



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

**TUESDAY, FEBRUARY 24, 2015 – 6:30 P.M.**

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

**1. OPENING OF MEETING:**

**A. Call to Order:**

**6:40 p.m.**

**B. Roll Call:**

**All present.**

**C. Invocation/Pledge of Allegiance:**

**Police Department Chaplain Thomas Prucnal gave the invocation.**

**D. Approval of the Agenda:**

**City Manager Brangaccio reported the removal of Consent Agenda Item E, Request for the Installation of “No Parking” Signs: 516 Orange Street.**

**2. ANNOUNCEMENTS/PRESENTATIONS/RECOGNITION:**

**A. Proclamation – Florida Archaeology Month – March 2015**

**Accepted on behalf of the Southeast Volusia Historic Society and New Smyrna Beach Museum by Dr. Thomas Grande.**

**B. Completion Certificate – 2015 Institute for Elected Municipal Officials Course;  
Commissioner Sachs**

**No action.**

**C. Presentation - 2015 Lipton Cup Regatta - Smyrna Yacht Club**

**David Smith represented the Smyrna Yacht Club and gave a presentation. Mr. Smith also requested the City Commission consider giving a donation in support of the event. Mayor Hathaway added the consideration of a donation as New Business Item F.**

### **3. MAYOR AND COMMISSION REPORTS:**

**Commission consensus to move forward with action to more appropriately recognize veterans from all branches of military service at Riverside Park.**

### **4. ORDINANCES – SECOND READINGS AND PUBLIC HEARINGS**

**A. Ordinance No. 05-15:** The first of two required quasi-judicial public hearings of an ordinance, which if adopted, would vacate a portion of a City public right-of-way, specifically a 135' length of the 75' wide Cooper Street platted right-of-way, located immediately adjacent and connecting to the southern boundary of State Road (SR) A1A / 3rd Avenue right-of-way.

**Approved by 4-1 majority vote (Commissioner Sachs voted no), on first reading and first of two required quasi-judicial public hearings. The second and final of two required quasi-judicial public hearings will be held on Tuesday, March 10, 2015, at the regularly scheduled City Commission meeting.**

**B. Ordinance No. 15-15:** The second reading and public hearing of an ordinance, which if adopted, would annex approximately 3 acres located at 2433 Selleck Avenue.

**Adopted unanimously.**

**C. Ordinance No. 16-15:** The second reading and public hearing of an ordinance, which if adopted, would change the land use of approximately 3 acres of annexed property located at 2433 Selleck Avenue, from Volusia County Rural to City Rural land use designation.

**Adopted unanimously.**

**D. Ordinance No. 17-15:** The second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone approximately 3 acres of annexed property located at 2433 Selleck Avenue, from Volusia County Rural Residential (RR) to City Residential Estate (RE) zoning district.

**Adopted unanimously.**

**E. Ordinance No. 18-15:** The second reading and public hearing of an ordinance, which if adopted, would annex approximately 16 acres at 794 Old Mission Road.

**Adopted unanimously.**

**F. Ordinance No. 21-15:** The second reading and public hearing of an ordinance, which if adopted, would amend the adopted Budget for the Fiscal Year October 1, 2014 to September 30, 2015.

**Adopted unanimously.**

**G. Ordinance No. 26-15:** The first reading and first of two required quasi-judicial public hearings of an ordinance, which if adopted, would vacate an unnamed and unpaved alley between Sams Avenue and Faulkner Street.

**Unanimously approved on first reading and first of two required quasi-judicial public hearings. The second and final of two required quasi-judicial public hearings will be held on Tuesday, March 10, 2015, at the regularly scheduled City Commission meeting.**

H. Resolution No. 04-15: The public hearing of a resolution, which if adopted, would make a finding of necessity that there exists in the City one or more slum or blighted areas in need of rehabilitation.

Adopted unanimously.

I. Resolution No. 05-15: The public hearing of a resolution, which if adopted, would create the U.S. Highway 1 Community Redevelopment Agency and declaring the City Commission the governing body.

Adopted unanimously.

## **5. PUBLIC PARTICIPATION**

No action.

## **6. ORDINANCES – FIRST READING**

A. Ordinance No. 23-15:

B. Ordinance No. 24-15:

C. Ordinance No. 25-15:

The first readings of ordinances, which if adopted, would annex, assign City land use designation and assign City zoning, on approximately 7 acres located at 1526 Lewis Lane, 1039 Dillon Circle, 265 and 275 South Walker Drive, and 2245 Juanita Drive.

Ordinance Nos. 23-15, 24-15 and 25-15 were unanimously approved on first reading. Second readings and public hearings of the proposed ordinances will be held at the regular City Commission meeting scheduled for March 10, 2015.

D. Ordinance No. 27-15: The first reading of an ordinance, which if adopted, would amend the adopted Budget for the Fiscal Year October 1, 2014 to September 30, 2015.

Unanimously approved on first reading. The second reading and public hearing of the proposed ordinance will be held at the regular City Commission meeting scheduled for March 10, 2015.

E. Ordinance No. 29-15: The first reading of an ordinance, which if adopted, would amend the *Land Development Regulations* regarding the SR 44 Corridor Overlay Zone Build-To Line.

Approved on first reading, by 4-1 majority vote with Commissioner Sachs voting no. The second reading and public hearing of the proposed ordinance will be held at the regular City Commission meeting scheduled for March 10, 2015.

F. Ordinance No. 30-15: The first reading of an ordinance, which if adopted, would rezone the Planned Unit Development (PUD), and approve the Ocean Way Village Master Development Agreement and Conceptual Development Plan for approximately 16 acres, generally located southeast of the intersection of State Road 44 and south of Glencoe Road. Unanimously approved on first reading. The second reading and quasi-judicial public hearing of the proposed ordinance will be held at the regular City Commission meeting scheduled for March 10, 2015.

## **7. CONSENT AGENDA**

**A. Approval of Minutes of City Commission Regular Meetings – August 27 and September 9, 2015.**

**Approved as submitted.**

**B. Resolution No. 06-15: Supporting the Allocation of Amendment 1 Funding for Infrastructure Supporting Water Quality**

**Adopted by 4 – 1 majority vote, as submitted with Commissioner Sachs voting no.**

**C. Approve the piggyback of Collier County’s Contract #10-5507, for Storm Drain Cleaning, Documenting & Repairs, in order to remove and replace existing drainage and stormwater pipes on Industrial Drive/Industrial Park Avenue and Airway Circle/Industrial Park Avenue.**

**Approved as recommended.**

**D. Approve the award of Bid #ITB 08-15-BLDG, to the low bidder, R & R Industries, Inc., in the amount of \$35,926 for replacement of the existing roof at the historical Connor Library building.**

**Approved as recommended.**

**~~E. Request for the Installation of “No Parking” Signs: 516 Orange Street~~**

**~~No action, removed from the agenda by staff for future consideration.~~**

**F. Approve the installation of two new stop signs on Breezeway and Lagoon Court within Venetian Villas.**

**Approved as recommended.**

**G. Approve the awarding of the Fifth Street Bridge Remedial Repair contract to Premier Florida Industrial Services, Inc. in the amount of \$25,080.00**

**Approved as recommended.**

**H. Approve City staff entering into an Agreement for Cost Share with Volusia County in the amount of \$7,551.12 for the installation of the mid-block pedestrian crossing at A1A and 30th Avenue.**

**Approved as recommended.**

**I. Special Event: New Smyrna Beach Harley Davidson Bike Week Events – March 6-15, 2015.**

**Approved as recommended.**

**J. Alonzo “Babe” James Community Center Expansion Project: Change Order No. 3 to Hall Construction in the amount of \$7,591.00**

**Approved as recommended.**

**K. Approve the bid proposal submitted by L&S Enterprises in the amount of \$31,675 for the lighting control system for the Sports Complex.**

**Approved as recommended.**

**L. Approve the award of bid to Tru Green for the chemical maintenance of the sports complex on a three year contract with two (1) year options, effective March 1, 2015, in the amount of \$55,477.99.**

**Approved as recommended.**

**M. Approve the acceptance of a Land Conveyance from the Florida Department of Transportation, for the right of way area located at the North Causeway Boat Ramp, in order to allow for improvements to the area as part of the North Causeway Boat Ramp Improvements Project.**

**Approved as recommended.**

**N. Approve Change Order No. 3: Pedestrian Trail Final Change Order - \$29,478.84 Total (Additions of \$42,559.84) and (Deductions of \$13,081.00)**

**Approved as recommended.**

**O. Approve the Community Development Block Grant (CDBG) Sidewalk Plan, for the area from the Alonzo "Babe" James Center to Pettis Park.**

**Approved as recommended.**

**P. Approve the proposed revised fees for the Sports Complex for booking Multi-Tournament Days at One Time.**

**Approved as recommended.**

**Q. Approve the recommended ranking of Appraisers Bullard, Hall and Adams, Inc. and Pomeroy Appraisals Associates of Florida, Inc. to be utilized for continuing appraisal services.**

**Approved as recommended.**

**R. Approve the acceptance of FY 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Funds in the amount of \$7,443.**

**Approved as recommended.**

**S. Special Event: 2015 Bike Week – VFW Camping March 6 – March 15, 2015**

**Approved as recommended.**

**T. Special Event: 2015 VFW Biketoberfest Camping – October 15-16, 2015**

**Approved as recommended.**

## **8. ADMINISTRATIVE ITEMS/NEW BUSINESS**

**A. Direction Regarding the Requested Continuation of CRA Grant Funding for the HUB, in preparation for a March 10, 2015 CRA Meeting.**

**Approved as recommended.**

**B. Award of Bid: Paid Parking System (Kiosks), and Creating a Parking Enforcement program to be managed by the Police Department**

**Approved as recommended, with fees of \$10 for non-residents, and zero fees for residents.**

C. 3<sup>rd</sup> Avenue Monument Sign – Authorization to Advertise for Construction Bids  
Approved as recommended.

D. North Causeway Beautification Project – Authorization to Advertise for Construction Bids (FDOT Grant & CRA Match)  
Approved as recommended.

E. Review of City Hall Expansion/Renovation Development Options (New Construction vs. Demo/Rehab of the Baptist Church)  
Authorized staff to obtain an appraisal and structure analysis of the First Baptist Church property located north of City Hall.

F. Request from the Smyrna Yacht Club for a donation in support of its upcoming Lipton Cup Regatta.  
No action.

## **9. BOARDS AND COMMISSIONS**

A. Appointment of Members to the Code Enforcement Board: Consider the appointment of two members to the Code Enforcement Board for terms expiring March 3, 2018, and to appoint a member to a vacant unexpired term to expire March 3, 2017.  
Reappointed members Rex Huffman and Michael Slayton to three-year terms to expire March 3, 2018. Appointed Thomas Robert to the remainder of a three-year term to expire March 3, 2017.

### **10. CITY MANAGER'S REPORT**

No action.

### **11. CITY CLERK'S REPORT**

No action.

### **12. CITY ATTORNEY'S REPORT**

No action.

### **13. ADJOURNMENT**

9:33 p.m.

James Brooks requested the City Commission present a proclamation to Bert Fish Medical Center for its contributions to the community.

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, February 24, 2015, pending approval of final meeting minutes.

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Johnny R. Bledsoe, City Clerk