

MINUTES
CITY COMMISSION MEETING
July 23, 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 Paul Waters, 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:

Mayor Miller read the obituary for Michael Booker and invited everyone to attend his Celebration of Life on July 30th.

6. APPROVAL OF MINUTES

A. City Commission Minutes June 25, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER MARK CARD to Approve City Commission Minutes June 25, 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. PS June monthly report

B. Property & Casualty Insurance and Risk Management Services

C. Community Services Department Monthly Report - June 2024

D. Approval of Master Lift Station Odor Control Replacement Independent Contractor's Agreement: McMahan Construction Co., Inc.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Approve the consent agenda.

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:

9. NEW BUSINESS:

A. Resolution 2024-07: Adoption of the Daytona Beach Shores Wastewater Facility Plan
City Attorney Waters read the resolution by title only. Community Services Director Cruz explained that the city had applied for a loan and this was a part of the application process.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Adopt Resolution 2024-07 on first 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

B. Resolution 2024-11 Adoption of a Proposed Millage Rate for FY 2024-25
City Attorney Waters read the resolution in its entirety. The tentative millage rate would be 4.5880, an 8.78% increase over the rolled-back rate. If approved in September, the average tax increase for a single family home would be \$133 and for a condominium owner \$108. There were no comments from the audience.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Adopt Resolution 2024-11 on first 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

C. Ordinance 2024-20 Service Use Charge-Lien for Unpaid Bills
The City Attorney read the ordinance by title. Finance Director Irwin explained the proposed ordinance would assist in recording liens in a more timely manner for utility bills.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve Ordinance 2024-20 on first 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

D. Pedestrian Beach Access At Sanibel Condominium, 3799 S. Atlantic Avenue
Community Services Director Stewart Cruz asked for staff direction to either accept or vacate interest in the beach access. He provided a brief background stating that the city had been maintaining the access since it was opened in 2008. It was destroyed in 2022 by the hurricanes. While trying to apply for FEMA reimbursement, staff discovered the access was not owned by the city. Pictures were shown both pre-storm and current of the access. Attorney Robert Case, who represented the owners of the Sanibel Condominium, stated it was his opinion that by common law the city had taken ownership. The owners would like the city to continue maintaining the beach access as there are liability issues with ownership. It was stated that there is an existing county-

owned sidewalk on the south side of the adjacent beach ramp that pedestrians can use to gain entry to the beach. After a brief discussion, the consensus was to vacate the pedestrian access and provide up to \$25,000 in funds to landscape/rebuild the area.

COMMISSIONER CHRIS CONOMOS moved, seconded by COMMISSIONER MARK CARD to vacate the Pedestrian Beach Access At Sanibel Condominium and partner for a maximum of \$25,000.

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

10. CITY ATTORNEY COMMENTS

There were no additional comments or concerns from the City Attorney.

11. CITY MANAGER COMMENTS

City Manager Swartzlander stated that the hurricane grant from the State of Florida had been extended to \$600,000. He encouraged residents to re-apply for additional funding. The My Safe FL condo pilot program for hardening projects started July 1st. He reminded everyone that the first meeting in September would be on the 9th, which is a Monday night. He thanked the city commission for their discussion and comments on his salary adjustment and evaluation.

12. COMMISSION COMMENTS:

Mayor Miller provided details on upcoming events. Comm. Conomos expressed his appreciation for Officer Jackson who assisted in picking up fliers that were blowing on S. Atlantic Avenue. Vice Mayor Politis gave an update on the recent TPO meeting he attended. The entire commission expressed condolences to the Booker family and shared fond memories of working with Mike.

13. AUDIENCE REMARKS/PUBLIC COMMENTS:

Tracy Keller, a board member from the PO/SD Chamber of Commerce, provided an update on future events.
Marie Nelson inquired about having a crosswalk installed near Sea Spray Avenue. She also stated that there was handicap parking available but no ADA ramp to the beach in close proximity.

14. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no additional items recommended for the next agenda.

15. ADJOURNMENT:

The meeting ended at 7:30 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB