

MINUTES
CITY COMMISSION MEETING
September 9, 2024
3000 Bellemead Drive, Daytona Beach Shores, FL 32118

1. CALL TO ORDER BY MAYOR

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

Staff: City Manager Kurt Swartzlander, City Clerk Cheri Schwab, City Attorney Becky Vose, Community Services Director Stewart Cruz, Finance Director Lory Irwin, and Public Safety Director Michael Fowler.

2. ROLL CALL BY CITY CLERK

3. PRAYER

4. PLEDGE OF ALLEGIANCE

5. NEW BUSINESS (TRIM PROCESS ONLY):

- A. Resolution 2024-13 A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES OF VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR VOLUSIA COUNTY FOR FISCAL YEAR 2024-25; PROVIDING AN EFFECTIVE DATE

City Attorney Vose read the resolution in its entirety. The final hearing on the millage rate will be September 24, 2024.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Adopt Resolution 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

- B. Resolution 2024-14 A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES OF VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2024-2025; PROVIDING FOR AN EFFECTIVE DATE

City Attorney Vose read the resolution in its entirety. An updated budget summary was provided to the commission.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Resolution 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

6. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

- A. Request from Will Roberts, Volusia County Tax Collector to support Kids Tag Art

Volusia County Tax Collector, Will Roberts, introduced a newer program called Kids Tag Art. It will be offered in 10 schools, with RJ Longstreet being one of them. It was explained that budgets are tight for supplies and many times the art teachers have to spend their own funds. During art class, children will design license plates that will be available for sale to be placed on the front of cars. All proceeds will be divided equally between the participating schools. The program is looking for sponsorship at all levels. After a brief discussion by the commissioners, an item will be placed on the next agenda to consider a sponsorship and the purchase of plates for city vehicles.

B. Gold Certificate of Excellence to Mayor Nancy Miller

City Manager Kurt Swartzlander presented Mayor Miller with the Gold Certificate of Excellence for elected officials.

7. APPROVAL OF MINUTES

A. City Commission Minutes August 27, 2024

COMMISSIONER STEPHAN DEMBINSKY moved, seconded by VICE MAYOR MICHAEL POLITIS to Approve the City Commission Minutes of August 27, 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

8. CONSENT AGENDA:

9. OLD BUSINESS:

10. QUASI-JUDICIAL HEARING

A. Regular Site Plan RSP12023048: SHORES DEPOT - ALL ABOARD STORAGE
Interior Storage Facility, 2616 S. Atlantic Avenue

The City Clerk swore in all witnesses for the hearing. There was no ex-parte communication by the city commissioners. City Planner Gwyn Herstein provided a short background on the property. Aerial views of the site were shown. The project was granted a special exception for the building storage and had eight conditions attached. All were met with the submitted site plan except #5 regarding low level lighting. This will be monitored during the inspections as the project is being built. It is consistent with the Land Development Code. All due public notice was published. Both the Planning & Zoning Board and staff recommend approval of the site plan.

Daniel Nathan, owner of Cowlicks Ice Cream, felt the project would violate his right of easement in the driveway and is against the project. Comm. Dembinsky inquired if the number of parking spaces for Cowlicks was affected by the project. Ms. Herstein replied that it had not changed, and that the city had acquired an Indemnification Agreement.

COMMISSIONER MARK CARD moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve the Regular Site Plan RSP12023048 for SHORES DEPOT - ALL ABOARD STORAGE.

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

11. NEW BUSINESS:

A. Discussion on Volusia County's Dune Vegetation Ordinance

City Manager Kurt Swartzlander provided an overview of the dune vegetation ordinance. If a condominium had seawall damage, after repair/replacement of the seawall, the owner needs to install plants, vegetation and sand on the eastern side of it. The owner can also get a cost estimate to pay funds to the county so they can maintain the dune. This requirement has left many seawall permits still open. The county is progressing with their sand restoration project, but no one is sure how far it will reach. Property owners don't want to pay to put sand in place because it has been washed away by the next high tide. Impacted citizens are upset with this requirement because it seems useless. The county had deferred this requirement until December 31st, and they may defer it again. The City Manager proposed a resolution to ask the County Council for an exemption to the county dune ordinance requirements if a property had pulled a FDEP permit as the result of Hurricanes Ian or Nicole. Also, if a property has already paid into the fund, that it be refunded to the property owner.

Resident Ed Offerman appreciated the city staff for looking into this matter. He would be in favor of a resolution to the county. The city commissioners voiced their opinion, hoping that the county council and staff would be favorable to this.

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to bring back a Resolution asking for support from the County of Volusia.

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. Consideration to cancel the second meeting in both November and December

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve canceling the second meeting in both November and December.

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

12. CITY ATTORNEY COMMENTS

The City Attorney had no additional comments.

13. CITY MANAGER COMMENTS

The City Manager stated that he attended a recent presentation regarding off-beach parking at the Elected Official's Roundtable. Beginning October 1st, residents can register for free beach driving access. Beginning in January, there will be a charge for off-beach parking as well. The city is able to partner with the company overseeing the parking enforcement. Staff can determine what parking spaces to charge and the amount for that space. He asked for direction from the commission on whether to proceed with a contract to piggyback off the county's contract. After a brief discussion, it was determined to place an item on the next agenda for consideration.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to include a detailed contract on the next agenda for consideration.

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

The City Manager advised that Governor DeSantis may call a special session to discuss the condominium funding requirements for safety and reserve studies that would begin at the end of the year. He announced the End of Summer Bash event at Crabby Joe's on Sept. 27th. There is also a free concert that night beginning at 6:30 in the pavilion.

14. COMMISSION COMMENTS:

Mayor Miller encouraged residents to purchase a ticket for the End of Summer Bash. She reminded the audience that Coffee With the Mayor was on Wednesday with Sheriff Mike Chitwood as guest speaker. Vice Mayor Politis provided an update from the recent TPO meeting he attended. The agency has a new name, Volusia-Flagler TPO with a new chairperson, Mayor Bill Partington from Ormond Beach.

15. AUDIENCE REMARKS/PUBLIC COMMENTS:

There were no audience comments.

16. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

Consideration to sponsor Kids Tag Art and purchasing license plates for city vehicles

17. ADJOURNMENT:

The meeting ended at 7:33 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB