



**City Commission Regular  
Tuesday, August 9, 2022 at 6:30 PM**

**City Commission Chambers  
214 Sams Avenue, New Smyrna Beach, Florida 32168**

## **1. OPENING OF MEETING**

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1.A. Call to Order

## **2. INVOCATION/PLEDGE OF ALLEGIANCE**

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

## **3. APPROVAL OF THE AGENDA**

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## **4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS**

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- 4.A [Proclamation: Recognizing the New Smyrna Beach High School Girls Beach Volleyball Team for their State Championship Achievement.](#)
- 4.B [Recognition: 2022 Donnadine Miller Memorial Historic Preservation Award.](#)

## **5. PUBLIC PARTICIPATION**

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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**

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- 6.A [Consider the adoption of the City Commission Regular Meeting on June 14,](#)

2022, Workshop on June 28, 2022 and Special Meeting on July 26, 2022.

- 6.B Resolution No. 39-22: Consider the adoption of a Resolution, which if adopted, would amend the FY 21-22 budget.
- 6.C Resolution No. 40-22: Consider the adoption of a Resolution, which if adopted, would change the November 8, 2022 regular City Commission Meeting date to November 15, 2022.
- 6.D Resolution No. 41-22: Consider the adoption of a Resolution, which if adopted, would approve a FDOT Grant Offer for a Public Transportation Grant Agreement (PTGA) FM No. 442494-1-94-01 for the Taxiway A reconstruction Design.
- 6.E Consider the approval of Amendment No. 7 to the Consulting Engineering Agreement for GAI Consultants, Inc. for Taxiway A Design Phase Services.
- 6.F Consider the approval to award a contract to H.L. Pruitt for ITB 22-22-AIR, Airfield Signage Rehabilitation.
- 6.G Consider the approval of combining two part-time Parking Enforcement Specialist (PES) positions into one full-time PES position.
- 6.H Consider the approval of the removal of Surplus Equipment to Auction or Scrap Bins.
- 6.I Consider the approval of an Interlocal Agreement between the City of New Smyrna Beach and the Utilities Commission.
- 6.J Consider the approval of an Interlocal Agreement with Volusia County for services through the Volusia County Public Works - Road and Bridges and Traffic Engineering Divisions.
- 6.K Consider the approval of pipe inspections and repair with American Inline Inspection, Inc. and piggyback contract.
- 6.L Consider the approval for the City to purchase the land and building located at 1400 Findley St, New Smyrna Beach, FL 32168.
- 6.M Consider the approval of the Farmer's Market Memorandum of Understanding renewal for one year, to expire on September 30, 2023.

- 6.N Consider the request for approval to award bid for Roof Replacement at Maintenance Operations.
- 6.O Consider the approval of an agreement for Concessionaire Services between the City of New Smyrna Beach and 1 Stop Global, LLC.
- 6.P Consider the approval to upgrade the existing internet circuit.
- 6.Q Grant: Consider the approval of the Grant Request of Southeast Volusia Chamber of Commerce to waive the rental fee for the Brannon Center.
- 6.R Consider the approval of the adjustment to the Uncollectible Accounts Receivable at the end of FY 2022
- 6.S Consider the approval of a one time adjustment to Uncollectible Accounts Receivable due to the establishment of caps for code compliance fines.
- 6.T Special Event: Consider the approval of the City of New Smyrna Beach Christmas Parade 2022.
- 6.U Special Event: Consider the approval of the First Saturday on Canal Street Events 2022-2023.
- 6.V Special Event: Consider the approval of the Flamingo Follies Arts & Crafts Show 2022.
- 6.W Special Event: Consider the approval of the Great Candy Race 2022.
- 6.X Special Event: Consider the approval of the IMAGES, A Festival Of The Arts to be held on January 27, 28 and 29, 2023. Including a request for road closures, stage with entertainment and a beer garden area; as well as use of the Brannon Civic Center and Riverside Park during the event, with programs at the Live Oak Center as payment for the use of City facilities.
- 6.Y Special Event: Consider the approval of the New Smyrna Harley-Davidson Biketoberfest 2022 Event.
- 6.Z Special Event: Consider the approval of the Night At the Museum Event 2022.

## 7. ADMINISTRATIVE ITEMS/NEW BUSINESS

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## 8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

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## 9. ORDINANCES - FIRST READING

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- 9.A Ordinance No. 38-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex approximately 0.14 acres of property located at 401 Oak Street.
- 9.B Ordinance No. 39-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment changing the City Future Land Use Map to Medium Density Residential for property located at 401 Oak Street as part of an overall annexation application.
- 9.C Ordinance No. 40-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would rezone approximately 0.14 acres of property to R-2, Single Family Residential for property located at 401 Oak Street as part of an overall annexation application.
- 9.D Ordinance No. 41-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would annex approximately 0.43 acres of land located at 187 Howard Avenue.
- 9.E Ordinance No. 42-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment changing the Future Land Use map to Medium Density Residential of a property located at 187 Howard Avenue as part of an overall annexation application.
- 9.F Ordinance No. 43-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would rezone approximately 0.43 acres of land located at 187 Howard Avenue as part of an overall annexation application.
- 9.G Ordinance No. 44-22: Conduct the First Reading of an Ordinance, which if

adopted upon the Second Reading and Public Hearing, would annex approximately 3.1 acres of land located at 1717 South Glencoe Road.

- 9.H Ordinance No. 45-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would create a Small Scale Comprehensive Plan amendment changing the Future Land Use map designation to City Rural on a property addressed at 1717 South Glencoe Road as part of an overall annexation application.
- 9.I Ordinance No. 46-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Quasi-Judicial Public Hearing, would rezone approximately 3.1 acres of land located at 1717 South Glencoe Road to City A-3, Transitional Agriculture as part of an overall annexation application.
- 9.J Ordinance No. 47-22: Conduct the First Reading and Public Hearing of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend Chapter 54, Section 54-4 of the New Smyrna Beach Code of Ordinances.
- 9.K Ordinance No. 48-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend Land Development Regulation Section 1103.A.(1), not requiring a full survey on a Class I Site Plan for a fence permit.
- 9.L Ordinance No. 49-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend Land Development Regulation Section 803.03, as it pertains to fences.
- 9.M Ordinance No. 50-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend the City Land Development Regulation by adding Pet Grooming and Pet shop as a permitted use in the Mixed Use, B-2, and B-3 zoning Districts. This proposed amendment would also add a definition for a pet groomer and pet shop and change the definition of Retail Sales and Services.
- 9.N Ordinance No. 51-22: Conduct the First Reading of an Ordinance, which if adopted upon the Second Reading and Public Hearing, would amend Land Development Section 201.00 General Definitions and Section 305.05 as it pertains to Variances and Administrative Variances.

- 9.O Ordinance No. 52-22: Conduct the First Reading of an ordinance, which if adopted upon the Second Reading and Public Hearing, would approve the 3rd Amendment to the Regency/Wal-Mart PUD Master Development Agreement.

## **10. BOARDS AND COMMISSIONS**

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- 10.A Community Enhancement Engagement Committee: Consider the appointments of three (3) citizens to serve three-year terms, expiring on September 1, 2025 as regular members.
- 10.B Economic Development Task Force: Consider the appointments of four (4) citizens to serve three-year terms, expiring on September 1, 2025, as regular members.
- 10.C Facilities Advisory Committee: Consider the appointments of four (4) citizens to serve three-year terms, as regular members, with a term expiring on September 1, 2025.
- 10.D Planning and Zoning Board: Consider the appointment of one (1) citizen to serve an unexpired three-year term, expiring on October 31, 2023.

## **11. MAYOR AND COMMISSION REPORTS**

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

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- 12.A City Manager's Report

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

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- 13.A City Clerk's Report

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

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## **15. ADJOURNMENT**

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