

MINUTES
CITY COUNCIL MEETING
May 11, 2021
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

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

Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney John Cary, Community Services Director Fred Hiatt, City Planner Stewart Cruz, Finance Director Kurt Swartzlander, Recreation Director Nancy Maddox, 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 Awards -
Detective Sergeant Jessica Long 10 years
Mechanic IV David Rodgers 5 years

Director Stephan Dembinsky presented the service awards to both Sgt. Jessica Long and David Rodgers.

- B. Annual Audit Presentation

Yvonne Clayborne from Carr, Riggs & Ingram gave an audit presentation to the council. She stated that all financial statements were prepared according to government standards. The City incurred no new debt this past year and was able to pay off other significant debt. She noted that the City had rejoined the Florida Retirement System for all general employees. In summary, the City is in a very good financial position.

6. APPROVAL OF MINUTES

- A. City Council Minutes April 13, 2021

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Approve the City Council Minutes of April 13, 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. Approval for Interlocal Agreement with County of Volusia for Gas Tax
- B. FPL Charging Station Agreement
- C. Approval of Sewer Utility Access Easement Agreement with Shores 109, LLC (109 Dunlawton Boulevard)
- D. Approval of Cross Access Easement Agreement with Shores 109, LLC (109 Dunlawton Boulevard)
- E. Approval of Right-Of-Way License Agreement with Shores 109, LLC (109 Dunlawton Boulevard)

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MICHAEL POLITIS 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 John Cary reviewed his submitted report

9. REPORTS OF THE CITY MANAGER:

City Manager Michael Booker reviewed past accomplishments of the City Council. This included new facilities built, new businesses opened and able to maintain a low tax rate.

10. OLD BUSINESS:

11. NEW BUSINESS:

- A. Special Exception Extension Request by WD Plaza, LLC - 2900 S. Atlantic Ave: Request is for a one year extension of an existing Concession Parking Ancillary Facility

This item was continued to the May 25th agenda.

- B. Consideration of Telecommunications Contracts for Internet, Phone, and Analog Dialer services

IT Manager Dave Lockwood gave a presentation to the City Council regarding telecommunications. The city is currently using Spectrum but the contract soon expires. Quotes were obtained from both Spectrum and AT&T for services which included an upgraded internet service. Staff recommended the Spectrum lease contract. There would be no downtime for phone or internet service and this would include new telephones.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to waive the RFP requirement and allow staff to proceed with a contract with Spectrum for Internet, Phone, and Analog Dialer services.

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

- C. Halifax Urgent Care Facility Waiver Consent and Estoppel Agreement

City Attorney Becky Vose worked with Halifax Health on negotiating the agreement. This is very customary in commercial lending when the building is being leased as it provides assurance to the lender if Halifax were to default.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER

RICHARD BRYAN to Approve the Halifax Urgent Care Facility Waiver Consent and Estoppel Agreement.

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

D. Discussion on micro-mobility devices

Mayor Miller began the discussion by stating that she was neutral on the scooter issue. She would like to see a compromise between the residents and business owners. It was hoped that the City of Daytona Beach would have discussed this and made a determination for their city at their last meeting, but it was put on hold. The three audience members who spoke were against allowing the rental of scooters in the city due to the senior population.

Khodor Salam, co-founder of Go X scooters spoke to the council. He stated that he had been working with the City of Daytona Beach for the past year and a half, and has satisfied all their requests regarding the operation of a scooter. He is able to control the speed and the location of where a scooter can travel within the city. They have insurance policies in place. He felt that being able to rent out scooters assisted a few businesses in town during the pandemic this past year. He would like to be able to work with the city to continue renting them within the city limits.

Attorney Cary reminded the council that they can only control the rental of the scooters not the operation of the vehicle. After a somewhat intense discussion, the council decided to put this issue on hold until the City of Daytona Beach makes their decision.

12. COUNCIL COMMENTS:

CMBR Frizalone complimented the City Manager and staff for their work on updating the wage scale and compression recently for general employees. Both the Mayor and Vice Mayor agreed. CMBR Bryan stated that he would defer to the citizens regarding the use of scooters in the city. Mayor Miller reminded everyone of her upcoming Coffee with the Mayor and the Armed Forces Day celebration.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Cheryl Schlehuber stated that she was a new resident to the city and loved the pickleball courts.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

15. ADJOURNMENT:

The meeting ended at 7:38 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB