MINUTES OF REGULAR CITY COMMISSION MEETING
HELD ON TUESDAY, NOVEMBER 29, 2011
CITY HALL COMMISSION CHAMBER, 210 SAMS AVENUE
NEW SMYRNA BEACH, FLORIDA

Having been duly advertised as required by law, the regular meeting of the City Commission of the City of New Smyrna Beach, Florida, was held on Tuesday, November 29, 2011, in the City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida.

Mayor Barringer called the meeting to order at 6:30 p.m. and the following answered present to the roll call:

Mayor Adam Barringer
Vice Mayor Judith A. Reiker
Commissioner Jack S. Grasty
Commissioner James W. Hathaway
Commissioner Lynne Plaskett

Also present were: City Manager Pamela Brangaccio; Assistant City Manager Khalid Resheidat; City Attorney Frank Gummey; Police Chief Ron Pagano; Fire and Emergency Services Chief David McCallister; Planning Manager Gail Henrikson; Finance Director Althea Philord; CRA Director Tony Otte; City Engineer Kyle Fegley; Chief Building Official Mike Knotek; Human Resources Director Carol Hargy; and, City Clerk Johnny Bledsoe.

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Police Department Chaplain William Chegwin was present and gave the invocation. Mayor Barringer led those present in the Pledge of Allegiance to the Flag.

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APPROVAL OF THE AGENDA – City Manager Brangaccio reported that Consent Agenda Item E, Sub-recipient Agreement/Police Athletic League, was removed from the agenda for consideration at a future meeting.

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ANNOUNCEMENTS/PRESENTATIONS/RECOGNITION – Nothing was presented.

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MAYOR AND COMMISSION REPORTS:

Vice Mayor Reiker – Reported on issues discussed during her recent attendance at the Florida League of Cities Growth Management and Transportation Committee meeting.

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Commissioner Grasty – Reported on issues discussed during his recent attendance at the Florida League of Cities Energy, Water and Environmental Quality Committee meeting, of which he served as Chairman.

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Commissioner Hathaway– Thanked the other members of the City Commission for their participation in the recent Florida League of Cities Conference. He thanked those who attended the recent "Light Up Canal Street" holiday ceremony. Commissioner Hathaway reminded the City Commission of the upcoming Volusia League of Cities Installation Dinner, to be hosted by the City of DeBary.

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Commissioner Plaskett – Commented on the "H.U.B." and requested the Commission move forward with Sally Mackay's Plan that included CRA/City grants for $50,000 to $75,000 the first year, $50,000 the second year, and $25,000 annually thereafter. City Manager Brangaccio commented on the CRA Rental Assistance Program. CRA Director Tony Otte confirmed that discussions, regarding entering into a lease agreement were ongoing.

Commissioner Plaskett questioned the anticipated length of process related to the development of a program. Commissioner Hathaway suggested a review be made of "Florida Trend" magazine, regarding a similar topic. Mayor Barringer wanted to ensure all steps in the process were properly taken, as he wished to move quicker throughout the process. Commissioner Plaskett commented on the CRA and asked the City Attorney to read her feelings regarding existing policy on the topic.

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Mayor Barringer – Thanked Vice Mayor Reiker and Commissioner Grasty for representing the City at the recent Florida League of Cities Conference, and congratulated Commissioner Hathaway on his recent selection as President of the Volusia League of Cities.

Mayor Barringer commented on the need to follow up on the need to improve the overall building appearance of the building utilized by the Volusia County Beach Maintenance Department, in the vicinity of Flagler Avenue and Jasmine Street.

Mayor Barringer commented on his attendance at a recent meeting with Volusia County Council Member Joie Alexander, Attorney Glenn Storch, and Jim Humphries, where he signed correspondence regarding the naming of the Turnbull Historic Park.

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CONSENT AGENDA:

Mayor Barringer read the following consent agenda items submitted and recommended by staff for approval:

A. Approval of Minutes – Approve the minutes of the regular meetings held August 8 and 23, 2011, special meeting held July 27, 2011 and Budget Workshop held July 27, 2011.

B. 2011/2012 Florida League of Cities Legislative Priorities – Adopt the 2011 Legislative Action Agenda from the Florida League of Cities 51st Annual Legislative Conference on November 18, 2011.

C. Annual Pistol Range Agreements – Approve entering into agreements with the Cities of South Daytona, Daytona Beach Shores and the Flagler County Sheriff's Office, for the utilization of City pistol range facilities.

D. Bid Award/Pettis Park Sidewalk Construction – Approve entering into a contract with Astor Construction Services, Inc. for the construction of sidewalks in Pettis Park. The budgeted cost of the construction is $55,750.02 as funded through FY 2010/2011Community Development Block Grant (CDBG) funds.

E. License Agreement Application No. LA-5-11/2548 Crestwood Avenue – Approve entering into a License Agreement with LaNell Haughton of 2548 Crestwood Avenue, in order to allow xeriscaping within the Crestwood Avenue right-of-way, in an area that contains approximately 1,274 square feet, is zoned Single-Family Residential (R-2), and is located on the west side of Crestwood Avenue.

F. Special Events Committee Recommendations – Approve the following special event applications as submitted by the Special Events Committee with approval of each event recommended with associated street closures:

1. Special Event/4th Annual Go Dog Go – Approve the conduct of the 4th Annual Go Dog Go 5K Run, Dog Dash and Pet Walk Fundraiser to be held Saturday, January 21, 2012 from 5 am to 12 pm. The event is sponsored by the Southeast Volusia Humane Society and will perform a rolling barricade during the event only stopping traffic for runners to pass by.

2. Special Event/Home Show and Business Expo – Approve the conduct of the Home Show and Business Expo to be held Saturday, January 21, 2012 from 10 am to 4 pm. The event is sponsored by the Southeast Volusia Chamber of Commerce and will be held in the downtown Canal Street area. The applicant further requests streets closures in support of the event that are the Closure of Canal Street from Riverside Drive to U.S. Highway 1; the first block of Live Oak Street adjacent to Christmas Park; also, the Chamber of Commerce parking lot. Requested closures would be from 4 am to 8 pm the day of the event.

Commissioner Hathaway requested Item E be removed for separate consideration.

Motion:
Commissioner Grasty moved to approve all Consent Agenda items, except for item E. Vice Mayor Reiker seconded the motion and the roll call was:

Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes

The motion carried unanimously.

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Consent Agenda Item E/License Agreement Application No. LA-5-11/2548 Crestwood Avenue – Planning Manager Gail Henrikson outlined staff's recommendation that the City Commission approve entering into a License Agreement with LaNell Haughton of 2548 Crestwood Avenue, in order to allow xeriscaping within the Crestwood Avenue right-of-way, in an area that contains approximately 1,274 square feet, is zoned Single-Family Residential (R-2), and is located on the west side of Crestwood Avenue.

Commissioner Hathaway wanted to ensure staff had done its due diligence regarding the proposed agreement, and neighboring property owners had all concerns addressed. City Manager Brangaccio and Ms. Henrikson each clarified there were no concerns from any neighbors in the area.

Motion:
Commissioner Hathaway moved to approve entering into a License Agreement with LaNell Haughton of 2548 Crestwood Avenue, in order to allow xeriscaping within the Crestwood Avenue right-of-way, in an area that contains approximately 1,274 square feet, is zoned Single-Family Residential (R-2), and is located on the west side of Crestwood Avenue. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes

The motion carried unanimously.

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ORDINANCES – SECOND READINGS AND PUBLIC HEARINGS:

Ordinance No. 27-11/Nuisances – City Attorney Gummey read Ordinance No. 27-11, the second time by title only. Chief Building Official Mike Knotek gave a presentation and outlined the proposed ordinance, which if adopted, would amend the *Code of Ordinances* by creating a new article entitled "Nuisance Properties". Mr. Knotek was present to answer any questions regarding the proposed ordinance.

Mayor Barringer opened the public hearing.

Robert Rees, 391 Granada Street, questioned the City's definition of "nuisance", in order to justify the proposed enforcement of the ordinance and felt "nuisance" should be more clearly defined.

Mr. Knotek outlined the definition of "nuisance". City Attorney Gummey commented on the due process provisions of "nuisance".

Mayor Barringer closed the public hearing.

Motion:
Commissioner Grasty moved to adopt Ordinance No. 27-11, as submitted. Commissioner Hathaway seconded the motion and the roll call was:

Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously.

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Ordinance No. 108-11/Sign Regulations – City Attorney Gummey read Ordinance No. 108-11, the second time by title only, and outlined that it was the second of two required public hearing. Planning Manager Gail Henrikson outlined the proposed ordinance, which if adopted, would amend the *Land Development Regulations* by updating the City sign regulations.

Mayor Barringer opened the public hearing. As no citizens wished to speak, Mayor Barringer closed the public hearing.

Vice Mayor Reiker commented on electronic message signs and felt restrictions should be placed on them, and suggested such restrictions imposed by the City of Port Orange also be adopted. Vice Mayor Reiker commented on the need to avoid looking like other areas in Florida.
Commissioner Hathaway opposed the adoption of Port Orange restrictions and felt Volusia County restrictions be adopted. He also suggested the Commission conduct workshops to further discuss and obtain public feedback and input on the matter, in order to properly amend the proposed ordinance, but supported moving forward with the proposed ordinance.

Motion:
Commissioner Grasty moved to adopt Ordinance No. 108-11, as amended to add restrictions currently in place by Volusia County regarding electronic signs. Vice Mayor Reiker seconded the motion and the roll call was:

Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes

The motion carried unanimously.

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Ordinance No. 112-11/Fairmont and Westwood Avenue Paving District – City Attorney Gummey read Ordinance No. 112-11, the second time by title only. City Engineer Kyle Fegley outlined the proposed ordinance, which if adopted, would establish the 2600 blocks of Fairmont and Westwood Avenue Paving District. City Attorney Gummey clarified the processes associated with the Board of Equalization regarding requests for exception to payment of an assessment and property owner notification.

Mayor Barringer opened the public hearing. As no citizens wished to speak, Mayor Barringer closed the public hearing.

Motion:
Commissioner Hathaway moved to adopt Ordinance No. 112-11, as submitted. Vice Mayor Reiker seconded the motion and the roll call was:

Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes

The motion carried unanimously.

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Special Exception Application No. SE-2-11/Columbus Avenue Parking – Planning Manager Gail Henrikson outlined staff's recommendation that the Commission consider an application from the City of New Smyrna Beach, which if approved, would allow public parking on City-owned property within a residential zoning district at 305 Columbus Avenue. Ms. Henrikson reported that at its meeting on November 7, 2011, the Planning and Zoning Board unanimously recommended approval of the application.

Commissioner Grasty commented on concrete on the site and questioned whether Volusia County would have an exception that would allow overnight parking. Assistant City Manager Khalid Resheidat confirmed that Volusia County had such regulation and commented on alternatives for future consideration regarding lighting. Commissioner Hathaway had concerns with lighting in the area.

Mayor Barringer opened the public hearing.

Nancy Hagood, 621 South Pine Street, opposed the approval of the application and commented on existing restrictions in the area regarding parking.

Debra Dugas, 200 North Pine Street, opposed the approval of the application and commented on impacts of current development in the area to parking.

Natasha Jones, 511 South Pine Street, opposed the approval of the application and commented on safety concerns due to actions of persons drinking and then driving.

Dr. Donald Needham, 314 Columbus Avenue, opposed the approval of the application and commented on safety concerns related to increased traffic in the area.

Teresa Needham, 314 Columbus Avenue, opposed the approval of the application and commented on safety concerns related to limited lighting in the area.

Blair Bergstrom, Columbus Avenue, opposed the approval of the application and felt other options should be considered that she felt were better suited properties for the use of parking. Ms. Bergstrom commented on how special a place she felt New Smyrna Beach was.

Mayor Barringer closed the public hearing.

Commissioner Hathaway felt residents made a good point and commented on past attempts to sell the property; financial issues regarding the property; and, parking concerns in the Flagler Avenue area. Commissioner Grasty commented on existing parking practices in the area and felt the proposed action would give more structure to the parking activity.

Vice Mayor Reiker commented on the need to purchase parking on the beach-side and suggested alternatives to ensure parking was temporary, and suggested ground lighting and the use of parking kiosks in order to better organize the parking in the area. Commissioner Plaskett felt the City should market the property for sale and not make any improvements.

Commissioner Hathaway commented on the recommendation to expend $50,000 from the general fund and opposed such action of taxpayers paying for parking for business owners. Discussion continued on the utilization of reserve funds for expenditures. Mayor Barringer supported parking solutions and thanked the public for its input. He opposed the expenditure and supported the marketing of the property for sale.

Motion:
Commissioner Plaskett moved to deny the request to allow public parking on City-owned property within a residential zoning district at 305 Columbus Avenue. Commissioner Hathaway seconded the motion and the roll call was:

Vice Mayor Reiker	no
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes

The motion carried by majority vote, 4 to 1, with Vice Mayor Reiker voting no.

City Manager Brangaccio led a brief discussion regarding future action regarding similar properties within the City.

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PUBLIC PARTICIPATION –

Fannie Hudson, 669 West Street, thanked the City Commission for its grant and aid awarded to Parrish Nurse Ministries. Ms. Hudson requested the Commission give books to children at the upcoming Christmas Parade. Commissioner Hathaway thanked Ms. Hudson for the wonderful things she did for the children of the community.

Robert Rees, 391 Granada Street, commented on past discussions regarding the creation of a new CRA along the U.S. Highway 1 Corridor. Mr. Rees opposed such creation of a CRA and commented on how he felt the City failed to focus on appropriate redevelopment opportunities.

Bob Tolley, 803 Fairway Drive, commented on media reports of CRA activities and questioned the effectiveness of City legal services. Mr. Tolley also questioned the accuracy of the accounting of CRA funds, and read a document requesting an investigation for the mishandling of funds within the CRA district.

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ORDINANCES – FIRST READING:

Ordinance Nos. 113-11, 114-11, 115-11/Annexation: Strahman/1569 Lewis Lane – City Attorney Gummey read Ordinance Nos. 113-11, 114-11, 115-11, the first time by title only, ordinances, which if adopted, would annex, assign City land use and zoning of approximately 5.32 acres generally located south of Lewis Lane, between Raylyn Drive and White Street at 1569 Lewis Lane, as requested by Peggy Strahman, owner.

Motion:
Commissioner Grasty moved to approve on first reading, Ordinance Nos. 113-11, 114-11, 115-11, as submitted. Vice Mayor Reiker seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes

The motion carried unanimously. Mayor Barringer advised that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on December 13, 2011. Commissioner Hathaway directed staff to ensure that the Sugarmill Home Owners Association was involved in the proposed annexation.

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Ordinance No. 116-11/ Fire Pension Plan Restatement – City Attorney Gummey read Ordinance No. 116-11, the first time by title only, an ordinance, which if adopted, would amend and restate the City Firefighters' Retirement System. City Manager Brangaccio clarified the proposed changes to the existing plan.

Commissioner Hathaway commented on the difficult decisions of pension boards. Commissioner Plaskett felt no City Commissioner should sit on any pension board. Vice Mayor Reiker supported two-year terms of appointees.

Motion:
Vice Mayor Reiker moved to approve Ordinance No. 116-11, on first reading, as amended to limit the length of member terms to two years. Commissioner Plaskett seconded the motion and the roll call was:

Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously. Mayor Barringer advised that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on December 13, 2011. Commissioner Plaskett requested the topic of elected officials serving on pension boards be discussed at the strategic workshop on December 7, 2011.

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Ordinance No. 117-11/ Utilities Commission Series 2011 Revenue Certificates – City Attorney Gummey read Ordinance No. 117-11, the first time by title only, an ordinance, which if adopted, would approve the issuance by the Utilities Commission, City of New Smyrna Beach, of Utilities System Revenue Certificates in an aggregate principal amount not exceeding $9,100,000.

Commissioner Hathaway wanted coordination between the staffs of both the City and Utilities Commission regarding the proposed ordinance. City Attorney Gummey clarified the proposed ordinance resulted from inquires made by the Utilities Commission months previously.

Motion:
Commissioner Grasty moved to approve on first reading, Ordinance No. 117-11, as submitted. Commissioner Plaskett seconded the motion and the roll call was:

Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes

The motion carried unanimously. Mayor Barringer advised that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on December 13, 2011.

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Ordinance No. 118-11/Budget Amendment – City Attorney Gummey read Ordinance No. 118-11, the first time by title only, an ordinance, which if adopted, would amend Ordinance No. 98-11, current expenses and capital outlay required by the City of New Smyrna Beach, during the fiscal year ending September 30, 2012. City Manager Brangaccio clarified that $50,000 would be removed from the proposed ordinance.

Motion:
Commissioner Hathaway moved to approve on first reading, Ordinance No. 118-11, as amended to remove $50,000. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes

The motion carried unanimously. Mayor Barringer advised that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on December 13, 2011.

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ADMINISTRATIVE ITEMS/NEW BUSINESS:

Resolution No. 46-11 – City Attorney Gummey read Resolution No. 46-11 by title only. Chief Building Official Mike Knotek outlined and gave a brief presentation on the proposed resolution, which if adopted, would amend fee policies for the Building Department, Building Department Fee Schedule and Administrative Fee Schedule.

Commissioner Hathaway questioned the proposed fees for commercial construction. Mr. Knotek clarified method used in determining the recommended fees. Commissioner Hathaway suggested alternatives to cover costs while avoiding the perception of being anti-business. Mr. Knotek felt the fee schedule should be reviewed/updated on an annual basis.

Commissioner Hathaway commented on past Commission actions that discouraged large scale construction. Commissioner Grasty clarified that area contractors were consulted during the drafting stage of the proposed resolution.
Vice Mayor Reiker was concerned that small commercial projects would be charged large project fees. Commissioner Plaskett questioned valuation methods used. Mayor Barringer supported the proposed resolution and the City performing more proactively in the future as a result.

Motion:
Commissioner Plaskett moved to adopt Resolution No. 46-11, as submitted. Commissioner Grasty seconded the motion and the roll call was:

Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes

The motion carried unanimously.

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Resolution No. 47-11 – City Attorney Gummey read Resolution No. 47-11 by title only. Planning Manager Gail Henrikson outlined the proposed resolution, which if adopted, would authorize the City Manager to execute an application to Volusia ECHO Program for grant moneys to fund the purchase of approximately 30 acres of property located on Pioneer Trail and Otter Boulevard for use as a trailhead for the multi-use trail. City Manager Brangaccio commented on past neighborhood meetings regarding a trail design committee.

Motion:
Commissioner Grasty moved to adopt Resolution No. 47-11, as submitted. Vice Mayor Reiker seconded the motion and the roll call was:

Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes

The motion carried unanimously.

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Andrews Street – Assistant City Manager Khalid Resheidat outlined staff's recommendation to consider approval of making Andrews Street one way from U.S. Highway 1 east to Orange Street, as requested by the Department of Transportation due to safety concerns associated with the S.R. 44 and U.S. Highway 1 Intersection Improvement Project.

Motion:
Commissioner Grasty moved to approve the making of Andrews Street, one way, from U. S. Highway 1, east to Orange Street. Vice Mayor Reiker seconded the motion and the roll call was:

Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes

The motion carried unanimously.

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Lease Agreement/Halifax Urban Ministries – City Manager Brangaccio outlined staff's recommendation that the Commission consider approval of entering into a four-month lease with Halifax Urban Ministries for lease of City property on Julia Street. Ms. Brangaccio outlined that If approved, the facility would be utilized for food pantry with distribution to individual clients, administrative office with meetings for individual clients, and receipt and storage of items for distribution to clients.

Commissioner Hathaway commented on concerns received from area residents and business owners, regarding public safety and welfare. Commissioner Plaskett commented on the current low transient population in the organizations' current location on West Canal Street. She also commented on the need for signage in support of the operation. City Manager Brangaccio clarified allowed advertising actions and current concerns with allowing signage as requested.

Mayor Barringer commented on the valuable service provided by Halifax Urban Ministries. He commented on local business owner concerns with bringing the activity to the downtown, and felt that rather than four months, a sixty-day lease be entered into.

City Manager Brangaccio commented on the requested hours of operation of the activity. Commissioner Grasty suggested a sixty-day lease be granted with an additional sixty days being authorized at the discretion of the City Manager. Vice Mayor Reiker felt the matter should be discussed further at the strategic workshop on December 7, 2012, and after four months, the property should be demolished.

Motion:
Commissioner Grasty moved to approve entering into a sixty-day lease with Halifax Urban Ministries for lease of City property on Julia Street, with authority granted the City Manager to grant an additional sixty days at her discretion; also to approve operating hours of 8:00 a.m. to 5:00 p.m. Vice Mayor Reiker seconded the motion and the roll call was:

Commissioner Hathaway	yes
Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes

The motion carried unanimously.

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BOARDS AND COMMISSIONS:

Fire Pension Board – Mayor Barringer outlined staff's recommendation that the City Commission accept the election results for a regular member to represent fire department employees, for appointment to a two-year term to expire November 1, 2013.

Motion:
Commissioner Hathaway moved to accept and approve the election results naming Tom Lee as a regular member to represent fire department employees, for appointment to a two-year term to expire November 1, 2013. Commissioner Grasty seconded the motion and the roll call was:

Commissioner Plaskett	yes
Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes

The motion carried unanimously.

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CITY MANAGER'S REPORT – The City Commission acknowledged receipt of the City Manager's Report.

City Manager Brangaccio outlined staff's request for Commission consensus to remove two small gazebos from the north and south ends of the Flagler Avenue Boardwalk. Mayor Barringer confirmed Commission consensus as requested.

Assistant City Manager Resheidat reported that the newly hired Sports Complex Manager had started.

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CITY CLERK'S REPORT – No Report.

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CITY ATTORNEY'S REPORT – City Attorney Gummey commented on existing CRA Grant Programs and suggested amendments to limit the award of grants to those who were not officers of the City and/or CRA. Commissioner Plaskett felt language limiting budgetary control be incorporated into the programs as well. Commissioner Hathaway questioned the difference between a grant and being awarded a contract for services within the CRA. City Attorney Gummey clarified the definition of a grant.

Mayor Barringer felt Jim Kosmas did nothing wrong regarding a past grant award for his business within the CRA boundaries. Commissioner Hathaway felt an error was made. City Attorney Gummey felt the motion he suggested would leave no doubt in the future as to whether City officials would qualify for grants through the CRA.

Mayor Barringer felt the City had done Chad Schilsky a disservice. Commissioner Grasty felt citizens in the CRA district would not want to serve as members of the CRA.

Motion:
Commissioner Grasty moved to add language to CRA Grant Criteria, limiting those receiving grants from the CRA to those who are not officers or employees of the City of New Smyrna Beach, and/or the New Smyrna Beach Community Redevelopment Agency. Vice Mayor Reiker seconded the motion and the roll call was:

Vice Mayor Reiker	yes
Commissioner Grasty	yes
Mayor Barringer	yes
Commissioner Hathaway	yes
Commissioner Plaskett	yes

The motion carried unanimously.

Commissioner Hathaway wanted to ensure the City remained in compliance with *Florida Statutes*. Vice Mayor Reiker felt if the situation occurred again, a joint meeting with the CRA should be scheduled.

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With no further business to address, Mayor Barringer declared the meeting adjourned at 9:20 p.m.

MINUTES OF THE CITY COMMISSION REGULAR MEETING, HELD NOVEMBER 29, 2011, WERE APPROVED AT THE REGULAR CITY COMMISSION MEETING HELD ON MAY 8, 2012.

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ATTEST: **ADAM BARRINGER, MAYOR**

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JOHNNY R. BLEDSOE, CITY CLERK