



CITY OF NEW SMYRNA BEACH CITY COMMISSION REGULAR MEETING

SUMMARY OF ACTION

TUESDAY, MAY 22, 2012 – 6:30 P.M.

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

I. Call to Order/Roll Call:

II. Invocation/Pledge of Allegiance:

Police Department Chaplain William Chegwin

III. Approval of the Agenda:

No action.

IV. Announcements/Presentations/Recognition:

Mayor Barringer presented a proclamation naming May 22, 2012, New Smyrna Beach High School Baseball Team Day, in recognition of the team's recent accomplishment of reaching the Florida State Class 7A High School Baseball Semi-Finals. Head Coach Nick Rigilio accepted the proclamation on behalf of the team.

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 December 13, 2011.

Approved with corrections to scriveners errors.

- B. LA-2-12/1099 Faulkner Street – Approve entering into a License Agreement with Mark and Dawn Simpson, which would allow planting of sea grapes within the public right-of-way, in front of property at 1099 Faulkner Street.

Approved per staff recommendation.

- C. Temporary Loan of Firefighting Equipment – Approve entering into a temporary loan agreement with the City of DeBary for the temporary loan of a firefighting water tanker for contingency wildland firefighting operations use by the New Smyrna Beach Fire and Rescue Department. If approved, the equipment would be returned to the City of DeBary in October 2012, as currently estimated.

Approved per staff recommendation.

- D. Concurrency Management Report/FY 2010-2011 – Review, discuss and provide necessary staff direction regarding the annual Concurrency

Management Report for FY 2010/2011, detailing water, sewer, transportation, recreation, solid waste, stormwater and public school capacity available for development in FY 2011/2012.

Approved per staff recommendation.

- E. Maintenance Operations Work Order System – Approve the utilization of the “Facility Dude” Work Order System by the Public Works Maintenance Operations Division. The system, if approved, would be at no costs for the first year and \$4,833 annually thereafter.

Approved per staff recommendation.

- F. Request for Qualifications/Engineering Consultant Services – Approve a Request for Qualifications be issued for Engineering Consultant Services for Colony Park Extension and S.R. 44 Sewer Service projects.

Approved per staff recommendation.

- G. Special Events – Approve the following planned special events and related street closure requests:

- 1. City 125th Anniversary Celebration – Approve the conduct of the City 125-Year Anniversary Celebration from Friday, June 8, 2012 to Sunday, June 10, 2012, as hosted by the City. Associated road closure requests are: Sams Avenue, between Canal Street and Washington Street, 4 to 9 pm on June 8, 2012; Riverside Drive between Canal Street and Lytle Avenue from 9 am to 10 pm on June 9, 2012; Riverside Drive between Canal Street and Lytle Avenue from 6 am to 1 pm on June 10, 2012.

Approved per staff recommendation.

- 2. 24th Annual Seaside Fiesta – Approve the conduct of the 24th Annual Seaside Fiesta on Thursday, June 21, 2012 and hosted by the Flagler Hospitality Group and City Recreation and Special Events Department. Further request authorization to have a beer garden and close Flagler Avenue, from Peninsula Avenue to Buenos Aires from 3 to 9:30 pm, the day of the event.

Approved per staff recommendation.

VII. Ordinances – Second Reading and Public Hearings:

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

Adopted as submitted.

- B. Ordinance No. 59-12/Bolling – 2536 Paige Avenue – Conduct a public hearing of an ordinance, which if adopted, would transmit for sufficiency review by the Florida Department of Economic Opportunity, an ordinance amending the *Comprehensive Plan* by changing land use designation on approximately 12.3 acres of annexed property located at 2536 Paige Avenue, from Volusia County Low Impact Urban to City Residential Estate land use designation.

Approved the transmittal of the proposed ordinance to the Department of Economic Opportunity.

- C. Ordinance No. 61-12/Arts Overlay District – Conduct the first of two required public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* by creating boundaries for an Arts Overlay District and establish regulations regarding permitted activities and other requirements within the Overlay District.

Approved on first reading and first public hearing as amended by adding the area of West Canal Street, west to Myrtle Avenue; and, the alley way located between Riverside Drive and Magnolia Street. The second and final of two required public hearings will be conducted at the regular meeting on June 12, 2012.

- D. Special Exception/Airgate Aviation/2022 Aero Circle – Conduct a public hearing of a special exception application, which if approved, would allow a restaurant as a special exception use in the I-3 zoning district at Airgate Aviation, 2022 Aero Circle.

Approved per staff recommendation.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Annexation/A-3-12/Wray/2060 Waterford Estates Drive – Conduct the first reading of the following ordinances, which if adopted, would annex, and assign City land use and zoning of approximately 2.5 acres located at 2060 Waterford Estates Drive, south of the intersection of Waterford Estates Drive and Rossmore Court.
1. Ordinance No. 55-12 – Annexing approximately 2.5 acres located at 2060 Waterford Estates Drive, south of the intersection of Waterford Estates Drive and Rossmore Court.
 2. Ordinance No. 56-12 – Changing land use designation on approximately 2.5 acres located at 2060 Waterford Estates Drive, south of the intersection of Waterford Estates Drive and Rossmore Court, from Volusia County Low Impact Urban (LIU) to City Low Density Residential.
 3. Ordinance No. 57-12 – Rezoning approximately 2.5 acres located at 2060 Waterford Estates Drive, south of the intersection of Waterford Estates Drive and Rossmore Court, from Volusia County Residential Planned Unit Development (RPUD) to City Planned Unit Development (PUD).

Approved on first reading. The second reading and public hearing on each ordinance will be conducted at the regular meeting on June 12, 2012.

- B. Annexation/A-2-12/Bolling/2536 Paige Avenue – Conduct the first reading of the following ordinances, which if adopted, would annex and zone of approximately 12.3 acres located at 2536 Paige Avenue, east of the intersection of Paige Avenue and Glencoe Road.
1. Ordinance No. 58-12 – Annexing approximately 12.3 acres located at 2536 Paige Avenue, east of the intersection of Paige Avenue and Glencoe Road.

Approved on first reading. The second reading and public hearing will be conducted at the regular meeting on June 12, 2012.

2. Ordinance No. 60-12 – Rezoning approximately 12.3 acres located at 2536 Paige Avenue, east of the intersection of Paige Avenue and Glencoe Road. from Volusia County Urban Single-Family Residential (R-3) to City Rural Agricultural Estate (RA) zoning district.

Approved on first reading. The second reading and public hearing will be conducted at a later date.

X. Administrative Items/New Business:

- A. City Stormwater Utility Rate – Review, discuss and provide necessary staff direction regarding the annual proposed budget for the stormwater utility rate for fiscal year ending September 30, 2013.

Directed staff to draft an ordinance for future consideration that would establish a stormwater utility rate of \$7 per EDU, per month, plus any applicable CPI adjustment up to 3 percent.

XI. Boards and Commissions:

No action.

XII. City Manager's Report:

No action.

XIII. City Clerk's Report:

Authorized the City Clerk to sign a memorandum of understanding with the Volusia County Supervisor of Elections regarding financial responsibilities for the administration of the 2012 primary and general elections.

XIV. City Attorney's Report:

No action.

XV. Adjournment:

8:10 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 22, 2012, pending approval of the official minutes of the meeting.

Johnny R Bledsoe, CMC, City Clerk.