

MINUTES
CITY COUNCIL MEETING
March 8, 2022
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Vice Mayor Mel Lindauer, Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone **Excused:** Councilmember Michael Politis
Staff: City Manager Michael T. Booker, City Clerk Cheri Schwab, City Attorney John Cary, Community Services Director Fred Hiatt, Finance Director Kurt Swartzlander, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Captain Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

A. Employee Service Award - Ed Kastner 20 years

Community Services Director Fred Hiatt presented Ed Kastner with his 20-year service award.

B. Audit Presentation from James Moore & Co.

James Halloran from James Moore & Co. gave the council a brief presentation regarding the current audit. He explained that there were no material weaknesses in internal controls and no instances of non-compliance. The city is now debt free from any long-term debt and the investments are in compliance with Florida Statutes.

6. APPROVAL OF MINUTES

A. City Council Minutes February 22, 2022

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to Approve the City Council Minutes of February 22, 2022.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer

7. CONSENT AGENDA:

A. Finance Reports - Nov, Dec, Jan.

B. SCBA Purchase

C. Public Safety Outside Detail Rate Increase

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to Approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer

8. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report March 8, 2022

Attorney Cary reviewed the report submitted to council.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report March 8, 2022

City Manager Booker reviewed his submitted report. The owners of the Treasure Island property have selected a demolition company and plan to begin work next week. One addition to his written report was the request by St. Maartens Condo to use Andronopoulos

Park while their parking area is resurfaced. It would be between 4-7 weeks. The council gave their consensus on this.

10. OLD BUSINESS:

A. Ordinance 2022-05 Daytona Beach Shores proposed charter amendments

Attorney Cary read the ordinance by title. It was explained that there was a minor revision on question number 4 between first and second reading. The word procedures was deleted from the ballot summary. The remaining questions had no change.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2022-05 on second reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 0).

Yes: Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer

11. NEW BUSINESS:

A. Nonconforming Freestanding Sign Removal Deadline

Finance Director Kurt Swartzlander explained that the ten-year period for businesses to comply with the adopted sign regulations would end on April 9th. Of the initial 130 nonconforming signs, 61 have been upgraded. Forty-one of those took advantage of the city's sign grant program which reimbursed a small portion. Staff recognizes that the last two years, businesses have struggled with the pandemic and are requesting a one-year extension. This would also include a minor grant program for that year. Letters will be mailed to those still not conforming with the newer sign regulations. After a brief discussion by the council, it was decided by a voice vote to allow the one year extension with the grant program capping at \$1,300 per business.

B. Bank of America Property Bid

Mayor Miller began the discussion by explaining why she would like the city to purchase the property. The close location to existing city properties, the need to allow classes and activities to be held in other locations and the ability to have the city control over what is built on the land were a few examples. Finance Director Kurt Swartzlander explained that the process to bid on the property was a modified sealed bid. The council would need to agree on a price for him to include in the Purchase Sale Agreement. CMBR Frizalone stated that he felt \$850,000 was fair. CMBR Bryan didn't want to offer more than the land was valued at. The remaining council felt the need to secure the property to ensure the city could control what was built there in the future.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL

LINDAUER to offer \$850,000.00 to purchase the Bank of America Property and to allow the Mayor to execute the agreement.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3 No = 1).

Yes: Mayor Nancy Miller, Councilmember Richard Frizalone, Vice Mayor Mel Lindauer **No:** Richard Bryan

12. COUNCIL COMMENTS:

All the council members felt the recent food truck event and concert was a huge success. Mayor Miller reminded the residents of her upcoming Coffee With the Mayor. CMBR Bryan provided a brief legislative update on bills he has been following.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Allen Howard spoke to the council regarding the noise from the motorcycles. He inquired if the Public Safety officers were enforcing the noise ordinance. It was his opinion that many of the motorcycles had illegal exhaust on them that created the loud noise.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items added to the next agenda.

15. ADJOURNMENT:

The meeting ended at 7:00 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB