LEAGUE OF WOMEN VOTERS® OF VOLUSIA COUNTY

OBSERVER CORPS REPORT

New Smyrna Beach City Commission

Reported by Rice S. Wagner

08/25/2026

Congratulations go to Cody Swavely and Robert Baggs for receiving the Good Smyrnian Award for rescuing a driver whose car was totally submerged just off the North Causeway boat ramps.
At the beginning of the meeting the Commission voted to move Ordinance 36-26 to September 22. It is an effort to comply with FL House Bill 803 by amending permits and inspection fees and was slated for the second reading.

Also pulled until December 8 is a first reading of ordinance 37-26 which would rezone and amend an existing PUD related to Ocean Gate Commerce Center which is located at the Southwest corner of SR 44 and the Interstate 95 interchange. Ocean Gate is a 181.14 acre PUD consisting of—
496 multifamily units
150-room hotel
229,500 sq. ft. assisted living facility
101,500 sq. ft. retail area
290,000 sq. ft. mini warehouse
44,000 sq. ft. medical center
29,650 sq. ft. fast food, high turnover, and quality restaurants

On November 10 there will be the first reading of an ordinance which would restrict or prohibit bicycles, electric bicycles, motorized scooters and other micro mobility devices from areas of the city. It also includes a requirement for rides to wear helmets with a $150 fine for first time violations.

Danny Robbins, District III County Councilman, spoke about Transform 386 Grant applications which are open, The stormwater funds and studies will cover Corbin Park and the phase II Stormwater Master Plan. The study will identify top priorities. Other projects include the Domestic Abuse Council Shelter and the West Side historic stormwater mitigation.

Kevin Cowper mentioned various workshops including the formal budget hearing process on September 9 and 23 starting at 5:30 in the commission chambers. Airport Director Arvin Weese will be working with Mr. Cowper and a number of city staff in an attempt to address the problems, including noise at the airport.

The city manager attended a Utilities Commission meeting which covered the utilities property on the west side of the city. He also met with Clint Meecham, the county emergency management director, in preparation for hurricane season.

Regarding public input from the 8/11/26 meeting, a citizen requested dog waste stations along Saxon Drive. Three have been installed. The alleyway next to the NSB Museum has been painted with no parking lines. Boat docking requirements were provided to a concerned citizen, but nothing was clarified regarding what will be done for those who have been leaving their boat/s at the marina while working in town.

The city is currently in ongoing negotiations with the two public safety unions. Sept.11 will be the 25th anniversary of 9/11 and a remembrance ceremony will be held at the Brannon Center, starting at 9:26 AM. Sept. 21 at 5:00 PM there will be a meeting at the Coronado Center regarding sidewalks and improved mobility.

During Public Participation Linda and Larry Pelatoni spoke about Kiwanis donating more than $45,000 in 2025 to help teachers and students in the area. Meetings for the group are held every Wednesday at Hidden Lakes from noon to 1:00.

Questions are being asked about the improvement of Mission Road and Taylor Road. Why are there semi's on Glencoe when it is clearly marked as a no truck road?
Why are bills which include solar rising on a regular basis? Why are rates being changed to make solar use far less advantageous to the average citizen? Why have the rules changed? Why has net metering changed?

Regarding the pulling of the discussion regarding Ocean Gate…Cynthia Sniezak noted that it is important to preserve our city. The commissioners have a sworn duty to use every legal means possible to protect the city while managing the growth that is necessary and that benefits all residents. People are tired of hearing that the commission's hands are tied, state laws leave us helpless, and home rule has been gutted. State guidelines do not strip the commission of the power to protect our land use. In reference to Ocean Gate, over a half dozen substantial changes are being requested to the MDA (Master Development Agreement) which is 13 years old. We need to treat amendments as a starting point to negotiate.

Residents offered concerns about e-bikes and their restrictions, pointing out the differences between e-bikes and e-motorcycles.

In reference to 7-D and the use of pavers on public land, the concern is that the pavers will deter the public from using the area.

Under the Consent Agenda the mayor referred to 7-F and the dredging of the area around the bridge over Turnbull Bay. The city has approximately $500K to remove silk and sediment. The city is asking for a survey in order to go forward with the drainage project.

The Commission approved, without discussion, 9 items under the Consent Agenda. 7-D was pulled for further discussion. Commissioner Martin suggested that the item not be approved because it encroaches on public land. The pavers would only be on the right-of-way and would include going around an existing tree. The size would be 18' wide and 85' in length. Commissioner McGuirk requested a sign indicating that the pavers are not a private driveway. Questions asked who owns the maintenance and how would the pavers be stabilized? The pavers would cover a shell road and would include a ribbon curve. Martin suggested a sign indicating that the river access is open to the public, thus eliminating any confusion. Several ordinances were presented for a first reading—

37-26 Postponed (Ocean Gate), 38-26, 40-26 , 41-26, 43-26 land on Spruce Street, 39-26 and 42-26 small scale Comprehensive Plan amendment changing Future Land Use to City Medium Density Residential, 44-26 deals with bicycles, electric bicycles, micromobility devices and motorized scooters. Board appointments—Housing Authority—2 positions open, appointed by mayor with commission approval, Utilities Commission—5 members, 3 year terms, James Smith (3rd term) (only applicant).

Commissioner Comments—Brian Ashley attended the League of Cities Conference and was especially interested in information on data centers. Lisa Martin appreciated the city staff looking into hiring a lobbyist, evaluating the noise ordinance, exploring the encouragement of local businesses and possible control of data centers plus action on bike safety. She expressed a concern about the raise of 5.9% for commissioners while only advancing a 2% raise for city workers. She announced that she is using her Commissioner's Discretionary Funds to help the teachers in our five local schools. Jason McGuirk commented on data center information which he picked up at the League of Cities conference.
Mayor Cleveland commended Commissioner Martin on achieving her Gold Medal award on city government. City Manager Cowper was praised for his work with the Utilities Commission in explaining how to preserve the western side of New Smyrna Beach regarding conservation minded solution for the

area. Mayor Cleveland did not attend the Florida League of Cities Conference but looks forward to hearing from his commissioners.

09/06/2026

Please be aware that there are no written minutes on City Commission meetings other than to address actions taken by the Commissioners.

Kevin Cowper, City Manager, listed several important dates. Sept. 9—first public budget hearing, 5:30, Commission room

Sept. 11—25th anniversary of 9/11, 8:46 AM Brannon Center
Sept. 21—beachside sidewalks, 5:00 Coronado Center
Sept. 23—second public budget hearing, 5:30, Commission rm.
Sept. 29—meeting regarding e-bikes, 5:00

For public followup, feedback was given on Mission Road regarding planning efforts to make improvements. No specifics were provided. Contracts should be ready for ratification at the next scheduled meeting. The city is developing a new web page which will cover NSB's natural resources initiatives and the effort to preserve and conserve our local environment. NSB flock cameras have been disabled and will be removed.

Mayor Cleveland asked for an update on how the city is dealing with data centers and a possible resolution. According to Cowper, the city has been looking at potential oversight regulations on the issue. The city manager's plan is to reach out to environmental organizations such as the Sierra Club, the Chamber of Commerce and other interested parties. There will then be public workshops, followed by the Planning Commission and then the City Commission for adoption of any rules. This is with the awareness of possible federal or state intervention.

Our new trash service, SCC, will take over on October 1st. New 96 gal. cans are being distributed. If a citizen cannot handle the can, there is a form that has to be signed by a doctor. This will allow the service to provide personal assistance. A 64 gal. can be requested but no date or method was given. An announcement will be made as to where recycled material can be dropped off since there will no longer be home pickup. Rates have been slightly decreased and will be voted on at this meeting.
Kevin Davis is NSB's new Marina Manager and comes from Virginia.

Public Participation—As always, only three minutes is allotted to each citizen. The first comment regarded the possibility of property taxes being reduced and yet fees are being levied in anticipation of lost revenue. Another speaker agreed about the raised fees and also asked why the fees related to the sports complex are being raised. What are the costs involved and what about those who can't afford paying more. In addition, why is the city looking at investing almost $500,000 in a parking program?
Robbie Gibson-Minor spoke about the Home Rule forum which will be hosted by the NSB Residents' Coalition on Sept. 15 at 5:30 in the Brannon Center. Speakers will be Clay Henderson (environmental lawyer), Randy Hartman (former City Commissioner) and Casey Cook (Chief of Legislative Affairs, FL League of Cities). Time will be set aside for questions from the audience.

There is a problem for traffic leaving Zaxby's and trying to return to 44. No one seems to want to patrol the area and keep the speed down.

Cynthia Sniezak questioned the increased fees for the Sports Complex and the lack of much difference between residents and non-residents. There is a new request for bids on the NSB fiber acquisition because there was originally only one submission. The LTG study did not mention measures being inadequate or

unusable when looking at their counts as to what parking utilization looked like. Spending $500,000 for the study feels 'uncomfortable'.

One citizen requested more community gardens, especially for fruits and vegetables.

Consent Agenda—7B—Council on Aging of Volusia County—Live Oak Cultural Center—Oct. 1, 2026 thru Sept. 30, 2028—costs $28K. How will the center be funded if there is a budget shortfall? If there is a problem the center will be added to the list of expenditures with an eye toward tightening the budget. Items approved without discussion were special events—Edgewater Rotary Hootenanny at the Marine Discovery Center on Sept. 26, NSB Plein Air Paint Out on Oct. 20-24 and the City of New Smyrna Beach Leisure Services Fall Festival on Oct. 24. All were passed.

Before addressing new business, the city manager mentioned that the Sports Center costs around $2 million and the fees cover approximately 25%. They include league registrations, fees from the high school, field rentals for tournaments and a concessionary annual agreement. Resolution No. 23-26 would update the fee schedule for the Sports Complex with an increase of $50K. Non-residents pay more which includes summer camp and use of the complex. The rate will go from $5 to $10 in an effort to continue to meet the 25% coverage. The rate has not been changed since 2019. Part of the proposal includes a 3% increase yearly so as to not have to constantly.

The Commissioners heard a report on a Parking Guidance System (PGS) rebid. Fybr Acquisition LLC was chosen out of five vendors because of its real-time parking data, ability to shorten parking time and give data toward how to improve the use of parking spaces. It will incorporate a phone app called Parking Genius and will eventually be posted on the city's website. Between the Flagler and Canal Street areas there will be 1074 parking sites that will be monitored, in part to determine if more parking spaces are eventually needed. The cost will be $449,012.00. Commissioner Martin expressed her concern about the company not being local. She also had several questions about loading zones and extra parking spaces on Flagler. In addition, for those who do not have smart phones there will be two large informational signs installed along the roads leading to the beach. Commissioner Perrine inquired about the annual cost which will be approximately $91,000.

There is no guarantee that it will be self-supporting. Brian Ashley brought up the possibility of our using the old fashioned method of parking meters. He also inquired about the reaction by the business community and was told that it was highly positive. Jason McGuirk favored the app, due in part to the number of cars that he has seen using Flagler as a parking lot for the beach rather than for shopping. The bid was unanimously approved.

A fire non-ad valorem assessment will be phased in at a 25% rate for four years until fully adjusted. It would bring in $2.4 million per year until the $10.7 million cost is reached at the end of the four years. City Manager Cowper said that if Amendment 3 is not approved then the city would lower the raised millage fee. If approval happens, then the city will continue with the fire fee. The city would eventually lose $9 million each year. And regarding the November vote, remember that property tax is deductible where as city fees are not.

During Public Comments a citizen asked why the city is paying so much for the airport lease when the land cannot be used for anything except the current sports complex. It also does not make sense that the city voted to spend $500 thousand on parking pucks when trying to cut back on expenses.

Commissioner Ashley replied that the fire assessment fee will help cut costs in the future. There will be a chance to reduce the fee if Amendment 3 does not pass. Commissioner Martin questioned why the city felt the need to levy the fee now. The city manager's response dealt with an eye toward the future. He added that the fire fee will be for just that..fire. The use of the money in the general fund will be held for

the fire funds. Mayor Cleveland questioned where other county communities stand and it appeared that NSB is ahead of the curve. There is also concern that home rule may be diminished in the coming year. The motion to approve the assessment rates passed unanimously.

As a companion, a Fire Assessment Assistance Program will be established and have specific guidelines for low-income families. The request for the fund is an initial $100,000. Approximately 1,000 homes may qualify. General funding will be adjusted depending on the need. There was no public participation, and the program was approved 5-0.

Three ordinances were presented and would approve a Small-Scale Comprehensive Plan amendment, changing the Future Land Use to City Medium Density Residential on 0.17 acres. This would involve two parcels of land. All was approved and thus the land was annexed and moved to city medium density residential.

More land on Spruce was approved to move it from a Small-Scale Comprehensive Plan changing it from Future Land Use to Medium Density Residential.

First Readings involved changing land to Conservation on a city purchased parcel. There was a 2.25 parcel on Jungle Road which was purchased by the city and is a part of an overall annexation application. There is also a parcel of 1.59 acres on Canal Street.

Mr. Ron Neibert was approved to continue on the Police Pension Board. There are still openings for the Building Trades, Planning and Zoning and Turnbull Creek Boards.

Commissioner Martin spoke about the City Manager's move to gather information about data centers. The hope is that an NSB legislation recommendation regarding our position will be presented to the Commission within the next few meetings. A question was raised regarding the implementation of crosswalks.

Commissioner Ashley thanked the City Manager for implementing a natural resources page on the city website.

Vice-mayor McGuirk referenced the complaint regarding a no-left turn when leaving Paneras and Zaxbys. He would like to see changes regarding the traffic pattern. There used to be metered parking on Canal and Flagler. It's an idea that should exempt local residents. He also objects to the new lighting on Flagler Avenue. The orange lights are neither attractive nor do they provide enough lighting (warm/soft wanted).

Mayor Cleveland supports the idea of metered parking. He recommended attendance at the NSB Residents' Coalition meeting on Sept. 15. The topic will be Home Rule. On 9/11 there will be a memorial service at 8:46 A.M. at the Brannon Center.

The city attorney requested $10K to retain the services of Smith Bigman Brock for land use consultation in the future.