

**MINUTES
CITY COUNCIL MEETING
December 14, 2021
3000 Bellemead Drive, Daytona Beach Shores, FL 32118**

1. CALL TO ORDER BY MAYOR

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

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, and Public Safety Director Stephan Dembinsky.

CMBR Bryan moved, seconded by CMBR Politis to allow Vice Mayor Lindauer to participate and vote via the telephone. The motion passed unanimously by a voice vote.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

A. Employee Service Award - Carlos Rodriguez 5 years

Community Services Director Fred Hiatt presented Carlos Rodriguez with a 5-year service award.

6. APPROVAL OF MINUTES

A. City Council Minutes November 9, 2021

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Approve the City Council Minutes of November 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 October Monthly Report

B. Statewide Mutual Aid Agreement

C. November Public Safety Report

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

City Attorney Becky Vose reviewed her report for the council. She was able to provide an update regarding the sale of the property located at 138 Beachomber. It has now been approved by the Florida Department of Environmental Protection.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report

City Manager Michael Booker read his report for the record. Mayor Miller inquired what amount of the ARPA funds had been received by the city so far. He answered that approximately 50% of the \$2.3 million was received.

10. OLD BUSINESS:

A. Ordinance 2021-09: Comprehensive Plan Amendment - Property Rights Element

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Adopt Ordinance 2021-09 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

B. Ordinance 2021-10: Treasure Island Stipulated Settlement Agreement
Comprehensive Plan Amendment - 2025 S. Atlantic Ave, et al

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Adopt Ordinance 2021-10 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

C. Ordinance 2021-13 Sale of Property located at 136 Beachcomber.

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to Adopt Ordinance 2021-13 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

D. Ordinance 2021-15: Comprehensive Plan Future Land Use Map amendment for
recently annexed single-family residential property located at 104 Broad Avenue

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Adopt Ordinance 2021-15 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

- E. Ordinance 2021-16: Comprehensive Plan Future Land Use Map Amendment-131
Glen Myra Avenue

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by COUNCILMEMBER RICHARD BRYAN to Adopt Ordinance 2021-16 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

- F. Ordinance 2021-17: Rezoning application for recently annexed property located at 104
Broad Avenue

The City Attorney read the ordinance by title. There was no further discussion on the item.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to Adopt Ordinance 2021-17 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. Resolution 2021-13

The City Attorney read the Resolution by title. CMBR Bryan made a motion to adopt but the motion died for lack of a second.

- B. Consideration to approve the recommendation from the Opioid Task Force

The City Attorney explained that the Interlocal Agreement was provided by the County of Volusia for adoption. It is hoped that having this in place will assist in the distribution of any settlement funds from the nationwide lawsuit.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD FRIZALONE to Approve the Interlocal Agreement with the County of Volusia for the Opioid Task Force.

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. Discussion of City Council desire to purchase property behind Chase Bank

Finance Director Kurt Swartzlander explained that Chase Bank was open to discussion on the sale of their back parcel of land. The city would like to purchase the land to expand the Public Works storage building. Currently, some equipment has to be stored outside which is not conducive to the salt air environment. Chase Bank paid approximately \$258,618 for the small parcel and they had it appraised at \$300,000. The city had an appraisal done that came in at \$196,000. The bank requires a letter of intent to start the conversation on the land purchase. There are some minor restrictions that Chase has asked for, such as no other banking or financial buildings can be put on the land. Also, no advertising for any financial institutions can be displayed. CMBR Frizalone suggested offering them our appraisal value of \$196,000. After further discussion, it was decided to offer Chase \$175,000 as a beginning negotiation point.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to authorize city staff to send a letter of intent in the amount of \$175,000 to purchase property behind Chase Bank.

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 announced the upcoming Business Expo on January 8th and Coffee With the Mayor on Jan. 12th. The guest speaker will be the Ponce Inlet Mayor, Lois Paritsky, who will provide a Civics 101 lesson. The February Coffee will be canceled due to her travel schedule. It was announced that City Clerk, Cheri Schwab, won the VLC Administrative Employee of the year for 2021. The council extended their thanks to all the city employees and residents who worked hard and attended both the Christmas parade, tree lighting and the Community Appreciation Cook-out.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Update on Chase property negotiation if available.

15. ADJOURNMENT:

The meeting ended at 6:50 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:
