

MINUTES
CITY COMMISSION MEETING
June 11, 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 **Excused:** 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 SGT. Bill Frank.

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 28, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Minutes of May 28, 2024.

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

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

7. CONSENT AGENDA:

A. Amendment No. 2 To Interlocal Agreement For Fueling Services

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MARK CARD to Approve the con

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

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

8. OLD BUSINESS:

- A. Ordinance 2024-19: Development Agreement Application 12024010 By Daytona Ocean Investment Corp & Hotel Motel, LLC. Address: 2601-2613 S. Atlantic Avenue

Attorney Vose read the ordinance by title. Community Services Director Stewart Cruz explained there was a minor change from the first reading. The developer voluntarily stated he would contribute \$30,000 to the dune walkover maintenance fund. All due public notice had been given and staff recommended approval. Audience member Elaine Shizkowski spoke against the project, stating she was upset about losing her view and privacy. Mayor Miller stated that she and the City Manager attended a meeting that morning at the Sherwin. After speaking with the residents, they were agreeable to the project. Sgt. Frank explained that there had been recent incidents at the existing hotel that involved drugs, burglary, theft and arson. It has become an area of concern for the Public Safety Department. Attorney Glenn Storch spoke for the developer. He explained the project would be an upscale hotel that was consistent with the city's comprehensive plan.

COMMISSIONER MARK CARD moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Ordinance 2024-19 on second reading.

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

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

9. NEW BUSINESS:

- A. Resolution 2024-06: Authorization To Submit A Loan Application To The Clean Water State Revolving Fund Program With 100% Principal Forgiveness For Sanitary Sewer Resiliency Upgrades

Attorney Vose read the resolution by title. Director Cruz stated that the city's sewer collection system was in need of resiliency and upgrades. If approved, the city will submit the loan application in the amount of \$14,550,000 to retrofit the lift stations and upgrade or replace the electrical and control systems. Even though this is called a loan, it does not need to be repaid.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Adopt Resolution 2024-06: Authorization To Submit A Loan Application To The Clean Water State Revolving Fund Program With 100% Principal Forgiveness For Sanitary Sewer Resiliency Upgrades.

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

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

B. Resolution 2024-08 New Commission Monthly Meeting Schedule

Attorney Vose read the resolution by title. If adopted, the new meeting schedule would begin in January. The commission would meet on the first Tuesday of the month, while the third Tuesday would be reserved for a workshop or special meeting.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Resolution 2024-08 New Commission Monthly Meeting Schedule.

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

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

C. Hearing on Notice of Termination of Contract with Volusia County Towing

The City Attorney stated this would be a quasi-judicial hearing. The City Clerk swore in all witnesses. City Manager Swartzlander explained that the towing company had been consistently late in their payments to the city. None have arrived by the actual due date each month. The last payment received was on May 2, 2024, for the February tows. Despite repeated attempts of communication, no further payments have been received. There was no one in attendance to represent Volusia County Towing.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER MARK CARD to Approve the Termination of the Towing Contract with Volusia County Towing.

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

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

D. 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 4.98 out of a possible 5 points. Mayor Miller spoke briefly on the format of the evaluation. She would like to find a new format to use for next year and tasked Comm. Conomos to bring a new form for review at the July 23rd meeting.

10. CITY ATTORNEY COMMENTS

The City Attorney had no additional comments or concerns.

11. CITY MANAGER COMMENTS

City Manager Swartzlander requested the City Attorney to prepare a temporary towing contract until the city could bid it out again. There is a potential truck event happening over the weekend. The sheriff is prepared to enact the special event zone and it ends at Florida Shores Blvd. The department plans to be fully staffed for the weekend.

12. COMMISSION COMMENTS:

Mayor Miller reminded the audience of the upcoming Evening with the Mayor event tomorrow night. There will be a free concert on June 28th. The Florida League of Mayors will be hosting a mental health clinic on July 26th at the Community Center.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items added to the next agenda.

15. ADJOURNMENT:

The meeting ended at 6:46 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB