



**City Commission Regular Meeting
Tuesday, February 26, 2019
Minutes**

6:30 PM – City Hall Commission Chamber, 210 Sam’s 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 26, 2019 at the City Hall Commission Chamber, 210 Sams Avenue, New Smyrna Beach, Florida 32168.

Vice Mayor Randy Hartman called the meeting to order at 6:30 PM.

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	Excused	

Also present were City Manager Pamela Brangaccio, City Attorney Carrie Avallone, Assistant 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, Community Resource Coordinator Donna Banks and Assistant City Clerk Kelly McQuillen.

2. INVOCATION/PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF THE AGENDA

City Manager Pamela Brangaccio reported that City Attorney Avallone would make an announcement on Item 9. Ordinances - First Reading, A. Ordinance No. 09-19 in terms of a change. She stated that there was a change on Item 6. Consent Agenda, C. Approval of Change Order #1 - SM&E. She stated that the amount listed was \$5,080.00 but that staff reduced the cost in half. She stated that the revised amount was \$2,540.00.

City Attorney Avallone stated that there was a typographical error included on the citation of Item 9. Ordinances - First Reading, A. Ordinance No. 09-19. She stated that she would address the change when they discussed the item.

4. ANNOUNCEMENTS/PRESENTATION/RECOGNITIONS

A. Presentation--Magnolia Street traffic calming recommendations

Assistant City Manager Khalid Resheidat provided a brief history on the Magnolia Street Traffic Calming Studies. He shared three alternatives. He stated that alternative one was to create a median island, alternative two was to install chicanes and alternative three was to create a diagonal traffic diverter.

Colleen Jarrell, Senior Transportation Engineer at Traffic Engineering Data Solutions, Inc. outlined a PowerPoint presentation and answered Staff's questions.

Commissioner Sachs asked Ms. Jarrell what her choice of alternative was.

Ms. Jarrell stated that her choice would be the diagonal traffic diverter.

Commissioner Sachs opposed closing Magnolia Street. He felt that it was a waste of money and remarked that there were various other roads that were also traffic cut-troughs. He felt that a precedence would be set if the closure were approved. He stated that the discussion should be focused on traffic calming measures.

Vice Mayor Hartman opposed closing Magnolia Street. He believed that the traffic study was flawed because the numbers were skewed when calculating the southbound traffic because there was not an exit to get back onto US1 via traffic light. He referenced an upcoming construction project on US1 and Canal Street and stated it would cause the numbers to be incorrect if a study was done in May because it was a two-year project. He mentioned the recent opening of the Live oak Cultural Center and stated there was no stop traffic on 3rd Street. He stated that 6th Street was where the Reed Pattillo Elementary School was located and suggested that he would like staff to research those two busier intersections; Magnolia and 3rd Street and Magnolia and 6th Street to help with a clearer and safer pedestrian path.

Assistant City Manager Resheidat mentioned that they looked at stop signs at twelve locations and confirmed that the two intersections that Vice Mayor Hartman were included in the twelve.

Commissioner Kolody did not support the diagonal traffic diverter. He believed that traffic calming devices should be used at a couple of intersections. He stated that his preference was a roundabout or speed tables placed at the intersections of 3rd Street and Magnolia and 6th Street and Magnolia. He wanted speed tables to be placed on the two parallel streets to deter drivers from avoiding speed tables on Magnolia. He did not support further studies or a diagonal traffic diverter.

5. PUBLIC PARTICIPATION

Sarah Holweg, 1709 Magnolia Street, commented that her home is located in the area of Magnolia Street that would be cut off if a diagonal traffic diverter was installed. She shared that within that specific area, there were twelve drivers that would be affected. She shared that her children walked to Reed Pattillo Elementary School and she was concerned about their safety as well as her neighbor's safety. She commented on the Police Department vacancies and confirmed that there were twelve vacancies in the

Department. She stated that she could not expect law enforcement to protect them due to the low staffing. She referenced the low salaries of police officers and suggested hiring additional officers so that they could accommodate monitoring the traffic on Magnolia Street.

City Manager Brangaccio shared that the New Smyrna Beach Police Officers starting salary range was within the top five of Volusia County.

Bobbie Hollars, 512 Magnolia Street, appreciated the studies that were completed. She shared a traffic concern that occurred earlier in the morning. She shared that she wanted the speed limit to decrease. She commented on living across the street from the church and was fearful that an elderly person would possibly be injured due to the fast driving speeds within that area. She requested that the speed limit on Magnolia Street be reduced to 25 MPH.

Donna Stoddard, 1404 Palmetto Street, remarked that restricting traffic on any street would cause congestion on all other streets. She shared that she was aware of the traffic issues when she purchased her home. She stated that the City should not pay for more traffic calming studies.

Dan Chapman, 10th Street, requested that the City would not install a diagonal traffic diverter on Magnolia Street. He commented on traffic signals, timing and lights.

Jennifer Parker, 2019 Umbrella Tree Drive, introduced herself as the tattoo parlor owner. She provided a brief history of working with the City regarding her business license. She stated that her business was previously located on Cooper Street and that the business recently relocated to 210 Magnolia Street. She shared that she has been a proud business owner for eight years. She shared that she has made many friends and partnerships within the community. She stated that she was the PTA President at Coronado Beach Elementary School and that she volunteered at her church, First NSB. She shared that information because being a business owner allowed her to contribute back to the community. She hoped that the City Commission would trust her to continue to uphold the high standard of new Smyrna Beach business ownership. She asked the Commission to approve the Special Exception to approve her business license. She introduced her children and they participated in the public participation portion.

Adrian Arney, 2019 Umbrella Tree Drive, shared that he was a baby eight years ago while listening to his mother speak at a similar City Commission Meeting. He asked that the City Commission consider approving his mother's tattoo license. He shared that his mother was involved in the community and that her license helped to sustain their family. He shared that it would give his mother time to spend with their family.

Jaxon Arney, 2019 Umbrella Tree Drive, commented that his mom owned the tattoo shop before he was born. He shared that his mother volunteered at his school and made sure that the students and teachers had what they needed to survive. He stated that his mother was exactly the type of person that the community needed as a business owner and requested that the City Commission approve the Special Exception so that their family would not have to close the business.

Rose Fitch, 1110 Magnolia Street, commented that she was grateful the meeting tonight. She commented on being surprised that several Magnolia Street residents do not support the street closure. She shared that she researched the definition of traffic calming on the internet and provided her findings to the City Commission.

Stuart Mitchell, The Stuart Mitchell Company, commented in opposition of ordinance No. 09-19. He shared that he had experience in historic trees and referenced Oak and Cypress trees. He stated that the projects he worked on and the people he worked with saved many trees. He requested a tightening of the ordinance because it had a tremendous impact on homes. He mentioned that he wanted to remain a responsible real estate broker and felt the City does not need constraints as it moved forward to continue to grow.

Jack Holcomb, 417 Quay Assisi, spoke in opposition of Ordinance No. 09-19. He commented on adhering to the site plan design when building his business. He wanted to change SR44 to include bigger buffers. He stated he wanted to be part of the solution and not part of the problem.

Kathi Powers, 918 Magnolia Street, commented on being a New Smyrna Beach resident for twenty-one years. She shared that she understood the traffic concern and shared that it was more of a problem than Magnolia Street. She suggested that a traffic solution would be considered at 10th Street because the increasing activity and development would increase traffic concerns.

JJ Adams, 2224 Kumquat Drive, commented in support of Special Exception 1-19, Tattoo Parlor on 210 magnolia Street. He stated he was a first time business owner. He supported what Ms. Parker was requesting and shared that they attend the same church. He encouraged City Commission to consider adopting SE-1-19.

Larry Mullinax, owner of Mullinax Ford, commented on Ordinance No. 09-19. He stated they require more room for customers and vehicles. He shared that it was very important for his business to expand and to take into consideration the growth of the area.

Sarah Gurtis, CEO of the Council on Aging of Volusia County, expressed her gratitude to the City Commission regarding the Live Oak Cultural Center project. She stated that she attended the ribbon cutting. She thanked City Staff for their tenacity. She was hopeful to receive the keys to the building on March 4, 2019. She shared that they would close over that weekend and move into the new facility. She estimated that by March 11 or 12th, 2019; they would be formally established into their new home.

Joshua Webster, 3310 Kumquat Drive and co-owner of NSB Tattoo Company, commented on the importance of not owning a traditional tattoo parlor. He stated they were a studio and they were focused on family values.

Shannon Daniel, business owner of Vogue Cleaners located at 200 Magnolia Street, commented in opposition of closing Magnolia Street. She stated that customers travel the cut-through streets to travel to her business. She stated that when major streets, such as Canal Street, are closed, it negatively affects her business.

Glen Storch, attorney, commented on Ordinance No. 09-19. He commented on unintended consequences. He commented on the goal accomplished, buffer requirements, vacant properties, preservation of specimen trees and how the ordinance could create a problem for city staff.

Lori Edens, 1201 Magnolia Street, commented on being a Magnolia Street resident for twenty-two years. She commented in opposition of closing the street. She recommended very simple roundabouts and extra stop signs.

Mark Beckwith, 1208 South Riverside Drive, commented on the density development and asked for consideration regarding how much developers are placing structures and people at risk.

James Curran, Builder and Developer, commented on Ordinance No. 09-19. He commented on the Eslinger Project and stated that the density was reduced to forty-five units in an effort to salvage more trees. He stated that the original plan was to remove forty-five trees and that they have reduced that number to fifteen. He commented on a loss of money regarding engineering on the project.

Keith Myhre, Manager of Chase's on the Beach, commented in support of SE-1-19. He commented on a professional working relationship with Jennifer Parker. He stated that she carried herself well and he was very impressed by her. He shared that she re-invests in the community. He shared that if he had to choose a neighbor, it would be Ms. Parker.

Warren Bartlett, 1114 Magnolia Street, commented on being a Magnolia Street resident for twenty-nine years. He offered suggestions about traffic solutions. .

Mary Lee Crowitt, 1207 Magnolia Street, thanked the City Commission for listening to residential concerns. She suggested simply lowering the speed limit and adding more stop signs every couple of blocks.

Kevin Ragsdale, 1616 Magnolia Street, commented that he, in conjunction with Betty Wright, began the process to address the Magnolia Street traffic problem. He shared that there were ninety-three homes on Magnolia Street and that they were able to obtain sixty-seven petition signatures from those residents. He stated they asked the Assistant City Manager for speed bumps and asked for more police presence.

Betty Wright, 1605 Magnolia Street, knocked on doors and started the petition on Magnolia Street with Mr. Ragsdale. She clarified that no one asked for Magnolia Street to be permanently closed. She stated that a temporary closure was requested to conduct a study. She was concerned about the safety of the magnolia Street residents and wanted the volume of vehicles and their speed controlled.

Larue Balmer, 915 Magnolia Street, was surprised at speed issues.

Joseph Oberzut, 1423 Magnolia Street, shared that he had a circular driveway but removed it due to the traffic. He mentioned that the safety and well-being of the residents was his concern. He suggested a roundabout to assist with traffic calming.

6. CONSENT AGENDA

- A. Approve City Commission Regular Meeting Minutes for January 22, 2019 and February 12, 2019.

Motion:

Commissioner McGuirk moved to approve City Commission Regular Meeting Minutes for January 22, 2019 and February 12, 2019, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- B. Approval of a direct employee agreement with the Chief Building Official, rather than a continued consulting firm contract for the services

Motion:

Commissioner McGuirk moved to approve a direct employee agreement with the Chief Building Official, rather than a continued consulting firm contract for the services, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- C. Approval of Change Order #1 to S&ME's Contract for a Development Density Study in the amount of \$5,080.00.

Motion:

Commissioner McGuirk moved to approve a Change Order #1 to S&ME's Contract for a Development Density Study in the amount of \$5,080.00, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- D. Resolution No. 06-19: JPA Agreement regarding Saxon Drive - Pedestrian Crossing Improvements at 8th Avenue and Sandpiper Street; a budget transfer from the General Fund Reserves would follow for the \$10,000 in City costs for installation.

Motion:

Commissioner McGuirk moved to adopt Resolution No. 06-19, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- E. Recommendation to Award RFP 15-18-PARKS Resurfacing Sports Courts at Detwiler Park to Sport Surface Pros, LLC for \$30,700.

Motion:

Commissioner McGuirk moved to approve the award of RFP 15-18-PARKS Resurfacing Sports Courts at Detwiler Park to Sport Surface Pros, LLC for \$30,700, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- F. Approve the purchase of one (1) 2019 Kubota M7060HDC from Florida Coast Equipment, utilizing Florida State contract pricing of \$56,883.23 for the Streets Department

Motion:

Commissioner McGuirk moved to approve the purchase of one (1) 2019 Kubota M7060HDC from Florida Coast Equipment, utilizing Florida State contract pricing of \$56,883.23 for the Streets Department, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- G. Approve Resolution No. 07-19: Entering into a Joint Project Agreement with Volusia County regarding the new proposed SR 44/3rd Ave to Walmart Plaza Votran bus Route.

Motion:

Commissioner McGuirk moved to adopt Resolution No. 07-19, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- H. Approve the Live Oak Cultural Center Contract with Council on Aging, Memorandum of Understanding with Atlantic Center for the Arts, Proposed Policy and Fees for Other Users.

Motion:

Commissioner McGuirk moved to adopt the Live Oak Cultural Center Policy and Fees, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

- I. Purchase of 611 Jefferson (Pettis Park Parking)

Motion:

Commissioner McGuirk moved to approve the purchase of 611 Jefferson (Pettis Park Parking), as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

J. Stacy Lane - Accepting Stormwater and Vehicular Access Easements

Motion:

Commissioner McGuirk moved to approve to accept the Stacy Lane Easements - Stormwater and Vehicular Access Easements, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

K. Approve a Road Closure Request – 100 Block of Downing Street between Magnolia Street and South Riverside Drive for a duration of one week.

Motion:

Commissioner McGuirk moved to approve the Road Closure Request for the 100 block of Downing Street, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

L. Approve Special Event: Veterans of Foreign Wars post 4250 Requests permission to allow camping, at 2350 Sunset Drive, During Bike Week 2019 starting on March 8, 2019, from 8 a.m. and ending on March 17, 2019, at 5 p.m.

Motion:

Commissioner McGuirk moved to approve the Special Event: Veterans of Foreign Wars Bike Week Camping at 2350 Sunset Drive, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

7. ADMINISTRATIVE ITEMS/NEW BUSINESS

A. 1/2 CENT SALES TAX-- Update on the Special Election Schedule and a Representative City Project List to be Forwarded to the Volusia County Council

Director of Development Services and Coastal Environmental Resiliency Brian Fields outlined the projects.

Commissioner Sachs was concerned about the Williamson extension. He commented on well fields and water recharge areas.

Commissioner McGuirk shared that he had a differing perception about the Williamson Extension. He stated that it was very important for the future to deal with the community growth. He commented on not wanting to interrupt the water recharge area. He stated that he was confident in Volusia County's abilities to handle the development well.

Commissioner Kolody shared that he had issues with the sales tax. He wanted to see Pioneer Trail through Wayne Avenue as a second access through to Dixie Freeway. He commented on seeing the interchange at Pioneer Trail. He wanted Volusia County to put it on the map. He requested the CIP so that the City could begin spending impact fees and remarked there was no plan on how to use those funds for the best interest of the City.

Vice Mayor Hartman asked if an audit could be done.

B. Discussion Regarding Commissioners Responses to Constituents

No Action. Item was continued, by City Commission consensus, to be continued at a future workshop.

- C. Approve a Special Event; Flagler Tavern St. Patrick's Day Celebration on March 17, 2019 from 10 a.m. until 9 p.m., set up time from 8 a.m. to 10 a.m. and breakdown from 9 p.m. to 11 p.m. and a beer garden.

Leisure Services Director Nancy Maddox outlined the application history.

Manager Flagler Tavern Manager Sherman Reed commented on the event and addressed the concerns.

Commission Kolody wanted the City Commission to ask staff to look into alternate parking to bring clarity to the issue. He wanted to know who needed off-street parking and who did not.

Commissioner Sachs voiced his concerns about the impact on nearby residents. He stated the impacts become problematic for safety and quiet, peaceful enjoyment. He asked about provided leased parking for employees at Flagler Tavern. He wanted to find a way for the City and Business to collaborate.

Mr. Reed stated he was willing to work with the City. He stated they embraced the community.

Vice Mayor Hartman disclosed that he met with Flagler Tavern and Clancy's management. He commented that the concerns he had at the time were Land Development Regulations. He shared that the entire ordinance needed to be reviewed and wanted to add the issue into an upcoming workshop.

Motion:

Commissioner Kolody moved to approve a Special Event: Flagler Tavern St. Patrick's Day Celebration, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kolody, Commissioner
SECONDER:	Jason McGuirk, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

- D. Approve Special Event: Bike Week 2019 and beer garden on March 7 through the 17th of 2019 from 8 a.m. to 8 p.m.

Motion:

Commissioner Kolody moved to approve a Special Event: Bike Week 2019, as submitted. Commissioner Sachs seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kolody, Commissioner
SECONDER:	Jake Sachs, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

- E. Approve a Special Event: St. Patrick's Day at Clancy's Cantina and approval to have a beer garden on March 16th-17th, 2019 from 11 a.m. on March 16 to 11 p.m. on March 17

Motion:

Commissioner McGuirk moved to approve a Special Event: St. Patrick's Day at Clancy's Cantina, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Michael Kolody, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

8. ORDINANCES - SECOND READING AND PUBLIC HEARINGS

- A. Ordinance No. 07-19: Land Development Regulation Amendment Application No. ZT-7-18. Conduct the First Reading of an Ordinance, which if adopted, would amend the Land Development Regulations regarding the B-5, Planned Shopping Center Special Exception Use of Daycare.

City Attorney Avallone read Ordinance No. 07-19, the second time by title only.

Director of Development Services and Coastal Environmental Resiliency Brian Fields outlined the proposed ordinance, which if adopted, would amend the Land Development Regulations regarding the B-5, Planned Shopping Center Special Exception Use of Daycare.

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

Motion:

Commissioner McGuirk moved to adopt Ordinance No. 07-19, as submitted. Commissioner Sachs seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Jake Sachs, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

- B. Ordinance 08-19: Conduct the First Reading of an Ordinance, which if adopted, would amend the General Fund and the Parking Fund for the transfer of \$51,000, from the Parking Fund to the General Fund, for the bid awarded for the 27th Avenue Park Project.

City Attorney Avallone read Ordinance No. 08-19, the second time by title only.

City Manager outlined the Ordinance and commented on the parking spaces, gorgeous new playground and pavilion.

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

Motion:

Commissioner Kolody moved to adopt Ordinance No. 08-19, as submitted. Commissioner Sachs seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kolody, Commissioner
SECONDER:	Jake Sachs, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

- C. Special Exception Application No. SE-5-18: 1890 SR 44: Conduct a public hearing on a request for Special Exception, which if approved, would allow a new child daycare on property located at 1890 SR 44.

Director of Development Services and Coastal Environmental Resiliency Brian Fields outlined the Quasi-Judicial Public Hearing of Special Exception SE-5-18.

Mr. Fields was administered the oath, by the City Attorney. He outlined his professional and educational qualifications. As no citizens questioned her credentials, Mr. Fields outlined the proposed Special Exception, which if adopted, would allow a new child daycare on property located at 1890 SR 44.

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

Motion:

Commissioner McGuirk moved to adopt SE-5-18, as submitted. Commissioner Kolody seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Michael Kolody, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

- D. Conduct a public hearing on Special Exception Application No. SE-1-19, which if approved, would allow a tattoo parlor on property located at 210 Magnolia Street.

Director of Development Services and Coastal Environmental Resiliency Brian Fields outlined the Quasi-Judicial Public Hearing of Special Exception SE-1-19.

Mr. Fields was administered the oath, by the City Attorney. He outlined his professional and educational qualifications. As no citizens questioned her credentials, Mr. Fields outlined the proposed Special Exception, which if adopted, would allow a tattoo parlor on property located at 210 Magnolia Street.

Commissioner Sachs asked if the applicant was required to obtain a health permit.

Ms. Parker explained that she was required to have a health permit. She shared that she had been in business for eight years. She commented that she participated in a program named "Job-Stoppers" and that she will not tattoo young adults anywhere that would potentially risk that person from getting a job.

Mayor Owen opened the public hearing.

Scott Stager, Exit Realty, commented in support of the applicant. He commented that her good character would bring quality to the area.

Mayor Owen closed the public hearing.

Commissioner McGuirk commented on Ms. Parker's history with the City Commission. He wanted Ms. Parker to know that he would vote yes, because of what she has shown. He stated she operates a good, clean business.

Motion:

Commissioner Kolody moved to adopt SE-1-19, as submitted. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kolody, Commissioner
SECONDER:	Jason McGuirk, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

9. ORDINANCES - FIRST READING

- 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 first time, by title only.

City Attorney Avallone outlined some minor changes that were made.

Commissioner McGuirk commented on the oak trees just getting to the point that they were creating a new canopy. He wanted it to come back to the City Commission with recommendations or examples of what other cities are doing with this issue.

Commissioner Sachs referred to the unanimous Planning and Zoning Board affirmative vote to move forward.

Commissioner Kolody stated that he was more than happy move forward to Second Hearing. He wanted this to be for the rest of the town.

RESULT:	CONTINUED NO VOTE TAKEN	Next: 3/12/2019 6:30 PM
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B. Ordinance No. 10-19: Conduct the second reading and public hearing of Ordinance No. 10-19, which if adopted, would approve the 1st Amendment to the Ocean Way Village PUD Master Development Agreement.

City Attorney Avallone read Ordinance No. 10-19 the first time, by title only.

Commissioner Kolody commented on citizen concerns about PUD's. He was going to look for more positive changes.

RESULT:	CONTINUED NO VOTE TAKEN	Next: 3/12/2019 6:30 PM
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10. BOARDS AND COMMISSIONS

A. Code Enforcement Board - Consider the appointment/reappointment of two members to the Code Enforcement Board to three-year terms to expire March 3, 2022.

Motion:

Commissioner McGuirk moved to reappoint Wade Mahood and James Booker III as members of the Code Enforcement Board to serve 3-year terms expiring on March 3, 2022. Commissioner Kolody seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jason McGuirk, Commissioner
SECONDER:	Michael Kolody, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

B. Consider approval of the reappointment of a board member, as elected by the members of the Fire Department to a two-year term to expire November 1, 2020, this representative is David Newell.

Motion:

Commissioner Kolody moved to approve the reappointment of David Newell as a member of the Fire Pension Board to serve a 2-year term expiring on November 1, 2020. Commissioner McGuirk seconded the motion, and the motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kolody, Commissioner
SECONDER:	Jason McGuirk, Commissioner
AYES:	McGuirk, Sachs, Hartman, Kolody
EXCUSED:	Owen

11. MAYOR AND COMMISSION REPORTS

Commissioner Kolody had no report to share.

Commissioner Sachs commented on the career advancement of Police Officer Jennifer Fike. He commented that it was a joy joining the Lions Club at their 71st year of charter in city.

Commissioner McGuirk congratulated Office Fike on her advancement.

Commissioner Kolody requested that they begin looking at short-term rentals again.

Vie Mayor Hartman shared that he and Mayor Owen attended an event at Mt. Zion Church. He stated it was quite impressive and amazing that there was that kind of history. He mentioned the need to have a more pedestrian-friendly pathway on Magnolia Street.

12. CITY MANAGER'S REPORT

A. City Manager's Report

City Manager Brangaccio shared that there was a Transportation Workshop on March 19, 2019 at 5:30 PM.

13. CITY CLERK'S REPORT

No Action.

14. CITY ATTORNEY'S REPORT

No Action.

15. ADJOURNMENT

As there was no other business to discuss, Mayor Owen declared the meeting adjourned at 9:13 PM.