



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

SUMMARY OF ACTION

TUESDAY, November 18, 2014 – 6:30 P.M.

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

1. OPENING OF MEETING:

**A. Call to Order:
6:30 p.m.**

**B. Roll Call:
Commissioner Reiker was absent.**

**C. Invocation/Pledge of Allegiance:
Police Department Chaplain Peter Carter, Jr. was present and gave the invocation. Mayor Hathaway led those present in the Pledge of Allegiance to the Flag.**

**D. Approval of the Agenda:
City Manager Brangaccio reported two changes to the published agenda. Two New Business Items, the award of a demolition contract to D.B.I. Demolition, and a proposed promissory note from Airgate Aviation, were each removed from the agenda for future consideration at the scheduled regular meeting on December 9, 2014.**

2. ANNOUNCEMENTS/PRESENTATIONS/RECOGNITION:

**A. Police Officer Swearing In and Promotion Ceremonies
Mayor Hathaway was accompanied by Interim Police Chief Lavallee, administered the oath of office to two new police officers, Jeffrey Colvin and Karl Lippack. Mayor Hathaway assisted Interim Chief Lavallee in the promotion ceremony of Sergeant Christopher Roos to the rank of Lieutenant. Lieutenant Roos' daughter, Brooke, also assisted in the ceremony.**

3. MAYOR AND COMMISSION REPORTS:

At the request of Commissioner Sachs, the City Commission, by consensus, directed the City Attorney to draft a resolution, which if adopted, would oppose the use of seismic airguns for oil exploration.

4. ORDINANCES – SECOND READINGS AND PUBLIC HEARINGS

A. Ordinance No. 64-14: The second reading and public hearing of an ordinance amending the adopted Budget for the Fiscal Year 2013-2014.

Adopted.

B. Ordinance No. 76-14: The second reading and public hearing of an ordinance annexing approximately 3 acres located at 169 Temple Street, 2565 Erena Drive, 2006 Pioneer Trail, and 2148 Burma Road.

Adopted.

C. Ordinance No. 77-14: The second reading and public hearing of an ordinance changing the land use of approximately 3 acres of annexed property located at 169 Temple Street, 2565 Erena Drive, 2006 Pioneer Trail, and 2148 Burma Road.

Adopted.

D. Ordinance No. 78-14: The second reading and quasi-judicial public hearing of an ordinance rezoning approximately 3 acres of annexed property located at 169 Temple Street, 2565 Erena Drive, 2006 Pioneer Trail, and 2148 Burma Road.

Adopted.

E. Ordinance No. 79-14: The second reading and public hearing of an ordinance annexing approximately 8 acres located northwest of the intersection of Ingham Road and Mission Road.

Adopted.

F. Ordinance No. 80-14: The second reading and public hearing of an ordinance changing the land use of approximately 8 acres of annexed property located northwest of the intersection of Ingham Road and Mission Road.

Adopted.

G. Ordinance No. 81-14: The second reading and quasi-judicial public hearing of an ordinance rezoning approximately 8 acres of annexed property located northwest of the intersection of Ingham Road and Mission Road.

Adopted.

H. Ordinance No. 82-14: The second reading and public hearing of an ordinance amending the adopted Budget for the Fiscal Year 2014-2015.

Adopted.

I. Ordinance No. 83-14: The second reading and public hearing of an ordinance amending Sec. 18-82, City Code, to provide a Trap, Neuter, and Release program for feral cats.

Adopted.

J. Ordinance No. 84-14: The second reading and public hearing of an ordinance amending the adopted Budget for the Fiscal Year 2014-2015.

Adopted.

5. PUBLIC PARTICIPATION

No action.

6. ORDINANCES – FIRST READING

A. Ordinance No. 85-14: The first reading of an ordinance amending the City's Comprehensive Plan to update the Capital Improvements Element, as mandated by Florida Statutes.

Approved on first reading. The second reading and public hearing will be held at the regular City Commission meeting scheduled for December 9, 2014.

B. Ordinance No. 87-14: The first reading of an ordinance rezoning approximately 17 acres located on Jungle Road, and approving the New Smyrna Assisted Living Facility PUD.

Approved on first reading. The second reading and public hearing will be held at the regular City Commission meeting scheduled for December 9, 2014.

C. Ordinance No. 88-14: The first reading of an ordinance rezoning approximately 4 acres located south of Jungle Road, west of its intersection with Pioneer Trail, and approving the Kenwood Place PUD.

Denied by a vote of 2 to 2, with Commissioners McGuirk and Sachs, voting no.

D. Ordinance No. 89-14: The first reading of an ordinance rezoning approximately 1 acre located on the south side of Julia Street between Sams Avenue and Faulkner Street, and approving the Tabby House PUD.

Approved on first reading. The second reading and public hearing will be held at the regular City Commission meeting scheduled for December 9, 2014.

7. CONSENT AGENDA

A. Special Event: 19th Annual Norwood's Holiday Food & Wine Festival – December 5-7, 2014

Approved.

8. ADMINISTRATIVE ITEMS/NEW BUSINESS

A. Airgate Aviation, Inc. Default of Promissory Note for Past Due Fuel Purchases
No action. Item deferred to the regular meeting on December 9, 2014.

B. North Causeway Boat Ramp Park Improvements Project – Award Contract to Saboungi Construction, Inc. in the amount of \$824,799.42
Approved per staff recommendation.

C. Review of Criteria for Purchase of Homes within Islesboro to support the updating of the Stormwater Master Planning Efforts
Approved the Criteria for the future acquisition of previously flooded properties; and, approved the publication of the Request for Qualification for Continuing Consultant Services for the Islesboro Subdivision Stormwater Management Improvements Design per staff recommendation.

9. BOARDS AND COMMISSIONS

A. Appointment of Members to Fire Pension Board. Consider the appointment of a City Commission representative to a two-year term expiring November 1, 2016; Approve and accept the reappointment of Don Snell to a two-year term expiring November 1, 2016; and approve and accept the decision of the Fire Pension Board to reappoint David Newell to a two-year term expiring November 1, 2016.

Reappointed Commissioner Judy Reiker as City Commission representative, to a term to expire November 1, 2016; Approved/Accepted the reappointment of Don Snell as Fire Department representative to a term to expire November 1, 2016; Approved/Accepted the reappointment of David Newell as Fire Pension Board representative to a term to expire November 1, 2016.

B. Appointment of Member to Neighborhood Council. Consider accepting the voluntary resignation of Barbara Wright, and appointing a member to serve for the remainder of a two-year term, expiring May 28, 2015.

Accepted the voluntary resignation of Barbara Wright as a member of the Neighborhood Council. Appointed William Herman as a member of the Neighborhood to an unexpired term that will expire May 28, 2015.

C. Appointment of Members to the Planning and Zoning Board. Consider the appointment of three members to the Planning and Zoning Board to three-year terms expiring October 31, 2017.

No action. Deferred consideration to the regular meeting on December 9, 2014.

D. Appointment of Members to the Police Pension Board. Consider the appointment of a City Commission representative to the remainder of a term expiring October 1, 2015; Approve and accept the reappointment of Sergeant Mark Severence to a two-year term expiring October 1, 2016; and approve and accept the decision of the Police Pension Board to reappoint Pension Board Chair John Thomson to a two-year term expiring October 1, 2016.

Appointed Commissioner Jake Sachs as City Commission representative, to a term to expire October 1, 2015; Approved/Accepted the reappointment of Mark Severance as Police Department representative to a term to expire October 1, 2016; Approved/Accepted the reappointment of John Thomson as Police Pension Board representative to a term to expire October 1, 2016.

10. CITY MANAGER'S REPORT

No action.

11. CITY CLERK'S REPORT

No action.

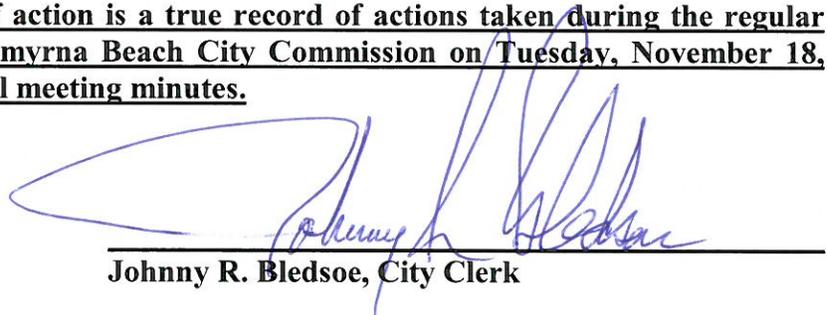
12. CITY ATTORNEY'S REPORT

No action.

13. ADJOURNMENT

8:20 p.m.

I certify that this summary of action is a true record of actions taken during the regular meeting of the City of New Smyrna Beach City Commission on Tuesday, November 18, 2014, pending approval of final meeting minutes.



Johnny R. Bledsoe, City Clerk