



**Tuesday, February 13, 2018  
City Commission Regular Meeting  
Minutes**

**6:30 PM – City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida 32168**

**1. OPENING OF MEETING**

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**A. Call to Order**

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, February 13, 2018 at the City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Mayor James W. Hathaway called the meeting to order at 6:30 PM.

Attendee Name	Title	Status	Arrived
Jason McGuirk	Commissioner	Present	
Jim Hathaway	Mayor	Present	
Judy Reiker	Commissioner	Present	
Jake Sachs	Commissioner	Present	
Randy Hartman	Commissioner	Present	

Also present were City Manager Pamela Brangaccio, City Attorney Carrie Avallone, Assistant City Manager Khalid Resheidat, Police Chief Mike Coffin, Fire Chief Shawn Vandemark, CRA/Economic Development Director Tony Otte, Planning and Zoning Director Amye King, City Engineer Kyle Fegley, Maintenance Operations Director Faith Miller, Leisure Services Director Nancy Maddox, Assistant Finance Director Lewie Wise, Public Information Officer Anna Hackett, City Clerk Johnny Bledsoe and Assistant City Clerk Kelly McQuillen.

**B. Invocation/Pledge of Allegiance**

Police Department Chaplain Pete Carter gave the invocation. Mayor Hathaway led those present in the Pledge of Allegiance.

**C. Approval of the Agenda**

City Manager Pamela Brangaccio reported no changes to the published agenda.

**2. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS**

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**A. Proclamation: 250th Anniversary of the New Smyrna Settlement**

Mayor Hathaway read and presented a proclamation to Greg Holbrook from the New Smyrna Beach Museum of History recognizing the 250th Anniversary of the New Smyrna Settlement.

**B. Presentation to Commissioner Sachs of the Certificate of Completion of the Institute of Elected Municipal Officials IV Municipal Leadership Course.**

Mayor Hathaway presented Commissioner Sachs the Certificate of Completion of the Institute of Elected Municipal Officials IV Municipal Leadership Course. Commissioner Sachs attended the Institute on December 8 and 9, 2017, in Kissimmee, Florida.

**3. MAYOR AND COMMISSION REPORTS**

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Commissioner Hartman commented on meeting the Youth Council last week and wished them luck. He commented on attending the Black Heritage Festival. He thanked City Staff for coordinating the Employee Awards Dinner.

Vice Mayor McGuirk commented on the Employee Awards Dinner and stated it was a great event. He wished Mayor Hathaway a Happy Birthday.

Commissioner Sachs commented on the Town Hall Meeting held January 30, 2018. He thanked City Staff for their attendance and assistance. He commented on concerns, such as, speeding, traffic and the environment. He commented on the capacity and sustainability of new development in the City. He hoped that there would be a future discussion regarding setbacks in homes in new developments. He commented on flooding concerns. He commented on water quality and quantity and asked all to conserve water.

Commissioner Reiker commented on enjoying the Images Art Festival. She commented on judging the Soup Festival. She commented on the Volusia League of Cities Dinner and stated that there will be an interesting speaker. She wished all a Happy Valentine's Day.

Mayor Hathaway reminded the citizens about the upcoming Coastal Community Resiliency Program on February 20, 2018. He commented on the Black Heritage Festival and was happy to read and present a proclamation at the event. He commented on attending the Round Table of Volusia County on February 12, 2018. He commented on visiting Tallahassee during the Florida League of Cities Legislative Action Days and shared information about the different bills, in particular, the short-term rental bill.

**4. ORDINANCES - SECOND READING AND PUBLIC HEARINGS**

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**A. Ordinance No. 95-17: Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve the 1st Amendment to the to the Reserve at Lake Waterford Master Development Agreement with the City of New Smyrna Beach. Application No. PUD-3-17.**

City Attorney Avallone read Ordinance No. 95-17, the second time by title only.

Planning and Zoning Director Amye King was administered the oath, by the City Attorney. She outlined her professional and educational qualifications. As no citizens questioned her credentials, Ms. King outlined the proposed ordinance, which if adopted, would approve the 1st Amendment to the Reserve at Lake Waterford Master Development Agreement with the City of New Smyrna Beach. Application No. PUD-3-17.

Mayor Hathaway opened the public hearing.

Mark Rakowski, 822 East 8th Avenue, commented on the property and exiting PUD. He commented on reducing the number of units and saving the trees in an attempt to create a rural subdivision. He commented on abiding by the tree replacement standards. He stated that commercial and multi-family dwellings would be eliminated. He commented on the change from the first reading to the second reading. He stated they changed the square feet provision from 1,200 square feet to 1,500.

Vice Mayor McGuirk commented on the minimum lot size. He stated the lot sized were small. He commented on the concern of approving a PUD that would allow for a 50' lot size. He recommended that at least 75% of the homes have a minimum of a 75' lot size.

Mr. Rakowski agreed to put the language in stating that the PUD would allow for 75% of the homes have a minimum of a 75' lot size.

Commissioner Sachs mirrored Vice Mayor McGuirk's request.

Fire Chief Vandemark commented on making great headway with the State of Florida to allow for the City of New Smyrna Beach become to Permit Issuing Authority for the burn restrictions. He commented on the possibility of a longer length of burning, with the outcome of cleaner smoke.

Commissioner Sachs thanked Chief Vandemark and the Fire Staff for taking the permitting on.

Mr. Rakowski commented on how to address the tree issue.

Mayor Hathaway commented on discussing the issue in the future.

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

**Motion:**

Vice Mayor McGuirk moved to adopt Ordinance No. 95-17, as amended by adding an air curtain and with the stipulation that at least 75% of the lots are a minimum of 70' wide. Commissioner Reiker seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner
<b>SECONDER:</b>	Judy Reiker, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

B. Ordinance No. 05-18: Conduct the second reading and public hearing of an ordinance, which if adopted, would annex approximately 0.72 acres of property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace Road.

City Attorney Avallone read Ordinance No. 05-18, the second time by title only.

Planning and Zoning Director Amye King outlined the proposed ordinance, which if adopted, would annex approximately 0.72 acres of property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace Road.

Mark Rakowski, 822 East 8th Avenue, commented on behalf on the applicant.

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

**Motion:**

Commissioner Reiker moved to adopt Ordinance No. 05-18, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Judy Reiker, Commissioner
<b>SECONDER:</b>	Randy Hartman, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

- C. Ordinance No. 06-18: Conduct the second reading and public hearing on an ordinance, which if adopted, would amend the Future Land Use from Volusia County Urban Medium Intensity to City Commercial on annexed property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace Road.

City Attorney Avallone read Ordinance No. 06-18, the second time by title only.

Planning and Zoning Director Amye King outlined the proposed ordinance, which if adopted, would amend the Future Land Use from Volusia County Urban Medium Intensity to City Commercial on annexed property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace Road.

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

**Motion:**

Vice Mayor McGuirk moved to adopt Ordinance No. 06-18, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner
<b>SECONDER:</b>	Randy Hartman, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

- D. Ordinance No. 07-18: Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone approximately 0.72 acres of annexed property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace, from Volusia County R-4, Urban Single Family Residential to City B-2, Neighborhood Business.

City Attorney Avallone read Ordinance No. 07-18, the second time by title only.

Planning and Zoning Director Amye King was administered the oath, by the City Attorney. She outlined her professional and educational qualifications. As no citizens questioned her credentials, Ms. King outlined the proposed ordinance, which if adopted, would rezone approximately 0.72 acres of annexed property located on the corner of Jungle Road, Pioneer Trail and Wallace Road, on the west side of Wallace, from Volusia County R-4, Urban Single Family Residential to City B-2, Neighborhood Business.

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

**Motion:**

Commissioner Reiker moved to adopt Ordinance No. 07-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Judy Reiker, Commissioner
<b>SECONDER:</b>	Jason McGuirk, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

E. Ordinance No. 09-18: Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve the Master Development Agreement for Rolling Hills, a Planned Unit Development for 196 Single Family Lots. Application No. PUD-7-13.

City Attorney Avallone read Ordinance No. 09-18, the second time by title only.

Planning and Zoning Director Amye King was administered the oath, by the City Attorney. She outlined her professional and educational qualifications. As no citizens questioned her credentials, Ms. King outlined the proposed ordinance, which if adopted, would approve the Master Development Agreement for Rolling Hills, a Planned Unit Development for 196 Single Family Lots. Application No. PUD-7-13.

Attorney Glen Storch outlined the Ordinance on a PowerPoint Presentation.

Mayor Hathaway opened the public hearing.

Jim Harper, Sugar Mill HOA President, commented in support of the ordinance. He felt it was a great opportunity for development.

John Curtis, Sugar Mill Country Club President, commented in support of the ordinance.

Derek Morrison, Sugar Mill Country Club Director of Golf, commented in support of the ordinance.

Alan Atwood, 1101 Sugar Mill Drive, commented in opposition of the ordinance. He applauded everyone who worked on the project. He commented on his concerns about the additional lane at the entrance access. He stated his concern was the impact due to the narrow road. He wondered if he would lose frontage and mentioned the traffic study. He was concerned about an influx of traffic.

Jim Hardy, 1031 Sugar Mill Drive, commented in opposition of the ordinance. He commented the percentage of open space and calculation. He commented on traffic influx and wildlife removal.

Charles Jordan, 2361 Mooneyham Drive, commented on the lot size of homes. He commented on opening the exit on Sugar Mill Drive stating it would become a thoroughfare and present influx of traffic. He commented on the water issue.

Gary Wilkins, 529 Prato Street, commented on the gutters stating it was channeling the same amount of water to the same area. He stated the solution would be to create underground gutters to varying water in the development and increasing the lot size. He asked if the developer was using an additional area off Sugar Mill as part of the 60% acreage.

Mr. Storch confirmed they would meet the 60% requirement.

Karl Gratz, 2365 Mooneyham Drive, commented in opposition of the ordinance. He commented on his concern of the entrance access and his street being a secondary access road. He commented that the citizens who spoke in support of the ordinance stood to profit from it. He commented on drainage issues and an influx of traffic.

Becky DeBell, 807 Snapdragon Drive, Sugar Mill Gardens, commented in opposition of the ordinance. Her concerns were the additional entrance

Kevin O'Connor, 743 Aldenwood Trail, commented in opposition of the ordinance. He commented about the lack of investment in the community due to the impact of the community with overgrowth.

Fiona O'Connor, 743 Aldenwood, commented in opposition of the ordinance. She commented on the impact on wildlife.

Sandra Chancey, 2360 Mooneyham Drive, commented in opposition of the ordinance and described how the changes would negatively affect her property.

Mr. Storch addressed citizen concerns. He commented on Mooneyham Drive access. He stated there would be no stormwater impact.

Commissioner Reiker suggested that Mr. Storch work with Ms. Chancey to address water drainage concerns.

**Motion:**

Commissioner Reiker moved to adopt Ordinance No. 09-18, as submitted. Commissioner Hartman seconded the motion, and the motion carried 3-2 majority vote, with Commissioner Sachs and Vice Mayor McGuirk voting no.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Judy Reiker, Commissioner
<b>SECONDER:</b>	Randy Hartman, Commissioner
<b>AYES:</b>	Hathaway, Reiker, Hartman
<b>NAYS:</b>	McGuirk, Sachs

F. Ordinance No. 10-18: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the October 1, 2017-September 30, 2018 adopted City Budget for the Special Law Enforcement Trust Fund.

City Attorney Avallone read Ordinance No. 10-18, the second time by title only.

Assistant Finance Director Lewie Wise outlined the proposed ordinance, which if adopted, would amend the October 1, 2017-September 30, 2018 adopted City Budget for the Special Law Enforcement Trust Fund.

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

**Motion:**

Vice Mayor McGuirk moved to adopt Ordinance No. 10-18, as submitted. Commissioner Sachs seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner
<b>SECONDER:</b>	Jake Sachs, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

- G. Conduct a Public Hearing of Resolution No. 02-18, which, if adopted, would elect to use the uniform method of collecting sanitary sewer improvements non-ad valorem special assessment levied on properties located on the south side of S.R. 44 between Hidden Pines Boulevard and La Serena Drive and on the north side of S.R. 44 between Oak Lane and North Timberlane Drive.

City Attorney Avallone read Resolution 02-18, by title only.

City Engineer Kyle Fegley outlined the proposed resolution, which if adopted, would elect to use the uniform method of collecting sanitary sewer improvements non-ad valorem special assessment levied on properties located on the south side of S.R. 44 between Hidden Pines Boulevard and La Serena Drive and on the north side of S.R. 44 between Oak Lane and North Timberlane Drive.

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

**Motion:**

Commissioner Hartman moved to adopt Resolution No. 02-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Randy Hartman, Commissioner
<b>SECONDER:</b>	Jason McGuirk, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman

**5. PUBLIC PARTICIPATION**

Randy Herman, 108 Ester Street, commented on the Spy Glass Lane fishing pier.

Peggy Belflower, 505 South Cooper Street, commented on working with Code Enforcement regarding a property lien. She expressed her displeasure with working with the Code Enforcement Staff.

**6. ORDINANCES - FIRST READING**

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- A. Ordinance No. 11-18: Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would amend the Venetian Bay Village Master Development Agreement to provide for Mixed Use development in the Convenience Commercial Zone. Application No. PUD-9-17.

City Attorney Avallone read Ordinance No. 11-18 the first time, by title only.

**Motion:**

Commissioner Hartman moved to approve on the first reading Ordinance No. 11-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- B. Ordinance No. 12-18. Conduct the second reading and public hearing of an ordinance, which if adopted, would annex approximately 1.77 acres located at 2397 Pioneer Trail and 1144 Corbin Park Road.

City Attorney Avallone read Ordinance No. 12-18 the first time, by title only.

**Motion:**

Commissioner Reiker moved to approve on the first reading Ordinance No. 12-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Judy Reiker, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- C. Ordinance No. 13-18: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Future Land Use of approximately 1.26 acres of annexed property located at 2397 Pioneer Trail from Volusia County Future land Use of Rural to City Future land Use of Rural, and approximately .52 acres of annexed property located at 1144 Corbin Park Road from Volusia County Future land Use of Urban Single Family Residential to City Future Land Use of Low Density Residential.

City Attorney Avallone read Ordinance No. 13-18 the first time, by title only.



**Motion:**

Vice Mayor McGuirk moved to approve on the first reading Ordinance No. 13-18, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner	
<b>SECONDER:</b>	Judy Reiker, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- D. Ordinance No. 14-18. Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone approximately 1.26 acres of annexed property located at 2397 Pioneer Trail from Volusia County Rural Residential and Rural Agriculture to City zoning of Residential Estate and .51 acres of annexed property located at 1144 Corbin Park Road from Volusia County zoning of R-4, Urban Single Family Residential to City zoning of R-2, Single Family Residential.

City Attorney Avallone read Ordinance No. 14-18 the first time, by title only.

**Motion:**

Commissioner Hartman moved to approve on the first reading Ordinance No. 14-18, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Judy Reiker, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- E. Ordinance No. 15-18: Conduct the second reading and public hearing of an ordinance, which if adopted, would annex approximately 10 acres located at 1711 Martins Dairy Road.

City Attorney Avallone read Ordinance No. 15-18 the first time, by title only.

**Motion:**

Commissioner Hartman moved to approve on the first reading Ordinance No. 15-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

F. Ordinance No. 16-18: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Future Land Use of approximately 10 acres of annexed property located at 1711 Martins Dairy Road from Volusia County Future land Use of Rural to City Future land Use of Rural.

City Attorney Avallone read Ordinance No. 16-18 the first time, by title only.

**Motion:**  
 Vice Mayor McGuirk moved to approve on the first reading Ordinance No. 16-18, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner	
<b>SECONDER:</b>	Randy Hartman, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

G. Ordinance No. 17-18. Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone approximately 10 acres of annexed property located at 1711 Martins Dairy Road from Volusia County A-2, Rural Agriculture to City zoning of A-2, Agriculture.

City Attorney Avallone read Ordinance No. 17-18 the first time, by title only.

**Motion:**  
 Commissioner Hartman moved to approve on the first reading Ordinance No. 17-18, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on February 27, 2018.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 2/27/2018 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

**7. CONSENT AGENDA**

A. Approve the minutes of the Regular City Commission Meeting held January 23, 2018

**Motion:**  
 Commissioner Reiker moved to approve the minutes of the Regular City Commission Meeting held January 23, 2018, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- B. Approve the purchase of major pieces of equipment for Municipal Golf Course maintenance operations at a cost of \$130,028.15.

**Motion:**

Commissioner Reiker moved to approve the purchase of major pieces of equipment for Municipal Golf Course maintenance operations at a cost of \$130,028.15, as submitted. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously.

- C. Approve the Renewal of the Chemical Maintenance Bid to Tru Green for the Chemical Maintenance of the Sports Complex, for the first of two (1) year option years effective March 16th, 2018.

**Motion:**

Commissioner Reiker moved to approve the renewal of the Chemical Maintenance Bid to Tru Green for the Chemical Maintenance of the Sports Complex, for the first of two (1) year option years effective March 16th, 2018, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- D. Request for approval to renew Yellowstone Landscapes contract for ground maintenance services for City properties and rights-of-way for a one (1) year period.

**Motion:**

Commissioner Reiker moved to approve the renewal of the contract with Yellowstone Landscapes for ground maintenance services of City properties and rights-of-way for a one (1) year period, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- E. Approve the Second Amendment to the Lease Agreement between the City of New Smyrna Beach and the Black Heritage Festival of New Smyrna, Inc.

**Motion:**

Commissioner Reiker moved to approve the Second Amendment to the Lease Agreement between the City of New Smyrna Beach and the Black Heritage Festival of New Smyrna, Inc., as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- F. Approve the Special Event: New Smyrna Beach Harley-Davidson Bike Week 2018, March 8 - 18, 2018, and subsequent approval of a beer garden in their parking lot.

**Motion:**

Commissioner Reiker moved to approve the Special Event: New Smyrna Beach Harley-Davidson Bike Week 2018, March 8 -18, 2018, and subsequent approval of a beer garden in their parking lot, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- G. Approve the Special Event: VFW Post 4250 camping operations at 2350 Sunset Drive during Bike Week 2018 - March 9 - 18, 2018.

**Motion:**

Commissioner Reiker moved to approve the Special Event: VFW Post 4250 camping operations at 2350 Sunset Drive during Bike Week 2018 -March 9 -18, 2018, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- H. Approve the Special Event: Southeast Volusia Chamber Challenge 5K, April 5, 2018, and associated road closure request of Canal Street from Riverside Drive to Magnolia Street, and Sams Avenue from Julia Street to Canal Street.

**Motion:**

Commissioner Hartman moved to approve the Special Event: Southeast Volusia Chamber Challenge SK, April 5, 2018, and associated road closure request of Canal Street from Riverside Drive to Magnolia Street, and Sams Avenue from Julia Street to Canal Street, as submitted. Commissioner Sachs seconded the motion, and the motion carried unanimously.

- I. Approve the Special Event: River Hootenanny on April 7, 2018, and associated road closure of Lytle Avenue from Riverside Drive to Magnolia Avenue from 8 a.m. - 11 p.m. with a beer garden.

**Motion:**

Commissioner Reiker moved to approve the Special Event: River Hootenanny on April 7, 2018, and associated road closure of Lytle Avenue from Riverside Drive to Magnolia Avenue from 8 a.m. - 11 p.m. with a beer garden, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

**8. ADMINISTRATIVE ITEMS/NEW BUSINESS**

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- A. Request for City Commission discussion and policy direction regarding a fishing pier located at Dune Circle-Spyglass Lane on the river.

Maintenance Operations Director Faith Miller explained the history.

Mayor Hathaway commented on speaking with Engineer Frank Marshall.

Commissioner Sachs spoke in support of rebuilding the pier.

Vice Mayor McGuirk commented about many needs over the City that have been denied. He felt as though the citizens should pay for it, not the City. He would rather see us taking care of equipment we already maintain rather than adding an expense.

Commissioner Reiker commented about funding and resident issues with public parking.

**Motion:**

Vice Mayor McGuirk moved to table the item to the Commission Meeting scheduled on March 13, 2018 to allow for a neighborhood survey and ownership information to be researched. Commissioner Reiker seconded the motion, and the motion approved unanimously.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 3/13/2018 6:30 PM</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner	
<b>SECONDER:</b>	Judy Reiker, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- B. Consider a request for a Street Paving Waiver for properties located at 975/995 Stacy Lane; the City staff is recommending denial.

City Engineer Kyle Fegley outlined the waiver request.

Robert Ridley, property owner, commented about the lots on Stacy Street. He stated that the Planning Department wanted the owner to absorb the cost of paving the lane.

**Motion:**

Commissioner Hartman moved to table the item to the March 13, 2018 City Commission Meeting. Vice Mayor McGuirk seconded the motion, and the motion carried unanimously.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>	<b>Next: 3/13/2018 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

**9. BOARDS AND COMMISSIONS**

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There was none.

**10. CITY MANAGER'S REPORT**

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A. City Manager's Report

The City Commission acknowledged receipt of the City Manager's Report.

**11. CITY CLERK'S REPORT**

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There was none.

**12. CITY ATTORNEY'S REPORT**

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There was none.

**13. ADJOURNMENT**

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As there was no other business to discuss, Mayor Hathaway declared the meeting adjourned at 9:26 PM.