

City Commission Regular Meeting
Tuesday, January 27, 2026
[Video](#) and [Agenda Packet](#)

Vice Mayor **Jason McGuirk** called the meeting to order. Also attending were Commissioners **Brian Ashley, Lisa Martin & Valli Perrine**. Mayor Fred Cleveland was excused. Staff present: City Manager **Kevin Cowper**, City Clerk **Sharon Harding**, & City Attorney **Carrie Avallone**.

CITY MANAGER'S REPORT

The City Manager briefed the Commission on several items from his submitted report (see pp. 8-10 in the Agenda Packet). See also appended reports on: city finances (pp. 11-79), building permits (pp. 80-82), social media (p. 83), and NSB Utilities (p. 84).

PUBLIC PARTICIPATION

One (1) person spoke about speeding traffic along Saxon Drive in the residential Callalisa Creek Vistas neighborhood and requested a remedy by the City.

CONSENT AGENDA

The Commission approved unanimously these Items:

- 7.A: minutes from the City Commission regular meeting held Tuesday, January 13, 2026.
- 7.B: a Resolution to vacate a portion of Citron Street, north of the SR 44 overpass.
- 7.C: a Resolution to express the City's intent to vacate a portion of Buck Lane for the future expansion of Fire Station #50.
- 7.D: a Resolution to amend the Fiscal Year 2026 budget.
- 7.E: Easement Agreement EA-01-25, which accepts an Access and Utility Easement within Lot 1 of the Southeast Interchange Complex subdivision, at the southeast corner of SR 44 and Florida Memorial Parkway.
- 7.G: a three-year contract between the City of New Smyrna Beach and Kynex Inc., for July 4th Fireworks.
- 7.H: an addendum to the Memorandum of Understanding between City of New Smyrna Beach and Classic Cars on Canal LLC.
- 7.I: ratification of the Mutual Aid Agreement for the combined operational assistance and voluntary cooperation between New Smyrna Beach Police Department and other Volusia County law enforcement agencies.
- 7.J: the General Public House's NASCAR display on Orange Street, to be held on Wednesday, February 11, 2026.

At the request of the City Manager, one Item was **withdrawn from the Consent Agenda**:

7.F an amendment to the Interlocal Agreement for Supplemental Operational Assistance and Voluntary Cooperation for Animal Services memorandum of understanding with the County of Volusia.

QUASI-JUDICIAL HEARING

9.A: a request for a Special Exception (SE-3-25) at 1311 Dixie Freeway to allow indoor auto sales in the B-3 Highway Service Business District. Senior Planner Jake Baker presented the facts. Per a question by Commissioner Martin, Baker stated that the specifics of the Special Exception would apply only to the current business and not to the property generally (i.e., a new property owner would need to seek Special Exception approval, if desired). *Note: see related comment by City Attorney*

below. Applicant, who will sell pre-owned, high-end and collectible automobiles, answered questions. No public comments.

City Attorney advised that the motion to approve should include the condition that the Special Exception applies only to the current business.

Commission unanimously approved the request, with condition.

PUBLIC HEARINGS

10.A Ordinance No. 01-26: Conduct a Second Reading and Public Hearing, which if adopted would approve the South Village New Smyrna Beach Community Development District (CDD) for South Village Residential Subdivision. City Attorney read amended public notification.

Per the City Manager, **Applicant requested continuance** of Item 10.A (Ordinance 01-26) until the Commission's March 10, 2026, meeting. **Commission unanimously approved the request for continuance.**

10.B Ordinance No. 02-26 annexes approximately 15.2 + acres of land located on Paige Avenue.

10.C Ordinance No. 03-26 approves a requested Small-Scale Comprehensive Plan amendment changing the Future Land Use to Conservation for property located on Paige Avenue as part of an overall annexation application.

10.D Ordinance No. 04-26 rezones approximately 15.2 + acres of land to Conservation on property located on Paige Avenue as part of an overall annexation application.

10.E Ordinance No. 05-26 annexes approximately 0.22 + acres of land located on Oliver Drive.

10.F Ordinance No. 06-26 approves a requested Small-Scale Comprehensive Plan amendment changing the Future Land Use to Medium Density Residential on property located on Oliver Drive as part of an overall annexation application.

10.G Ordinance No. 07-26: rezones approximately 0.22 + acres of land to R-2, Single-Family Residential on property located on Oliver Drive as part of an overall annexation application.

10.B-10.G (Ordinances 2-26, 3-26, 4-26, 5-26, 6-26 & 7-26), Senior Planner Bob Mathen presented the facts. Staff recommended approval of the items. P&Z Board voted 7-0 for approval. No applicant or public comments. **Commission unanimously adopted each Ordinance.**

10.H Ordinance No. 08-26, a request to rezone approximately 0.85+ acres of land to R-2, Single-Family Residential with an "A" attached for the Airport Height Notification Zone for property located at 1701 South Dixie Freeway. Applicant stated he intends to subdivide the parcel and sell to a developer to build five single-family residences on the east parcel.

Senior Planner Mathen presented the facts. The zoning change would apply to the east parcel of a two-parcel property. This parcel would be changed from B-3 to R-2 with a future land use designation of low-density residential. The west parcel contains the Space Coast Credit Union and current zoning (B-3, commercial) will not change with this request.

Staff recommended approval. P&Z Board voted 7-0 for approval. Questions by Martin, Perrine, and McGuirk. Applicant answered questions. No public comment. **Commission unanimously approved the request.**

ORDINANCES - FIRST READING

The City Attorney conducted a First Reading of proposed Ordinances:

11.A-D Ordinance Nos. 09-26, 10-26, 11-26, 12-26 which, if adopted at a Second Reading and Public Hearing, would annex, rezone, and approve a Small- Scale Comprehensive Plan amendment changing the Future Land Use, approximately 5 + acres of land located on Paige Avenue.

11.E Ordinance No. 13-26, which, if adopted at a Second Reading and Public Hearing, would approve a Small- Scale Comprehensive Plan amendment, changing the Future Land Use to Conservation for property located on Paige Avenue as part of an overall annexation application.

11.F Ordinance No. 14-26, which, if adopted at a Second Reading and Public Hearing would rezone approximately 4.5 + acres of land to Conservation for property located on Paige Avenue as part of an overall annexation application.

11.G, I Ordinance Nos. 15-26 & 17-26, which, if adopted at a Second Reading and Public hearing would annex and rezone approximately 2.75 + acres of land located on Doster Drive.

11.H Ordinance No. 16-26, which, if adopted at a Second Reading and Public Hearing, would approve a Small- Scale Comprehensive Plan amendment changing the Future Land Use to Conservation for property located on Doster Drive as part of an overall annexation application.

11.J Ordinance No. 18-26, which, if adopted at a Second Reading and Public Hearing, would amend section 1007.00 Subdivision Plat Process.

11.K Ordinance No. 19-26, which, if adopted at a Second Reading and Public Hearing, would establish Section 70-6.

BOARDS AND COMMISSIONS

- 12.A Animal Control Board. The Commission appointed five (5) citizens to serve terms, set to expire on January 28, 2028. **The Commission approved unanimously** the appointments of three (3) current members (**Jeanette Engle, Dana Hoffman, & Robert Leonard**) whose current terms end February 28, 2026 (through a temporary extension) to be extended to end January 28, 2028. The **Commission approved unanimously** the appointment of **Jane Magrady** to serve a second term to end January 28, 2028. The **Commission approved unanimously** the appointment of **Julie Strickland** to a first term to end January 28, 2028.
- 12.B Board Vacancy Notice: Utilities Commission. Applications are open. Selection is expected to be during the Commission's meeting on March 24, 2026.

MAYOR AND COMMISSION REPORTS

Commissioners reported on several topics: Volusia League of Cities meeting; upcoming Homeless Shelter Mayors' Event (Feb 7, Hilton Daytona); MLK Jr. celebration at Babe James Center; Crimson Care Charity Fundraiser benefit for the Police Foundation; successful ACA IMAGES event; remodel of Coronado Civic Center; plaudits to certain staff in Leisure Services and Planning; North American One-Armed Golfers Association event held recently at Venetian Bay Golf Club; and a reminder that variances, rezonings, and special exceptions follow the land, not the individual requesting them.

City Attorney updated Commissioners on three pending legislative bills regarding: (i) adjusting sovereign immunity caps for local governments settling claims; (ii) amending SB180, and (iii) allowing exemption for building permits to install generators. And a reminder to Commissioners: land-use decisions run with the land, not the individual, which guards against discriminatory decisions. **Meeting adjourned.**