



Tuesday, February 28, 2017
City Commission Regular Meeting Minutes

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

1. OPENING OF MEETING

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 28, 2017 at the City Hall Commission Chambers, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

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

B. Roll Call

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 Frank B. Gummey, III, Assistant City Manager Khalid Resheidat, Police Chief Mike Coffin, Fire Chief Greg Anglin, CRA/Economic Development Director Tony Otte, Planning and Zoning Director Amye King, Leisure Services Director Nancy Maddox, Finance Director Althea Philord, Community Resource Coordinator Donna Banks, City Clerk Johnny Bledsoe and Assistant City Clerk Kelly McQuillen.

C. Invocation/Pledge of Allegiance

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

D. Approval of the Agenda

City Manager Pamela Brangaccio reported the following changes to the agenda:

Two consent agenda items were removed. They were the Lease Agreement between EPIC Aviation, Inc. and the City of New Smyrna Beach, and the Airport Access Permit Fee for Commercial Through-The-Fence Aviation Users.

The Administrative Item concerning the Dog Park at Myrtle Avenue Park was also removed from the agenda.

2. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

A. Proclamation: Naming February 28, 2017, "Marc Monteson Day" in New Smyrna Beach.

Mayor Hathaway read the proclamation into the record and advised that February 28, 2017 would be named "Marc Monteson Day" in New Smyrna Beach.

Mayor Hathaway stated that Mr. Monteson has had a reputation as being a long-standing stakeholder with all things New Smyrna Beach for nearly thirty years. He founded the Farmers Market, Jazz Festival and served as Entertainment Chairman of the Images Art Festival.

Mr. Monteson thanked the City Commission and residents. He was escorted out by a group of his friends that celebrated his accomplishments.

B. Proclamation: Oceanside Women's Club 50th Anniversary

Mayor Hathaway read the proclamation into the record and advised that it was the Oceanside Women's Club 50th Anniversary.

Mayor Hathaway congratulated the members that were present from the Oceanside Women's Club. He commented on the organization's charitable and educational purposes. He also recognized his mother and mentioned that she was a founding member, but unable to attend tonight's meeting. He urged all residents to recognize the outstanding accomplishments from this organization.

C. Proclamation: New Smyrna Beach Lions Club 70th Anniversary.

Mayor Hathaway, accompanied by Vice Mayor Sachs, read the proclamation into the record and advised that it was the 70th Anniversary of the New Smyrna Beach Lions Club. He stated that the anniversary should be celebrated throughout the year of 2017.

Mayor Hathaway commented on the New Smyrna Beach Lions Club as being one of the oldest service clubs in the City. He commented on how many projects they have taken on and how charitable the organization is. He proclaimed that the Lions Club Anniversary shall be celebrated throughout the year of 2017.

Mr. Don Crook, Member, stated that the Lion's Club members are celebrating the 100th year of the Lion's Club throughout the world.

D. Proclamation: Florida Archaeology Month - March 2017

Mayor Hathaway read the proclamation into the record and advised that march 2017 is Florida Archeology Month.

3. MAYOR AND COMMISSION REPORTS

Commissioner Reiker did not have a report.

Vice Mayor Sachs reported that he had the honor of celebrating the New Mount Zion Christian Methodist Episcopal Church. He commented about the travel commute through busy sections of town, such as Flagler Avenue. He commented about the noise ordinance and stated that it would be helpful if City Staff could explain the ordinance to a particular Flagler Avenue Business that seemed to play music loudly after 10:00 pm. He commented on attending the Water Compact Workshop in Port Orange with Commissioner Reiker and Commissioner Hartman. He mentioned that stormwater runoff is one of the City's biggest water issues. He commented on working on the issues in Mosquito Lagoon. He commented on attending the Reasonable Assurance Plan, which is a plan designed to work on the water quality between the cities of Edgewater, Oak Hill and New Smyrna Beach. He said there were complaints of a family living on Chicken Island and asked if City Staff could find out if someone is living out there and inquire about residency and regulations.

Commissioner McGuirk commented on the Babe Ruth Little League Team. He mentioned that he was reminded how great the sports complex is and stated it touched his heart to see families during annual attendance. He shared Vice Mayor Sachs concerns about Flagler Avenue sound at night due to businesses putting amplifiers outside and it disturbs the peace.

Commissioner Hartman reported that he enjoyed the Images Art Festival.

Mayor Hathaway concurred with Vice Mayor Sachs and Commissioner McGuirk about the noise ordinance. He attended New Smyrna Beach Middle School to teach the Civics Classes. He taught the children about City Government. He stated he met with Representative Santiago and his Aide this week. They discussed water issues and he looked forward to meeting with them again in March. He spoke about water and transportation issues. He impressed upon the Senator's Representative that we may have an opportunity for grants. He also awarded Commissioner Hartman an Institute for Elected Municipal Officials (IEMO) Course Certificate and encouraged him to continue his education through the Florida League of Cities courses.

4. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- A. Ordinance No. 78-16: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Police Officers' Pension Plan for Internal Revenue Code changes and requirements amending Section 1.02, 3.02, 4.02, 4.03 and 4.06. A requirement of Section 185.35, Florida Statutes, provides for the establishment of a share plan to be funded in the future upon negotiation by the city and the union.

City Attorney Gummey read Ordinance No. 78-16, the second time by title only.

City Manager Brangaccio outlined the proposed ordinance, which if adopted, would amend the Police Officers' Pension Plan for Internal Revenue Code changes and requirements amending Section 1.02, 3.02, 4.02, 4.03 and 4.06.

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

Motion:

Commissioner Hartman moved to adopt Ordinance No. 78-16, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

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

- B. Ordinance No. 14-17: Zoning Text Amendment Application No. ZT-1-17, conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve the Coastal Construction Setback Line (CCSL) Relocation on property located at 941 North Atlantic Avenue

City Attorney Gummey read Ordinance No. 14-17, the second time by title only. He explained to staff that this is a quasi-judicial public hearing.

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 Coastal Construction Setback Line (CCSL) Relocation on property located at 941 North Atlantic Avenue.

City Attorney Gummey questioned if the structure was east of the CCSL. Ms. King stated that it was.

Mayor Hathaway opened the public hearing.

Joshua Wells, Wright & Casey, P.A. Surfcoast Law, represented the applicants Debra and Ron Knapp. He shared a PowerPoint presentation to outline the property conditions. He explained the CCSL and outlined future architectural changes at the property.

Thomas Wheeler, Architect, commented on the CCSL and about the property. He defended the applicants and stated that there were inaccuracies in the Planning and Zoning Staff Report regarding the CCSL and this property.

Mayor Hathaway declared he did visit the site and he has spoken to the applicants.

Commissioner McGuirk also met with the applicant and architect and spoke with the attorney on the phone. He visited the site.

Commissioner Hartman declared that he met with the applicant and architect to walk the site. He asked Ms. King if the CCSL is moved, can another structure be built there by a different party. City Attorney Gumme confirmed yes.

Debra Knapp, property owner at 941 North Atlantic Avenue, spoke about only asking for a five foot extension to enlarge the front of her home. She said she is fully aware of the risks and confirmed that this is not a rental home. She said she has no intentions of moving her home into the ocean.

Ron Knapp, property owner at 941 North Atlantic Avenue, spoke about his property. He said he is an Engineer and provided his credentials. He said this is a culmination of his career. He wants to turn his property into a beautiful place and he is proud of his property. He wants New Smyrna Beach to be proud of it too.

John Shulmer, 4160 Saxon Drive, spoke in support of the CCSL being moved. He said its not encroaching any more on the dunes or the nature and encouraged City Commission to approve moving the CCSL.

Mayor Hathaway interjected that he directed staff at the last meeting to initiate a study and said it may be premature to do anything until study is done.

Debra Fowler, 214 Robinson Road, stated that the precedence has already been set. She questioned the reason for making the new home owners have to wait.

Jack McGrath, 302 Beachway Avenue, spoke against the CCSL. He said it would be great to see a new home on that piece of property; however, the property is causing all residents to examine their property relationship to the CCSL.

Steve Provost, 305 Beacon Street, said he has always opposed the City moving the CCSL. He said he understood that the property owner purchased the home without being aware of the CCSL requirements. He said its his opinion that the CCSL should not be relocated eastward.

Randy Herman, 108 Esther Street, shared a newspaper article about the damage to Ester Street Park due to storms. He said an issue is the ocean moving west, humans want to move east. He is opposed to moving the CCSL.

Lisa Martin, 838 Pine Shores Circle, stated that citizens pay tax payer money to pay City Staff to make good judgments and their recommendations should be respected and adhered to.

Peggy Bellflower, 505 Cooper Street, asked the Commission to deny moving the CCSL. She said when she purchased her home in New Smyrna Beach, she was noticed. She said that there is no excuse not to know those things when purchasing a new home.

Martin Danaher, 115 Lagoon Court, thanked Commissioner Hartman for entertaining a meeting with residents who feel strongly about not moving the CCSL. He said the CCSL is logical, legal and realistic based upon scientific research and data. He urged the City Commission not to approve moving the CCSL eastward.

Mayor Hathaway closed the public hearing.

Motion:

Commissioner Reiker moved to adopt Ordinance No. 14-17 for discussion. Commissioner McGuirk seconded the motion.

Commissioner Reiker stated that she did meet with the applicants and architects. She wanted to solicit opinions on the second reading. She stated that Attorney Wells makes a good point and understood Mayor Hathaway's point of view as well. She would like to further the study of the CCSL. Commissioner McGuirk echoed what Commissioner Reiker said. He said they do need to study the CCSL. He said this specific neighborhood between Sapphire Road and Crawford Road has always been a problem. He said he is inquired not to approve moving the CCSL, but would like to study the CCSL. He would like environmental experts to come out and evaluate the property. He looks forward to an open, honest and thorough investigation of the CCSL with the right kind of experts.

The motion failed by a 0 - 5 vote and Ordinance No. 14-17 was denied.

RESULT:	DENIED [0 TO 5]
NAYS:	McGuirk, Hathaway, Reiker, Sachs, Hartman

C. Ordinance No. 15-17: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the adopted City Budget for the Fiscal Year ending September 30, 2017.

City Attorney Gummey read Ordinance No. 15-17, the second time by title only.

Finance Director Althea Philord outlined the proposed ordinance, which if adopted, would amend the adopted City Budget for the Fiscal Year ending September 30, 2017.

Ms. Philord commented on the FEMA reimbursements that will be applied to purchases for damages caused by Hurricane Matthew.

Commissioner Hartman asked if we have been refunded FEMA funds. Ms. Philord stated no and City Manager Brangaccio confirmed that no other local governments have been reimbursed as of yet.

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. 15-17, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

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

D. Ordinance No. 16-17: PUD- 7-16 - Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve the First Amendment to the Ocean Gate Commerce Center Planned Unit Development (PUD).

City Attorney Gummey read Ordinance No. 16-17, the second time by title only. He reported that it was a public hearing of a quasi-judicial nature.

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 First Amendment to the Ocean Gate Commerce Center Planned Unit Development (PUD).

The applicant was a consultant and engineer and he was open to questions.

Vice Mayor Sachs asked if there were any wetlands adjacent to the Racetrack Property. The applicant stated there were some.

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

Commissioner Reiker disclosed that the firm that she used to work for conducted business with Racetrack.

Motion:

Commissioner Hartman moved to adopt Ordinance No. 16-17, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously. Commissioner

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

E. Ordinance No. 17-17 PUD-5-16 - Wildwood PUD – Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve the Wildwood Planned Unit Development (PUD) for property at SR 44 and Wildwood Drive.

City Attorney Gummey read Ordinance No. 16-17, the second time by title only. He reported that it was a public hearing of a quasi-judicial nature.

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 Wildwood Planned Unit Development (PUD) for property at SR 44 and Wildwood Drive.

Attorney Glen Storch, represented the applicant. He spoke about being able to work out a deal where applicants can vegetate and landscape the area. He said this was a dilapidated home and Pools by Bradley will landscape area.

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. 16-17, as submitted. Commissioner Hartman seconded the motion, and the motion carried 4 -1 majority vote, with Vice Mayor Sachs voting no.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Judy Reiker, Commissioner
SECONDER:	Randy Hartman, Commissioner
AYES:	McGuirk, Hathaway, Reiker, Hartman
NAYS:	Sachs

5. PUBLIC PARTICIPATION

Patricia Bohne, 310 Rush Street, spoke about the sidewalk and street conditions in the historic district near Washington Avenue. She said that light pole number 21801435 has not been working in their neighborhood since Hurricane Matthew. Mayor Hathaway stated that City Staff and Commission will be meeting with the Utilities Commission tomorrow and he will bring up the topic of the light outage.

Randy Herman, 108 Esther Street, stated that this issue was discussed twice at the Neighborhood Council. He is happy the historic residents have been attending meetings. He also commended City Manager Brangaccio for the Street and Maintenance Departments upkeep in the City Parks.

Martin Danaher, 115 Lagoon Court, commended City Staff for the Mayors Fitness Challenge. He also thanked Vice Mayor Sachs for his participation with the Lions Club. He said they raised about a thousand pounds of food.

Tish Whiting, 4160 Saxon Drive, felt there was a lot of opportunity to make New Smyrna Beach more walk and bike friendly. She said she hopes that the City takes advantage of the new construction on State Route 44, she felt it should be pedestrian friendly.

City Manager Brangaccio said that GEOSAM is dedicating easements so residents will see trails on State Route 44. She said there is a lot of exciting things going on with connecting the trail up from Edgewater.

6. ORDINANCES - FIRST READING

- A. Ordinance No. 13-17: Conduct the first reading of Ordinance No. 13-17, which if adopted would add Article VI (Special Events) to Chapter 70 of the City Code of Ordinances.

City Attorney Gummey read Ordinance No. 13-17 the first time, by title only.

Motion:

Commissioner Reiker moved to approve on the first reading Ordinance No. 13-17, as submitted. Commissioner 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 March 14, 2017.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS]	Next: 3/14/2017 6:30 PM
MOVER:	Judy Reiker, Commissioner	
SECONDER:	Jason McGuirk, Commissioner	
AYES:	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- B. Ordinance No. 18-17: Small-Scale Annexation Application A-2-17, conduct the first reading of an ordinance, which if adopted, would annex properties located at 461 Howard Avenue, 400 Oak Street, 1707 Enterprise Avenue, 2003 Caldwell Street, 2011 Caldwell Street, 1890 Pioneer Trail, vacant parcel on West Street, 310 Oak Street, and 1480 Mary Avenue.

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

Motion:

Commissioner Reiker moved to approve on the first reading Ordinance No. 18-17, 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 March 14, 2017.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS]	Next: 3/14/2017 6:30 PM
MOVER:	Judy Reiker, Commissioner	
SECONDER:	Randy Hartman, Commissioner	
AYES:	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- C. Ordinance No. 19-17: Small-Scale Comprehensive Plan Amendment Application A-2-17, conduct the first reading of an ordinance, which if adopted, would amend the Future Land Use for properties located at 461 Howard Avenue, 400 Oak Street, 1707 Enterprise Avenue, 2003 Caldwell Street, 2011 Caldwell Street, 1890 Pioneer Trail, vacant parcel on West Street, 310 Oak Street, and 1480 Mary Avenue.

City Attorney Gummey read Ordinance No. 19-17 the first time, by title only.

Motion:

Commissioner Hartman moved to approve on the first reading Ordinance No. 19-17, as submitted. Commissioner 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 March 14, 2017.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS]	Next: 3/14/2017 6:30 PM
MOVER:	Randy Hartman, Commissioner	
SECONDER:	Jason McGuirk, Commissioner	
AYES:	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- D. Ordinance No. 20-17: Small-Scale Rezoning Application A-2-17, conduct the first reading of an ordinance, which if adopted, would rezone properties located at 461 Howard Avenue, 400 Oak Street, 1707 Enterprise Avenue, 2003 Caldwell Street, 2011 Caldwell Street, 1890 Pioneer Trail, vacant parcel on West Street, 310 Oak Street, and 1480 Mary Avenue.

City Attorney Gummey read Ordinance No. 20-17 the first time, by title only.

Motion:

Commissioner Hartman moved to approve on the first reading Ordinance No. 20-17, 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 March 14, 2017.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS]	Next: 3/14/2017 6:30 PM
MOVER:	Randy Hartman, Commissioner	
SECONDER:	Judy Reiker, Commissioner	
AYES:	McGuirk, Hathaway, Reiker, Sachs, Hartman	

7. CONSENT AGENDA

- A. Approve Regular City Commission Meetings were held September 27, 2016, September 13, 2016, August 23, 2016, August 9, 2016 and February 14, 2017.

Motion:

Commissioner Hartman moved to approve Regular City Commission Meeting Minutes that were on held September 27, 2016, September 13, 2016, August 23, 2016, August 9, 2016 and February 14, 2017, as corrected. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- B. Resolution No. 05-17: Adopt a Resolution to Recognize the Florida Association of City Clerk's on its 45th Anniversary.

Motion:

Commissioner Hartman moved to adopt a Resolution to Recognize the Florida Association of the City Clerk on its 45th Anniversary, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- C. Approve the Acceptance of 2017-2018 VOCA Grant Funds for the Police Department

Motion:

Commissioner McGuirk moved to approve the Acceptance of 2017-2018 VOCA Grant Funds for the Police Department, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- D. Approve the purchase of a Case 580SN Loader Backhoe from Trekker Group, for use by the Streets Department, at the cost of \$81,668 with subsequent trade-in of a 1995 Case 590SN at a value of \$10,500.

Motion:

Commissioner McGuirk moved to approve the purchase of a Case 580SN Loader Backhoe from Trekker Group, for use by the Streets Department, at the cost of \$81,668 with subsequent trade-in of a 1995 Case 590SN at a value of \$10,500., as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- E. Approve the Award of Contract for Asbestos Removal and limited Interior Demolition at the Historic Church Building, 214 Sams Avenue, at an estimated not-to-exceed cost of \$115,450.

Motion:

Commissioner McGuirk moved to consider approval of the Award of Contract for Asbestos Removal and Interior Demolition at the Historic Church Building, 214 Sams Avenue, at an estimated cost of \$115,450., as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- F. Approve the Utilization of Dredging and Marine Consultants (DMC), in order to provide Engineering Design and Specification Services for the repair of waterfront structures (Docks and Piers), damaged as a result of Hurricane Matthew, at a cost not to exceed \$70,430.

Motion:

Commissioner McGuirk moved to approve the Utilization of Dredging and Marine Consultants (DMC), in order to provide Engineering Design and Specification Services for the repair of waterfront structures (Docks and Piers), damaged as a result of Hurricane Matthew, at a cost not to exceed \$70,430, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- G. Approve Phase 1 Design Contract Award to GLE Architects for Restoration of the Weeping Mortar Building at 214 Sams Ave at the negotiated cost of \$18,030.

Motion:

Commissioner McGuirk moved to approve Phase 1 Design Contract Award to GLE Architects for Restoration of the Weeping Mortar Building at 214 Sams Ave at the negotiated cost of \$18,030, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- H. Approve the award of contract for full replacement of the 27th Avenue Park ADA handicap beach ramp to Manatee Marine Construction, at a cost not to exceed \$25,000.

Motion:

Commissioner McGuirk moved to approve the award of contract for full replacement of the 27th Avenue Park ADA handicap beach ramp to Manatee Marine Construction, at a cost not to exceed \$25,000, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- I. Approve the award of Bid No. ITB 20-16-MO, in the amount of \$73,104 annually, plus the Air Traffic Control Tower annual total of \$950, grand total \$74,054, to 3H System, for Janitorial Services at the municipal airport complex. This is a three (3) year contract, with two (1) optional one (1) year renewals.

Motion:

Commissioner McGuirk moved to approve the award of Bid No. ITB 20-16-MO, in the amount of \$73,104 annually, plus the Air Traffic Control Tower annual total of \$950, grand total \$74,054, to 3H System, for Janitorial Services at the municipal airport complex. This is a three (3) year contract, with two (1) optional one (1) year renewals, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- J. Approve entering into an agreement with the owners of property at the SW corner of the intersection of I-95 and SR 44, entitled "Agreement For The Construction Of Ocean Gate Boulevard New Smyrna Beach, Florida" as well as Florida Power and Light's agreement referenced as "Subordination Of Utility Interests and Agreement For Reimbursement For Additional Facility Relocations" as required to construct an access for the Ocean Gate Commerce Center access to SR 44.

Motion:

Commissioner McGuirk moved to approve entering into an agreement with the owners of property at the SW corner of the intersection of I-95 and SR 44, entitled "Agreement For The Construction Of Ocean Gate Boulevard New Smyrna Beach, Florida" as well as Florida Power and Light's agreement referenced as "Subordination Of Utility Interests and Agreement For Reimbursement For Additional Facility Relocations" as required to construct an access for the Ocean Gate Commerce Center access to SR 44, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- K. Approve the Final Plat of the Race Trac Petroleum at New Smyrna Beach FPL, located at SR 44 and I-95.

Motion:

Commissioner McGuirk moved to approve Final Plat of the Race Trac Petroleum at New Smyrna Beach FPL, located at SR 44 and I-95, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- L. Approve the Roadway Closure Request of North Orange Street, from Canal Street to Julia Street, for a period not to exceed three (3) business days (No Weekends). With work to be completed on or before March 3, 2017, in order to tie in the sanitary sewer connections for the Rosedale Building at 431 Canal Street.

Motion:

Commissioner McGuirk moved to approve a Roadway Closure Request of North Orange Street, from Canal Street to Julia Street, for a period not to exceed three (3) business days (No Weekends), with work to be completed on or before March 3, 2017, in order to tie in the sanitary sewer connections for the Rosedale Building at 431 Canal Street, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- M. Approve the Fifth Amendment to the Consulting Engineering Agreement for AEC, Inc. (\$50,200) for the Design and Construction Phase of Reconstruction of a portion of Taxiway 'E'

Motion:

Commissioner Hartman moved to approve the Fifth Amendment to the Consulting Engineering Agreement for AEC, Inc. (\$50,200) for the Design and Construction Phase of Reconstruction of a portion of Taxiway 'E', as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

- N. Approve establishing a Blanket Purchase Order, in the amount of \$1.5 million, payable to Eastern Aviation Fuels, Inc. For fuel purchases at the municipal airport for the remainder of FY 16-17.

Motion:

Commissioner Hartman moved to approve establishing a Blanket Purchase Order, in the amount of \$1.5 million, payable to Eastern Aviation Fuels, Inc. For fuel purchases at the municipal airport for the remainder of FY 16-17, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

- O. Approve an Outside Beer Garden requested for Bike Week 2017 Activities at New Smyrna Harley Davidson during the period March 9 thru March 19, 2017.

Motion:

Commissioner Hartman moved to approve an Outside Beer Garden requested for Bike Week 2017 Activities at New Smyrna Harley Davidson during the period March 9 thru March 19, 2017, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

- P. Approve the Special Event, New Smyrna Beach Food Festival, on Thursday, April 20, 2017, with the associated closure of Flagler Avenue.

Motion:

Commissioner McGuirk moved to approve the Special Event, New Smyrna Beach Food Festival, on Thursday, April 20, 2017, with the associated closure of Flagler Avenue, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- Q. Approve the closure of Riverside Drive, from south of the Brannon Civic Center parking lot entrance, to the north side of Lytle Avenue, in support of the American Cancer Society Relay for Life on Friday, April 28, 2017, from 3 p.m. to 8 p.m.

Motion:

Commissioner McGuirk moved to approve the closure of Riverside Drive, from south of the Brannon Civic Center parking lot entrance, to the north side of Lytle Avenue, in support of the American Cancer Society Relay for Life on Friday, April 28, 2017, from 3 p.m. to 8 p.m., as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

- R. Approve a Monthly Special Event: Wine Walk on Flagler 2017 - to be held the 4th Saturday of each month.

Motion:

Commissioner McGuirk moved to approve a Monthly Special Event: Wine Walk on Flagler 2017 - to be held the 4th Saturday of each month, as submitted. Commissioner Reiker seconded the motion, and the motion carried unanimously.

8. ADMINISTRATIVE ITEMS/NEW BUSINESS

There were none.

9. BOARDS AND COMMISSIONS

There were none.

10. CITY MANAGER'S REPORT

City Manager Brangaccio did not have a report.

A. City Manager's Report

11. CITY CLERK'S REPORT

There were none.

12. CITY ATTORNEY'S REPORT

There were none.

13. ADJOURNMENT

As there was no other business to discuss, Mayor Hathaway declared the meeting adjourned at 8:54 PM.