



CITY OF NEW SMYRNA BEACH CITY COMMISSION REGULAR MEETING

SUMMARY OF ACTION

TUESDAY, JUNE 26, 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 will be present and give the invocation.

No action.

III. Approval of the Agenda:

City Manager Brangaccio advised of the addition of the following agenda items:

Consent Agenda Item P – Bid Award/Coronado Civic Center Roof Replacement; New Business Item H – Pedestrian Safety Improvements/South Atlantic Avenue; New Business Item I – Extension of Grant Periods/Clancy’s Mid-Town Dogs; and, Boards and Commissions Item B – Resignation of John Shelby as a member of the Code Enforcement Board. City Manager Brangaccio also reported receipt of correspondence from the applicant to continue Public Hearings Item B – Ordinance No. 62-12 to the regular meeting August 15, 2012.

IV. Announcements/Presentations/Recognition:

A. 125th Anniversary Committee Donation to Area Museums – Presentation of financial donations to the Mary Harrell Black History Museum and New Smyrna Historic Museum.

Mayor Barringer and Vice Mayor Reiker presented \$1,000 donations each to the New Smyrna Historic Museum, represented by John Peel, and the Mary Harrell Black History Museum, represented by Jimmy Harrell.

B. Distinguished Budget Presentation Award – Presentation to Finance Director Althea Philord, of the Distinguished Budget Presentation Award by the Government Finance Officers Association.

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 strategic planning workshop held December 7, 2011.

Approved per staff recommendation.

- B. Speed Limit Change/South Atlantic Avenue – Approve changing the speed limit on South Atlantic Avenue from 45 mph to 40 mph.

Approved per staff recommendation.

- C. Amendment to Community Development Block Grant (CDBG) Budget – Approve amendments to CDBG Budgets for FY 10-11 and 11-12 regarding equipment improvements at the Babe James Community Center and Pettis Park.

Approved per staff recommendation.

- D. License Agreement/843 Fairway Drive – Approve entering into a license agreement with the property owner at 843 Fairway Drive for the repair and maintenance of an existing wooden pedestrian bridge owned by the municipal golf course.

Approved per staff recommendation.

- E. FY 2012/2013 Street Resurfacing Priorities – Approve the list of streets to be resurfaced, utilizing the existing Volusia County contract with Halifax Paving.

Approved per staff recommendation.

- F. License Agreement/Washington Street Streetscape Project/FECR – Approve entering into a license agreement with the Florida East Coast Railroad for the Washington Street at-grade crossing with regard to the Washington Street Streetscape Project.

Approved per staff recommendation.

- G. Holland Park Property Acquisition Contract – Approve entering into an acquisition contract for the purchase of the Holland Park properties on Pioneer Trail and Otter Boulevard, consisting of approximately 40 acres.

Approved per staff recommendation.

- H. Utilities Commission Developers Agreement/Aero Circle – Approve entering into a developer's agreement with the Utilities Commission for water, wastewater, and reclaimed water services for municipal airport property at 1996 Aero Circle. The cost of the agreement, if approved, will be \$9,061.52.

Approved per staff recommendation.

- I. Utilities Commission Developers Agreement/Swoope Site – Approve entering into a developer's agreement with the Utilities Commission for water, wastewater, and reclaimed water services for municipal property at the Swoop Site.

Approved per staff recommendation.

- J. Bid Award/Flagler Avenue Boardwalk Pavilion Top – Approve the award of bid for the purchase of the Flagler Avenue Boardwalk Pavilion Top, to the sole bidder, HIHO LLC, for the bid amount of \$500.

Approved per staff recommendation.

- K. Demolition of Main Shuffleboard Building/Julia Street – Approve entering into a contract for the demolition, and asbestos survey and report from DBI, Inc. in the amount of \$6,803.

Approved per staff recommendation.

- L. Bid Award/North Causeway Boat Ramp Restroom Sanitary Force Main Rerouting – Approve the informal bid award for the North Causeway Boat Ramp Restroom Sanitary Force Main Rerouting Project to D2 Paving and Site Work, LLC, in the amount of \$10,040, and authorize the Finance Director to sign the purchase order.

Approved per staff recommendation.

- M. Holiday Lighting/Flagler Avenue – Approve funding, in the amount of \$11,690 for the purchase of holiday lighting equipment for Flagler Avenue, as requested by the Flagler Merchants Association.

Approved per staff recommendation. Staff to review funding availability for similar lighting in the 3rd Avenue and West Canal Street communities, and report findings to the Commission at the regular meeting on August 15, 2012.

- N. Resolution No. 18-12/Accepting a Portion of Esther Street – Adopt a resolution accepting a portion of Esther Street as a local road for City maintenance.

Adopted per staff recommendation.

- O. Change Order No. 1/Aircraft Apron Expansion and Fuel Farm Infrastructure – Approve Change Order No. 1 in the amount of \$48,714.71 in order to close out and pay the contractor for the remainder of work performed on the apron. Airport funds will be utilized with future reimbursement by the Florida Department of Transportation.

Approved per staff recommendation.

- P. Bid Award/Coronado Civic Center Roof Replacement – Approve the bid award for the Coronado Civic Center Roof Replacement Project to Advanced Roofing in the amount of \$56,400 and also the add alternate in the amount of \$3,900, for the storage building.

Approved per staff recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Ordinance No. 46-12/Airport Land Use Compatibility Requirements – Conduct the second reading and adoption public hearing of an ordinance, which if adopted, would amend the City's *Comprehensive Plan* to incorporate land use compatibility requirements around the municipal airport, as mandated by State legislation. If adopted, the proposed ordinance would be transmitted to the Florida Department of Economic Opportunity for review.

Adopted as submitted.

- B. Ordinance No. 62-12/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* by allowing fortune telling businesses in the Mixed Use (MU), Highway Service Business (B-3), and Planned Shopping Center (B-5) zoning districts.

No action. Continued to the regular meeting on August 15, 2012.

- C. Ordinance No. 63-12/Increasing City Stormwater Fee – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the *City Code* by increasing the Stormwater Utility Fee from \$5.00 per Equivalent Drainage Unit (EDU) to \$7.00 per EDU.

Adopted as submitted.

- D. Ordinance No. 64-12/Budget Amendment – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the current expenses and capital outlay required by the City for the fiscal year October 1, 2011 through September 30, 2012.

Adopted as submitted.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

- A. Ordinance No. 65-12/Kosmas Group/South Atlantic Avenue – Conduct the first reading of an ordinance, which if adopted, would amend the *City Comprehensive Plan*

by changing the land use designation on approximately 1.13 acres located east of South Atlantic Avenue and south of Maralyn Avenue, from Commercial to Hospital ity.

Approved on first reading per staff recommendation. The second reading and public hearing of the proposed ordinance will be conducted at the regular meeting on August 15, 2012.

X. Administrative Items/New Business:

- A. Bid Award/Esther Street Beachfront Park and Stormwater Improvements Project – Consider approval of the recommended base bid and alternate nos. 1 and 2 for the Esther Street Beachfront Park and Stormwater Improvements Project to A.G. Pifer Construction Company, Inc., in the budgeted amount of \$1,051,813.26.

Approved per staff recommendation.

- B. Opportunity Site Grant Agreement/426 Canal Street – Consider approval of entering into a Redevelopment Grant Agreement with the owner of property at 426 Canal Street in support of the redevelopment of the site through the construction of a new building.

Approved per staff recommendation.

- C. Sidewalk Construction/Replacement Recommendations – Consider approval of staff's recommended sidewalk construction/replacement priority listing, and authorize staff to proceed with surveying, design and construction of sidewalks and handicap ramps. If approved, the proposed project would cost \$736,179.06 and would be funded through general obligation bond funds.

Approved per staff recommendation.

- D. License Agreement/Water Taxi/Riverside Park – Consider approval of entering into a license agreement with Daytona Beach Aqua Safari, Inc. to run a private water taxi operation between Ponce Inlet and New Smyrna Beach. If approved, the water taxi would stop at Riverside Park utilizing the newly build floating dock.

Staff directed to continue discussions with vendor and to bring back for consideration, a proposed agreement, at the regular meeting on August 15, 2012.

- E. Canal Calore Maintenance Dredging Project – Discuss and provide guidance regarding whether the City should consider a method of assessment similar to previously approved assessment for paving of Westwood and Fairmont Avenues.

Staff directed to move forward with the special assessment process for maintenance dredging of Canal Calore. Staff also directed to research available professional services of a Hydrologist for possible consultation related to the project.

- F. Voting Delegate/Annual Conference/Florida League of Cities – Select a voting delegate to represent the City at the Annual Florida League of Cities Conference in Hollywood, Florida, August 23 – 25, 2012.

Mayor Barringer selected to serve as Voting Delegate.

- G. Employment Contract/City Clerk – Discuss and consider entering into an employment contract with City Clerk Johnny Bledsoe.

Approved entering into an employment contract with City Clerk Johnny Bledsoe, effective July 1, 2012, as amended.

- H. Pedestrian Safety Improvements/South Atlantic Avenue – Consider approval of sharing costs with Volusia County for pedestrian safety improvements on South Atlantic Avenue, from 6th Avenue to 30th Avenue. Total projected costs are \$242,300.

Approved per staff recommendation.

- I. Extension of Grant Periods/Clancy's Mid-Town Dogs – Consider approval of extensions of CRA grants awarded to Clancy's Mid-Town Dogs located at 440 North Dixie Freeway, to June 25, 2012.

Approved per staff recommendation.

XI. Boards and Commissions:

A. Parks and Recreation Board – Consider the reappointment of Bruce Henry, Rory Lundberg and Luise Smith as members to terms expiring June 22, 2015.

Reappointed members Bruce Henry and Luise Smith to 3-year terms to expire June 22, 2015. Appointed Timmothy Leonard as a member to a 3-year term to expire June 22, 2015.

B. Code Enforcement Board – Accept the voluntary resignation of member John Shelby.
Accepted Mr. Shelby's resignation with regrets.

XII. City Manager's Report:
No action.

XIII. City Clerk's Report:
No action.

XIV. City Attorney's Report:
No action.

XV. Adjournment:
9:12 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 June 26, 2012, pending approval of the official minutes of the meeting.

Johnny R Bledsoe, City Clerk.