

MINUTES
CITY COMMISSION MEETING
January 7, 2025
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

Staff: City Manager Kurt Swartzlander, Acting City Clerk Joanna Forquer, City Attorney Becky Vose, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Director Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

6. APPROVAL OF MINUTES

A. City Commission Minutes December 10, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Minutes of December 10, 2024.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

B. City Commission Minutes December 20, 2024

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve the City Commission Minutes of December 20, 2024.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Stephan Dembinsky

7. CONSENT AGENDA:

A. Renewal of Non-Exclusive Construction & Demolition Debris And Recyclables Removal Franchise - Creech Enterprises, Inc., dba Southeast Containers

B. Renewal of Non-Exclusive Construction & Demolition Debris And Recyclables Removal Franchise - Samsula Waste, Inc.

C. Community Services Department Monthly Report - November 2024

D. Approval of Contract for Towing Services

COMMISSIONER STEPHAN DEMBINSKY moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

8. OLD BUSINESS:

A. Ordinance 2024-23 Repeal of portions of Chapter 16.5

Attorney Vose read the Ordinance by title only. Commissioner Conomos requested two changes to the Ordinance. The first change is in Section 16 1/2.2. It was explained that the charge was truly a misdemeanor of the second degree and it should be stated that way in print. The second change is in Section 16 1/2 -16(b)(3). He requested changing from a Florida driver's license to "a State or Government Issued Identification" since not everyone has a driver's license. The remaining members agreed on the changes.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Ordinance 2024-23 on second reading with the two changes approved by the City Attorney.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

9. NEW BUSINESS:

A. Resolution 2025-01: Proposed Fee Schedule Update (Building Permits)

Attorney Vose read the resolution by title only. Chief Building Official Steve Edmunds made a brief presentation regarding the proposed fee schedule. This would simplify our existing schedule as the structure was a bit complicated and could not be loaded into the new permitting software. The proposed schedule includes state mandated items such as milestone inspections, and online permitting. It was noted that the fees had not been increased in over 20 years. Additionally, the state has mandated a utilization report and the city is currently running in the negative. The proposed fees will attempt to close that gap. Vice Mayor Politis felt the proposed fee schedule was very rational and thanked staff for taking the time to review and analyze it.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to adopt Resolution 2025-01 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

B. Agreement with the Tuscany Shores Condominium Association for the Removal of the Damaged Pedestrian Public Beach Access Dune Walkover & Patch Repair of the Condominium Seawall

Community Services Director Stewart Cruz provided background information on the item. In November 2005, the developer dedicated the beach walkover to the city, and it was bolted to the existing seawall. In October 2024, Hurricane Milton arrived and severely damaged the walkover.

The city's structural engineer recommended the walkover be removed as it was unrepairable. Staff has worked with the condominium representatives to develop the proposed agreement on the agenda. It would allow for the removal of the dune walkover, repair, patch and paint the affected areas, and install safety fencing on the public beach access walkway. It was noted that removing the walkway will limit beach access to the condo as it does not have its own set of beach stairs. Mayor Miller inquired if the walkway had been damaged in previous storms. Director Cruz stated that it had been previously damaged but those were repairable. He also noted that there were stairs to the beach near St. Kitts Condominium and also at Bellemead Avenue.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER MARK CARD to Approve the Agreement with the Tuscany Shores Condominium Association for the Removal of the Damaged Pedestrian Public Beach Access Dune Walkover & Patch Repair of the Condominium Seawall.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

10. CITY ATTORNEY COMMENTS

The City Attorney had no further comments.

11. CITY MANAGER COMMENTS

City Manager Kurt Swartzlander recognized Finance Director Lory Irwin for being awarded the Certificate of Excellence for the third year in a row. Chief Michael Fowler will be receiving his 30-year service award at the next Coffee with the Mayor. He stated that the last visioning session was held in 2019. Would the commission like to do another one? Mayor Miller stated while that was a very good working session, it was very expensive and felt city staff could handle another one. She would like to hold a session to compare what has been accomplished since 2019. The remaining commissioners agreed to hold a workshop but have city staff facilitate it.

12. COMMISSION COMMENTS:

Mayor Miller stated that she had been to Deland earlier that day with some of the city staff to thank the local delegates for their support on city projects. She reminded the audience that meetings are now held on the first Tuesday and Coffee with the Mayor would be the following day. Guest speakers for tomorrow will be Rep. Bill Partington and Jessica Fentress from the County. The Better Life Health Expo will be held on Saturday, January 11th in the Community Center.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Kathleen Atwood requested that the city declare Feb. 22nd as World Encephalitis Day. She was diagnosed with the rare disease and is very passionate to raise awareness. They asked that a city landmark be lit in red for 24 hours on the 22nd and Comm. Conomos suggested the Navy flag in Veterans Park since they are both Navy veterans.

Barbara Ann Heegan spoke about the chamber being affiliated with the Kauffman Foundation to offer business assistance to business owners. It is a 10-week course and applications are being accepted. Dan Morris encouraged everyone to attend the business expo that weekend.

Kevin Duffy, a former employee of the police department (1973), commended the city on achieving its vision of a residential community that was a fun place to live in.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items requested for the next agenda.

15. ADJOURNMENT:

The meeting ended at 6:51 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB