expansion, to include the execution of Restrictive Covenants, and authorize the Mayor to execute all necessary documents on behalf of the City.
- 7.G Consider the approval of the third 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 and authorizing the City Manager to execute the amendment.

- 7.I Consider the approval of a Temporary Parking Lot for the property located at 409 Flagler Avenue.
- 7.J Consider the acceptance of a Temporary Easement for Ditch Clearing and authorize David Ray, Director of Maintenance Operations, to execute the Easement on behalf of the city.
- 7.L Consider the approval to use Sourcewell Contract #092222 to perform annual service on city generators.
- 7.M Consider the approval to lease vehicles from Bancorp.
- 7.A Resolution No. 25-24: Consider the adoption of a Resolution, which if adopted, would amend FY 2023-2024 budget to purchase a Ford Bronco for the Public Information Officer (PIO). **Motion to approve the resolution failed 2-3 (Martin, Perrine, and Cleveland voting no).**
- 7.H Consider the approval of an addendum to a City of New Smyrna Beach Community Redevelopment Agency (CRA) Non-Profit Business Small-Scale The City of New Smyrna Beach April 23, 2024 2 Property Improvement Grant Agreement with The Church Parish Nurse Ministries, Inc. for an eligible property improvement project located at 699 West Street, New Smyrna Beach. **Motion to approve failed 2-3 (Perrine, Martin, and Cleveland voting no.)**
- 7.K Consider the approval of a recommendation for 2nd Avenue along the ditch. Instead of installing No Parking signs, Commissioner Martin favored installing barrier rails along the north side of the stretch of 2<sup>nd</sup> Ave under consideration and parallel parking signs along south side of the street. **Motion to approve passed 4-1 (Martin voted no).**

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

- 8.A Consider the request for a fee waiver for "The Event" at the Sports Complex for May 11, 2024. Leisure Services Director Robert Salazar recommended a 50% discount rather than a full waiver. **Motion to approve resolution with staff's recommendation with 50% fee to be paid by City Commission's Special Fund approved unanimously.**
- 8.B Consider the request for a special event fee waiver for the Kiwanis Kids Fishing Day on November 2, 2024. **Motion to approve resolution with staff's recommendation with 50% fee to be paid by City Commission's Special Fund approved unanimously.**
- 8.C Consider the approval of a Real Estate Purchase Agreement for a Turnbull Creek Conservation property. Staff recommends approval of the Agreement. **Motion to approve the contract to purchase the land for \$171,000 failed 0-5 (all Commissioners voted no). Motion to offer a purchase price of \$100,000 for the land passed 4-1 (Hartman voted no).**

#### **ORDINANCES - SECOND READING – NONE.**

#### **ORDINANCES \_ FIRST READING**

- 10.J Ordinance No. 27-24: Consider the adoption of an Ordinance, which if adopted, would authorize the City Commission to grant exemption from City Ad Valorem Property Taxes for up to ten years for certain new and expanded businesses; calling a referendum November 5, 2024, to authorize exemptions.

## **BOARDS AND COMMISSIONS**

11.A Historic Preservation Commission: Consider the reappointments of three (3) members and the appointment of one (1) citizen to serve three-year terms, expiring on May 14, 2027. **Motion to approve reappointment of Angeline Herman and Stephaie Thomas-Rees to the HPC was approved unanimously.** As a related matter of discussion, Commissioners discussed the desire of creating a historic preservation foundation to help preserve designated properties and asked the City Clerk to pass along that interest to the HPC. **Motion to appoint a new member for a three-year term ending May 14, 2027, Walter Bone, approved unanimously.**

## **MAYOR AND COMMISSION REPORTS**

- Perrine: First Step Shelter meeting and strategic workshop held recently.
- Hartman: Opioid grant process is public and is being reviewed by staff for possible application. Roosters are still a problem on Flagler. Parking problems especially on Beacon St.
- Martin: Consider “all-hands” on duty on high-use beach days to enforce parking. (Commissioners requested staff look at possible ways to increase parking enforcement on certain high-volume days.) Raised concern that Volusia Council proposal to make beach ramp access free for all county residents would have a disproportionate impact on the city, and that the county should instead provide additional funds to the city for beach-related costs.
- McGuirk: Comments about impact of parking beachside on residents, businesses responsibility for providing parking for their employees, funds for beach costs, the city’s pension fund, raising homes in flood-prone areas, and the need for a city historian.
- Cleveland: Likes the idea of having a volunteer city historian. Wants to engage state, county, city leadership to discuss beach use and revenue sharing. Smyrna Yacht Club is home to one of twelve Lipton Cups and hosts an annual competition. New Smyrna Beach Garden Club has reinitiated the home garden tour.

## **CITY ATTORNEY’S REPORT**

Counteroffer made by owners of 3311 Hill Street proposed lawsuit related to Commission’s denial of owner’s expanded renovations. **Motion to approve counteroffer failed unanimously.**

**Meeting adjourned.**