

City Commission Regular Meeting  
**Tuesday, November 11, 2025**  
[Video](#) and [Agenda Packet](#)

Mayor **Fred Cleveland** called the meeting to order. Also attending: Vice Mayor **Jason McGuirk**, Commissioners **Lisa Martin & Valli Perrine**. Staff present: City Manager **Kevin Cowper**, Asst. City Manager **Ron Neibert**, City Clerk **Sharon Harding**, & Assistant City Attorney **Shey McCurdy**. Commissioner **Brian Ashley** was excused.

### **PRESENTATIONS**

After introduction and background by Senior Planner **Robert Mathan**, the Commission presented the 2025 **Donnadine Miller Preservation Award** to:

- **Katherine Kaufman**, for her property at 402 Faulkner Street (residential)
- **Steve Fusilier**, for his property at 101 Canal Street (non-residential)

### **CITY MANAGER'S REPORT**

- The City is undergoing the review process of its **Comprehensive Plan**.
- The next City Commission meeting will be Tuesday, November 18, 2025.
- [The City Manager's Report](#) includes monthly reports for **Capital Projects, Stormwater, and Parking**.

### **PUBLIC PARTICIPATION**

Thirteen (13) persons provided comments on these topics:

- supporting the events planned for December (items 7.D & 7.E)
- opposing the “peddle-pub” proposal (11.A; 3 persons)
- supporting the “peddle-pub” proposal (11.A)
- supporting small urban parks
- views on the recent City special election and results
- opposing proposed zoning and land use changes (items 11.B-11.D; 4 persons)
- supporting the Commission’s work, in general
- ideas for stormwater management

### **CONSENT AGENDA**

**The Commission unanimously approved:**

7.A Adopting the minutes from the City Commission regular meeting held on October 28, 2025.

7.C Executing a contract with the Florida Department of Environmental Protection to accept \$1,000,000 in State Appropriation Funding for the Historic Westside Stormwater Improvement Project and to authorize the City Manager to execute the contract.

7.D The Girls Night Out Event 2025, to be held on Thursday, December 4, 2025.

7.E The Christmas on Canal Spark the Spirit and the Christmas Coastal Market Events 2025, to be held on Friday, November 28 and Saturday, November 29, 2025.

At the request of the City Manager, item 7.B was removed from the agenda to be rescheduled:

➔ 7.B Approval of the award of RFP 16-25 LS for Citywide Naming Rights and Sponsorships.

## **ADMINISTRATIVE/NEW BUSINESS**

After a presentation by Finance Director **Jo-Anne Drury** and no discussion by the Commission, the Commission **unanimously approved** item 8.A:

- 8.A Resolution No. 39-25, authorizing the borrowing of \$5,500,000 from TD Public Finance LLC for Turnbull Creek Watershed land acquisition, and authorizing execution of the 2025 General Obligation Loan Agreement and related documents.

## **QUASI-JUDICIAL HEARING**

At the request of the City Manager, item 9.A was **removed from the agenda** to be rescheduled:

- 9.A Consider the approval of the Ardisia (formerly Shell Pointe) PUD Phases 3 and 4 Final Plat, Construction Documents, and Plat Contract (S-4-23)

## **PUBLIC HEARINGS**

After a presentation by Senior Planner **Jake Baker**, and with no public participation and no discussion by the Commission, the Commission **unanimously approved** item 10.A:

- 10.A Ordinance No. 77-25: Conduct a Second Reading and Public Hearing of an Ordinance, which, if adopted, would vacate unopened rights-of-way on airport property.

After a presentation by Senior Planner Jake Baker, with no public participation and a confirmation query to Baker by McGuirk that City cannot sell a deeded right of way, the Commission **unanimously approved** item 10.B:

- 10.B Ordinance No. 78-25: Conduct a Second Reading and Public Hearing of an Ordinance, which, if adopted, would vacate Birch Street, between Slatton Street and Chisholm Street.

## **ORDINANCES - FIRST READING**

Assistant City Attorney Shey McCurdy presented the first reading of these items, slated for a second reading and public hearing at the Commission's December 9, 2025, meeting:

- 11.A Ordinance No. 79-25: Conduct a First Reading of an Ordinance, which, if adopted, upon Second Reading and Public Hearing, would allow commercial megacycles, also known as pedal pubs, within designated areas of New Smyrna Beach along with authorization for passengers to have open container.
- 11.B Ordinance No. 80-25: Conduct a First Reading of an ordinance, which, if adopted at a Second Reading and Public Hearing, would annex approximately 7.6 acres of land located at 390 Sugar Mill Drive.
- 11.C Ordinance No. 81-25: Conduct a First Reading of an ordinance, which, if adopted at a Second Reading and Public Hearing, would approve a proposed Small-Scale Comprehensive Plan amendment changing the Future Land Use to Commercial and limiting the allowable residential density and Floor to Area Ratio, (FAR) on approximately 7.6 + acres of land located at 390 Sugar Mill Drive.
- 11.D Ordinance No. 82-25: Conduct a First Reading of an ordinance, which, if adopted at a Second Reading and Public Hearing, would approve a proposed rezoning application to change the current zoning from County PUD to City PUD on approximately 7.6 acres of land located at 390 Sugar Mill Drive, which is also associated with companion and concurrent applications for Annexation and a revised CPA FLU designation.

## **BOARDS AND COMMISSIONS**

- 12.A The Commission **unanimously approved** the reappointment of **Michele Davis** and **Judy Reiker** to the **NSB Housing Authority** to serve a four (4) year term expiring on August 31, 2029.
- 12.B City Clerk Sharon Harding announced the Board Vacancy Notice for the Turnbull Creek Land Preservation Commission due to a resignation, which the Commission will consider filling at its November 18, 2025, meeting.

## **MAYOR AND COMMISSION REPORTS**

- **Martin:** attended presentations on coastal preservation and its economic benefits; participated in fundraisers for Friends of Canaveral National Seashore and the Atlantic Center for the Arts
- **McGuirk:** offered plaudits for the Veterans' Day ceremony (other Commissioners seconded); noted the passing of Phil Hall and his role in the NSB pickleball community, and recommended the Commission adopt a resolution at its next meeting to name the new Paige Ave. facility in Hall's honor
- **Perrine:** discussed her recent work with the Mayor's Gala fundraiser and awards banquet on February 7, 2026, and the First Step Shelter, on which she serves as a board member
- **Cleveland:**
  - will ask for a presentation before the Commission by a representative of the Stormwater Committee of Elected Officials.
  - regarding SB180, spoke to members of the county legislative delegation asking them to support an amendment supported by many municipal and county officials across Florida;
  - was delighted with the voter turnout in the recent special election

**Meeting adjourned.**