



**CITY OF NEW SMYRNA BEACH
CITY COMMISSION REGULAR MEETING AGENDA
AMENDED**

TUESDAY, MAY 8, 2012 – 6:30 P.M.

**CITY COMMISSION CHAMBER, CITY HALL,
210 SAMS AVENUE, NEW SMYRNA BEACH, FLORIDA**

I. Call to Order/Roll Call:

All present.

II. Invocation/Pledge of Allegiance:

Police Department Chaplain Beverly Richardson was present and gave the invocation.

III. Approval of the Agenda:

Consent Agenda Item J added.

IV. Announcements/Presentations/Recognition:

A. KC Society Update – Update by Kerry-Anne Purkiss.

No action.

V. Mayor and Commission Reports:

No action.

VI. Consent Agenda (Approval of Minutes/Routine Resolutions):

A. Approval of Minutes – Approve the minutes of the regular meeting held November 29, 2011 and special workshop held December 13, 2011.

Approved per staff recommendation, with corrections.

B. Low Level Flight Authorization/Volusia County Mosquito Control – Approve the authorization of the Volusia County Mosquito Control to fly at altitudes below 500 feet for the period of May 1, 2012 through April 30, 2013.

Approved per staff recommendation.

C. PAL Vehicle Lease – Approve entering into a 12-month lease with TT of New Smyrna, LLC for a 2011 Dodge Durango in support of activities of the Police Athletic League at a cost of \$1.00 monthly plus any fees associated with the certificate of title, registration and license.

Approved per staff recommendation.

D. Request for Proposal/Debris Removal – Approve the advertising for a request for proposal regarding post natural disaster debris removal.

Approved per staff recommendation.

- E. Public/Private Agreement/Doris Leeper Sculpture – Approve entering into a joint public/private agreement with the Atlantic Center for the Arts and University of Central Florida for the permanent loan of a Doris Leeper sculpture to be display outside of City Hall in the new time capsule plaza being constructed in celebration of the City's 125th Anniversary.

Approved per staff recommendation.

- F. FY 2012/2013 CDBG Budget Allocations – Approve the FY 12/13 CDBG Budget Allocations as recommended by the CDBG Advisory Board, in the amount of \$105,893.

Approved per staff recommendation.

- G. ECHO Water Access Grant Application Partnership Confirmation / Kosmas Property – South Atlantic Avenue – Approve a proposal to partner with Volusia County in order to provide off-beach parking on the Kosmas property located on South Atlantic Avenue.

Approved per staff recommendation.

- H. Declaration of Surplus Property/Pavilion Top-Flagler Boardwalk – Approve the declaration of the former Bric-Brac Top from the Flagler Boardwalk Park Shade Pavilion as surplus property in order to solicit bids from interested parties.

Approved per staff recommendation.

- I. Special Events/Outdoor Movies in Christmas Park – Approve the conduct of a Recreation and Special Events Department sponsored event titled, “Outdoor Movies in Christmas Park”, on Friday, June 29, 2012 and Friday, August 31, 2012. If approved, further approve the closure of Live Oak Street between Canal Street and Downing Street from 4:00 p.m. to 11:00 p.m., the day of the events.

Approved per staff recommendation.

- J. Utility Easement/Flagler Avenue Boardwalk – Authorize the City Manager to execute an easement agreement with the Utilities Commission for the Flagler Boardwalk Improvements Projects.

Approved per staff recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Ordinance No. 02-12/Internet Cafes – Conduct the second and final of two required public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* by creating a definition for Internet Cafe and establishing related regulations.

denied.

- B. Ordinance No. 45-12/412 Old Mission Road – Conduct the second reading and public hearing of an ordinance, which if adopted, would rezone approximately 0.42 acres located at 412 Old Mission Road from Volusia County Urban Single Family Residential (R-4) to City Multi-Family Residential (R-4) zoning classification.

Adopted per staff recommendation.

- C. Ordinance No. 50-12/Fortune Telling Businesses – Conduct the second and final of two required public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* to allow fortune telling businesses as a permitted use in the I-1, Light Industrial, and I-2, Heavy Industrial Zoning Districts.

Deferred for future consideration. Staff directed to recommend potential locations within the business zoning districts.

- D. Ordinance No. 51-12/Minor Subdivisions – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the *Land Development Regulations* by revising the requirements for administrative approval of minor subdivisions.

Adopted per staff recommendation.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Ordinance No. 52-12/Elections – Conduct the first reading of an ordinance, which if adopted, would amend Chapter 13 of the *City Charter* regarding Elections.

Approved on first reading, as recommended. Second reading and public hearing scheduled for the regular meeting on May 22, 2012.

X. Administrative Items/New Business:

- A. Resolution No. 12-12 – Consider the adoption of a resolution, which if adopted, would urge tobacco retailers to stop the sale and marketing of flavored tobacco products in the City of New Smyrna Beach.

Adopted per staff recommendation.

- B. Contract Extension/H.S. Consulting – Consider the approval of the extension of the existing contract with H.S. Consulting, which provides \$60,000 for 12 months of service, contingent on an appropriation in the FY 12/13 CRA budget of \$35,000 for 7 months of contract services.

Approved per staff recommendation.

- C. Future CRA Blight Study/U.S. 1 Corridor – Consider the approval of a Request for Proposal regarding the conduct of a Blight Study of the U.S. 1 Corridor as it relates to a future new Community Redevelopment Agency.

Approved per staff recommendation.

- D. Canal Calore Dredging – Consider staff's request for discussion and direction regarding assessments for Phase II of the Canal Calore Dredging project.

Approved moving forward with the assessment process for Phase II of the project.

- E. Beachside Parking – Consider staff's request for discussion regarding the possible future installation of parking kiosks at the Flagler Avenue Parking Lot and other locations on the beachside such as Esther Street and 27th Avenue Park.

No action. Staff directed to bring back updated cost estimates for future consideration of the recommended action.

XI. Boards and Commissions:

- A. Economic Development Advisory Board – Consider the appointment of a member to fill a vacancy to expire June 8, 2014.

Pat Collado appointed as a member of the Economic Development Advisory Board to a term to expire June 8, 2014.

- B. Youth Council – Discuss and consider the establishment of a Youth Council.

Resolution No. 13-12 adopted per staff recommendation.

XII. City Manager's Report:

No action.

XIII. City Clerk's Report:

No action.

XIV. City Attorney's Report:

No action.

XV. Adjournment: 8:40 p.m.

The foregoing summary of action is a true and accurate record of action taken by the New Smyrna Beach City Commission at its regular meeting on May 8, 2012, pending approval of the official minutes of the meeting.

Johnny R Bledsoe, CMC, City Clerk.