

**MINUTES OF THE REGULAR CITY COMMISSION MEETING**  
**HELD ON TUESDAY, JUNE 24, 2014**  
**CITY HALL COMMISSION CHAMBER, 210 SAMS AVENUE**  
**NEW SMYRNA BEACH, FLORIDA 32168**

Having been duly advertised as required by law, the regular meeting of the City Commission of the City of New Smyrna Beach, Florida, was held on Tuesday, June 24, 2014, in the City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Mayor Barringer called the meeting to order at 6:30 p.m. and the following answered present to the roll call:

Mayor Adam R. Barringer  
Vice Mayor Andrew J. McGuirk  
Commissioner Judith A. Reiker  
Commissioner Jack S. Grasty  
Commissioner Kirk E. Jones

Also present were: City Manager Pamela Brangaccio; Assistant City Manager Khalid Resheidat; City Attorney Frank Gummey; Police Chief George Markert; Finance Director Althea Philord; Planning Manager Gail Henrikson; CRA Director Tony Otte; Maintenance Operations Manager Hal Beard; and, City Clerk Johnny Bledsoe.

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INVOCATION/PLEDGE OF ALLEGIANCE – Police Department Chaplain Sheila Turner was present and gave the invocation. Mayor Barringer led those present in the Pledge of Allegiance to the Flag.

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APPROVAL OF AGENDA – City Manager Brangaccio reported no changes to the published agenda.

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**ANNOUNCEMENTS/PRESENTATIONS/RECOGNITIONS:**

Florida Planning and Zoning Association Award – Mayor Barringer read and presented to Planning Manager Gail Henrikson, the 2013 Florida Planning and Zoning Association Outstanding Long Range Planning Award, for the City's Interlocal Service Boundary Agreement with Volusia County.

Ms. Henrikson commented on her appreciation for the recognition and the outstanding performance by the City Planning staff during the ongoing City annexation efforts.

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Kiwanis Club of Southeast Volusia Presentation – No action was taken. Mayor Barringer announced that the item will be moved to a future meeting.

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MAYOR AND COMMISSION REPORTS:

Commissioner Reiker – Reported on her recent attendance at meetings of the Volusia Council of Governments and Volusia League of Cities.

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Commissioner Grasty – Reported on his recent attendance at the TechBridge Program High School G.E.D. Graduation ceremony at the Babe James Center. He commented on how proud he was of the performance of the Police Department, and invited the public to attend an open house event at the Marine Discovery Center on July 9, 2014.

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Commissioner Jones – Reported on his recent attendance at the TechBridge Program High School G.E.D. Graduation ceremony at the Babe James Center. He also reported on his participation in the recent “Reach for the Beach” Hunger Project held at the Brannon Center, and the recent meeting of the Hidden Pines Home Owners Association regarding a request for the installation of a traffic signal and improvements to Paige Avenue.

Commissioner Jones then commented on the upcoming “Family and Friends” celebration at Allen Chapel A.M.E. Church on July 13, 2014, and suggested the City Commission purchase a full-page ad to be placed in the planned souvenir book at the church.

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Vice Mayor McGuirk – Reported on his attendance at the recent “Reach for the Beach” Hunger Project held at the Brannon Center, and the recent meeting of the Volusia County Transportation Planning Organization (TPO), regarding a proposed Reapportionment Agreement.

Vice Mayor McGuirk congratulated the New Smyrna Marina for being awarded the Clean Marina Award. He then wished all citizens a Happy Fourth of July holiday.

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Mayor Barringer – Applauded the Police Department for its performance, and commented on his recent attendance at a meeting of Team Volusia at the Grand Opening of Teledyne Oil and Gas World Headquarters in Daytona Beach.

Mayor Barringer reported on his recent attendance at meetings of the Volusia Council of Governments and Volusia League of Cities, where it was approved to merge the two organizations. He then acknowledged the New Smyrna Marina and Outriggers, for being awarded the Clean Marina Award.

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ORDINANCES SECOND READING AND PUBLIC HEARINGS:

Ordinance No. 30-14 – City Attorney Gummey read Ordinance No. 30-14, the second time by title only, for the second reading and public hearing. Planning Manager Gail Henrikson outlined the proposed ordinance, which if adopted, would amend the City *Comprehensive Plan* by changing the land use for approximately 24 acres generally described as: 2430 Timber View Drive, vacant land on Paige Avenue east of South Glencoe Road, 606 Art Center Avenue, 975 Bay Drive, 2210 Sierra Drive, 893 Bolton Road, 868 Bolton Road, 907 Bolton Road, and 1984 Mayport Avenue.

Mayor Barringer opened the public hearing. As no citizens wished to speak, Mayor Barringer closed the public hearing.

Motion:

Commissioner Jones moved to adopt Ordinance No. 30-14, as recommended. Vice Mayor McGuirk seconded the motion and the roll call was:

Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes

The motion carried unanimously, and Ordinance No. 30-14 was adopted.

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Ordinance No. 31-14 – City Attorney Gummey read Ordinance No. 31-14, the second time by title only, for the second reading and quasi-judicial public hearing. Mr. Gummey administered the oath to Planning Manager Gail Henrikson. Ms. Henrikson outlined her professional and educational qualifications. As no citizens questioned her credentials, Ms. Henrikson was declared an expert in Planning and Zoning.

Ms. Henrikson outlined the proposed ordinance, which if adopted, would rezone approximately 24 acres of annexed properties, generally described as: 2430 Timber View Drive, vacant land on Paige Avenue east of South Glencoe Road, 606 Art Center Avenue, 975 Bay Drive, 2210 Sierra Drive, 893 Bolton Road, 868 Bolton Road, 907 Bolton Road, and 1984 Mayport Avenue.

Mayor Barringer opened the public hearing. As no citizens wished to speak, Mayor Barringer closed the public hearing.

Motion:

Vice Mayor McGuirk moved to adopt Ordinance No. 31-14, as recommended. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes

The motion carried unanimously, and Ordinance No. 31-14 was adopted.

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Island Town Center Development Agreement 2nd Amendment – Planning Manager Gail Henrikson remained under oath and outlined that the City Commission would conduct the second and final of two required quasi-judicial public hearings of a request for a 2nd amendment to the statutory development agreement for the Island Town Center development on North Causeway. Ms. Henrikson also outlined recommended conditions to the amendment, which were approved during the first of two required public hearings, as follows:

1. The language in the agreement addressing the timeframe for rezoning the property to PUD be revised to read as follows: "REZONING OF PROPERTY TO PUD: The applicant shall apply to rezone the entire 14-acre parcel to PUD at least six (6) months prior to this Agreement's expiration in May of 2015."
2. The applicant submits a revised Conceptual Development Plan to be included as Exhibit "B" to the agreement.
3. The applicant provides documentation from the Volusia County School District that there is adequate school capacity to support the requested development.

Mayor Barringer opened the public hearing.

Attorney Glenn Storch represented the applicant and outlined the proposed amendment to the existing agreement.

Vice Mayor McGuirk questioned language within the proposed amendment regarding the beginning of construction. Mr. Storch clarified planned construction phases.

As no other citizens wished to speak, Mayor Barringer closed the public hearing.

Motion:

Commissioner Reiker moved to approve the second amendment to the statutory development agreement for the Island Town Center development on North Causeway, with conditions. Vice Mayor McGuirk seconded the motion and the roll call was:

Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously, and the second amendment to the statutory development agreement for the Island Town Center was approved.

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Coastal Construction Setback Line Application No. 1-14 – Planning Manager Gail Henrikson remained under oath and outlined that the City Commission would conduct a quasi-judicial public hearing of a request to construct a dune walkover east of the City’s Coastal Construction Setback Line on property located at 1371 North Atlantic Avenue.

Mayor Barringer opened the public hearing. As no citizens wished to speak, Mayor Barringer closed the public hearing.

Motion:

Commissioner Reiker moved to approve CCSL Application No. 1-14, allowing the construction of a dune walkover east of the City’s Coastal Construction Setback Line on property located at 1371 North Atlantic Avenue, as recommended. Commissioner Grasty seconded the motion and the roll call was:

Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes

The motion carried unanimously, and CCSL Application No. 1-14 was approved.

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PUBLIC PARTICIPATION – No citizens wished to speak.

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ORDINANCES – FIRST READING:

Ordinance Nos. 45, 46 and 47-14 – City Attorney Gummey read Ordinance Nos. 45, 46 and 47-14, the first time by title only. Ordinances, which if adopted, would annex, change land use and rezone less than 1/2 acre located south of SR 44 and east of Bolton Road at 2281 Sierra Drive.

Motion:

Commissioner Jones moved to approve on first reading, Ordinance Nos. 45-14, 46-14 and 47-14, as recommended. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes

The motion carried unanimously, and Ordinance Nos. 45, 46 and 47-14 were approved on first reading. The second reading and public hearings of the proposed ordinances were scheduled to occur at the regular meeting on Tuesday, August 12, 2014.

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Ordinance No. 48-14 – City Attorney Gummey read Ordinance No. 48-14, the first time by title only. An ordinance, which if adopted, would amend the New Smyrna Beach *Land Development Regulations*, Article VII, Standards for Sites with Special Characteristics, Sec. 703.02, Development Seaward of the City's Coastal Construction Setback Line (CCSL), Subsection B, Prohibited Structures, and Subsection D, Construction of Seawalls, to regulate fences constructed east of the City's Coastal Construction Setback Line (CCSL).

Commissioner Reiker opposed the proposed ordinance, and had concerns with possible consequences of the adoption of the ordinance. Mayor Barringer commented on past actions that resulted in the drafting of the proposed ordinance.

Motion:

Commissioner Jones moved to approve on first reading, Ordinance No. 48-14, as recommended. Vice Mayor McGuirk seconded the motion and the roll call was:

Commissioner Reiker	no
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes

The motion carried by 4 to 1 majority vote, and Ordinance No. 48-14 was approved on first reading. The second reading and public hearing of the proposed ordinance was scheduled to occur at the regular meeting on Tuesday, August 12, 2014.

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Ordinance No. 49-14 – City Attorney Gummey read Ordinance No. 49-14, the first time by title only. An ordinance, which if adopted, would amend the New Smyrna Beach Police Officers' Retirement Plan.

Motion:

Commissioner Grasty moved to approve on first reading, Ordinance No. 49-14, as recommended. Commissioner Reiker seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes

The motion carried unanimously, and Ordinance No. 49-14 was approved on first reading. The second reading and public hearing of the proposed ordinance was scheduled to occur at the regular meeting on Tuesday, August 12, 2014.

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Ordinance No. 50-14 – City Attorney Gummey read Ordinance No. 50-14, the first time by title only. An ordinance, which if adopted, would amend the adopted Budget for the Fiscal Year October 1, 2013 to September 30, 2014.

Motion:

Commissioner Reiker moved to approve on first reading, Ordinance No. 49-14, as recommended. Vice Mayor McGuirk seconded the motion and the roll call was:

Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously, and Ordinance No. 50-14 was approved on first reading. The second reading and public hearing of the proposed ordinance was scheduled to occur at the regular meeting on Tuesday, August 12, 2014.

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CONSENT AGENDA – Mayor Barringer read the following consent agenda items, as submitted by staff for consideration:

A. License Agreement LA-3-14 – Approval of a License Agreement to allow for the use of the public right-of-way on South Riverside Drive in front of 704 South Riverside Drive for a concrete walkway from the curb to the existing dock and to add a 15 foot by 15 foot concrete patio.

B. Approval of Volusia County ECHO Agreement & Restrictive Covenants for a Park located on Otter Boulevard and Pioneer Trail (adjacent to the Pioneer Pedestrian Trail) – Acceptance of the ECHO grant would provide \$300,000 for the park development; the City has \$275,000 from the December 2013 Bank Issuance, with the additional \$25,000 from park impact fees to utilize as matching funds.

C. Central Fire Station Furniture – Approve a request to purchase the needed furniture & office equipment from a State Contract with Pride Enterprises, for the amount of 31,947.75.

D. Sale of Property at 450 East 3rd Avenue – Approve the extension of the closing date from on or before July 9, 2014 to on or before August 5, 2014.

E. Installation of Speed Limit Signs – Approve the installation of speed limit signs on Brookline Avenue between Art Center Avenue and Conrad Drive.

F. Central Beach Project Bid Agreement – Approve entering into an agreement with the Utilities Commission entitled Central Beach Project Agreement (CBPA) to bid the project together for completion, for one bid to be advertised for the City and the Utility Commission stormwater and utility work.

G. Bid Award – Ford Interceptor Patrol Vehicles – Approve the purchase of four (4) 2015 Ford Interceptor AWD vehicles from Garber Ford for a total of \$122,636.

H. River to Sea Transportation Planning Organization Reapportionment Interlocal Agreement and Joint Planning Agreement – Approve entering into an Interlocal Agreement and Joint Planning Agreement, between the City of New Smyrna Beach and the River to Sea Transportation Planning Organization (TPO) regarding reapportionment.

I. Application for the Historic Westside Housing Renovation Program – Approve the application from the Southeast Volusia Habitat for Humanity for entrance into the Historic Westside Housing Renovation Program.

J. S-1-14: Request for Final Plat approval of Portofino Gardens/Venetian Bay Golf Club Phase II – Approve the Final Plat for a 178 lot residential subdivision and infrastructure improvements within a 60.5 acre undeveloped property zoned PUD within the Venetian Bay community, specifically on the east side of and intersecting with Airport Road, and connecting to the Portofino Estates Phase 1 subdivision to the north.

K. Temporary Parking Lot Application No. TPL-1-14 – Garlic Restaurant off-site/2nd & 3rd Avenues – Approve an application for a temporary (unpaved) parking lot containing 48 parking spaces, with associated landscaping and drainage improvements. The subject property consists of a 1.04 acre area for parking associated with the existing Garlic restaurant facility, within the same block at 556 3rd Avenue.

L. Construction Bid Award for 2014 School Safety Sidewalk Program – Approve the award of bid to Whitehouse Contracting LLC, in the amount of \$66,109.30, for the 2014 School Safety Sidewalk Program.

M. Proposed Settlement Agreement – Duke Energy – Approve the proposed Settlement Agreement with Duke Energy regarding the disposition of ownership and liability of the failed Crystal River Three Nuclear Power Plant. The Utilities Commission is a Crystal River 3 (CR3-Nuclear) Joint Owner (0.5608% ownership interest) and Wholesale Purchaser.

N. Special Event: July 4th Celebration – Approve the planned July 4th Celebration and related activities and street closures.

O. Special Event: Christmas in July – Approve the conduct of Christmas in July activities on Saturday, July 5, 2014 from 1:00 pm - 6:00 pm, and related road closures.

P. Special Event: 5th Friday Family Fun Night – Approve the conduct of the 5th Friday Family Fun Night, and related street closure, on Friday, August 29, 2014 from 4:00 pm - 9:00 pm.

Q. Special Event: Florida East Coast Railroad Toys for Tots Train Event – Approve the conduct of the F.E.C. Toys for Tots Christmas Train Stop at the CSX Railroad at SW Corner of US 1 & Canal Street Intersection on Saturday, December 13, 2014.

R. Third Avenue Gateway Feature Design – Approve the proposed design recommendation from staff for the Third Avenue Gateway Feature.

Commissioner Reiker requested to consider Consent Agenda Item F, for separate consideration.

Motion:

Vice Mayor McGuirk moved to approve all items on the Consent Agenda, except for Item F, as submitted. Commissioner Reiker seconded the motion and the roll call was:

Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes

The motion carried unanimously.

Central Beach Project Bid Agreement – Approve entering into an agreement with the Utilities Commission entitled Central Beach Project Agreement (CBPA) to bid the project together for completion, for one bid to be advertised for the City and the Utility Commission stormwater and utility work.

Commissioner Reiker wished to consider this item separately in order to allow her the opportunity to convey her sincere pleasure to both City staff and Utilities Commission staff for working together.

Motion:

Commissioner Reiker moved to approve entering into an agreement with the Utilities Commission entitled Central Beach Project Agreement (CBPA) in order to bid the project together for completion; for one bid to be advertised for the City and the Utility Commission stormwater and utility work, as submitted. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes

The motion carried unanimously.

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**ADMINISTRATIVE ITEMS – NEW BUSINESS:**

Lease Agreement with Volusia County for the Development of South Atlantic Beach Parking Area – City Manager Brangaccio outlined staff’s recommendation that the City Commission consider approval of entering into a lease agreement with Volusia County for the development of South Atlantic Beach Parking Lot, and subsequent approval of the E.C.H.O. Agreement & Restrictive Covenants, in order to attain \$335,000 in ECHO Funds.

City Manager Brangaccio highlighted that the City, if approved, would gain an additional 70 off beach parking spaces. Mayor Barringer felt a parking program should be understandable to all involved. Assistant City Manager Resheidat commented on past recommendations made by staff. City Manager Brangaccio commented on additional property to consider for appropriate parking facilities.

Motion:

Commissioner Reiker moved to approve entering into a lease agreement with Volusia County for the development of South Atlantic Beach Parking Lot, and subsequent approval of the E.C.H.O. Agreement & Restrictive Covenants, in order to attain \$335,000 in E.C.H.O. Funds. Vice Mayor McGuirk seconded the motion and the roll call was:

Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes

The motion carried unanimously.

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Design fee proposal for the New Brannon Center Project – Capital Improvement Project Manager Michelle Updike outlined staff’s recommendation that the City Commission consider approval of the design fee proposal for the new Brannon Center project, made payable to R.L.F. Architects in the amount of \$447,950.

Motion:

Commissioner Grasty moved to approve the design fee proposal for the new Brannon Center project, made payable to R.L.F. Architects in the amount of \$447,950. Commissioner Jones seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes

The motion carried unanimously.

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Construction Bid Award for Babe James Expansion Project – CRA Director Tony Otte outlined staff’s recommendation that the City Commission consider the approval of awarding the bid to Hall Construction Co., Inc. in the amount of \$642,800 (Base bid \$564,900 plus Seven bid alternatives \$77,900), for the Alonzo “Babe” James Community Center Expansion Project.

Motion:

Commissioner Grasty moved to approve the award of bid to Hall Construction Co., Inc. in the amount of \$642,800 (Base bid \$564,900 plus Seven bid alternatives \$77,900), for the Alonzo “Babe” James Community Center Expansion Project. Commissioner Jones seconded the motion and the roll call was:

Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously.

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Award of Contract for Right of Way Mowing and Maintenance – Maintenance Operations Manager Hal Beard outlined staff’s recommendation that the City Commission consider the award of contract for right-of-way mowing and maintenance of S.R. 44, Third Avenue, US Highway 1, I-95 gateways, West Canal Street and North Causeway, to Faith Construction Group for the amount of \$137,000.

City Manager Brangaccio reported that one of the bidders for the project, Glencoe Lawn, Inc., had submitted an appeal of the decision to recommend the contract be awarded to Faith Construction Group. Ms. Brangaccio outlined the appeal process.

Sandy Hull, represented Glencoe Lawn Inc., outlined the vendor’s protest and points, she felt, were behind the basis for the protest. She questioned the bid award process taken, which she felt was based upon the bid amounts submitted by the vendor selected.

A representative of Faith Construction Group was present and commented on the vendor’s bid documents as they were submitted and emphasized the vendor’s desire to do a quality job.

Mr. Beard commented on meeting with Faith Construction Group representatives in order to review bid areas to include a manpower and equipment requirement listing. Mr. Beard commented on the bid tabulation process utilized to select a single contractor.

Vice Mayor McGuirk commented on what had to be done and thanked Glencoe Lawn for its remarks. Commissioner Jones agreed and supported the selection of a single contractor.

Mayor Barringer supported Glencoe Lawn and commented on the failures of past scenarios that was similar. He felt the City looked horrible.

Vice Mayor McGuirk commented on receipt of new information and felt he had not heard enough information to go against staff's recommendation. Commissioner Reiker commented on cost considerations.

Mr. Beard commented on past expenditures for right-of-way maintenance. He advised the City Commission of the preparation of planting plans for medians. City Manager Brangaccio commented on landscaping within the City of Edgewater. She acknowledged how the Commission felt and clarified that staff did not find a reason to reject a low bid for the contract.

City Attorney Gummey clarified the reason for the appeal.

Motion:

Vice Mayor McGuirk moved to approve the award of contract for right-of-way mowing and maintenance of S.R. 44, Third Avenue, US Highway 1, I-95 gateways, West Canal Street and North Causeway, to Faith Construction Group for the amount of \$137,000. Commissioner Reiker seconded the motion and the roll call was:

Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	no

The motion carried by 4 to 1 majority vote with Mayor Barringer voting no.

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Voting Delegate – Florida League of Cities Conference – Mayor Barringer outlined staff's recommendation that the City Commission designate one representative of the City Commission to serve as the City voting delegate at the Annual Business Session at the 88th Annual Conference of the Florida League of Cities, to be held August 14 - 16, 2014, in Hollywood, Florida.

Motion:

Commissioner Grasty nominated Vice Mayor McGuirk to represent the City Commission as the City voting delegate at the Annual Business Session at the 88th Annual Conference of the Florida League of Cities, to be held August 14 - 16, 2014, in Hollywood, Florida. Commissioner Reiker seconded the motion and the roll call was:

Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes

The motion carried unanimously.

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Request for Proposal for Advertising/Scoreboards for the Sport Complex Stadium and Other Fields – Sports Complex Manager David Ray outlined staff’s recommendation that the City Commission consider the approval of authorizing staff to solicit competitive sealed bids from qualified vendors for said company to have the advertising space, purchase, and install scoreboards for the Sport Complex.

Motion:

Commissioner Jones moved to approve authorizing staff to solicit competitive sealed bids from qualified vendors for said company to have the advertising space, purchase, and install scoreboards for the Sport Complex. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes

The motion carried unanimously.

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**BOARDS AND COMMISSIONS:**

Utilities Commission – Mayor Barringer outlined staff’s recommendation that the City Commission accept the voluntary resignation of Oscar Zeller as a member of the Utilities Commission, City of New Smyrna Beach. If accepted, consider the appointment of a member to the Utilities Commission to fulfill the three-year term of Mr. Zeller to expire September 7, 2016.

Citizens who had submitted applications for consideration were: Jeffrey Abbott, 2906 Palma Lane; Walter Allen, 3 Lynn Court; Walter Davis, 2762 Turnbull Bay Road; and, Jeanne Diesen, 1816 North Peninsula Avenue.

Motion:

Commissioner Reiker moved to accept the voluntary resignation of Oscar Zeller, with regrets. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes

The motion carried unanimously.

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Commissioner Reiker moved to defer the appointment of a member to the Utilities Commission to a future meeting.

Vice Mayor McGuirk wanted Commissioner Reiker to be comfortable, but announced his support of Walter Davis for appointment. Commissioner Jones commented on the appointment potential of Jeanne Diesen.

Commissioner Grasty commented on his concern that a full Commission would be needed over the summer months.

Utilities Commission Attorney Bill Preston commented on the number of challenging agendas the Utilities Commission would have over the upcoming summer months.

Mayor Barringer disagreed with Commissioner Jones and could not support the appointment of Jeanne Diesen.

Utilities Commission Attorney Bill Preston outlined upcoming sensitive Utilities Commission meetings, which included decisions regarding Duke Energy litigation and labor negotiations.

Commissioner Reiker withdrew her motion.

Motion:

Vice Mayor McGuirk nominated Walter Davis for appointment. Commissioner Grasty nominated Jeanne Diesen for appointment. Commissioner Grasty moved that nominations be closed. Vice Mayor McGuirk seconded the motion and the roll call was:

Mayor Barringer	yes
Vice Mayor McGuirk	yes
Commissioner Jones	yes
Commissioner Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously.

City Clerk Bledsoe distributed ballots to the City Commission. He then retrieved the completed ballots. He then announced the results as follows:

Commissioner Reiker voted for Walter Davis  
Commissioner Grasty voted for Jeanne Diesen  
Mayor Barringer voted for Walter Davis  
Vice Mayor McGuirk voted for Walter Davis  
Commissioner Jones voted for Jeanne Diesen

By a vote of 3 to 2, Walter Davis was appointed as a member of the Utilities Commission to complete the term expiring September 7, 2016.

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CITY MANAGER'S REPORT – The City Commission acknowledged receipt of the City Manager's written report.

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CITY CLERK'S REPORT – City Clerk Bledsoe advised the City Commission that the Board of Elections would have a special meeting immediately following the conclusion of the regular meeting of the City Commission.

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CITY ATTORNEY'S REPORT – No report.

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With no further business to address, Mayor Barringer declared the meeting adjourned at 7:53 p.m.