



City Commission Regular Meeting Tuesday, March 26, 2019

**6:30 PM – City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, FL 32168
PLEASE USE THE SOUTH ENTRANCE FROM THE JULIA STREET SIDE OF CITY HALL**

1. OPENING OF MEETING

- A. Call to Order

2. INVOCATION/PLEDGE OF ALLEGIANCE

Police Department Chaplain Laura Berg will give the invocation. Mayor Owen will lead those present in the Pledge of Allegiance.

3. APPROVAL OF THE AGENDA

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

- A. Recognition of Completion of 2019 Institute for Elected Municipal Officials.

5. PUBLIC PARTICIPATION

In accordance with Resolution No. 32-13, citizens are provided the opportunity to address the City Commission regarding any topic, for up to three minutes.

6. CONSENT AGENDA

- A. Approve the minutes of the City Commission Special Meeting Minutes from January 15, 2019 and February 19, 2019 and Regular Meeting Minutes from February 26, 2019.
- B. Approve the granting of a Utility Easement to the Utilities Commission for Underground Primary Electric at 27th Avenue Beachfront Park
- C. Approve the Design Contract Award to CPH Engineers in the amount of \$54,600 for Design and Engineering of the Alonzo "Babe" James Splash Pad Project.
- D. Approve Ratification of the Collective Bargaining Agreement with IAFF Local #2271 Effective October 1, 2018 to September 30, 2019.

- E. Approve RFP 06-19-SC Chemical Maintenance for Athletic Fields Award as budgeted for in FY 18-19 to TruGreen for the amount of \$72,825 plus optional items as needed.
- F. Approve Purchase of Lake Assault (Brand Name) Fire Boat with Fire Pump, as included in the FY 18-19 Budget for the cost of \$67,000.
- G. Approve the "Bill of Sale" to the Utilities Commission for the utility connections at Live Oak Cultural Center.
- H. Approve the Road Closure Request: 100 Block of North Duss Street, between Canal Street and Julia Street for a duration of 1 week. The closure is required in order to provide sanitary sewer service to the Canal Street Professional Office building currently under construction at 103 North Duss Street.
- I. Approve a Special Event: Coastal Craft Beer and Art Festival at Outriggers and approval to have a beer garden on April 6th, 2019 from noon to 5 p.m.

7. ADMINISTRATIVE ITEMS/NEW BUSINESS

- A. Magnolia Street Traffic Calming
- B. Resolution No. 09-19: FIND Grant Application for City of New Smyrna Beach Mooring Field, Phase II
- C. Request for Policy Direction from the Commission on submittal for FY 19-20 FIND grant for the AOB site
- D. Review, Discussion and Commission Policy Direction to strengthen parking requirements for special events

8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- A. Ordinance No. 09-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would implement amendments to the City's Land Development Regulations to strengthen and clarify the criteria for removal of historic and specimen trees.
- B. Ordinance No. 11-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the FY 2018-19 Budget for the Airport Fund.

- C. Ordinance No. 12-19 and Resolution No. 11-19
 - 1. Ordinance No. 12-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend Chapter 70 of the City Code: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, amending Article I to create Section 70-5 to prohibit encroachments in public rights-of-way; amending Article V to amend Section 70-162 to allow City Manager to promulgate rules regarding use of public property; further amending Article V to establish Section 70-163 providing for trespass warnings under certain circumstances for public property.
 - 2. Resolution No. 11-19: Approving Rules for Public Facilities
- D. Conduct a quasi-judicial public hearing of Application No. CCSL-1-19, which if approved, would allow for a replacement of an existing elevated wood deck and existing dune walk over on property addressed as 4081 Hill Street.
- E. Conduct a public hearing on Special Exception Application No. SE-6-18, which if approved, would allow a public parking lot on property located at 611 Jefferson Street.

9. ORDINANCES - FIRST READING

- A. Ordinance No. 13-19: Conduct the first reading of an ordinance, which if adopted, would amend the Code of Ordinances, Chapter 18 - Animals
- B. Ordinance No. 14-19: Conduct the first reading of an ordinance, which if adopted, would amend the City Code of Ordinance, Chapter 30, Businesses - Article II - Peddlers, Canvassers, Solicitors

10. BOARDS AND COMMISSIONS

- A. Economic Development Advisory Board - Accept the voluntary resignation of member Ulrike "Uli" Rehn and consider the appointment of a citizen to serve as a member to complete the term expiring June 8, 2022.
- B. Leisure Activities Advisory Board - Appoint/Reappoint two members to fill two unexpired terms to expire on June 22, 2019.
- C. Consider the Appointment of a member to the Neighborhood Council to complete a term expiring May 28, 2019 and accept the resignation of current member, John Hallacy.

11. MAYOR AND COMMISSION REPORTS

12. CITY MANAGER'S REPORT

- A. City Manager's Report

13. CITY CLERK'S REPORT

14. CITY ATTORNEY'S REPORT

15. ADJOURNMENT

Pursuant to *Florida Statutes* 286.0105, if an individual decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such person must provide a method for recording the proceedings.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office in person or by mail at 210 Sams Avenue, New Smyrna Beach, Florida 32168, (386) 410-2630, prior to the meeting.