



City Commission Regular Meeting Tuesday, March 26, 2019

6:30 PM – City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, FL 32168
PLEASE USE THE SOUTH ENTRANCE FROM THE JULIA STREET SIDE OF CITY HALL

1. OPENING OF MEETING

A. Call to Order

Attendee Name	Title	Status	Arrived
Jason McGuirk	Commissioner	Present	
Jake Sachs	Commissioner	Present	
Randy Hartman	Vice Mayor	Present	
Michael Kolody	Commissioner	Present	
Russell Owen	Mayor	Present	

Also present were City Attorney Carrie Avallone, Assistant City Manager Khalid Resheidat, Director of Development Services and Coastal Environment Resiliency Brian Fields, CRA/Economic Development Director Tony Otte, Deputy Police Chief Jessica Paugh, Community Resource Coordinator Donna Banks, and City Clerk Johnny Bledsoe.

2. INVOCATION/PLEDGE OF ALLEGIANCE

Police Department Chaplain Laura Berg gave the invocation. Mayor Owen led those present in the Pledge of Allegiance.

3. APPROVAL OF THE AGENDA

Assistant City Manager Resheidat reported no changes in the published agenda.

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

A. Recognition of Completion of 2019 Institute for Elected Municipal Officials.

Vice Mayor Hartman presented to Mayor Owen and Commissioner Kolody, certificates of completion of the Institute of Elected Municipal Officials course, completed in January 2019 in Jacksonville, Florida.

5. PUBLIC PARTICIPATION

Timothy Washington, 318 North Myrtle Avenue, opposed construction of a parking lot in his neighborhood. He outlined what he felt were negative aspects of a parking lot in the vicinity of Pettis Park and urged the City Commission not to take such action.

Mary Lou Clime, 704 Magnolia Street, commented on Magnolia Street speed limit violations, and the need for a 4 way stop at Magnolia Street and Smith Street.

Grace Higgins, 355 North Myrtle Avenue, commented on the neighborhood in the vicinity of a proposed parking lot near Pettis Park. She opposed the proposed parking lot and commented on the neighborhood being that of single family homes. She also stated that she never received a notice of the proposed action.

Jimmy Harrell, 345 Oak Street, commented on the vicinity of the black heritage museum, community activities and Pettis Park amenities. He felt with all the things to do in the area and changes made, parking was needed in the area and supported the proposed action.

James Barry, 1711 Magnolia Street, thanked the City Commission in the steps taken recently in the removal of a nuisance.

Kevin Ragsdale, 1616 Magnolia Street, commented on traffic calming actions recommended for Magnolia Street by a group of residents. He recommended specific actions (speed cushions) located in specific locations and speed tables. He gave a cost estimate as well.

Randy Herman, 108 Esther Street, commented on facilities available for mental health services in the City. He commented on police training, and hoped for future services to become available. Mr. Herman supported keeping ownership of the AOB site.

Martin Danaher, 115 Lagoon Court, opposed the city pursuing another FIND Matching Grant regarding the AOB site.

Bobbi Hawkins, 312 Magnolia Street, spoke for many residents by stating that they want pedestrian safety and property protection within their community.

Ethan Wright, 1709 Magnolia Street, commented on speeding on Magnolia Street.

Taylor Wright, 1709 Magnolia Street, commented on speeding cars on Magnolia Street. She was worried about safety within her community.

Savannah Rudd, 1709 Magnolia Street, commented on her fear that kids could get hurt playing on Magnolia Street due to speeding vehicles.

Sarah Wright, 1709 Magnolia Street, commented on safety concerns living on Magnolia Street. She wants traffic to slow down, and commented on parking at Pettis Park.

Robert Rees, 391 Granada Street, commented on the half cent sales tax proposed by Volusia County. He commented on parking in front of Merk's, and the purchase of a fire boat.

Larue D. Balmer, 915 Magnolia Street, commented on trouble spots on Magnolia Street. He recommended that the speed limit should be reduced to 20 mph in all historical areas. He then commented on people stealing recycle containers in the neighborhood.

Celeste Lester, 410 Quay Assisi, commented on the need to have the police issue speeding tickets on Magnolia Street.

Christina March, 1324 Buck Lane, suggested that public input be obtained when considering the future appointment of a City Manager.

Rose Tish, 1110 Magnolia Street, thanked the City for work done on Magnolia Street. She felt it was important to be aware of the opinions of citizens who live in the Historic Westside.

Joseph Oberson, 1423 Magnolia Street, commented on the past death of a pedestrian on Magnolia Street.

Joe Votta, 1401 Palmetto Street, commented on problems created by traffic back ups at Reed Patillo Elementary School. He commented on the history of the school.

6. CONSENT AGENDA

- A. Approve the minutes of the City Commission Special Meeting Minutes from January 15, 2019 and February 19, 2019 and Regular Meeting Minutes from February 26, 2019.

Motion:

Vice Mayor Hartman moved to approve with two changes to scrivener's errors in the minutes of the special meeting January 15, 2019 and regular meeting February 26, 2019. Commissioner McGuirk seconded the motion and it carried unanimously.

- B. Approve the granting of a Utility Easement to the Utilities Commission for Underground Primary Electric at 27th Avenue Beachfront Park

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- C. Approve the Design Contract Award to CPH Engineers in the amount of \$54,600 for Design and Engineering of the Alonzo "Babe" James Splash Pad Project.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- D. Approve Ratification of the Collective Bargaining Agreement with IAFF Local #2271 Effective October 1, 2018 to September 30, 2019.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- E. Approve RFP 06-19-SC Chemical Maintenance for Athletic Fields Award as budgeted for in FY 18-19 to TruGreen for the amount of \$72,825 plus optional items as needed.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- F. Approve Purchase of Lake Assault (Brand Name) Fire Boat with Fire Pump, as included in the FY 18-19 Budget for the cost of \$67,000.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- G. Approve the "Bill of Sale" to the Utilities Commission for the utility connections at Live Oak Cultural Center.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- H. Approve the Road Closure Request: 100 Block of North Duss Street, between Canal Street and Julia Street for a duration of 1 week. The closure is required in order to provide sanitary sewer service to the Canal Street Professional Office building currently under construction at 103 North Duss Street.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

- I. Approve a Special Event: Coastal Craft Beer and Art Festival at Outriggers and approval to have a beer garden on April 6th, 2019 from noon to 5 p.m.

Motion:

Vice Mayor Hartman moved to approve. Commissioner McGuirk seconded the motion and it carried unanimously.

7. ADMINISTRATIVE ITEMS/NEW BUSINESS

A. Magnolia Street Traffic Calming

Assistant City Manager Resheidat outlined staff's request for direction from the City Commission on recommended traffic calming measures on Magnolia Street. He clarified that staff's overall intent was to improve safety. Mr. Resheidat further reported that on February 11, 2019 a fourth public meeting was conducted at City Hall regarding the traffic calming options for the Magnolia Street. Several options were presented and the majority of attendees selected the diversion of traffic at 9th Street as the preferred option.

On February 26, 2019 city staff presented to the city commission the preferred option (divert traffic at 9th street). The City Commission rejected this option and asked staff to come back with a different option: such as stop signs, speed table, & roundabout.

The Assistant City Manager and Police Chief explored the possibilities of speed table and stop signs. Even though the traffic study did not support or warrant stop signs nor speed table, staff looked for possible locations for both speed tables, stop signs, and electronic speed limit signs. Staff will not recommend the stop signs and speed tables' methods but the city commission has the authority override the study and use these measures if it wishes.

Method	Location(s)	Cost
Electronic Speed Limit Signs	1- South Bound between Smith Street and Clinch Street (in front of 720 Magnolia Street) 2- North Bound between 9 th Street and 8 th Street(in front of 1609 Magnolia Street)	\$4,216.00/Each

Speed Table	1- Between 7 th Street and 8 th Street (in front of 1530 Magnolia Street). 2- Between 4 th street and 5 th street(in front of 1206 Magnolia Street)	TBD
Lighted Stop Sign	Intersection of Magnolia Street and 3 rd Street	\$3,500.00/Each

Should the city commission select these measure(s), city staff will move forward on implementing these them. The electronic speed limits signs were approved; ordered & received and should be installed soon. The speed tables and the lighted stop sign need to be ordered and it takes between 6-8 weeks to be delivered. Attached please find sample of the proposed speed table and lighted stop sign. The proposed speed table (speed cushion) is plastic and it's easy to be removed if it does impact the area negatively.

There is no budget for any of these items (except the electronic speed limit signs) so a budget amendment must be done (using general funds) to order and install.

Commissioner Sachs commented on meeting with magnolia residents. He commented on what he felt was a need for a combination of signage and traffic calming devices. He further felt Magnolia Street residents knew what they wanted, and commented on the need for increased enforcement within the area. Vice Mayor Hartman felt no lighted stop signs were needed, and traffic studies on the other side streets should be obtained.

Commissioner Kolody supported staff recommendations.

Mayor Owen questioned the recommended distance between traffic calming devices. He commented on how the matter had been going on for some time, and that he felt it was time to take action. He liked what the citizens had recommended, which included more frequent speed cushions, a roundabout, as well as other things not so cost prohibitive.

Commissioner Sachs commented on possibly lowering the speed limit on Magnolia Street to 25 mph. He wanted as many speed humps purchased as possible.

Motion:

Commissioner Sachs moved to move forward with the purchase of speed humps, speed cushions, speed tables and signage for 6th Street. The motion died due to the lack of a second.

Motion:

Vice Mayor Hartman moved to direct staff to install a regular stop sign at the intersection of Magnolia Street and 3rd Street; install speed cushions between 7th and 8th Streets, and 4th and 5th Streets; and, conduct traffic studies of Live Oak Street, Palmetto Street and Riverside Drive. Commissioner Kolody seconded the motion. Mayor Owen suggested an amendment to the motion that would allow for more devices. Vice Mayor Hartman did not accept the amendment and commented on budget considerations. The motion carried by 3-2 majority vote, with Mayor Owen and Commissioner Sachs voting no.

Mr. Resheidat commented on the need for additional signage.

B. Resolution No. 09-19: FIND Grant Application for City of New Smyrna Beach Mooring Field, Phase II

Assistant City Manager Resheidat outlined Resolution No. 09-19, a resolution, which if adopted, would authorize staff to apply to the Florida Inland Navigation District for Phase II Construction for the Mooring Field and all supporting amenities needed for the overall operation.

Motion:

Vice Mayor Hartman moved to adopt Resolution No. 09-19, as submitted. Commissioner McGuirk seconded the motion and it carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Hartman, Vice Mayor
SECONDER:	Jason McGuirk, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

C. Request for Policy Direction from the Commission on submittal for FIND grant for the AOB site

Assistant City Manager Resheidat outlined staff's request for policy direction from the City Cor. submittal for FY 19-20 FIND grant for City owned property at the former Administrative Offi (AOB) site.

Commissioner Kolody commented on the past development proposals received, and the site. He did not want the property developed other than an open vista onto the waterway.

Motion:

Vice Mayor Hartman moved to not seek a FIND Grant for FY 19-20 for the AOB site. Commissioner McGuirk seconded the motion and it carried unanimously.

Commissioner Sachs agreed with Commissioner Kolody's comments and felt the AOB property should be maintained.

Mayor Owen was still looking for a long term plan for different parts of the city.

D. Review, Discussion and Commission Policy Direction to strengthen parking requirements for special events

Director of Development Services and Coastal Environment Resiliency Brian Fields outlined staff's recommendation that the City Commission review, discuss and provide City Commission policy direction in order to strengthen parking requirements for special events. Mr. Fields reported that in the February 19, 2019 City Commission meeting, the City Commission asked staff if there was specific language in the Land Development Regulations (LDR) that defined the parking regulations during special events and staff responded no. The City Commission then directed staff to meet with some of the business owners and draft language for the City Commission to review, discuss and to direct staff on how to proceed. He then reported that staff had met with business owners and a draft recommendation to the LDR was provided for consideration by the City Commission.

Commissioner Kolody wanted language removed regarding "off street parking in residential areas". He also had other suggested changes that he would comment on later in the discussion.

Vice Mayor Hartman commented on how enforcement would be needed and commented on working with work schedules of parking ambassadors. Commissioner Kolody commented on the addition of enforcement personnel at special events.

Commissioner Sachs commented on the negative impact of outdoor party events and felt parking fines should be increased during special events.

Mayor Owen questioned the type of feedback received from business owners. Brian confirmed

Scott Steger, represented the Flagler Business Association, commented on efforts by business owners to locate parking spaces.

Mayor Owen commented on the needs of the area and the need to coexist with residents.

Motion:

Commissioner Kolody moved to direct staff to make amendments mentioned, specifically, "off street parking in residential areas", and bring back at a future meeting for approval consideration. Commissioner Sachs seconded the motion and it carried unanimously.

8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- A. Ordinance No. 09-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would implement amendments to the City's Land Development Regulations to strengthen and clarify the criteria for removal of historic and specimen trees.

City Attorney Avallone read Ordinance No. 09-19, the second time by title only.

Motion:

Vice Mayor Hartman moved to continue the public hearing of Ordinance No. 09-19 to the special meeting on April 2, 2019. Commissioner McGuirk seconded the motion and it carried unanimously.

RESULT:	TABLED [UNANIMOUS]	Next: 4/2/2019 6:30 PM
MOVER:	Randy Hartman, Vice Mayor	
SECONDER:	Jason McGuirk, Commissioner	
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen	

- B. Ordinance No. 11-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the FY 2018-19 Budget for the Airport Fund.

City Attorney Avallone read Ordinance No. 11-19, the second time by title only.

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

Motion:

Vice Mayor Hartman moved to adopt Ordinance No. 11-19, as submitted. Commissioner Kolody seconded the motion and it carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Hartman, Vice Mayor
SECONDER:	Michael Kolody, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

C. Ordinance No. 12-19 and Resolution No. 11-19

1. Ordinance No. 12-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend Chapter 70 of the City Code: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, amending Article I to create Section 70-5 to prohibit encroachments in public rights-of-way; amending Article V to amend Section 70-162 to allow City Manager to promulgate rules regarding use of public property; further amending Article V to establish Section 70-163 providing for trespass warnings under certain circumstances for public property.

City Attorney Avallone read Ordinance No. 12-19, the second time by title only.

City Attorney Avallone outlined the proposed ordinance, which if adopted, would amend Chapter 70 of the City Code: Streets, Sidewalks and Other Public Places, amending Article I to create Section 70-5 to prohibit encroachments in public rights-of-way; amending Article V to amend Section 70-162 to allow City Manager to promulgate rules regarding use of public property; further amending Article V to establish Section 70-163 providing for trespass warnings under certain circumstances for public property. She then commented and reported on changes made to the proposed ordinance.

Mayor Owen opened the public hearing

Robert Rees, 391 Grenada Street, questioned who would have the authority and ability to remove obstacles from rights and way.

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

Vice Mayor Hartman was concerned whether the City had enough time, allowing 2 days. Commissioner McGuirk had a similar concern. City Attorney Avallone reported the days could change to 5 days. Vice Mayor Hartman recommending changing 2 days to read 5 days on line 60 of the proposed ordinance.

Motion:

Vice Mayor Hartman moved to adopt Ordinance No. 12-19, as amended to read 5 days. Commissioner Kolody seconded the motion and it carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Randy Hartman, Vice Mayor
SECONDER:	Michael Kolody, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

2. Resolution No. 11-19: Approving Rules for Public Facilities

City Attorney Avallone outlined Resolution No. 11-19, which if adopted, would provide for City Commission approval of these rules governing the use of public facilities in accordance with Ordinance No. 12-19 and authorizes the City Manager to post notice of these rules at such public facilities.

Motion:

Commissioner McGuirk moved to adopt Resolution No. 11-19, as submitted. Vice Mayor Hartman seconded the motion and it carried unanimously.

Commissioner Kolody commented on common sense.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Randy Hartman, Vice Mayor
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

- D. Conduct a quasi-judicial public hearing of Application No. CCSL-1-19, which if approved, would allow for a replacement of an existing elevated wood deck and existing dune walk over on property addressed as 4081 Hill Street.

City Attorney Avallone administered the oath to Development and Coastal Environment Resiliency Director Brian Fields. Mr. Fields outlined his professional and educational qualifications. As no citizen questioned his credentials, Mr. Fields outlined Application No. CCSL-1-19, which if approved, would allow for a replacement of an existing elevated wood deck and existing dune walk over on property addressed as 4081 Hill Street. Mr. Fields reported that the application was found to be consistent with the City Comprehensive Plan and staff had recommended approval.

Commissioner Sachs questioned limitations of the Coastal Construction Setback Line (CCSL).

Mark Davis, Contractor, provided photos to illustrate the planned scope of work.

Commissioner Sachs commented on past discussions regarding the location of the City CCSL. Mr. Fields clarified the location of the existing City CCSL.

Mr. Davis commented on what he felt was a lengthy and expensive process and recommended separate language for new construction and established construction remodeling.

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

Motion:

Commissioner McGuirk moved to approve Application No. CCSL-1-19, with the following conditions:

1. Should any gopher tortoise burrows be found to be present at the time of construction, the applicant should provide either a relocation permit for the tortoise (if the burrow is active) or the applicant provides documentation that the burrow is inactive. Such documentation must be provided by a qualified professional and must be presented to and reviewed by the City prior to issuing a building permit for the dune walk-over, and;

2. The applicant provides the City Planning Department with a dune replanting plan if dune vegetation is disturbed, and;

3. The applicant installs required information signage, signs containing information including the laws concerning the prohibition of disturbing sea turtle nests, dates indicating sea turtle nesting season and prohibition against disturbing state protected vegetation and dunes, and;

4. A building permit must be applied for within one (1) year and obtained within 18 months of this approval.

Vice Mayor Hartman seconded the motion and it carried by 4-1 majority vote, with Commissioner Sachs voting no.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Randy Hartman, Vice Mayor
AYES:	McGuirk, Hartman, Kolody, Owen
NAYS:	Sachs

- E. Conduct a public hearing on Special Exception Application No. SE-6-18, which if approved, would allow a public parking lot on property located at 611 Jefferson Street.

Director of Development Services and Coastal Environment Resiliency Brian Fields outlined Special Exception Application No. SE-6-18, which if approved, would allow a public parking lot on property located at 611 Jefferson Street.

Commissioner Kolody questioned whether a parking study of the area was ever conducted. CRA/Economic Development Director Tony Otte clarified the need for a parking lot at Pettis Park.

Mayor Owen opened the public hearing

Timothy Washington, 318 North Myrtle Avenue, opposed the application and felt another parking lot to the neighborhood would invite crime. He felt alternatives could be found and asked that no decision be made in order to inform all residents of the neighborhood of the proposed action.

Commissioner McGuirk questioned staff had talked with Mr. Washington regarding what his concerns with a parking lot was. Mr. Washington replied traffic and safety, and commented on his home being adjacent to where the parking lot would be. Commissioner McGuirk felt there were things the City could do in order to assist Mr. Washington and make him feel safe.

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

Commissioner Sachs questioned the value of 21 parking spots, and wondered why the City was pursuing the project.

Community Resource Coordinator Donna Banks commented on her perception of the need for additional parking. She highlighted 80 children attended daycare at Pettis Park with no available parking.

Mayor Owen questioned when the property was purchased. Mr. Otte confirmed Tuesday, March 19, 2019.

Vice Mayor Hartman questioned site plan process. Commissioner Kolody could not support the application.

Motion:

Commissioner McGuirk moved to approve Application No. SE-6-18, with the City Commission to give final site plan approval and for staff to meet with Mr. Timothy Washington to obtain his input on the site plan. Vice Mayor Hartman seconded the motion and it carried by 3-2 majority, with Commissioner Kolody and Commissioner Sachs voting no.

RESULT:	ADOPTED [3 TO 2]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Randy Hartman, Vice Mayor
AYES:	McGuirk, Hartman, Owen
NAYS:	Sachs, Kolody

9. ORDINANCES - FIRST READING

- A. Ordinance No. 13-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the Code of Ordinances, Chapter 18 - Animals

City Attorney Avallone read Ordinance No. 13-19, the first time by title only.

The second reading and public hearing will be held at the regular City Commission meeting scheduled for April 9, 2019.

Commissioner Sachs commented on time period animals would be held at the humane society prior to being euthanized. He also commented on the practice of tethering of animals. He wanted those lines struck from the proposed language within the proposed ordinance. Assistant City Manager Resheidat clarified the humane society had a 3-day holding rule.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS] Next: 4/9/2019 6:30 PM
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

- B. Ordinance No. 14-19: Conduct the second reading and public hearing of an ordinance, which if adopted, would amend the City Code of Ordinance, Chapter 30, Businesses - Article II - Peddlers, Canvassers, Solicitors

City Attorney Avallone read Ordinance No. 14-19, the first time by title only.

The second reading and public hearing will be held at the regular City Commission meeting scheduled for April 9, 2019.

RESULT:	APPROVED AT FIRST READING [UNANIMOUS] Next: 4/9/2019 6:30 PM
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

10. BOARDS AND COMMISSIONS

- A. Economic Development Advisory Board - Accept the voluntary resignation of member Ulrike "Uli" Rehn and consider the appointment of a citizen to serve as a member to complete the term expiring June 8, 2022.

Mayor Owen outlined staff's recommendation that the City Commission consider the appointment of a citizen to serve as a member of the Economic Development Advisory Board to complete the term expiring June 8, 2022.

Commissioner Kolody nominated Anthony DiFilipo. Commissioner Sachs nominated David Score. Mayor Owen nominated Daniel Moran. City Clerk Bledsoe distributed ballots and the results were:

Mayor Owen voted for Daniel Moran
Vice Mayor Hartman voted for David Score
Commissioner Kolody voted for Anthony DiFilipo
Commissioner McGuirk voted for Daniel Moran
Commissioner Sachs voted for David Score

Due to a tie, a second ballot was distributed by City Clerk Bledsoe and the results were:

Mayor Owen voted for David Score
Vice Mayor Hartman voted for David Score
Commissioner Kolody voted for David Score
Commissioner McGuirk voted for Daniel Moran
Commissioner Sachs voted for David Score

By a vote of 4 -1 David Score was appointed as a member of the Economic Development Advisory Board to complete the term expiring June 8, 2022.

B. Leisure Activities Advisory Board - Appoint/Reappoint two members to fill two unexpired terms to expire on June 22, 2019.

Mayor Owen outlined staff's recommendation that the City Commission appoint two members to the Leisure Activities Advisory Board, to fill two unexpired terms to expire on June 22, 2019.

Mayor Owen nominated Mary Jacobs. Commissioner McGuirk nominated Brenda Stauffer. By a vote of 4-1, Mary Jacobs and Brenda Stauffer were appointed as members of the Leisure Activities Advisory Board to terms to expire June 22, 2019. Commissioner Sachs voted no.

C. Consider the Appointment of a member to the Neighborhood Council to complete a term expiring May 28, 2019 and accept the resignation of current member, John Hallacy.

Mayor Owen outlined staff's recommendation that the City Commission consider the appointment of a member to the Neighborhood Council to complete a term expiring May 28, 2019 and accept the resignation of current member, John Hallacy.

Motion:

Vice Mayor Hartman moved to accept the resignation of John Hallacy as a member of the Neighbor Council. Commissioner Kolody seconded the motion and it carried unanimously.

Nomination:

Vice Mayor Hartman nominated Lisa Martin to fill the vacancy to expire May 28, 2019. The nomination carried unanimously and Lisa Martin was declared appointed.

11. MAYOR AND COMMISSION REPORTS

Vice Mayor Hartman commented on his recent visit to Mount Calvary Missionary Baptist Church.

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Commissioner McGuirk had no report.

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Commissioner Sachs commented on his concern with rumors that the Utilities Commission was going to sell the 800 acres property.

Commissioner Sachs commented on a recent conversation he had with a Department of Transportation representative regarding the installation of emergency signals at two fire stations on S.R. 44, who clarified that no development was required to install the lights.

Commissioner Sachs questioned whether existing parking citation fees should be increased. He then commented on people fishing illegally from the North Causeway drawbridge, and felt the Florida Wildlife Commission should be informed of such violations.

Commissioner Sachs reported on his recent attendance at a meeting of the Neighborhood Council. He felt the website should be updated regarding board information.

Commissioner Sachs commented on the current zoning of the Administrative Office Building site.

Motion:

Commissioner Sachs moved to direct staff to begin the process to rezone the AOB site property from City Marina to Recreation. Vice Mayor Hartman seconded the motion and the motion failed by a vote of 2 - 3 with Commissioner Kolody, Commissioner McGuirk and Vice Mayor Hartman voting no.

Commissioner McGuirk felt the future of the AOB site should be determined prior to any rezoning action being considered. Mayor Owen agreed.

Jason felt future use should be determined first. Mayor agreed.

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Commissioner Kolody inviting citizens to attend a Community Forum on April 5, 2019. He commented on his recent attendance at a public meeting regarding the upcoming Volusia County Sales Tax Referendum election.

Commissioner Kolody commented on parking problems created by special events. He also commented on the board appointment process.

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Mayor Owen reported on his recent visit to St. Paul's Episcopal Church in celebration of the church's 150th Anniversary.

Mayor Owen commented on challenges faced with parking at special events. He also stressed how City representatives must "over communicate" any changes being considered.

Mayor Owen commented on Strategic Priorities and the upcoming State of the City address at the Chamber of Commerce.

12. CITY MANAGER'S REPORT

A. City Manager's Report

Assistant City Manager Resheidat outlined staff's request that the City Commission approve the appointment of John McKinney as Finance Director.

Motion:

Commissioner McGuirk moved to approve the appointment of John McKinney as Finance Director. Vice Mayor Hartman seconded the motion and it carried unanimously.

Assistant City Manager Resheidat outlined staff's request that, due to Mr. McKinney not starting until April 8, 2019, the budget workshop scheduled for April 16, 2019 be moved to May 21, 2019.

Mayor Owen confirmed City Commission consensus to reschedule the budget workshop from April 16, 2019 to May 21, 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Randy Hartman, Vice Mayor
AYES:	McGuirk, Sachs, Hartman, Kolody, Owen

13. CITY CLERK'S REPORT

City Clerk Bledsoe reported that the Volusia County Supervisor of Elections had contacted each municipality regarding the placement of ballot boxes at each City Hall.

The plan was to provide each city with a ballot box, clearly labeled for this purpose with the dates and times it will be available at each location. Boxes would be delivered to City Halls May 1, 2019. The public would be informed that these boxes would be available from May 1 to May 20, 2019. There would be no collection at the cities on Election Day, May 21, 2019; as all ballots would have to be at the Supervisor of Elections office by 7 pm.

The ballot box would be one of their ballot boxes, which had wheels and compartments that would be sealed. An election's staff member would go out daily to retrieve the ballots and reseal. The Supervisor of Elections asked that cities place the collection box in an area where someone could keep an eye on it; and if on camera, even better. If placed in an open lobby area, it was asked that at the end of the day the box be stored in a secure location. As it may contain ballots.

City Clerk Bledsoe reported that he had told the Supervisor of Elections that his office could support the operation and secure the ballot box in a locked location at the end of each business day.

14. CITY ATTORNEY'S REPORT

City Attorney Avallone reported on a recent request for accommodation received regarding Americans with Disabilities Act access to documents on the City website. She commented on past litigation action by the person making the request and action taken by the City Attorney's office. City Attorney Avallone requested City Commission authorization to begin taking the appropriate steps necessary in order to bring into ADA compliance, documents found on the City website. Mayor Owen confirmed that there was no objections from the City Commission for staff to begin taking those steps necessary.

15. ADJOURNMENT

With no other business to conduct, Mayor Owen declared the meeting adjourned at 9:53 p.m.