

MINUTES
CITY COUNCIL MEETING
July 12, 2022
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Vice Mayor Mel Lindauer, councilmember Chris Conomos, Mayor Nancy Miller, Councilmember Richard Bryan, Councilmember Michael Politis

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney John Cary, Community Services Director Stewart Cruz, 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:

6. APPROVAL OF MINUTES

A. City Council Minutes June 28, 2022

VICE MAYOR MEL LINDAUER moved, seconded by COUNCILMEMBER MICHAEL POLITIS to Approve the City Council Minutes of June 28, 2022.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

7. CONSENT AGENDA:

A. Firehouse Sub Grant Approval/Acceptance

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, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

8. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report

Attorney John Cary reviewed his report to the council. There were no additional questions.

9. REPORTS OF THE CITY MANAGER:

A. July 12th Report

City Manager Kurt Swartzlander informed the council that two meeting dates would need to be changed. The first is the meeting scheduled for Sept. 13th. This meeting needs to be changed every year during the budget hearings. The School Board meets at the same time and is in conflict with us. He would like to change that to Monday, September 12th. The second meeting is scheduled for November 8th. That is election day and the Council Chambers is used as the polling place. Moving the meeting to Wednesday, November 9th will allow the council to ratify the results. This meeting will need to be held at 7:00 pm per the charter.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to approve the meeting changes for September 12th and November 9th.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

An update on the Treasure Island property was added. The 150-day mark for demolition was yesterday and the grounds are substantially complete except for minor asphalt removal. Director Cruz explained that the stairs leading to the beach can't be completed until November after the turtle season is finished. The final demolition on the curbs and retaining wall are waiting on utility locates to be finished.

10. OLD BUSINESS:

11. NEW BUSINESS:

A. Ordinance 2022-12 Smoking Prohibition in City parks.

The City Attorney read the ordinance by title. Staff will be posting signs in all the city park and recreation areas. There was a brief discussion regarding the discipline for offenders. Most likely it would be a verbal warning. CMBR Conomos inquired if repeat offenders could be issued a written warning similar to a trespass. There will be a Resolution drafted that will provide these details.

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER CHRIS CONOMOS to Approve Ordinance 2022-12 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

B. Park list for future resolution and proposed fines related to smoking prohibition in city parks.

City Manager Swartzlander explained that a Resolution will be on the next agenda with proposed fines for violating Ordinance 2022-12. The list of city parks and recreation areas were given approval by the council. It was decided that a fine of \$100 for a citation would be used. Once the signs were placed in the various areas, there would be a 30-day grace period before any fines were given.

C. Ordinance 2022-13 City of Daytona Beach Shores Procurement Policy

The City Attorney read the ordinance by title. Finance Director Lory Irwin presented the procurement policy. She explained that with a Charter Amendment question going on the ballot regarding procurement, staff wanted to have an updated policy in place. This policy has not been amended since 2008. The major change in the policy, is the amount that the CM can approve without bringing it before council. The current limit is 25k and the proposed amount is 50k.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Approve Ordinance 2022-13 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

D. Non-Conforming Sign Removal Incentive Grant Application 12022019: Tropic Shores Condominium Association (Timeshare) - 3111 S. Atlantic Avenue

Community Services Director Stewart Cruz requested the council provide direction to staff regarding the grant payment. The application process requests three bids. If the applicant chooses the highest bid, does the council wish to pay the 15% on that amount or only on the lowest bid. The payment is from \$2,000 to \$3,000. CMBRS Bryan, Lidauer and Conomos felt

it should be on the lowest conforming bid. CMBR Politis felt the business owner should be able to choose which bid they liked and receive 15% of that cost with the cap of \$3,000. He stated the sign should represent the business. The city has spent a lot on the underground utilities and streetscape along S. Atlantic Avenue, the signs should also reflect the best for their business. Director Cruz had a listing of six businesses that were within a window of the old sign grant program ending and the new one that began in April. He requested direction on whether to allow the businesses to apply for a sign grant. The council gave their consent.

Fred Rispoli, president of the condominium board spoke to the council regarding the sign bids. He explained that the board had good reserves and wanted a certain look to their sign to represent their condo.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Approve Grant Application 12022019 for 15% of the actual cost with a cap of \$3,000.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

- E. Regular Site Plan Application RSP 21022005 - Surf Style at Daytona Beach Shores, 2226 S. Atlantic Avenue

Community Services Director Stewart Cruz explained that there is a minor issue with the storm water retention area. The engineers are working with the City of Daytona Beach to resolve the problem.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Continue the Site Plan Application RSP 21022005 until the meeting on July 26, 2022.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5 No = 0).

Yes: Mayor Nancy Miller, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, councilmember Chris Conomos

12. COUNCIL COMMENTS:

CMBR Conomos stated that it was an honor to serve on the council and he looked forward to the next four years. Mayor Miller reminded the audience of the upcoming Coffee with the Mayor being held the next day. There will be representatives from Halifax ExpressCare as the guest speakers. She also reminded everyone that there would be a Budget Workshop before the next meeting at 5:00pm.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Charlene Darby, a resident of Daytona Beach, inquired if hotel management could caution their guests regarding the use of fireworks. It seemed that guests were lighting them in the

parking lot near her home. She also felt the city could use more street lights and crosswalks for safety reasons.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items added to the agenda.

15. ADJOURNMENT:

The meeting ended at 7:06 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB