



**Tuesday, June 27, 2017**  
**Regular Meeting City Commission**  
**Minutes**

**6:30 PM – Commission Chamber, 210 Sam's Ave, New Smyrna Beach, FL 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, June 27, 2017 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.

**B. Roll Call**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Jason McGuirk	Commissioner	Present	
Jim Hathaway	Mayor	Present	
Judy Reiker	Commissioner	Present	
Jake Sachs	Vice Mayor	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 and City Clerk Johnny Bledsoe.

**C. Invocation/Pledge of Allegiance**

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

**D. Approval of the Agenda**

City Manager Brangaccio reported the addition of Administrative Item 8d; Resolution No. 16-17: Spruce Creek Rising and the revision of Item 6E, Ordinance No. 51-17: Amending the October 1, 2016 - September 30, 2017 Budget. She reported removing Item# 7J on the Consent Agenda and placing it on the August 8, 2017 Agenda and removing the Good Neighbor Proclamation.

## 2. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

**A. Recognition of the Retirement of Deputy Police Chief Donna LaVallee**

Police Chief Mike Coffin and Mayor Hathaway recognized the retirement of Deputy Police Chief Donna LaVallee.

**B. Proclamation: In recognition of the upcoming 100th Birthday of Robert Dove.**

Vice Mayor Sachs recognized the 100th Birthday of New Smyrna Beach Resident Robert Dove.

**C. Proclamation: Presentation of the "Good Neighbor" Award to Mr. Richard Grove**

No action: This item was removed from the agenda.

<b>RESULT:</b> <b>WITHDRAWN</b>
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**D. Proclamation: Parks and Recreation Month, 2017**

Mayor Hathaway presented a proclamation to Leisure Services Director Nancy Maddox at the request of the National Recreation and Park Association to name July 2017 as Parks and Recreation Month.

**E. Donation of Art - Marine Fighter Squadron 214 (The Black Sheep) - by Lieutenant Colonel (Ret) Philip Harman**

Philip Harman, Spruce Creek Fly-In resident and retired US Marine Corps Lieutenant Colonel, donated a painting of Marine Fighter Squadron 214 (The Black Sheep), to the New Smyrna Beach Municipal Airport (Jack Bolt Field), in honor of the late John Franklin (Jack) Bolt (19 May 1921 - 8 September 2004), who was a naval aviator in the United States Marine Corps and a decorated flying ace who served during World War II and the Korean War. Mr. Harman was accompanied by Jack Bolt's son, Robert Harman of Tampa and the following US Military Veterans: Samuel Mastrogiacomo, Master Sgt. USAAF Waist Gunner and Tail Turret Operator on a B-24 Liberator, Anthony Mastrogiacomo, PFC 75th Division US Army Infantry, and Leroy Beissel, Senior Master Sgt. USAAF Tail Gunner on a B-24 Liberator.

Mayor Hathaway and Airport Manager Rhonda Walker accepted the donation of art on behalf of the City of New Smyrna Beach. Mayor Hathaway asked the veterans to stand in recognition of their service.

**F. Presentation of Awards from the Florida Planning and Zoning Association; Outstanding Redevelopment Project Award and Outstanding Grassroots/Non-Profit Initiative Award.**

Planning and Zoning Director Amye King and CRA/Economic Development Director Tony Otte presented the City Commission with the following awards awarded to the Planning and Zoning Department at the June 9, 2017 Awards Luncheon by the Florida Planning and Zoning Association (FPZA). Outstanding Redevelopment Project for the Railroad Street Affordable Housing Development, a CRA project administered by the New Smyrna Beach Housing Authority and Outstanding Grassroots/Non-Profit Initiative Award for the Coronado Island Neighborhood Plan, prepared by members of the Planning Department. This award was presented specifically to the Coronado Neighborhood and the City of New Smyrna Beach Council.

**G. 100% Design Presentation - Live Oak Cultural Center**

Kha-Le Huu presented a 100% Design on the Live Oak Cultural Center. This project has been coordinated with the Council on Aging, Atlantic Center for the Arts, and City of New Smyrna Beach.

**Motion:**

Commissioner Reiker moved to approve the 100% Design on the Live Oak Cultural Center. Vice Mayor Sachs seconded the motion, and the motion carried unanimously.

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

### **3. MAYOR AND COMMISSION REPORTS**

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Commissioner Reiker reported that she attended the Seaside Fiesta and enjoyed it. She commented on traffic and safety, stating there were not any issues. She complimented Police Chief Mike Coffin and the Police Department for their involvement in the Bike and Bar Event. She commended Public Information Officer Anna Hackett for a job well done by keeping the public informed via the City's Facebook Social Media Page. She commented on being grateful for the citizens being tolerant of the Sugar Mill burning issue. She commented on the crosswalk lighting.

Vice Mayor Sachs commented on beachside traffic, particularly on Saxon Avenue. He commented on hundreds of residents being inconvenienced due to the construction on Saxon Avenue, expressing that his biggest concern was public safety. He apologized to the residents for the traffic and he thanked them for their resilience. He commented on the ongoing burning issue in the Sugar Mill area. He commented on curtailing the burning practice, instead opting for a wood chipper. He commented on pedestrian safety concerning traffic issues. He commented on the City lighting up every crosswalk. He commented on working with Volusia County for lighting up the crosswalks. He thanked his fellow commissioners for their help in getting a Community Garden established. He commented on fireworks safety. He wished all a safe Independence Day.

Mayor Hathaway asked City Attorney Gummey about the burning issue at Sugar Mill. City Attorney Gummey commented on Florida Statute and advised that the City had no authority to permit or prevent the burning of materials. He commented on the Fire Department, specifically the Fire Chief and Fire Marshall monitoring the land clearing operations.

Commissioner McGuirk commended Public Information Officer Anna Hackett and Police Lieutenant Mark Severance for keeping citizens updated via Facebook posts.

Commissioner Hartman commented on the Community Garden meeting. He stated there was a good turnout. He commented on his retirement. He commented about his vacation overseas.

Mayor Hathaway reported he had a great luncheon with Dorothy Hukill, Republican member of the Florida Senate representing Volusia County. He commented on attending the ribbon cutting ceremony with politicians Tom Leek and Fred Costello. He commented on the beautiful old building on Live Oak being transformed into a tearoom. He commented on the owner's good vision of the building. He commended Police Chief Mike Coffin and staff for a good job keeping the crowd in line and the Bike and Bar Event. He commented on the Sugar Mill fire burn issue.

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

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- A. Ordinance No. 43-17: Land Development Regulation Amendment Application No. ZT-2-17. Conduct the second and final of two required public hearings of an ordinance, which if adopted, would amend the Land Development Regulations regarding updates and revisions to: General definitions, general regulations, off street parking, supplementary regulations, and site plan approval.

City Attorney Gummey read Ordinance No. 43-17, the second time by title only.

Planning and Zoning Director Amye King outlined the proposed ordinance, which if adopted, would amend the Land Development Regulations regarding updates and revisions to: General definitions, general regulations, off street parking, supplementary regulations, and site plan approval.

Mayor Hathaway opened the public hearing.

Sid Corhern, architect, commented on the LDR revisions.

Michael Kolody, 105 Via Capri, commented on the LDR revisions; specifically familial requirements. He commented on the inconsistency of the parking requirements for bars and nightclubs. He commented on smaller type restaurants with outside seating needing more parking spaces. He commented on different restaurants having different ratios for seating requirements.

Monica McCague, 2611 Belmont Avenue, commented on code enforcement issues at 2635 Belmont Avenue and asked the City Commission for their help due to several violations at the property.

Peggy Belflower, 505 South Cooper Street, spoke in opposition of the mother-in-law suite. She commented on outside seating for restaurants. She asked about parking for the outside seating.

Jill Dempsey, 300 Flagler Avenue, commented on regulations for the LDR's. She commented on guidelines for parking and smaller restaurants. She spoke in opposition of the mother-in-law suites. She commented on the in-law apartments being necessary. She urged the City to be over-careful in the regulations of citizen property.

Mayor Hathaway closed the public hearing.

**Motion:**

Commissioner Reiker moved to adopt Ordinance No. 43-17, with amendments to the following: remove 504.01-designation of mother-in-law/family suites, remove 504-02- mixed-use district special exception of automobile sales up to 1,000 feet, remove 604.09- off street parking uses and change the terminology in 801.28 from ADA to Accessibility. Commissioner McGuirk seconded the motion, and the motion carried 4 -1 by majority vote, with Vice Mayor Sachs voting no.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Judy Reiker, Commissioner
<b>SECONDER:</b>	Jason McGuirk, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Hartman
<b>NAYS:</b>	Sachs

- B. Ordinance No. 45-17: Conduct the second reading and public hearing of an ordinance, which if adopted, would grant a non-exclusive construction and roll-off service franchise to Samsula Landfill, Inc.

City Attorney Gummey read Ordinance No. 45-17, the second time by title only.

City Manager Brangaccio outlined the proposed ordinance, which if adopted, would grant a non-exclusive construction and roll-off service franchise to Samsula Landfill, Inc.

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

**Motion:**

Commissioner McGuirk moved to adopt Ordinance No. 45-17, 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

- C. Ordinance No. 46-17: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the October 1, 2016 - September 30, 2017 adopted City budget.

City Attorney Gummey read Ordinance No. 46-17, the second time by title only.

City Manager Brangaccio outlined the proposed ordinance, which if adopted, would amend the October 1, 2016 - September 30, 2017 adopted City budget.

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. 46-17, as submitted. Commissioner 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

- D. Conduct a public hearing on Application No. CCSL-1-17 for a shore armoring wall, 4 foot high aluminum fence with a wooded walkway and a future dune walkover for property addressed as 1665 North Atlantic Avenue.

City Attorney Gummey read Application No. CCSL-1-17.

Planning and Zoning Director Amye King outlined the proposed ordinance, which if approved, would approve a shore armoring wall, 4 foot high aluminum fence with a wooded walkway and a future dune walkover for property addressed as 1665 North Atlantic Avenue.

Mayor Hathaway opened the public hearing.

Sid Corhern, 901 Coquina Place and architect for the property commented on the improvements and CCSL line.

Mayor Hathaway closed the public hearing.

**Motion:**

Commissioner McGuirk moved to approve Application No. CCSL-1-17, as submitted. Commissioner Hartman seconded the motion, and the motion carried 4 -1 by majority vote, with Vice Mayor Sachs voting no.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner
<b>SECONDER:</b>	Randy Hartman, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Hartman
<b>NAYS:</b>	Sachs

## 5. PUBLIC PARTICIPATION

Peggy Belflower, 505 South Cooper Street, commented on three issues. She voiced her displeasure of being asked to sit down during the donation of art presentation. She commented on the Live Oak Center and commented on multiple homes going up for sale. She commented on the seniors being pushed out of the Brannon Civic Center and she commented on the lack of response time she had experienced for her public records requests.

Lisa Martin, 618 South Pine Street, commented on the the wording of the motion from April 25, 2017 regarding the trolley issue.

Steve Provost, 1805 Beacon Street, commented on citywide projects. He stated that the Hyatt Hotel was not reflective for the type of building residents would like in New Smyrna Beach. He commented on the upcoming proposal for the mini warehouses and was concerned how to handle changing the LDR's.

Monica McCague, 2611 Belmont Avenue, commented on a problem on her street. She commented on trash not being picked up. She commented on the lack of Code Enforcement involvement.

## 6. ORDINANCES - FIRST READING

- A. Ordinance No. 47-17: Conduct the second reading and public hearing of an ordinance, which if adopted, would annex approximately 0.248 acres of property located at 1324 Buck Lane.

City Attorney Gummey read Ordinance No. 47-17 the first time, by title only.

**Motion:**

Commissioner Hartman moved to approve on the first reading Ordinance No. 47-17, 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 August 8, 2017.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 8/8/2017 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. 48-17: Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would rezone annexed property located at 1324 Buck Lane.

City Attorney Gummey read Ordinance No. 48-17 the first time, by title only.

**Motion:**

Commissioner Reiker moved to approve on the first reading Ordinance No. 48-17, 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 August 8, 2017.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 8/8/2017 6:30 PM</b>
<b>MOVER:</b>	Judy Reiker, Commissioner	
<b>SECONDER:</b>	Randy Hartman, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- C. Ordinance No. 49-17: Conduct the second reading and public hearing of an ordinance, which, if adopted, would amend the Future Land Use of annexed property addressed as 1324 Buck Lane.

City Attorney Gummey read Ordinance No. 49-17 the first time, by title only.

**Motion:**

Commissioner Hartman moved to approve on the first reading Ordinance No. 49-17, 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 August 8, 2017.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 8/8/2017 6:30 PM</b>
<b>MOVER:</b>	Randy Hartman, Commissioner	
<b>SECONDER:</b>	Judy Reiker, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

- D. Ordinance No. 50-17: PUD-1-17 Florida Days 4th Amendment - Conduct the second reading and quasi-judicial public hearing of an ordinance, which if adopted, would approve an amended and restated Master Development Agreement for the Florida Days Planned Unit Development.

City Attorney Gummey read Ordinance No. 50-17 the first time, by title only.

**Motion:**

Commissioner McGuirk moved to approve on the first reading Ordinance No. 50-17, as submitted. Commissioner Reiker seconded the motion, and the motion carried 4 -1 by majority vote, with Vice Mayor Sachs voting no. Mayor Hathaway reported that the second reading and public hearing of the proposed ordinance would be conducted at the regular meeting on August 8, 2017.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [4 TO 1]</b>	<b>Next: 8/8/2017 6:30 PM</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner	
<b>SECONDER:</b>	Judy Reiker, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Hartman	
<b>NAYS:</b>	Sachs	

- E. Ordinance No. 51-17 : Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the October 1st, 2016 -September 30, 2017 budget for the Holland Park Project (50%-ECHO and 50%-General Fund)

City Attorney Gummey read Ordinance No. 51-17 the first time, by title only.

Vice Mayor Sachs commented on general fund money being spent on Parks when he believed the City should be spending the funds on Fire personnel.  
City Manager Brangaccio clarified the allocation of funds.

**Motion:**

Commissioner Reiker moved to approve on the first reading Ordinance No. 51-17, 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 August 8, 2017.

<b>RESULT:</b>	<b>APPROVED AT FIRST READING [UNANIMOUS]</b>	<b>Next: 8/8/2017 6:30 PM</b>
<b>MOVER:</b>	Judy Reiker, Commissioner	
<b>SECONDER:</b>	Jason McGuirk, Commissioner	
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Sachs, Hartman	

## 7. CONSENT AGENDA

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A. Approval of City Commission Meeting Minutes, June 13, 2017

**Motion:**

Commissioner Reiker moved to approve the City Commission Meeting Minutes, June 13, 2017, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

B. Approve Historic Tree Removal Application No. HTR-3-17: 1275 Mills Drive / Bush.

**Motion:**

Commissioner Reiker moved to approve the Historic Tree Removal Application No. HTR-3-17: 1275 Mills Drive / Bush, as submitted. Commissioner Hartman seconded the motion, and the motion carried unanimously.

C. Approve the Rejection of All Bids submitted for RFP 15-17-SC - Sports Complex Scoreboards and Advertising Sponsorship Sales

**Motion:**

Commissioner Reiker moved to approve the the Rejection of All Bids submitted for RFP 15-17-SC - Sports Complex Scoreboards and Advertising Sponsorship Sales. Commissioner Hartman seconded the motion, and the motion carried unanimously.

D. Authorize staff to seek a design proposal from the City's marine consultant for the design of a mooring field, which would be submitted to FIND as a FY 18-19 Project.

Commissioner Reiker commented on the dinghy docks.

**Motion:**

Commissioner Reiker moved to authorize staff to seek a design proposal from the City's marine consultant for the design of a mooring field, which would be submitted to FIND as a FY 18-19 Project. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

E. Approve the piggyback on the Collier County Contract #15-6363, Storm Drain Maintenance, in order to complete the necessary stormwater pipe lining on Mary Avenue from Orange Avenue to the river. Shenandoah Construction would serve as Secondary Contractor, all at a cost of \$172,354.50.



**Motion:**

Commissioner Reiker moved to approve the piggyback on the Collier County Contract #15-6363, Storm Drain Maintenance, in order to complete the necessary stormwater pipe lining on Mary Avenue from Orange Avenue to the river. Shenandoah Construction would serve as Secondary Contractor, all at a cost of \$172,354.50. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- F. Approve the Award of RFP 03-17-CIP Professional Services for Construction Engineering and Inspection of Magnolia Street Sidewalk from 6th Street to 10th Street

**Motion:**

Commissioner Reiker moved to approve the Award of RFP 03-17-CIP Professional Services for Construction Engineering and Inspection of Magnolia Street Sidewalk from 6th Street to 10th Street. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- G. Approve the Resurfacing of City Streets 2016-2017, by Halifax Paving at a cost of \$145,620.58.

**Motion:**

Commissioner Reiker moved to approve the Resurfacing of City Streets 2016-2017, by Halifax Paving at a cost of \$145,620.58. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- H. Approve the Award of ITB 16-17-ENG Barracuda Bridge Remedial Repair Project to Proshot Concrete, Inc. at a cost of \$92,800.

**Motion:**

Commissioner Reiker moved to approve the award of ITB 16-17-ENG Barracuda Bridge Remedial Repair Project to Proshot Concrete, Inc. at a cost of \$92,800. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- I. Approve the Award of ITB 06-17-MAR Electrical Upgrades for Marina Pedestals to Harrison Electric Service, Inc., and replacing the old pedestals with 29 new ones with the hurricane option to remove the entire powerhead for safe storage at the total cost of \$270,814.

**Motion:**

Commissioner Reiker moved to approve the award of ITB 06-17-MAR Electrical Upgrades for Marina Pedestals to Harrison Electric Service, Inc., and replacing the old pedestals with 29 new ones with the hurricane option to remove the entire powerhead for safe storage at the total cost of \$270,814. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- J. Approve Subdivision Plat Application No. S-3-17: The Palms Phase I - the Preliminary & Final Plat for phase I of a proposed residential subdivision, and associated infrastructure improvements, as the initial residential phases, for a proposed total 107 lots within a 27.96 total acre area.

- K. Approve entering into an Interlocal agreement with the City of Edgewater concerning Chief Building Official services.

**Motion:**

Commissioner Reiker moved to approve entering into an Interlocal agreement with the City of Edgewater concerning Chief Building Official services. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- L. Special Event: Christmas in July - July 1, 2017 - Request for road closure of Canal Street from east side of Live Oak Street to west side of Sams Avenue.

**Motion:**

Commissioner Reiker moved to approve a Special Event: Christmas in July - July 1, 2017 - Request for road closure of Canal Street from east side of Live Oak Street to west side of Sams Avenue. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- M. Approve a Special Event: the 10th Annual Shrimp & Seafood Festival on Thursday, August 3, 2017. Also, approve the planned closure of Flagler Avenue from Peninsula Avenue to North Atlantic Avenue.

**Motion:**

Commissioner Reiker moved to approve a Special Event: the 10th Annual Shrimp & Seafood Festival on Thursday, August 3, 2017. Also, approve the planned closure of Flagler Avenue from Peninsula Avenue to North Atlantic Avenue. Commissioner Hartman seconded the motion, and the motion carried unanimously.

- N. Special Event: Family Fun Night - August 25, 2017, and subsequent road closure of Riverside Drive from Canal Street to Lytle Avenue.

**Motion:**

Commissioner Reiker moved to approve a Special Event: Family Fun Night - August 25, 2017, and subsequent road closure of Riverside Drive from Canal Street to Lytle Avenue. Commissioner Hartman seconded the motion, and the motion carried unanimously.

**8. ADMINISTRATIVE ITEMS/NEW BUSINESS**

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- A. Consider Temporary Parking Lot Application No. TPL-2-17: a request for a temporary parking lot for a proposed farm tractor business at 2606 North Dixie Freeway.

Zoning and Planning Director Amye King outlined the application.

Mayor Hathaway asked if the CRA weighed in on the time length. Ms. King commented that they proposed two years.

Attorney Joshua Wells, Wright & Casey, provided two updates. He commented on the use and noise of the property. He commented on speaking to the neighboring properties.

Commissioner McGuirk thanked Mr. Wells for the extension.

**Motion:**

Commissioner McGuirk moved to approve a Temporary Parking Lot Application No. TPL-2-17: a request for a temporary parking lot for a proposed farm tractor business at 2606 North Dixie Freeway for a three-year period. Commissioner Reiker seconded the motion, and the motion carried 4 -1 by majority vote, with Vice Mayor Sachs voting no.

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jason McGuirk, Commissioner
<b>SECONDER:</b>	Judy Reiker, Commissioner
<b>AYES:</b>	McGuirk, Hathaway, Reiker, Hartman
<b>NAYS:</b>	Sachs

- B. Town of Ponce Inlet request for support in urging the State Legislature to amend existing Animal Cruelty Laws in the State of Florida

**Motion:**

Commissioner Hartman moved to approve the Town of Ponce Inlet request for support in urging the State Legislature to amend existing Animal Cruelty Laws in the State of Florida. Commissioner 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

C. Approval of forwarding City of New Smyrna Beach transportation issues to Clearview Research.

Assistant City Manager Khalid Resheidat outlined the request.

**Motion:**

Commissioner McGuirk moved to approve the forwarding City of New Smyrna Beach transportation issues to Clearview Research. 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. Consider the adoption of Resolution No. 16-17: Spruce Creek Rising

**Motion:**

Commissioner McGuirk moved to consider the adoption of Resolution No. 16-17: Spruce Creek Rising. 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

**9. BOARDS AND COMMISSIONS**

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A. Designation of a Voting Delegate for the 91st Annual Florida League of Cities Annual Conference - August 17-19, 2017 - Orlando, Florida

**Motion:**

Commissioner Reiker moved to designate Mayor Hathaway as the Voting Delegate for the 91st Annual Florida League of Cities Annual Conference. 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

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

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### **A. City Manager's Report**

City Manager Brangaccio reminded all of the July 25, 2017 Special Meeting. She commented on the upcoming Housing Ceremony at Fire Station 50 on July 1, 2017 at 11:00 am. She advised that the Independence Day Fireworks would begin at 9:15 pm on July 4, 2017.

## **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 9:59 PM.