

MINUTES
CITY COMMISSION MEETING
May 14, 2024
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

Present: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

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:

A. Proclamation for Mental Health Awareness Month

Mayor Miller read the proclamation for Mental Health Awareness Month. A check was presented to Stewart Marchman Association for the proceeds of the recent casino night.

B. Proclamation for Public Works Week

Mayor Miller read the proclamation for Public Works Week.

6. APPROVAL OF MINUTES

A. City Commission Minutes April 23, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Minutes of April 23, 2024.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

7. **CONSENT AGENDA:**

8. **OLD BUSINESS:**

- A. Ordinance 2024-06: Comprehensive Plan Future Land Use Map Amendment for recently annexed single-family residential property located at 3215 La Paloma Avenue

Attorney Vose read the ordinance by title. Director Stewart Cruz explained this was from the annexation back in February. The VGMC accepted the Future Land Use Amendment and staff recommended approval.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MARK CARD to Adopt Ordinance 2024-06 on second reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

9. **QUASI-JUDICIAL HEARING**

- A. Ordinance 2024-07: Rezoning application for recently annexed property located at 3215 La Paloma Avenue

Attorney Vose read the ordinance by title. The City Clerk swore in all witnesses for the hearings. There was no ex-parte communication by any member. Director Cruz explained this was the final requirement by Florida Statutes for annexed property. The application met all the criteria, all due public notice was satisfied and staff recommended approval.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Adopt Ordinance 2024-07 on second reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

- B. Ordinance 2024-11: Rezoning Application For Recently Annexed Property Located At 3635 Cardinal Boulevard

Attorney Vose read the ordinance by title. County resident Julie Odom inquired what the use of the property was going to be. Director Cruz explained the application met all requirements for rezoning as required per Florida Statutes. All due public notice had been given and staff recommended approval.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve Ordinance 2024-11 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

C. Ordinance 2024-12: Rezoning Application For Recently Annexed Property Located At 110 Van Avenue

Attorney Vose read the ordinance by title. Director Cruz explained the application met all requirements for rezoning as required per Florida Statutes. All due public notice had been given and staff recommended approval.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MARK CARD to Approve Ordinance 2024-12 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

D. Ordinance 2024-13: Rezoning Application For Recently Annexed Property Located At 129 Esmeralda Avenue

Attorney Vose read the ordinance by title. Director Cruz explained the application met all requirements for rezoning as required per Florida Statutes. All due public notice had been given and staff recommended approval.

COMMISSIONER STEPHAN DEMBINSKY moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve Ordinance 2024-13 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

10. NEW BUSINESS:

A. Ordinance 2024-14: Comprehensive Plan Future Land Use Map Amendment For Recently Annexed Property Located At 3635 Cardinal Boulevard

Attorney Vose read the ordinance by title. Director Cruz explained that this was a recently annexed property and state law requires that the city assign a future land classification use. The property is a quad-plex with single-family residences. The current county designation is county urban low intensity. The proposed city designation is residential low intensity. All due public notice had been met and staff recommended approval.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve Ordinance 2024-14 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

B. Ordinance 2024-15: Comprehensive Plan Future Land Use Map Amendment For Recently Annexed Property Located At 110 Van Avenue

Director Cruz explained that this was a recently annexed property and state law requires that the city assign a future land classification use. The property is a single-family residence. The current county designation is county urban low intensity. The proposed city designation is residential low intensity. All due public notice had been met and staff recommended approval.

COMMISSIONER MARK CARD moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve Ordinance 2024-15: Comprehensive Plan Future Land Use Map Amendment For Recently Annexed Property Located At 110 Van Avenue.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

C. Ordinance 2024-16: Comprehensive Plan Future Land Use Map Amendment For Recently Annexed Property Located At 129 Esmeralda Avenue

Director Cruz explained that this was a recently annexed property and state law requires that the city assign a future land classification use. The property is a single-family residence. The current county designation is county urban low intensity. The proposed city designation is residential low intensity. All due public notice had been met and staff recommended approval.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MARK CARD to Approve Ordinance 2024-16 on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

D. Discussion of Charter Amendment to extend term limits for City Commissioners and Mayor

Attorney Vose stated she was instructed to include this discussion item along with the next two proposed ordinances from the direction at the last commission meeting. If adopted, the charter amendment ordinance would increase term limits from two (2) four-year terms to either three (3) or four (4) 4-year terms. The amendment would be placed on the August ballot. Mayor Miller stated that this would not eliminate term limits, just increase the number of terms. She explained that years ago, she supported stricter term limits, but now has learned it takes some time to fully comprehend how a city runs and to build relationships with other government agencies. The city's population is very small here, and many residents have no desire to hold office. The recent addition of completing the detailed Form 6 has also become a challenge for those who want to run. The Mayor stated that the ordinance would allow the question to be placed on the ballot for residents to decide.

The following residents spoke: Harry Jennings quoted the Mayor's words from a few years ago when she favored the restrictive terms now in place. Mel Lindauer explained the reason he resigned was the new requirement for completing Form 6. He believes the pool of qualified residents is now very limited. Kate Danis felt the extra term would benefit the city

and thanked everyone who served. John Dansis stated that he considered running for office, but Form 6 changed his mind. He felt with education, the residents would be behind extending term limits.

Attorney Vose encouraged the members to discuss the two proposed ordinances. All were in favor of adding one additional term. There was a brief discussion on whether to include the word "consecutive" to the term limit language but in the end it was not included.

E. Charter Amendment Ordinance 3 terms

Attorney Vose read the ordinance by title. There was no further discussion.

COMMISSIONER MARK CARD moved, seconded by VICE MAYOR MICHAEL POLITIS to Approve Charter Amendment Ordinance 3 terms on first reading.

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

Yes: Mayor Nancy Miller, Vice Mayor Michael Politis, Commissioner Chris Conomos, Commissioner Mark Card, Commissioner Stephan Dembinsky

F. Charter Amendment Ordinance 4 terms

This item was not discussed.

11. CITY ATTORNEY COMMENTS

There were no additional comments from the City Attorney.

12. CITY MANAGER COMMENTS

There were no additional comments from the City Manager.

13. COMMISSION COMMENTS:

Mayor Miller provided an update on the wrapping of the FPL boxes. She reminded the audience of the upcoming Armed Forces celebration on Saturday. The next Coffee with the Mayor will have Attorney Gantz as guest speaker to provide an overview of milestone survey requirements. Vice Mayor Politis provided an update from the recent TPO meeting he attended. The meeting focused on trail awareness. Commissioner Dembinsky would not be available for the next meeting and asked to be excused.

14. AUDIENCE REMARKS/PUBLIC COMMENTS:

Michael Agri and Barbara Ann Heegan from the SD/PO Chamber of Commerce spoke on upcoming events. There will be a Shores Appreciation Night on June 5th.

Bob Robacker had both a sister and nephew commit suicide. He strongly supported mental health awareness.

Stacy Conomos urged everyone to remember that suicide awareness is year round and it isn't always drug related.

15. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

The Mayor asked to have the following on future agendas: updating the civic clerk system for live meeting manager. moving to one meeting per month in January 2025, and creating a board for code review.

16. ADJOURNMENT:

The meeting ended at 7:21 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB