

MINUTES
CITY COMMISSION MEETING
June 13, 2023
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

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

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, 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:

6. APPROVAL OF MINUTES

A. City Commission Minutes May 23, 2023

COMMISSIONER MEL LINDAUER moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Minutes of May 23, 2023.

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

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

7. CONSENT AGENDA:

A. Revised Access Agreement & Construction License For Seawall Construction On Adjacent Public Beach Access: St. Croix Condominium, 3145 S. Atlantic Avenue

B. Fire Training and Facilities Agreement with City of Port Orange

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

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

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

8. **OLD BUSINESS:**

A. Ordinance 2023-03: Tour Service Conditional Use and Live/Work Facilities.

City Attorney Vose read the ordinance by title. City Planner Noel Eaton reviewed the main points which would amend the city's LDC to establish a tour service definition and amend live/work requirements. The changes proposed from first reading regarding the restaurant staging elements were now included. All due public notice requirements were met and staff recommended approval.

COMMISSIONER RICHARD BRYAN moved, seconded by COMMISSIONER MEL LINDAUER to Adopt Ordinance 2023-03: Tour Service Conditional Use and Live/Work Facilities..

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

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

9. **NEW BUSINESS:**

A. Ordinance 2023-04: Voluntary Annexation - 3038 S. Peninsula Drive

Attorney Becky Vose read the ordinance by title. City Planner Noel Eaton explained that this was a voluntary annexation for a single family residence. All notice requirements had been met and staff recommended approval.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER RICHARD BRYAN to Approve Ordinance 2023-04 on first reading.

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

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

B. Ordinance 2023-05: Voluntary Annexation - 3040 S. Peninsula Drive

Attorney Becky Vose read the ordinance by title. City Planner Noel Eaton explained that this was a voluntary annexation for a single family residence. All notice requirements had been

met and staff recommended approval.

COMMISSIONER RICHARD BRYAN moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve Ordinance 2023-05 on first reading.

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

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

C. Review City Manager Evaluations

Per the City Charter, the City Manager's annual evaluation is discussed at a public meeting. The evaluations were distributed to the Commission and everyone discussed their scores with him. The overall score was 4.78 out of a possible 5 points. The commission felt Kurt had done an excellent job in his first year, especially with the two hurricanes last fall. Mayor Miller briefly discussed the form, stating that she was in favor of changing it for next year. There are some areas that not all the commission are able to evaluate due to their schedules and minimal time at City Hall. All were in favor of holding a workshop to discuss a future format. CM Swartzlander thanked the commission for their feedback and constructive criticism.

10. **REPORTS OF THE CITY ATTORNEY:**

The City Attorney had nothing new to report.

11. **REPORTS OF THE CITY MANAGER:**

City Manager Kurt Swartzlander provided an update regarding seawall permits. There are still a few properties that have not started the process. There was an unadvertised truck event over the weekend but the Public Safety Department maintained the visitors. The CM provided a list of properties that have non-conforming signs. Of the 15 businesses, 7 were recently issued a Notice Of Violation from the Code Enforcement Office.

12. **COUNCIL COMMENTS:**

Commissioner Bryan stated that he was still concerned about vulnerable properties with no proper armoring for a future storm. Mayor Miller reminded the audience that the Coffee with the Mayor monthly event would be held tomorrow night, beginning at 5:00pm. The City Manager and his staff would be available for questions and answers.

13. **AUDIENCE REMARKS/PUBLIC COMMENTS:**

There were no audience comments.

14. **ITEMS RECOMMENDED FOR THE NEXT AGENDA:**

Consideration of alternate member for Planning & Zoning Board.

15. **ADJOURNMENT:**

The meeting ended at 6:40 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB