

MINUTES
CITY COUNCIL MEETING
June 22, 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 Becky Vose, 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 Minutes of June 8, 2021

VICE MAYOR MEL LINDAUER moved, seconded by COUNCILMEMBER RICHARD BRYAN to approve the City Council Minutes of June 8, 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 May monthly report

B. Community Services May, 2021 Report

C. Building Division May, 2021 Report

COUNCILMEMBER MICHAEL POLITIS 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 and Florida League of Cities Bill Summary

City Attorney Becky Vose reviewed her report for the City Council. She further explained that any allocation of funds from the opioid lawsuit would be used going forward for education and other matters.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report June 22, 2021

Assistant City Manager Kurt Swartzlander reviewed the report for council. It was announced that Halifax Health Express Care would be opening on July 1st. He acknowledged County Councilmember Billie Wheeler for her assistance on the project. The owners of the Treasure Island property have not upheld their agreement to keep the structure safe. It will be taken to the Special Magistrate in the next few months. The property at 109 Dunlawton hopes to secure their Certificate of Occupancy in the next week. There has been a large amount of interest on leasing the building. FPL has signed the agreement for the charging station and they are now working on obtaining the necessary permits. He announced that Lory Irwin became President for the Volusia/Flagler Finance Officer Association.

Captain Michael Fowler spoke on the recent truck event. All available officers were working the entire weekend. Traffic backed up into the city limits due to the way Daytona Beach was handling the traffic flow. Neighboring departments were utilized for extra manpower and over 600 citations were written legit complaints. Looking forward to the next event in late October, personnel will be better prepared. He hoped for more mutual aide from the west side of the county and possibly state agencies. Public Works will assist in placing barriers on side streets to maintain a traffic pattern. A mobile booking station for arrests will also be in place. Mayor Miller hoped to join a task force that will be working on future events. She felt asking

the Speedway for their assistance could help with future events. All the City Council stated their appreciation for the officers hard work. County Councilmember Billie Wheeler spoke explaining that she will be a part of the 8 city task force. She was not pleased with the recent event and the destruction of the beach that occurred.

10. OLD BUSINESS:

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

This was second reading for Ordinance 2021-03 and the City Attorney read the short title. There were no additional comments made.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2021-03 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 2021-04: Comprehensive Plan Future Land Use Map amendment for annexing single-family residential property located at 2924 S. Peninsula Drive

City Planner Stewart Cruz provided details from his staff report. It was explained that this item is a part of the annexation process. The property currently has a county land use designation and needs to be assigned a city land use designation. Doing so will allow city staff to enforce our Land Development Codes on the property. There is no change in the impact of city services. The Planning & Zoning Board recommended approval as well as city staff.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Approve Ordinance 2021-04 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 2021-05: Single-family residential rezoning application for annexed property located at 2924 S. Peninsula Drive

City Planner Stewart Cruz provided details from his staff report. This item is also part of the annexation process. It will change the property's zoning classification from the county to the

city for single family residential. Both the Planning & Zoning Board and city staff recommend approval.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to Approve Ordinance 2021-05 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. Resolution 2021-04 to have the city join as a participant in a unified plan regarding the opioid epidemic

The County of Volusia requested that the City adopt the proposed Resolution to be included in the Florida Plan for potential settlement of the opioid lawsuit. A copy will be sent to the Attorney General.

VICE MAYOR MEL LINDAUER moved, seconded by COUNCILMEMBER RICHARD BRYAN to Adopt Resolution 2021-04 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

- D. Auditor Selection Committee

Finance Director Kurt Swartzlander explained that the current auditor contract had ended. Per Florida Statutes, an auditor selection committee needed to be created. He recommended that the council appoint themselves as the committee to speed the process along. If approved, the RFP would be opened on July 30th and distributed to the council/committee that afternoon. City Attorney Becky Vose read Resolution 2021-05 by title for the record.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Resolution 2021-05 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

- E. RFP Audit Services

The City Council meeting was recessed for approximately 10 minutes while the Audit Selection Committee met.

- F. Economic Development Lease Subsidy Grant Application- Salty Pint, LLC

Economic Director, Nancy Maddox, provided the details for the grant application. The Salty Pint, LLC has applied for a lease subsidy grant that would total \$9,540.70. They plan to open for business on July 2nd. The location is inside the Winn Dixie Plaza. Lunch and dinner plan to be served seven days a week in a family friendly atmosphere.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Approve the Economic Development Lease Subsidy Grant Application for Salty Pint, LLC.

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

G. Discussion regarding Mayor Miller participating in a joint task force for multi-city events

Mayor Miller would like to participate in the joint task force being formed after the recent truck event. With the adoption of Ordinance 2020-08, a councilmember needs the authorization to represent the City Council.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to authorize Mayor Miller to participate in a joint task force for multi-city events.

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 City Council was very appreciative of the Public Safety's efforts during the recent truck event to maintain order. Mayor Miller reminded everyone of the concert on Friday night that will have food trucks. The next Coffee with the Mayor will be held on July 14th.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There will be a budget workshop on July 27th at 4:00 pm. There will be a resolution to adopt a proposed millage rate.

15. ADJOURNMENT:

The meeting ended at 7:42 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB