

City Commission Regular Meeting
Tuesday, September 10, 2024
[Video and Agenda Packet](#)

Mayor Fred Cleveland called the meeting to order. Also in attendance were Vice Mayor Valli Perrine, Commissioners Randy Hartman, Lisa Martin, and Jason McGuirk. Staff present were Assistant City Manager Ron Neibert, City Manager Kevin Cowper, City Clerk Kelly McQuillen and City Attorney Carrie Avallone. City Manager, Kevin Cowper, was sworn into office by Judge Wesley Heidt.

CITY MANAGER REPORT

City Manager, Kevin Cowper reported that:

- meetings concerning parking in Venetian Bay are ongoing. The parking study will be presented to the commission, by the consultant, at the September 24th commission meeting.
- He introduced the new CRA/Economic Development Director, Samantha Burgeron.
- the Flagler Avenue utility construction was in process and affected activities were being coordinated by the utilities commission.

Public Participation

- One resident thanked the commission for work on the Timberlane development.
- Aaron Anderson, Oak Hill resident, recognized the outstanding work of the NSB Athletic Director David Burgerone in assisting the Oak Hill community with their youth baseball program.
- A resident asked if a community calendar might be implemented to show all city events, dates, times, etc. to allow citizens to see conflicts and note special arrangements which might affect them.

Consent Agenda

Consent items 7 A-7P were unanimously approved with the exception of Item 7N.

Item 7N Special Event, approval of the Joy to the Arts Event 2024, to be held on Saturday December 14, 2024 was discussed after hearing a presentation by Rob Salazar, Leisure Services Director. Issues of concern from commissioners were parking, road closures, conflicts with other same day events and inconveniences to local businesses in the Canal Street area. Mayor Cleveland suggested working with the new business group (Chamber, FABA, Canal St Business Group) "City Connectors" to work on a calendar including all events. While Salazar reported that there is a Calendar of Events on the city website. He reported that the City Events Committee had no issues with this event. He agreed to address commissioners concerns and provide more information. The item was moved to the September 24 commission meeting.

Administrative Items/New Business

Item 9D moved her to be included for the consistency of these related items.

9.D Ordinance No. 45-24: Conduct the Second Reading and Quasi-Judicial Public Hearing of an Ordinance, which if approved, would rezone a property by adding the Historic Building Overlay District, (HBOD) to a property located at 403 Magnolia Street known as the Woman's Club. **Approved 4-1 with Vice Mayor Perrine voting NO.**

8.A Consider the approval to authorize the City Manager to execute a Commercial Contract between the City of New Smyrna Beach and the Karter Presley Lynaugh Trust for property located at 403 Magnolia Street, New Smyrna Beach Florida. **Approved unanimously**

8.B Consider the approval to authorize the City Manager to execute Restrictive Covenants for property located at 403 Magnolia Street, New Smyrna Beach, Florida. **Approved unanimously.**

8.C Pavilion Rentals & Indoor Adult Athletics Fees **Approved unanimously.** Leisure Services Director, Rob Salazar, gave a presentation on a new program to maximize the use of the city's recreation facilities. There will be a 6-month trial period instituting a new reservation system.

8.D Review and consider the approval of a Proportionate Fair Share Agreement (PFSA) for the off-site roadway improvements that are required for impacts caused by the development of the Ardisia Park (formerly known as Shell Pointe) PUD Phases 1 through 4 residential subdivision, for the total of \$2,035,346.20 to be paid toward roadway improvements for Sugar Mill The City of New Smyrna Beach September 10, 2024 3 Drive and Pioneer Trail, both County roads, and SR 44, a State FDOT road. **Approved unanimously**

ORDINANCES - SECOND READING AND PUBLIC HEARINGS

9.A Conduct a Quasi-Judicial Public Hearing to review and consider the approval of minor revisions to the previously approved but not yet recorded Final Plat for Shell Pointe Phases 1 and 2 (S-3-22), including renaming the plat and area as Ardisia Park and authorizing the mayor to execute the Contract for Plat Recording. **Approved unanimously**

9.B Ordinance No. 34-24: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would create a Large-Scale Comprehensive Plan amendment, changing the Future Land Use from Agriculture, Forestry Resource, and Conservation to Industrial Mixed-Use on approximately 1,618 + acres of land located south of State Road 44 and west of I-95 known as Deering Park Innovation Center (DPIC). **Approved 4-1 with Commissioner Martin voting NO**

9.C Ordinance No. 42-24: Conduct the Second Reading and Public Hearing of an Ordinance, which if adopted, would establish Deering Park Innovation Center at New Smyrna Beach by amending language in the Future Land Use Element of the Comprehensive Plan. **Approved 4-1 with Commissioner Martin voting NO.**

BOARDS AND COMMISSIONS

Airport Advisory Board: Consider the reappointments/appointments of (3) three members to serve three-year terms set to expire on September 9, 2027. Celeste Lester, Gary Norville and Rulon Starley were reappointed to the Airport Advisory Board.

MAYOR AND COMMISSION REPORTS

Commissioner Hartman reported that test results from Venetian Bay flooding issue are being studied. He also reported that parking in Venetian Bay is being discussed with residents.

Commissioner Martin reported that there was a need to diversify the city's tax base.

Commissioners Perrine and McGuirk welcomed the new city manager.

Mayor Cleveland welcomed the new city manager and praised the Hospital, health department agencies for partnering with the police department. He encouraged folks to view the video on Volusia County's new on/off beach parking program to begin in October.