



CITY OF NEW SMYRNA BEACH CITY COMMISSION REGULAR MEETING

SUMMARY OF ACTION

TUESDAY, JANUARY 22, 2013 – 6:30 P.M.

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

I. Call to Order/Roll Call:

6:30 p.m. Commissioner McGuirk was absent.

II. Invocation/Pledge of Allegiance:

Police Department Chaplain Pete Carter, Jr. will be present and give the invocation.

No action.

III. Approval of the Agenda:

City Manager Brangaccio reported that Consent Agenda Item C, the continuation of the CRA Parking Lease Program suspension, was moved to Administrative Items/New Business Item H.

IV. Announcements/Presentations/Recognition:

No action.

V. Mayor and Commission Reports:

Mayor Barringer suggested the Commission consider renaming Colony Park Road, running south of S.R. 44, "Jim's Way", in recognition of the efforts of resident Jim Humphries.

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

- A. Contract Renewal/Janitorial Services – Approve entering into the second one-year renewal with High Tech Cleaning to provide janitorial services for City Hall, Connor Library, the Police Department, Public Works Administrative Offices, Airport Tower, and the Golf Course Pro Shop and Locker Rooms. The renewal term will be effective February 1, 2013 through January 31, 2014 with no increase in costs.

Approved per staff recommendation.

- B. North Causeway Boat Ramp Design Services – Approve entering into a contract with the firm Quentin L. Hampton, for the contract amount of \$39,620, for design services for repairs to the North Causeway Boat Ramp.

Approved per staff recommendation.

- C. ~~Suspension of the CRA Parking Lease Program~~ – Approve the continuation of the CRA Parking Lease Program suspension for an additional year to expire January 12, 2014 in order to facilitate economic development.

Moved to Administrative Items/New Business Item H.

- D. City-wide Storm Sewer Rehabilitation – Approve acceptance of the proposal from Miller Pipeline Company, to utilize the City of Largo, Florida contract for the repair and/or lining of many existing stormwater pipes within the City, at a cost not to exceed \$83,240.70.

Approved per staff recommendation.

- E. Reclassification of Community Resources Coordinator Position – Approve the reclassification of the existing Community Resources Coordinator position in order to support the Commission Strategic Goal to sustain and expand community service and housing initiatives, working with multi-community partners.

Approved per staff recommendation.

- F. Special Events – Approve the following special events and related street closure requests, as outlined below:

1. First United Methodist Church Snow Festival – Approve the conduct of a Snow Festival, conducted by the First United Methodist Church, on Saturday, February 9, 2013, from 9 a.m. to 5 p.m. on the church property at 310 Douglas Street. Further approve the requested closure of Douglas Street from Live Oak Street to Palmetto Street, and the alleyway between Downing Street and Lytle Avenue from 8 a.m. to 6 p.m., the day of the event.

Approved per staff recommendation.

2. 6th Annual Flagler Avenue Mardi Gras Parade and Celebration – Approve the conduct of the 6th Annual Flagler Avenue Mardi Gras Parade and Celebration, conducted by the Merchants of Flagler Hospitality Group, on Tuesday, February 12, 2013, from 7 p.m. to 8 p.m., with the parade route running from the Flagler Avenue Parking to Peninsula Avenue. Further approve the requested closure of the Flagler Avenue Parking Lot and Flagler Avenue from Peninsula Avenue to the Beach Ramp, and South Atlantic Avenue from Flagler Avenue to 2nd Avenue, from 6 p.m. to 8 p.m. or as necessary for starting the parade lineup.

Approved per staff recommendation.

3. 51st Annual Art Fiesta – Approve the conduct of the 51st Annual City sponsored Art Fiesta on the weekend of February 23 and 24, 2013, held in and around the Old Fort Park area daily from 9 a.m. to 5 p.m. Further approve the closure of Julia Street from Riverside Drive to Faulkner Street and Sams Avenue from Washington Street to Canal Street from 6 a.m. Friday February 22, 2013 until 8 p.m. Sunday, February 24, 2013; and, Canal Street from U.S. Highway 1 to Riverside Drive from 6 a.m. Saturday, February 23, 2013 to 6 p.m. Sunday, February 24, 2013.

Approved per staff recommendation.

VII. Ordinances – Second Reading and Public Hearings:

- A. Annexation Application A-8-12/1101 Sugar Mill Drive – Conduct the second reading and public hearing of the following ordinances, which if adopted, would annex, establish land use and establish zoning of approximately 3.8 acres located on the eastern side of the northern terminus of Sugar Mill Drive.

1. Ordinance No. 01-13 – Annexation of approximately 3.8 acres located on the eastern side of the northern terminus of Sugar Mill Drive.

Adopted as submitted.

2. Ordinance No. 02-13 – Changing land use on approximately 3.8 acres located on the eastern side of the northern terminus of Sugar Mill Drive from Volusia County Rural land use to City Residential Estate land use.

Adopted as submitted.

3. Ordinance No. 03-13 – Rezoning approximately 3.8 acres located on the eastern side of the northern terminus of Sugar Mill Drive from Volusia County Transitional Agricultural (A-3) zoning to City Residential Estate (RE) zoning district.

Adopted as submitted.

- B. Ordinance No. 04-13/Annexation/Colony Park Road and Otter Boulevard Rights-of-Way – Conduct the second reading and public hearing of an ordinance, which if adopted, would annex approximately 5 acres of right-of-way, located north of S.R. 44, south of Pioneer Trail and west of Jungle Road.

Adopted as submitted.

- C. Ordinance No. 05-13/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, 2012 through September 30, 2013.

Adopted as submitted.

- D. Ordinance No. 06-13/Rezoning/Ocean Gate Commerce Center – Conduct the second reading and public hearing of an ordinance, which if adopted, would rezone approximately 184 acres, located southwest of the intersection of S.R. 44 and Interstate Highway 95, from Planned Unit Development (PUD) to Planned Unit Development (PUD) and approving the Master Development Agreement and Conceptual Development Plan.

Adopted as submitted. Staff directed to ensure the required traffic study was reviewed by the City Traffic Consultant.

- E. Ordinance No. 07-13/Bath Salts and Herbal Incense – Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the *City Code* to define and prohibit the sale, display and distribution of herbal incenses and bath salts.

Adopted as submitted.

VIII. Public Participation:

No action.

IX. Ordinances – First Reading:

No action.

X. Administrative Items/New Business:

- A. Resolution No. 05-13/Plat Vacation/2590 S.R. 44 – Consider a resolution, which if adopted, would vacate a remnant portion of the D.S. Whitesides First Subdivision, located at 2590 S.R. 44.

Adopted per staff recommendation.

- B. Lease or Sale of City-owned Property at 500 3rd Avenue – Discuss and consider approval of staff's recommendation to sale or lease City-owned property at 500 3rd Avenue.

Directed staff to move forward with the development of a draft request for proposal for the sale or lease of City-owned property at 500 3rd Avenue and 305 Columbus Avenue, for future consideration.

- C. 2013 City Commission Strategic Policy Goals Action Plans – Approve City Staff Action Plans for the 2013 City Commission Strategic Policy Goals.

Approved per staff recommendation.

- D. ECHO Grant Application Consulting Services – Consider approval of entering into a contract with the firm Brooks and Duns Grant Consulting for the preparation of a Volusia County ECHO Grant application for the expansion of the Brannon Center, at a cost of \$15,000.

Approved per staff recommendation.

- E. Establishment of a Neighborhood Council – Discuss and consider approval of moving forward with the establishment of a Neighborhood Council to serve as a touchstone for staff in its neighborhood planning efforts, and to establish a network of neighborhood representatives.

Approved per staff recommendation.

- F. AOB Visioning with Commission and Community, and the Process for the Updating of the North Causeway Plan – Discuss and consider approval of utilizing Pete Sechler of AECOM to facilitate future workshops with the Community and Commission regarding the process for the update to the North Causeway Plan and visioning for the AOB property.

Approved as amended to require a full report from the consultant within thirty (30) days of the completion of information gathering.

- G. Annexation Marketing Plan – Consider approval of staff's recommended Annexation Marketing Plan.

Approved per staff recommendation.

- H. Suspension of the CRA Parking Lease Program – Consider approval of the continuation of the CRA Parking Lease Program suspension for an additional year to expire January 12, 2014 in order to facilitate economic development.

Approved the continuation of the CRA Parking Lease Program payments suspension for an additional four months, to April 30, 2013, as recommended by the Parking Task Force.

XI. Boards and Commissions:

- A. Building Trades Board – Consider the appointment/reappointment of two members to 3-year terms to expire January 1, 2016. The terms of members Joseph Blanchette, Jr. and Randy Beach expired January 1, 2013.

Reappointed members Joseph Blanchette, Jr. and Randy Beach to terms expiring January 1, 2016.

- B. Fire Pension Board – Consider acceptance and approval of the reappointment of member Don Snell, as selected by the employees of the Fire and Emergency Services Department to a term to expire November 1, 2014.

Accepted the reappointment of member Don Snell to a term expiring November 1, 2014.

- C. Historic Preservation Commission – Consider acceptance of the voluntary resignation of member Carol Edelberg, effective January 1, 2013, vacating a term to expire May 14, 2015.

Accepted with regrets, the voluntary resignation of member Carol Edelberg.

XII. City Manager's Report:

Approved the extension of the sunset of the Parking Task Force to April 30, 2013.

XIII. City Clerk's Report:

No action.

XIV. City Attorney's Report:

The Commission was advised to fully disclose any and all *ex parte* communications received regarding considerations of a quasi-judicial manner.

XV. Adjournment:

8:03 p.m.