

MINUTES
CITY COUNCIL MEETING
July 26, 2022
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

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

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Becky Vose, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Economic Development and Public Affairs Director Nancy Maddox, Public Safety Director Stephan Dembinsky and Captain Michael Fowler.

Councilmember Conomos joined via the telephone with the council consensus. Once the meeting was called to order, the Mayor asked for a short five-minute recess.

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 July 12, 2022

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to approve the City Council Minutes of July 12, 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. Community Services Department Monthly Report - June 2022

B. Public Safety June monthly 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, Vice Mayor Mel Lindauer, Councilmember Richard Bryan, Councilmember Michael Politis, Councilmember Chris Conomos

8. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report July 26, 2022

Attorney Becky Vose reviewed her report to the council. There were no additional questions.

9. REPORTS OF THE CITY MANAGER:

A. July 26, 2022 City Manager Report

City Manager Kurt Swartzlander reviewed his report to the council. Two additional items were added. The first is council approval for the county's annual Justice Assistance Grant. The council gave their approval for the Mayor to sign. The second item was that the city was informed that Ed Peck Sr. had passed earlier that day.

10. OLD BUSINESS:

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

Attorney Vose read the ordinance by title. There were no additional questions or concerns.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2022-13 on second 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. Ordinance 2022-12 Smoking Prohibition in City parks.

Attorney Vose read the ordinance by title. There were no additional questions or concerns.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2022-12 on second 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

C. Resolution 2022-4 Setting a park list and fine amount for smoking prohibition in the Parks

Attorney Vose read the resolution by title. There were no additional questions or concerns.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Resolution 2022-4 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

11. **NEW BUSINESS:**

A. Ordinance 2022-14: Amendment Of Monument Sign Regulations Regarding Nonconforming Freestanding Signs On Multifamily Residential Properties

Attorney Vose read the ordinance by title. Community Services Director Stewart Cruz explained that staff had reviewed the remaining properties that had a non-conforming sign. There are currently 17 multifamily residential properties on the list. Staff felt their signs fit into their surroundings and the natural environment. If the ordinance was adopted, they would be exempt from the April 2023 deadline. However, when the property does decide to upgrade or renovate its sign, the new one must conform to the new guidelines. Both the Mayor and CMBR Conomos stated that they owned property in one of the 17 listed. Councilmember Conomos wished to abstain from the vote.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Approve Ordinance 2022-14 on first reading.

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

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

B. Resolution 2022-5 Fiscal Year 2022-2023 Proposed Millage Rate

Attorney Vose read the resolution by title. This rate was discussed at the earlier workshop. City staff has recommended the proposed millage rate of 4.6389. Once the rate is set and sent to the Property Appraiser, the council can lower it, but they can't increase it.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Resolution 2022-5 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

12. Quasi-Judicial

- A. Regular Site Plan Application RSP 12022005 - Surf Style at Daytona Beach Shores, 2226 S. Atlantic Avenue

Community Services Director Stewart Cruz explained that the site plan would need to be continued until August 23, 2022. There are still some outstanding issues regarding stormwater.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by COUNCILMEMBER RICHARD BRYAN to Continue Regular Site Plan Application RSP 12022005 until the meeting of August 23, 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

- B. Regular Site Plan RSP12021034: Villa Cardinal Townhomes, 3723 Cardinal Boulevard

Participants for the hearing were sworn in by the City Clerk. There was no ex-parte communication from the council and all due public notice had been met. Community Services Director Stewart Cruz provided a brief summary of the project. It will be a multi-family townhome development. There will be four units, each being three stories tall. The property is currently vacant and the plan is consistent with the city's Land Development Code. The Planning & Zoning Board and city staff recommend approval.

VICE MAYOR MEL LINDAUER moved, seconded by COUNCILMEMBER RICHARD BRYAN to Approve Site Plan RSP12021034.

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

13. COUNCIL COMMENTS:

Mayor Miller reminded the audience that the first meeting in August had been canceled along with Coffee with the Mayor. There is a free concert on Friday night at the pavilion. CMBR Conomos was sorry that he couldn't attend the meeting in person. CMBR Politis inquired if the Public Safety Department had a plan in place if an active shooter happened at Longstreet Elementary. Captain Fowler explained that the school was not in our city limits, but they do have a plan to assist the City of Daytona Beach.

14. AUDIENCE REMARKS/PUBLIC COMMENTS:

Sandy Cook inquired how the no-name park near St.Kitts Condominium could be named after her late husband. The condo was one of his developments and he had purchased the land. Mayor Miller requested staff to look into the naming process.

15. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items added to the agenda.

16. ADJOURNMENT:

The meeting ended at 7:02 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB