

Proposed Charter Amendments Scheduled for a Vote on the November 4, 2025 Special Election

As many are aware, the City Commission called for a Charter Review late last fall and nominated eleven (11) City residents to serve as committee members in early 2025. This Charter Review Committee consisted of the following members, who were appointed under a Commission established criteria of:

Shall consist of eleven members, each of whom must be a registered voter in the City. Each member of the City Commission shall nominate two members to the Committee from his or her zone of representation. The mayor shall appoint three additional members from the citizenry at-large. The members of the Committee shall serve without compensation and shall serve at the pleasure of the City Commission. A member of the Committee may be removed without cause by majority vote of the City Commission. Any vacancy in an unexpired term shall be filled in the same manner as the original nomination and appointment. (<https://cityofnsb.com/1340/Boards-and-Commissions>)

The appointees were:

Mayor	Commissioner Perrine Zone 1	Commissioner Martin Zone 2	Commissioner McGuirk Zone 3	Commissioner Ashley Zone 4
Spencer Hathaway	Steve Fusiler	Farley Palmer	Mark Billings	Diana Puhl
Michael Ison	Palmer Wilson	Susan Smith	Khalid Resheidat	Daniel Rokjer
Judy Reiker				

As shown, the Committee had representation from across all of New Smyrna Beach.

In tasking the Committee the Commission provided the following direction:

The Committee shall evaluate any one or more of the provisions of the City's Charter, on either its own initiative or at the direction of the City Commission and determine whether any amendments thereto are necessary and/or desirable. Recommendations of the Committee shall be provided to the City Commission for consideration; however, the recommendations of the Committee shall not be binding on the City Commission. (<https://cityofnsb.com/1340/Boards-and-Commissions>)

The Committee met for 7 sessions, all of which included public participation. These sessions can be viewed at the City website (https://cityofnsb.granicus.com/ViewPublisher.php?view_id=1) At the end of their sessions, they produced a report and during the August 12, 2025 Commission meeting, it was presented to the Commission and approved unanimously. Commissioner Martin expressed her view about the need for a Special Election. After some discussion, the Commission voted 4-1 (with Commissioner Perrine the only Yes vote) not to conduct a Special Election and to include them on the 2026 General Election ballot. During this discussion, Commissioner Perrine expressed her concerns over allowing the Clerk's position to continue in its current status as a Charter Officer, given the recent and on-going issues of supervision. If conducted on the General Election, all of the

proposed changes, if the voters approved them, would have taken effect for the 2026 election, except the one concerning the 50% plus 1 majority vote as the primary had already taken place. It was also noted that the Committee had not been dissolved yet. You can read the report [HERE](#)

During the next Commission meeting (August 8, 2026) the City Manager read a letter from Mark Billings, the Chair of the Charter Review Committee, where he expressed his concerns about the Commission not accepting the Committee's recommendations and rationale for the Special Election. Additional discussion took place and the Commission agreed to revisit the issue. Concerns were expressed by the Commissioners about the size of a General Election ballot and that our charter changes would appear at the end, thus both voter fatigue and confusion might result. There were also concerns expressed about potential for a smaller voter turn-out at off-year special elections, but consensus seemed to negate that with proper and intense information distribution. The Supervisor of Elections for Volusia County was present and explained what her office would do to assist with both information distribution as well as voter registration and voting options. At the end of the discussion, the Commission voted 3-2 to approve (with Commissioners Martin and McGuirk voting no) the Special Election with a potential date of November 4, 2025, but that date dependent upon the Supervisor of Elections response and capabilities.

The City has subsequently posted on their website a wide variety of documents and information regarding the Special Election, including a detailed spreadsheet with each recommendation, its pros and cons as expressed by the committee members, as well as the vote by the committee on each. A review of that indicates that each of the recommendations were approved by large majorities. You can view those [HERE](#), well as the spreadsheet [HERE](#).

The NSB Alliance has reviewed all of these meetings, posted documentation, and spoken with several of the Committee members, one on one. From that we have concluded that the recommended changes all have merit. As to the Special Election option, we all know General Election ballots can be long and consist of multiple pages, possibly resulting in voter fatigue and confusion. On the other hand, Special Elections that focus on a single set of related voter questions, can allow for a more educated voting decision. That concern, in addition to the advantage of focusing the attention of voters on the charter issues only versus a larger general election ballot, the potential for approval of all recommendations, outweighed potential concerns about a smaller turn out. An additional benefit, in our view, is that it would resolve the issues with the supervision of the City Clerk position rather than waiting until the fall of 2026. Those opposed cited the extra cost and potential for lower turn-out in addition. We think the pluses outweigh the negative and we support the Special Election option.

A lot has been said about the quality and comprehensiveness of the previous Charter Review in 2020 and that the proposed changes somehow attack the work of that committee. But little has been said about the fact that review was conducted under Covid restrictions and thus has no real public meetings. While somewhat available via Zoom like meetings, there was little opportunity for true public comment. Secondly, while there was a public forum conducted by the Commission after the committee finished its work, despite arguments presented in that meeting to the contrary, the Commission choose to make the vote an "all or nothing" up or down on all recommendations without the benefit of those recommendations being spelled out on the actual ballot. This commission has chosen the opposite, a more fair and transparent option, of listing each proposed change for an up

or down vote. We agree with their decision and the language of those changes can be found on the previously referenced City website link.

During the committee meetings, members of the public expressed concerns about several of the potential changes. It should be noted that our review of the meetings seems to indicate that the citizens commenting during public participation appeared to generally be the same ones meeting to meeting and they seemed to be somewhat in lock step with each other. Further the number of citizens making comments was generally no more than five or six at best.

Their expressed concerns appeared to be focused on a couple of the recommended changes including the change in the mayor's term from two to four years, the change back to the 50% plus 1 option for the primary winner, and the salary formula for the commissioners based on a percentage of the county council salaries. The issue of the Special Election was also of concern.

With regards to the change for the mayor's term to change to four years, there were numerous reasons given, with the major one that once the mayor is elected under the current two years, he has to start to run again immediately, challenging his focus on current city issues. The change to a four-year term would allow him to concentrate on city business for the bulk of his term. A counter to this was the argument that the two-year term allowed the citizens to swap out three of the five member each election cycle. The Supervisor of Elections for Volusia County testified that this has never happened in the logged history of the elections. In our view the focus should be on voting for a specific commission member not on somehow predicating a procedure on voting out three at a time. Experience has shown that the 50% plus 1 was consistent with final election winners in the elections since the change in 2020. So, from a practical, fiscal, and trend analysis standpoint, we concur with the recommendation.

The issue of salaries for the Commissioners has always been based upon a percentage of the County Council member salaries. This takes the issue of raises out of the hands of the Commission members and makes the raises automatic. In addition, the County Council member salaries are based upon those of the state officials, further removing local influence from any adjustment. An argument was raised over the increase in the percentage and that fringe benefits were not included in the evaluation. The records of the committee seem to negate this as they were provided with the current fringe benefits during their deliberations. We concur with the proposal regarding salary adjustment procedures and believe that to attract quality people to run for office, they should be paid appropriately and consistently.

The issue of the change to the Historic Preservation wording was found to be in line with state guidance on historic preservation and respectful of private property rights. It continues to emphasize the current city support on maintaining private properties thru various non-mandated options, while assuring the maintenance of those owned by the city with taxpayer funds. It further encourages the establishment of local foundations and grants/tax exemptions as alternative to using taxpayer funds where appropriate. We support the change as important for the future of historic preservation in the city.

We further support the addition of the new section on Arts and Culture as it is certainly representative of the expansive collection of such within the city.

The last change relates to when future charter reviews would take place. An issue raised by some citizens was that the current charter required a review in 2026 and thus doing it in 2025 was not

responsive. The City Attorney addressed this by explaining that State law authorized the City Commission to require a charter review at any time they desired. While this negated some of the expressed concerns, some suggested that to avoid future issues, the language should state the review should coincide with general election cycles. As we have noted above in our discussion of the pros and cons of Special Elections, we prefer the narrow focused and educated vote on but any proposed changes at Special Elections over the potential for voter fatigue and confusion on multiple page General Election ballots. So, we support the proposed review within a ten-year window as written.

The Alliance has produced a flyer with our recommendations, which are that you vote for all of the proposed changes to the Charter. You can download that flyer [HERE](#).

We encourage everyone to review all of the materials available on the city website regarding the changes. We also encourage you to make sure your voter registration is current and that you know your polling place for voting on November 4, 2025. If you are not registered, you must do so before October 5, 2025. If you desire to vote by mail, please request your mail in ballot before October 23, 2025, as the State changed the Mail in Ballot procedures last year to require you to request one each year you plan to use it. While we support your right to a Mail in Ballot, unless you are incapacitated or out of town, we encourage you to visit your actual polling place and cast a ballot in person, as it is an exhilarating way to demonstrate your participation in our basic and cherished right to vote.

NSB Alliance, All Rights Reserved, October 2, 2025