

MINUTES
CITY COUNCIL MEETING
June 28, 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 Frizalone, Councilmember Richard Bryan. **Excused:** Councilmember Michael Politis.

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Garrett Olsen, Finance Director Lory Irwin, 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. Cherise Wintz presentation for 5K race in November

Ms. Cherise Wintz stated this would be the third annual race since moving it to the City. The council provided approval for the event.

6. APPROVAL OF MINUTES

A. City Council Minutes June 14, 2022

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to Approve the City Council Minutes of June 14, 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. Public Safety May report

B. Building Division Monthly Report - May 2022

C. Community Services Department Monthly Report - May 2022

D. Executive Summary-Financial Reports

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

Attorney Garrett Olsen reviewed his report to the council.

9. REPORTS OF THE CITY MANAGER:

A. City Manager Report

City Manager Kurt Swartzlander reviewed his report with the council. He explained that it has been common practice to cancel meetings both in November and December (11/22, 12/27) due to the holidays. He would like to include the August 8th meeting due to the Mayor's meeting schedule.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to approve canceling the meetings for August 8th, November 22nd, and December 27th.

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

Last year, City Manager Booker had mentioned adding Veteran's day as an official holiday, but it was too late to do so. He inquired if the council would like to add the holiday as part of next year's budget.

COUNCILMEMBER RICHARD FRIZALONE moved, seconded by VICE MAYOR MEL LINDAUER to approve adding Veteran's Day as an official holiday.

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

He congratulated both Mayor Miller and Vice Mayor Lindauer for their re-election with no opposition. He also congratulated Chris Conomos, who also ran unopposed for Seat 1, which was recently vacated by CMBR Frizalone. He thanked CMBR Frizalone for his past 4 years of service.

10. OLD BUSINESS:

11. NEW BUSINESS:

A. Consideration to change contract with Chargepoint

City Manager Swartzlander explained that the city has had electric vehicle charging stations for the past 3 years. When they were initially installed, the council agreed to allow the first 4 hours to be free of charge. It was understood that at some point, the council would authorize a fee for charging a vehicle. Recently, staff has been receiving numerous complaints due to the increased price of gas. Last year, the city signed an agreement with FPL for new charging stations that would not be free to use. They are installed, but have not been activated since FPL is waiting on a transformer. He requested that council end the free charging period effective August 1st for the existing Chargepoint stations.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to approve ending the free charging component effective August 1st.

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

B. Discussion on passage of smoking bill and the effects on public areas in the city

There was a brief discussion regarding the passage of the smoking bill and how the council wanted to move forward. There are four city parks that could be regulated, along with the tennis courts, pickleball courts and the dog park. CMBR Bryan requested an ordinance be placed on the next agenda for consideration. A draft ordinance written by the City Attorney

was reviewed. It included a trigger provision, so if the County of Volusia amends their regulations, the city could take action at the county parks as well. The City Council would have the discretion for enforcement and any punishment by resolution.

- C. Consideration to appoint a new member to fill the vacancy on Seat 1 until the next four year term begins at the first meeting in November.

Mayor Miller explained that Chris Conomos ran unopposed for Seat 1 and would start his term in November. With the recent vacancy, the charter allows them to appoint a member for the interim. The council felt it would be beneficial to have Mr. Conomos join the council immediately.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to appoint Chris Conomos to fill the vacancy on Seat 1 until the next four-year term begins at the first meeting in November..

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3 No = 0).

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

Chris Conomos was sworn in by Attorney Olsen.

12. COUNCIL COMMENTS:

Vice Mayor Lindauer stated that he was pleased to spend another four years on the council. Mayor Miller remarked about the recent ribbon cutting ceremony at Peck Park. She announced the guest speaker for the July Coffee with the Mayor would be Halifax Expresscare. The August event has been cancelled. CMBR Frizalone stated that his official last day was today. He thanked the city staff and fellow council for their hard work and support.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Dan Morris, from the Daytona Beach Chamber of Commerce thanked Mayor Miller for speaking at the recent Youth Civic Leadership Summit.

Tony Rembiszewski was concerned about the recent sale of the Bank of America property with its proximity to city property. It is his hope that a friendly business will lease the building. Ed Offerman commented on the Waste Pro contract from the City Manager's report. He cautioned the council, that if they re-open the contract, it could be up for negotiation. If that were to happen, he felt the city should request something in return. He offered congratulations to the newly re-elected council. thanks to frizz great city.

14. QUASI-JUDICIAL HEARING

15. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

The ordinance regarding the smoking bill.

16. ADJOURNMENT:

The meeting ended at 6:51 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB