



OBSERVER CORPS REPORT
New Smyrna Beach City Commission
Reported by Rice S. Wagner

07/28/2026

Will Roberts, Volusia County's Tax Collector, spoke about the benefits of the Kids' Tag Art program. Over the last three years the county has given \$46,000 to art programs. Read-Patillo was one of the recipients of \$2200 checks from the money earned through the sale of these tags. New Smyrna provided one of the Gold Sponsorships.

John Flynn, Fire Chief for NSB, presented awards to five dedicated professionals for the saving of a three-year-old child who was severely bitten. Also, an off-duty fire fighter assisted in removing two adults from a car which then caught fire.

Mayor Cleveland is a member of the Volusia County Elected Official Roundtable and the Stormwater Subcommittee. A video created by the subcommittee was presented and addressed our current concerns. Coordination was targeted as the most important component that touches all 16 Volusia County communities. The Flooding Subcommittee works to make certain that the entire county is working together and that maintenance is up to date. Meetings are open to the public as well as covered in various sites on the Volusia County website.

City Manager Cowper followed up on concerns regarding noise near NSB's airport. When asked, he stated that the citizen who pressed the point was not satisfied with the answer. Work is being done to put together a youth sailing center. A question was asked about dredging the canal at the end of Canal Street. Public Works Director Ray will be asking companies to put together proposals for that work.

Recognition was given to public employees for successful completion of various certifications. Meetings are taking place regarding e-bikes. Concerns about data centers continue to come to the forefront. Mr. Cowper has asked our planning director to begin researching and working with our economic developer, legal staff, and utilities executive director. The city web site is available to see what is driving our operations and budget wise. There is also a biweekly newsletter to provide city information (under social media).

During the Public Participation time, a citizen once again addressed the Commissioners regarding noise abatement and the airport. Her request was for a person or committee to be chosen to coordinate complaints. The city does not control the airport. The FAA, however, allows cities to address the noise situation regarding local residents.



Another concern was the lack of informing the public in a timely manner of a meeting between the Utilities Commission and the NSB City Commission. Mayor Cleveland reported that topics discussed included the Utilities Commission desire to determine what to do with valuable property located on the west side of town. They also discussed what to do with a building that is not functioning properly...how to solve the problem without affecting rates yet cashing in on the property's value. The mayor stated that the city will return to the discussion after the Utilities Commission has done its research and is ready to further discuss the issue.

Six of the seven items on the Consent Agenda were passed without discussion. Item 7-B related to the \$15K cap that was placed in 2022 on fines for code enforcement violations. The city wants to make sure that the money owed is paid. The item passed.

A discussion took place regarding the renewal of a permit to have a temporary shell parking lot. The permit was approved but the commissioners requested that the city staff draw up a new ordinance that would allow such parking lots in perpetuity, thus removing the need for a renewal permit.

Three ordinances were adopted and land was annexed into the city. Future land use was changed to Urban Medium Intensity. Another ordinance (34-26) assigned local landmark designation to the Clint Street RR Spur section located east of South Riverside Drive. The spur was built in 1900 and is south of the Turnbull Wharf.

The Airport Advisory Board had four vacancies (one alternate). Those positions were filled and openings were announced for the following boards—Building Trade, Housing Authority and Utilities.

During Commissioner comments, Lisa Martin reminded people that approximately 80% of calls to fire stations are medically related. Commissioner Martin recommended that the city give local businesses more opportunities to win city contracts. Martin expressed her concern regarding the proposed 2% cola raise for city staff since last year's inflation rate was 4.2%. And again, why hasn't the Commission considered action that other cities have taken to control the development of data centers. Basically, the options are to place a moratorium on the centers, ban them or ignore the issue altogether.

Jason McGuirk spoke highly of the Lien Amnesty Program regarding former liens and current property owners. Mayor Cleveland asked Jason what has been done regarding the airport noise. He agreed to reach out to the citizen who has repeatedly come before the commission. However, there seem to be several roadblocks to find a way to mitigate the excessive noise. Epic, the flight school at the airport, has been the greatest offender, refusing to work with the city. McGuirk feels that the answer lies in the Commissioners' willingness to change significantly the control of the airport.



Note that at the last minute, the city attorney reminded everyone that there was going to be a 'shade meeting' on the following Wednesday. It was to cover the need for direction regarding two legal cases.

08/11/2026

New Smyrna's Chief Kirk gave awards of recognition for the saving of a drowning victim.

City Manager Cowper stated that the second budget workshop will take place on August 20th at 9:00 AM in the City Commission room at City Hall. The formal budget public hearing will be held on Sept. 9th and Sept. 23rd. They will take place at 5:30 PM in the City Commission meeting room.

An ordinance will soon be presented regarding the use of e-bikes in the city. The issue of noise at the airport was brought up again and the city manager stated that the city staff continues to meet with the airport manager, covering how we do business and what the city can do to assist in this area. The city continues to meet with the Utilities Commission in an effort to be engaged regarding what to do with the western property. Information can be found on the city site as well as in the Utilities bills.

The public can access information on where to find city actions in a city manager's bi-weekly report. Data centers are now being discussed and the manager stated that the city is waiting to see what the state will do as far as keeping the city from enacting ordinances to better control centers.

During public participation Brian Flora reported that \$90K of \$110 has been donated to the sailing program at Callalisa Park.

Comments were given regarding golf carts on beachside roads. A proposal was made to have grass pullouts so as to allow traffic to pass. Saxon also has a problem with pet deposits. The request was put forward suggesting that pet stations with bags be installed.

A citizen asked that the commission take seriously the request by Commissioner Martin regarding her concern about data centers. A comment was also voiced regarding Commissioner Ashley's often quoted statement implying that the city wants new wealthy residents. In fairness to Ashley, he responded in an e-mail that what he meant was a reference to the economics long term of the city. The response... "we hear what you say not what you meant."



Cindy Ratagin once again brought up her airport concerns. Members of the Airport Advisory Board are limited to two terms yet the rule is not followed.

She requested a follow up to the public meeting which was held over a year ago. Only the east side of the airport has a noise abatement procedure.

A complaint was expressed regarding the privacy of individuals. The concern covered the tracking of citizens and the use of flock cameras.

The Executive Director of the New Smyrna Museum of History spoke to a concern about the alleyway next to the building. Trucks are hitting the building when turning and the request is to restrict the turns by going straight.

A request was presented by the director of the Under the Stars Mission for a meeting between the police chief, deputy police chief, mayor, city manager and any interested commissioners regarding unhoused residents who use the marina to park a dingy so as to go to work.

During the consent agenda eight items were approved without discussion.

Ordinance No.29-26 amended section 604.051 of the Land Development Regulations. The ordinance addressed such areas as the preservation of healthy trees and the requirements for removing dead trees. Tree mitigation funds are not collected but people donate trees to the city to be used where needed. Proposed changes would cover three categories of trees (ex. protected trees measure 4" or larger on beachside and 11" or larger on the mainland). The formula for replanting trees is complicated at best.

On the first reading Ordinance No. 36-26 would amend Code of Ordinance 26 which deals with building and building regulations, Sect. 26 Article III (permits and inspections). This relates to House Bill 803.

Positions open in the city—Police Pension, Building Trades, Housing Authority and possibly more to follow.

Commissioner Martin spoke about the trees that used to line 44. Now it is all gone. Martin reinforced her desire for the city to find a way to support local businesses when it comes to city contracts. She asked the commission to reconsider more than a 2% pay increase for employees while the commission recommends a 5% raise for themselves. She encouraged the commission to control data centers before the state steps in and prohibits such moves.



Brian Ashley asked for and received a list of job descriptions for the city. Regarding data centers, he sees them as a utility. There was no reference to specific research nor how the data centers could be controlled.

Jason McGuirk asked about the placement of flock cameras in New Smyrna Beach. He would like more information. He expressed a concern regarding golf carts, especially when it comes to education and rules of the road. He supports the idea of promoting more community awareness.

Mayor Cleveland agreed that community education regarding golf carts is a good idea. Commissioner Martin encouraged signs to remind people of driving expectations. Flock cameras need to be investigated as to the location and use. The mayor commented on the work that Commissioner McGuirk has done in regards to the noise at the airport.

Clarification was made regarding the minutes of the bi-monthly commission meetings. The Clerk only captures actions of the meetings. Anyone wanting further information will have to view the video.

The mayor again extended an invitation to the public to attend the September 20th budget workshop at 9:00 AM.