

MINUTES
CITY COMMISSION MEETING
November 12, 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. ELECTION ITEMS

A. Resolution 2024-21 Certifying Election Results

COMMISSIONER CHRIS CONOMOS moved, seconded by VICE MAYOR MICHAEL POLITIS to Adopt Resolution 2024-21 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. Oaths of Office

Volusia County Judge Joan Anthony swore in the newly elected city commission members.

C. Nomination of Vice Mayor

COMMISSIONER STEPHAN DEMBINSKY moved, seconded by COMMISSIONER CHRIS CONOMOS to Nominate Michael Politis for Vice Mayor.

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. Presentation from Tomorrow Needs You by Jordan Snipes

Jordan Snipes presented Officers Jack Ransom and Ashley Epling with a certificate for participating in the recent walk for wounded veterans.

7. APPROVAL OF MINUTES

A. City Commission Workshop Minutes Oct. 22, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the City Commission Workshop Minutes of Oct. 22, 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

B. City Commission Minutes Oct. 22, 2024

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER MARK CARD to Approve the City Commission Minutes of Oct. 22, 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:

A. Approval of Non-Exclusive Franchise - Fence Service Inc., dba AAA Dumpster Rentals

B. Approval of Dune Walkover Repair Change Orders: East Coast Marine Construction & Design

C. Approval to purchase Public Safety vehicles

D. Approval of Volusia County - Paul Culver Construction, Inc. Piggyback Contract For General Construction Services

COMMISSIONER STEPHAN DEMBINSKY moved, seconded by VICE MAYOR MICHAEL POLITIS to Approve the consent agenda.

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. OLD BUSINESS:

10. QUASI-JUDICIAL HEARING

A. Regular Site Plan RSP12024020: LUX Condominium, 3159 S. Atlantic Ave.

All witnesses were sworn in by the City Clerk. There was no ex parte communication by the City Commission. City Planner Gwyn Herstein had a short presentation. The project is a 7-story, 30 unit condominium. The location is currently a vacant lot. Aerial views of the property were shown along with concept photos. All the requirements of the LDC and comprehensive plan were met along with all due public notice requirements. The Planning & Zoning Board recommended approval with three

conditions. Those have all been fully addressed. Staff recommended approval of the project. Mayor Miller inquired about a timeline for the seawall. Attorney Rob Merrill stated they are waiting on a permit from FDEP.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Approve the Regular Site Plan RSP12024020 for the LUX Condominium.

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. Ordinance 2024-22: Allowing Non-Conforming Land Use for Jet Set of Daytona at 2560 S. Atlantic Avenue

The City Attorney read the ordinance by title only. City Planner Gwyn Herstein stated that staff prepared this ordinance at the direction of the commission. The original location of the business was severely damaged during Hurricane Ian. It was temporarily moved to the existing location while renovations took place. The business owner would like to be able to remain at the existing location as it is not financially feasible to return to his original location. This ordinance also addresses the lighting issue that was raised at a previous meeting. The lights will be turned off after 10 pm when the business closes for the evening.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER STEPHAN DEMBINSKY to Approve Ordinance 2024-22 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 2024-22 Approval to Accept Funds from Opioid Abatement Funding Program

The City Attorney read the resolution by title only. Chief Fowler explained that the department had received a grant for a hands-free cpr device.

VICE MAYOR MICHAEL POLITIS moved, seconded by COMMISSIONER CHRIS CONOMOS to Adopt Resolution 2024-22 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

12. CITY ATTORNEY COMMENTS

The City Attorney had no additional comments.

13. CITY MANAGER COMMENTS

The City Manager had no additional comments.

14. COMMISSION COMMENTS:

Mayor Miller congratulated the three commissioners on their new terms of office. She reminded the audience of the upcoming Coffee With the Mayor. She announced the current food drive is running until November 18th. This year's tree lighting ceremony will be held on December 8th at 5:00pm. Comm. Card explained that he and the City Manager visited a few businesses this week as

part of the Economic Development Committee. Vice Mayor Politis provided an update on the recent TPO meeting he attended. The FDOT has been doing storm damage assessment and some of their projects may need to be reprioritized.

15. AUDIENCE REMARKS/PUBLIC COMMENTS:

Michael Taylor from Port St. Lucie spoke on the recent Public Safety incident that occurred last week. He felt the citizen had been treated unfairly.

16. ITEMS RECOMMENDED FOR THE NEXT AGENDA:

There were no items requested by the commission.

17. ADJOURNMENT:

The meeting ended at 6:53 pm.

**MAYOR
NANCY MILLER**

**CITY MANAGER
KURT D. SWARTZLANDER**

ATTEST:

CITY CLERK, CHERI SCHWAB