

MINUTES
CITY COUNCIL MEETING
April 13, 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:

A. Employee Service Award - Cheryl Thibault 15 years

Community Services Director Fred Hiatt presented Cheryl Thibault with a 15-year service award.

6. APPROVAL OF MINUTES

A. City Council Economic Workshop Minutes March 23, 2021

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER RICHARD BRYAN to Approve the City Council Economic Workshop Minutes of March 23, 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 23, 2021

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to approve the City Council Minutes of March 23, 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:

8. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report

Attorney Cary reviewed his report for the council and answered any questions they had.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report April 13, 2021

Assistant City Manager/Finance Director Kurt Swartzlander read the City Manager's report for the record. Mayor Miller explained that she would reach out to Bank Of America to speak with someone in their real estate division.

10. OLD BUSINESS:

A. Discussion on Ordinance 2021-02 Micromobility Devices with staff proposals

Community Services Director Hiatt reviewed the proposed changes by staff to the ordinance. The two main changes include not having individual retailers obtain a permit, but instead the parent scooter company would obtain the permit and altering the definition of a retailer to include all hotels.

One of the main concerns of the council was having children operate a scooter without adult supervision. Most felt a valid driver's license should be required to rent a scooter. Attorney Cary explained that the city can only regulate the rental aspect not the operational issues. At this time, the state does not require a license for driving a scooter. CMBR Frizalone suggested that the Mayor reach out to other cities and ask them to require a driver's license to rent a scooter. If all the cities had the same requirement, it could create a safer

environment on the road and sidewalks.

Jared Root, owner of the parent scooter company explained the rental process and what type of safety and training is provided for instruction. All of his scooters are equipped with lights and bells. It is mostly done through a phone app. He advised the council that anyone can buy a scooter at Walmart and the city would have no control over it. He also stated that much of the riding happened at night after the sun goes down. He felt it could be a challenge to stop them at 9:00 pm.

CMBR Politis felt that the City Attorney and staff should work with Mr. Root to revise the ordinance once again. The council would see another draft for discussion before bringing it for second reading.

Audience member Mickey Pederson is owner of Mickey's Hide-Away and would like to be included on a committee to help assist with the ordinance revision. He stated that he rides late at night and has not had any issue.

11. NEW BUSINESS:

A. Consideration to approve the Second Lease Amendment with Halifax Health

Attorney Cary explained that Halifax Health requested an amendment to the current lease agreement. The reason for the amendment was to increase the allotted parking spaces back to 18 as previously requested. Due to a redesign in the parking area, they lost three spaces. This amendment would ensure they have 18 total spaces for both the Urgent Care and Imaging Center. He recommended approval. The center is still on track to open July 1st.

B. Discussion on outdoor displays

Mayor Miller had previously requested the council to notice any and all flags or banners that were being displayed in front of businesses. The current code prohibits banner displays without a permit. She felt that a new business should be allowed to display a sign of some sort to allow visitors to know that they are open. Her fear was that if a plaza had 3-4 new businesses open at once, it could look distasteful. The remaining council did not have a problem with this new type of display. Staff will make the appropriate code changes and bring it back for council review.

12. COUNCIL COMMENTS:

Mayor Miller spoke on Van Alder's passing over the weekend. She was glad to have known him and worked well with him on the creation of the dog park. She announced her Coffee with the Mayor the following day. CMBR Bryan mentioned the memorial service for Rita Muffachio at the Drive-In Christian Church on Saturday.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Mr. Yuleri who owns a plaza on S. Atlantic Avenue, requested the council to consider a code change to allow a tattoo parlor to open in one of his storefronts. Mayor Miller informed staff to present the item as a proper agenda item for the next meeting.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

15. ADJOURNMENT:

The meeting ended at 7:37 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB