

MINUTES
CITY COUNCIL MEETING
March 23, 2021
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer, Councilmember Michael Politis

Staff: City Clerk Cheri Schwab, City Attorney John Cary, Community Services Director Fred Hiatt, City Planner Stewart Cruz, Finance Director Kurt Swartzlander, and Public Safety Director Stephan Dembinsky.

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 Council Charter Workshop Minutes March 9, 2021

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to Approve the City Council Charter Workshop Minutes of March 9, 2021.

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

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer, Councilmember Michael Politis

B. City Council Minutes March 9, 2021

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Approve the City Council Minutes of March 9, 2021.

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

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer, Councilmember Michael Politis

7. CONSENT AGENDA:

A. Public Safety monthly report

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Approve the consent agenda.

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

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer, Councilmember Michael Politis

8. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report

Attorney Cary reviewed his report to the council. There were no questions or concerns.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report March 23, 2021

City Manager Booker was not present for the meeting, so Assistant City Manager Kurt Swartzlander read the report for the record. He added the following: the Oceans 25 townhome project is wanting to do one continuous concrete pour beginning at 6:30 am and finishing at 7:30 pm. The Council had no issue with this. There will be a lease amendment for Halifax Health on the next agenda for council to consider. They hope to open on July 1 for full service.

10. OLD BUSINESS:

11. NEW BUSINESS:

A. Discussion on Pedestrian Crosswalks

Engineer Fred Ferrell, owner of TEDS, presented a PowerPoint presentation to the council. He explained that a feasibility study had been done in 2015. They evaluated 19 locations along S. Atlantic Avenue and provided recommendations for pedestrian crosswalks. In 2016, three crosswalk locations were designed and constructed. Both the pros and the cons for crosswalks were explained. Pedestrians have a responsibility to be careful. Mr. Farrell explained the process of getting a new crosswalk installed and felt that if the city wanted one soon, it would probably need to pay for it directly.

Audience remarks - Monica Paris who lives in Daytona Beach would like to see a crosswalk near Sea Spray. There is off-beach parking and a beach access across the street. She turned in a petition signed by businesses, residents and neighbors.

Rick Brown felt that data could be skewed in what ever direction you desire. He would like council to create a task force of citizens to review the matter.

Patty Glaze inquired what the consequences were for a car going through the crosswalk.

Director Dembinsky explained the procedure for pedestrians entering a crosswalk.

B. Micromobility Device Ordinance

City Attorney Cary read the ordinance by title for the record. The ordinance if adopted would initiate a pilot program to rent micromobility devices within the city limits. The council discussed a few items from the ordinance such as the definitions and insurance requirements. Vice Mayor Lindauer would still like a rider to alert pedestrians in some manner when coming up from behind them. The council did appreciate the requirement of a driver's license and training for all rentals as part of the pilot program.

Business Owner Mickey Pederson owns a hotel and currently rents out scooters. He questioned the storage of vehicles indoors versus out of the public view. After a brief discussion, it was determined that he was grandfathered in for this requirement. He also questioned if he was obligated to train riders himself. It was determined that if the parent company had a video on rider safety, that would suffice.

Community Services Director Fred Hiatt wondered if the scooters are just outside and available for rent, who is making them watch a training video. It would need to be a part of the mobile phone app.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to approve the Ordinance on Micromobility Devices on first reading.

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

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer, Councilmember Michael Politis

12. COUNCIL COMMENTS:

Mayor Miller reminded the audience that there was a concert on Friday night at the pavilion. She requested an item for the next agenda to discuss outdoor banners and displays. Last year, the codes were relaxed during the pandemic to help attract customers. She has been contacted by business owners who would like to keep the displays. Both CMBRS Frizalone and Lindauer appreciated the residents who attend the meetings and participate in the

discussions. CMBR Bryan provided an update on the smoking bills as they go through the sub-committees. He is optimistic that they would pass.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Resident Jeff Marko inquired as to when a vehicle needs to stop for a pedestrian. Director Dembinsky explained you have to step into the crosswalk first. Mr. Marko thought that if scooters had a bell on them, they could alert pedestrians as they approached.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Discussion on outdoor displays and seating

15. ADJOURNMENT:

The meeting ended at 7:26 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB