

MINUTES
CITY COUNCIL MEETING
June 8, 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 Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney Becky Vose, 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:

6. APPROVAL OF MINUTES

A. City Council Minutes May 25, 2021

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Approve the City Council Minutes of May 25, 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. Forfeiture expenditure request

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER 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 Becky Vose reviewed the report submitted. She provided an update on the opioid class action lawsuit. The firm in charge of the lawsuit, would like the Council to pass a resolution along with a Memo of Understanding which would govern the allocation of any settlement funds. The council provided consent to bring a resolution to the next meeting.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report June 8, 2021

City Manager Booker stated that he and staff met with Volusia County staff regarding park maintenance. They are working on a proposal to extend the current agreement with a modification to include the two new parks. Director Hiatt estimated the cost for maintenance would be \$96,000 annually. He informed the council of the upcoming truck event that will occur this weekend. He advised everyone to be prepared for crowded roads and beaches. The next concert will include food trucks on June 25th. Halifax Health Urgent Care is planning a grand opening/ribbon cutting on June 28th, with an open house on July 10th.

10. OLD BUSINESS:

A. Ordinance 2021-06: Temporary Promotional Activity Amendment to allow new businesses to have additional signage at the time of opening.

Mayor Miller explained that this amendment would assist new businesses with advertising options.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2021-06 on second 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

11. NEW BUSINESS:

- A. Ordinance 2021-03: Voluntary annexation of unincorporated Volusia County property located at 2924 S. Peninsula Drive

Property owner Erica Smith was in attendance and spoke to the council. She has homesteaded the property and plans to relocate from Connecticut by the end of summer. She is currently sharing the house with family and friends. She explained that she chose Daytona Beach Shores because of the amenities offered, the location, business friendly and the sound financial status.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Approve Ordinance 2021-03 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

- B. Ordinance 2021-07: Permitting counseling services as an accessory use to churches in the "P - Public/Quasi Public" Zoning District

City Planner Stewart Cruz explained that city received a request from the church to provide counseling services. Currently, the services are not allowed in the "P" Public zoning district. The proposed change would allow the service as an accessory use and it would only impact the two churches within the city limits. It would be a third-party entity providing the counseling services.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Approve Ordinance 2021-07 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

- C. Consideration to cancel July 13, 2021 City Council meeting

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to cancel the meeting on July 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

12. COUNCIL COMMENTS:

The entire council expressed their appreciation with the city's progress in attracting new businesses. Mayor Miller reminded the audience that Coffee with the Mayor would be held the next day. The guest speaker will be the Interim Director for Beach Safety.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Krista Goodrich stated that she had spoken to the council months ago regarding opening a brewery/food truck in the shores. She currently has a restaurant on Main Street in Daytona Beach. It appears that her local clientele are afraid to drive through the shores due to the strong police presence and her investment partners have backed out. She is still very interested in the idea and is exploring her options.

Ed Offerman wanted to give shout out to the city staff and City Manager. Everyone is very helpful and polite.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Resolution from City Attorney on opioid class action lawsuit.

15. ADJOURNMENT:

The meeting ended at 6:35 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB