



City Commission Workshop
Tuesday, November 19, 2019 at 4:00 PM
City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, FL 32168
MINUTES

I. CALL TO ORDER

Having been duly advertised as required by law, the workshop of the City Commission of the City of New Smyrna Beach, Florida, was held on Tuesday, November 19, 2019 at the City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Mayor Russ Owen called the meeting to order at 4:00 PM.

Present: Mayor Russ Owen, Vice Mayor Michael Kolody, Commissioner Randy Hartman, Commissioner Jason McGuirk and Commissioner Jake Sachs.

Also present were City Attorney Carrie Avallone, City Manager Khalid Resheidat, Police Chief Mike Coffin, CRA/Economic Development Director Tony Otte, Director of Development Services and Coastal Environmental Resiliency Brian Fields, Leisure Services Director Nancy Maddox, Finance Director John McKinney, Community Resource Coordinator Irma Terry, Assistant to the City Manager and Public Information Officer Phil Veski and City Clerk Kelly McQuillen.

II. PUBLIC PARTICIPATION

Linda Mays, 1426 Beacon Street, commented on the special characteristics of the city. She commented on the uniqueness of the small businesses. She shared that most revenue earned via franchises leave the City. She stated they could not compete with small businesses. She asked the Commission to develop "No Franchise Zones" in New Smyrna Beach.

Deb Exum, 622 Faulkner Street, commented on the Neighborhood Compatibility agenda item. She commented in favor of legislative measures to maintain the appeal of the historic homes and historic commercial buildings. She commented on property rights, owner's freedom, and the look and feel of an older

neighborhood. She hoped that the Commission would find a balance in the City's special character.

Chip Weston, 411 Hanna Jean Circle, commented on resiliency. He commented on various topics to include flood insurance, mortgages, FEMA Maps and LDR's. He commented that the City could use the LDR's to protect structures and he suggested publishing a manual that others could use. He thanked the Commission for creating an ordinance to protect the density of the wetlands.

Alona McCarty, 202 Julia Street and co-owner of Florida Local, commented on the natural beauty and quaint beach town. She commented on marketing efforts. She commented on the local landscape diminishing. She referred to a petition that has over 4,500 signatures. She commented on protecting what NSB had left by the encroachment of chain stores. She asked that they open up a conversation about establishing a no franchise zone.

Bryon White, 105 Handley Drive, shared that he was the one who started the ban. He shared statistics about small business facts. He stated that small business GDP had decreased over years. He commented on an influx of chain businesses. He commented on the competitive landscape that small businesses could face. He stated the stores were rooted in their development.

Eric Preston, 1327 Wayne Avenue, commented on the bounds of state and federal law. He shared that he had researched the issue of no franchise zones. He shared facts about development and mentioned other Florida Cities; such as Boynton Beach and Sanibel. He stated they were at a critical junction in New Smyrna Beach because they could be placed in danger of losing their charm and could protect the areas of their town.

Louis Paniko, 206 Needle Palm and NSB Business owner, commented on seeing a lot of change in the past few years. He stated that change was inevitable. He stated that it felt like the town could be stolen from us.

Kathy Holthouse, 918 Magnolia Street, commented on moving here from Carmel, California over twenty years ago. She stated that she has watched it grow over the years. She stated that she thought that the charm was gone. She mentioned

enjoying Canal Street businesses. She asked the Commission to save what charm they could.

III. PLANNING WORKSHOP

Mayor Owen asked the City Commission for a consensus to swap Item 4 and 6. City Commission consensus authorized the swap.

1. Presentation by GAI's Community Solutions Group of a Fiscal Impact Study that estimates the "net fiscal impact" from various types of new development

GAI Consultant Steven McDonald outlined a PowerPoint Presentation regarding the net fiscal impact.

Vice Mayor Kolody shared that he did not believe a Fiscal Impact Study should be part of what the City does already.

Commissioner Sachs stated that he did not mind learning more about the fiscal impact study.

Commissioner McGuirk stated that he did not mind learning more about it. He commented on affordable housing. He was interested in the commercial side of the fiscal impact study.

Commissioner Hartman concurred with all of his colleagues. He asked how City Staff would help with the data presented.

Mr. Fields stated that it would provide another data point.

Commissioner McGuirk stated it would be more beneficial in what they do and do not do. He referenced the hotel development.

Mayor Owen stated that having it as a data point would be nice. He asked if they would need external business consultants to assist in the future.

2. Review and discussion of the draft final Transportation Impact Fee Study

Mr. Fields provided an update for the Transportation Impact Fee Study. He shared that they collected more data. He shared that the new rates were included in the report and mentioned a handout that he distributed.

Mr. Fields stated that he was asking for direction from the City Commission on whether to proceed with the study.

City Commission consensus was in favor of directing staff to move forward with establishing the Transportation Impact Fee Study.

3. Review concerns about the neighborhood compatibility of new and renovated buildings and discuss possible regulatory options to consider

City Commission consensus was to warrant further discussions on the item to learn more about it.

4. Discussion: Regulating Chain/Formula Businesses

Commissioner Hartman stated it was certainly something to discuss in the future. He mentioned unintended consequences. He wanted to have a bigger audience to discuss the issue. He would be in favor of looking at it if they had a specific set of goals.

Commissioner McGuirk asked what the Commission was going to task staff to do. He wanted more clarification on exactly what to task staff with. He wanted the City Commission to be presented with the petition.

Commissioner Sachs commented on a very sudden outcry for chains. He referenced Deland's mixed usage of franchise and non-franchise. He wanted to discuss the item further.

Vice Mayor Kolody commented about the loopholes in banning franchise business in town based upon his experience as a planner. He shared that the diversity needed to be brought in. He suggested developing standards

through the City's Land Development Regulations to maintain the quality of the town. He proposed a focus workshop in January 2020.

Mayor Owen commented on feeling strongly about this item. He mentioned reading many other cities ordinances. He commented on the crafting of ordinances and thought it was of enough significance to move forward.

City Commission consensus was to direct City Staff to present the City Commission with a copy of the petition.

5. Discussion of various Coastal Environmental and Resiliency issues including the City's CCSL line, floodplain standards, and wetland protection

Mr. Fields commented on flood plain management, wetlands and CCSL.

- ***City Commission consensus was to proceed with raising the level and moving forward with flood plain management.***
- ***City Commission consensus was to seek to further explore additional wetlands measure.***
- ***City Commission consensus was to bring the item back for discussion regarding the clean up and expansion of the CCSL.***

6. Discussion about the possible establishment of a policy or future ordinance regulating the use and licensing of scooters and/or bike sharing businesses seeking to operate

No action. Item was tabled to a future agenda with a date to be determined.

IV. OTHER BUSINESS

No action.

V. ADJOURNMENT

As there was no other business to discuss, Mayor Owen declared the meeting adjourned at 6:03 PM.