

MINUTES
CITY COMMISSION MEETING
March 28, 2023
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

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

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Paul Waters, Community Services Director Stewart Cruz, Economic Development and Public Affairs Director Nancy Maddox, and Public Safety Director Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

- A. Employee Service Awards
Wayne Delin Maintenance Worker III 20 years
Matt Thomas D.D. Building & Codes 15 years

Community Services Director Stewart Cruz presented service awards to Wayne Delin and Matt Thomas.

6. APPROVAL OF MINUTES

- A. City Commission Minutes March 14, 2023

COMMISSIONER MEL LINDAUER moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Minutes of March 14, 2023.

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

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

7. CONSENT AGENDA:

- A. Public Safety February report
- B. Community Services Department Monthly Report - February 2023
- C. City Owned Public Beach Access: Granting of Temporary Access and Construction Easement To Volusia County For The Installation Of Temporary Armoring & Sand Placement

COMMISSIONER RICHARD BRYAN moved, seconded by COMMISSIONER MEL LINDAUER to Approve the consent agenda.

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

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

8. REPORTS OF THE CITY ATTORNEY:

There were no questions or concerns for the City Attorney.

9. REPORTS OF THE CITY MANAGER:

A. CM Report 3-28-23

City Manager Kurt Swartzlander presented an after-action hurricane report. There were seven areas that were discussed. The first item was pay policy and procedures during an emergency. At the last meeting, the commission adopted a resolution that addressed this issue for any future events. The second item was sewer lift stations. It was explained that a few stations do not have permanent generators. The city does have a few back-up generators but that requires an employee moving about during or just after a storm to manage. The city plans to apply for a grant through hazard mitigation money in the near future. The third item discussed was communication with the commission members. The City Manager felt he wasn't always consistent with communicating with them. For any future event, he will provide a daily action report that is also provided to the county. This way, the same message will be sent to everyone. Continuing service contracts was the fourth item discussed. The city currently has a few contracts in place, but others are needed. Examples were mutual aid, electrical and HVAC services. The fifth item discussed was power for the Community Center. The existing generator only provides power to the Commission Chambers. During each recent storm, the center was utilized and, thankfully, the power stayed on. The city has applied for a grant in the amount of \$120K to purchase a generator to power the entire building. The sixth item discussed was for a Community Information Center/Emergency Operations Center (CIC/EOC). Currently, the city doesn't have a formal one in place and during an event, approximately 50 employees are housed in various

buildings and in cramped areas. The city has applied for a grant in the amount of \$3.2 million that could be used for design and construction. The seventh, and final item discussed was evacuations. The city will pre-coordinate with the county for any up-coming storm to better prepare for an evacuation.

Mayor Miller asked CM Swartzlander to recap a recent meeting they attended with FWC, FDEM, DEP and the County of Volusia. The County was allotted funding to place trap bags on the beach in front of compromised properties. In order to place the bags, easements are required. City staff is working with the county to notify all affected property owners. Having the easement in place would also allow the county to assist in dune renourishment. There were two residents who had questions and comments regarding the easement process.

10. OLD BUSINESS:

11. NEW BUSINESS:

- A. Ordinance 2023-01: Repeal of the Supplemental Economic or Tourism Development Incentive Program (AKA The ATR Program)

Attorney Waters read the ordinance by title. At the last city commission meeting, staff was instructed to bring an ordinance forward to repeal the ATR program. If the commission wishes to utilize the ATR in the future, it can do so with a development agreement.

COMMISSIONER RICHARD BRYAN moved, seconded by COMMISSIONER MEL LINDAUER to Approve Ordinance 2023-01 on first reading.

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

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

- B. Resolution 2023-07: Hurricane Damaged Permanent Seawall Reconstruction Building Permit Fee Waiver

Attorney Waters read the resolution by title. Community Services Director Stewart Cruz explained that the commission requested staff to waive the permit fees, similar to what the County was doing. If adopted, this would waive the city component for any seawall reconstruction. It would be retroactive to February 6, 2023. The time period would be for one year and it could be extended if needed. The waiver does not apply to re-inspection fees or to surcharges imposed by the state.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Resolution 2023-07 on first reading.

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

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

12. COUNCIL COMMENTS:

Vice Mayor Politis provided an update from the recent TPO meeting he attended. Both Commissioners Conomos and Lindauer were impressed with their city tour last week of the various departments. Comm. Bryan announced his armoring meeting would be on April 6th at 4pm. It will be recorded and streamed live. The primary objective is for residents to work together on building sea walls or armoring to protect their property.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Devin and Danielle Eskra, who own Joyride Tours, are interested in opening a business in the city. They have recently been working with Nascar at the speedway and have received positive feedback from the residents. They are interested in the property at 2120 S. Atlantic. Their hope is to open a small restaurant in the front and have the carts in the back.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Discussion on the golf cart tour business

15. ADJOURNMENT:

The meeting ended at 7:12 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB