



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

**SUMMARY OF ACTION**

**TUESDAY, MARCH 10, 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:**

**6:30 p.m.**

**B. Roll Call:**

**All present.**

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

**Police Department Chaplain Sheila Turner gave the invocation. Mayor Hathaway led those present in the Pledge of Allegiance.**

**D. Approval of the Agenda:**

**No action.**

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

**A. Police Department Accreditation**

**Mayor Hathaway assisted Police Chief Coffin recognize Lieutenant Donna LaValle and the remainder of the Police Department staff for its efforts in obtaining department accreditation.**

**B. Police Department Promotion Ceremony**

**Mayor Hathaway assisted Police Chief Coffin conduct the promotion ceremony of Sergeant Jason Reve.**

**C. Promotion Ceremony for Fire Department Personnel**  
**Mayor Hathaway assisted Interim Fire Chief Tauber conduct the promotion ceremonies of Battalion Chief Billy Crapps and Driver/Engineer Brandon Hazelwood.**

**3. MAYOR AND COMMISSION REPORTS:**

**Commissioner Sachs requested the City Manager communicate to residents the importance of not blowing yard clippings into storm drains, as a measure to further protect the Indian River Lagoon.**

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

**A. Ordinance No. 05-15:** The second and final of two required quasi-judicial public hearings of an ordinance, which if adopted, would vacate a portion of Cooper Street, located south of 3rd Avenue (SR A1A).

**Adopted with conditions, by 4-1 vote with Commissioner Sachs voting no.**

**B. Ordinance No. 23-15:** The second reading and public hearing of an ordinance, which if adopted, would annex approximately 7 acres located at 1526 Lewis Lane, 1039 Dillon Circle, 265 and 275 South Walker Drive, and 2245 Juanita Drive.

**Adopted unanimously.**

**C. Ordinance No. 24-15:** The second reading and public hearing of an ordinance, which if adopted, would change the land use designation of approximately 7 acres of annexed property, located at 1526 Lewis Lane, 1039 Dillon Circle, 265 and 275 South Walker Drive, and 2245 Juanita Drive.

**Adopted unanimously.**

**D. Ordinance No. 25-15:** The second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone approximately 7 acres of annexed property, located at 1526 Lewis Lane, 1039 Dillon Circle, 265 and 275 South Walker Drive, and 2245 Juanita Drive.

**Adopted unanimously.**

**E. Ordinance No. 26-15:** The second and final 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, as related to the Tabby House P.U.D.

**Adopted unanimously.**

**F. Ordinance No. 27-15:** The second reading and public hearing of an ordinance, which if adopted, would amend the adopted Citywide Budget for the Fiscal Year October 1, 2014 through September 30, 2015.

**Adopted unanimously.**

**G. Ordinance No. 28-15:** The first of two required quasi-judicial public hearings of an ordinance, which if adopted, would amend the *Land Development Regulations* regarding real estate sign regulations.

**Approved unanimously on first reading and first public hearing. The second and final of two required public hearings will be conducted at the regular meeting on March 24, 2015.**

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

**Adopted by 4-1 majority vote with Commissioner Sachs voting no.**

**I. Ordinance No. 30-15: The second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone and approve the Ocean Way Village PUD.**

**Adopted unanimously.**

#### **5. PUBLIC PARTICIPATION**

**No action.**

#### **6. ORDINANCES – FIRST READING**

**No action.**

#### **7. CONSENT AGENDA**

**A. Renewal of Interlocal Agreement: Approve the renewal of the Southeast Regional Marine Patrol Unit between the Cities of New Smyrna Beach, Port. Orange, South Daytona and the Town of Ponce Inlet.**

**Approved as recommended.**

**B. Approval of Equipment Purchase from Robinson Equipment: Approve the purchase of a Massey Ferguson Tractor for use at the Municipal Airport, which was included in the FY 14-15 Budget for replacement.**

**Approved as recommended.**

**C. Approve the Capital Expenditure for the Replacement of the Picnic Pavilion roof at Inlet Shores Park.**

**Approved as recommended.**

**D. Approve the proposal from Quinten Hampton & Associates in the amount of \$28,700 for the Drainage Improvements on Cunningham Drive and Inlet Shores, contingent on the approval of a budget transfer on March 24 and April 14, 2015.**

**Approved as recommended.**

**E. Approve the Final Plat for the Tabby House PUD, with the conditions, as outlined in the agenda memo, for City-owned land located at 103 Faulkner Street.**

**Approved as recommended.**

**F. Approve Change Order No. 1, to Application No. S-2-14: Phase 2, Florida Days P.U.D. – Final Plat for a 19 lot residential subdivision and infrastructure improvements.**

**Approved as recommended.**

**G. Adopt Resolution No. 07-15 for Supplement JPA #3 to FDOT Grant FM #431577 1 94 01 – Construction Phase for Rehabilitation of Aircraft Hangar at 1501 Airway Circle.**

**Adopted as recommended.**

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

**A. Approval of an Interlocal Agreement for the use of New Smyrna Beach Sports Complex by the Volusia County School Board (contains funding contribution towards the Home Bleachers).**

**Approved as recommended.**

**B. Award Design/Build Contract to Canaveral Construction Co., Inc. to replace the football home side bleachers at the sports complex in the amount of \$1,041,792.**

**Approved with a completion date to be August 15, 2015.**

**C. Resolution No. 08-15: Requesting the River to Sea Transportation Planning Organization include the Extension of Paige Avenue in the 2040 Long-Range Transportation Plan.**

**Adopted as recommended.**

**D. Revision of Rental Assistance Grant Program and Application to Provide Funding to The Hub towards the purchase of the Hub building.**

**Approved by 4-1 majority vote with Commissioner Sachs voting no.**

**E. To provide notification to the Florida Inland Navigation District regarding the approved grant for the design of the New Smyrna Beach Waterfront Promenade Phase I**

**Approved by 4-1 majority vote with Commissioner Sachs voting no.**

**F. Discussion and approval consideration of a proposal from Parker Mynchenberg and Associates (\$37,880) for drainage improvements for property at 6th Street and Magnolia Street.**

**Denied by 1-4 vote with Mayor Hathaway, Vice Mayor Jones and Commissioners McGuirk and Reiker voting no.**

**G. Resolution 09-15 Amending Resolution 02-14 by exempting City residents from permit parking fees for oceanfront city facilities.**

**Adopted as amended to add a \$100 annual pass for nonresidents of the City.**

## **9. BOARDS AND COMMISSIONS**

**A. Resolution No. 10-15: Economic Development Advisory Board amendment of membership criteria.**

**Adopted as recommended.**

**B. Economic Development Advisory Board: Accept the resignation of Mayor James W. Hathaway as a member/chair of the Economic Development Advisory Board, and consider the appointment of a member of the City Commission to serve ex officio as chair and a member of the Economic Development Advisory Board.**

**Accepted unanimously the voluntary resignation of Mayor Hathaway as an ex officio member. Unanimously appointed Commissioner Reiker to represent the City Commission in an ex officio status.**

**C. Appointment of a Member to the Animal Control Board.** Terminate the membership of Debra Bergeron and consider the appointment of a member to serve the remainder of a term expiring September 13, 2015.

**Accepted the voluntary resignation of member Debra Bergeron. Unanimously appointed Alfred Forkhammer as a member whose term will expire September 13, 2015.**

**D. Appointment of Members to the Neighborhood Council.** Accept the voluntary resignations of members Novell Clearie and James Smith, and appoint two members to serve the remainder of the two-year terms expiring May 28, 2015.

**Accepted the voluntary resignation of members Novell Clearie and James Smith. Appointed Deborah Bell and Robert White as members to serve the remainder of the two-year terms expiring May 28, 2015.**

**10. CITY MANAGER'S REPORT**

**No action.**

**11. CITY CLERK'S REPORT**

**No action.**

**12. CITY ATTORNEY'S REPORT**

**No action.**

**13. ADJOURNMENT**

**9:17 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, March 10, 2015, pending approval of final meeting minutes.**

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**Johnny R. Bledsoe, City Clerk**