

**MINUTES
CITY COUNCIL MEETING
September 27, 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 John Cary, Community Services Director Stewart Cruz, Finance Director Lory Irwin, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Director Stephan Dembinsky.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. NEW BUSINESS (TRIM PROCESS ONLY):

A. RESOLUTION 2022-08 FINAL LEVYING OF AD VALOREM TAXES

Finance Director Lory Irwin stated the proposed millage rate for the record of 4.6389 mills. There has been no change from what was previously approved and discussed by the council. It is a tax increase of 4.51% of the rolled back rate. Resolution 2022-08 was read in its entirety by City Attorney John Cary. The time of adoption was 6:08 p.m.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Adopt RESOLUTION 2022-08 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. RESOLUTION 2022-09 FINAL FY 2022-2023 BUDGET

Finance Director Lory Irwin stated that there was no change to the proposed budget. The total amount does include the purchase of the Chase Bank property. City Attorney John Cary read Resolution 2022-09 in its entirety. It was adopted at 6:10 p.m.

VICE MAYOR MEL LINDAUER moved, seconded by COUNCILMEMBER CHRIS

CONOMOS to Adopt RESOLUTION 2022-09 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

6. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

7. APPROVAL OF MINUTES

A. City Council Minutes September 12, 2022

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Approve the City Council Minutes of September 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

8. CONSENT AGENDA:

A. Public Safety monthly report

B. Community Services Department Monthly Report - August 2022

C. Agreement for Service - Southeast Volusia Humane Society & City of Daytona Beach Shores

D. Mead & Hunt Continuing Contract for Professional Services Authorization

COUNCILMEMBER CHRIS CONOMOS 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, Vice Mayor Mel Lindauer, Councilmember Richard Bryan,

9. REPORTS OF THE CITY ATTORNEY:

A. City Attorney Report

City Attorney John Cary reviewed the report to the council. There were no additional comments or questions.

10. REPORTS OF THE CITY MANAGER:

A. City Manager Report 9-27-22

City Manager Kurt Swartzlander reviewed his submitted report. He included information regarding Hurricane Ian. He declared a State of Emergency effective 5:00 p.m. City Hall will be closed for the next two days. He thanked Public Safety Director Stephan Dembinsky for his many years of service as this was his last council meeting. It was noted that the concert was canceled for Friday evening, but that Saturday activities will continue, weather permitting.

11. OLD BUSINESS:

A. Ordinance for Purchase of Chase Property

City Attorney John Cary read the ordinance by title. There were no additional comments or questions.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to Adopt Ordinance 2022-15 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

12. NEW BUSINESS:

A. Planning & Zoning Board appointments

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Approve the reappointment of four regular members to the Planning & Zoning Board.

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

Vice Mayor Lindauer inquired about the past attendance by the current alternate members. City Clerk Cheri Schwab answered that Anthony Rembiszewski had two recent unexcused absences. It was noted that alternates are required to attend every board meeting the same as regular members.

COUNCILMEMBER RICHARD BRYAN moved, seconded by COUNCILMEMBER CHRIS CONOMOS to Appoint Jeni Groot as a regular board member to the Planning & Zoning Board.

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

The council held a brief discussion regarding the two candidates for the alternate position.

COUNCILMEMBER MICHAEL POLITIS moved, seconded by VICE MAYOR MEL LINDAUER to waive the residency requirement and Appoint Guy Desai as an alternate member to the Planning & Zoning Board.

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. Non-conforming Sign Removal Incentive Grant Application: Daytona Diner - 2043 S. Atlantic Ave.

City Planner Noel Eaton provided the details for the sign grant application. The applicant received three bids and would qualify for the minimum \$2,000 grant. Staff recommended approval providing that the sign meets all code requirements and there are no current code enforcement violations.

COUNCILMEMBER RICHARD BRYAN moved, seconded by VICE MAYOR MEL LINDAUER to Approve the Non-conforming Sign Grant for Daytona Diner in the amount of \$2,000.

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

- C. Non-conforming Sign Removal Incentive Grant Application: 3218 S. Atlantic Ave.

City Planner Noel Eaton provided the details for the sign grant application. The plaza includes Millies, Bruno's Pizza and the Family Spot. The applicant received two bids and would qualify for a \$2,025 grant. Staff recommended approval providing that the sign meets all code requirements and there are no current code enforcement violations.

COUNCILMEMBER CHRIS CONOMOS moved, seconded by VICE MAYOR MEL

LINDAUER to Approve the Non-conforming Sign Grant Application for 3218 S. Atlantic Ave in the amount of \$2,025.

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. Veterans Park Project

Community Services Director Stewart Cruz provided background on the project. The US Space Force branch has been added as part of the US Armed Forces and staff would like to add the flag to the Veterans Park. Two options were presented to the council for consideration. The first option moved the flags to the western side of the park in a tight semi-circle. The second option was also on the western side of the park at a wider angle. Additional sidewalks and landscaping are also included. After a brief discussion, the council preferred the second option that showed a more spread out semi-circle for the flags.

13. COUNCIL COMMENTS:

The entire council hoped for everyone to stay safe with Hurricane Ian expected to impact the city beginning Wednesday. They also thanked Director Dembinsky for his many years of service and wished him well on his retirement. CMBR Conomos requested a future discussion about a beautification project in the north end of the city. Mayor Miller asked for that discussion to be placed on a January agenda. CMBR Conomos also referenced an email from resident and former City Attorney Lonnie Groot. He had requested renaming a street and tennis court. Mayor Miller explained that the request had been brought before them and it was decided not to move forward with either request. The email also discussed creating a program to spotlight residents who go above and beyond and the creation of a timeline for past Mayors.

14. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

15. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items added to the next agenda.

16. ADJOURNMENT:

The meeting ended at 7:00 p.m.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

