

MINUTES
CITY COUNCIL MEETING
November 7, 2017
3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118

Present: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings, Excused: Vice Mayor Peggy Rice. *Staff: City Manager Michael Booker, City Clerk Cheri Schwab, City Attorney Lonnie Groot, Finance Director Steve Whitmer, City Planner Stewart Cruz, and Public Safety Director Stephan Dembinsky.*

1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES: None.

2. APPROVAL OF THE MINUTES: October 24, 2017 City Council Meeting, and October 30, 2017 Special City Council Meeting

CMBR LINDAUER moved, seconded by CMBR GEIGER to approve the minutes of October 24 and October 30, 2017.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

3. CONSENT AGENDA: None.

4. REPORTS OF THE CITY ATTORNEY: City Attorney Groot mentioned that he and the City Manager would be meeting with the County Manager on Friday (11/10) to begin the Conflict Resolution process regarding the two properties owned by the County. He has been in communication with the County Attorney to prepare for the next step in the process which would be a joint council meeting. The County proposed dates in December that were not available to all our Councilmembers. He proposed dates in January and asked councilmembers to check their availability. The next issue would be the venue. The County wants to use their commission chambers, but he felt it should be in a more neutral place. The Councilmembers agreed that a neutral location was a better option. The County felt a two-hour meeting would suffice, but in his experience, he thought a four-hour block more practical. Attorney Groot inquired if the council would like to use a facilitator for the meeting. It is an added expense and he didn't feel it was needed at this point. If the process continued to the mediation stage, he had suggestions of Becky Vose, Randi Fitzgerald or Clay Simmons. All reside and work outside the Volusia County.

5. REPORTS OF THE CITY MANAGER: The City Manager explained that the funding for the sign grant program had been exhausted. He stated that there are still 107 nonconforming signs in the city. If the Council wished to keep the program going, additional funds need to be allocated. He requested suggestions for future sign grant awards from the council. It is a 10-year program that would end in 2022. At least two letters have been sent to all business owners with a non-conforming sign. CMBR Lindauer felt those who had waited should receive a smaller proration and suggested a scale down of 40%, 30%, 20%, 10%, and 0 for the next 5 years. The other councilmembers agreed to this method. The City Manager will prepare a revised sign grant program for the Council.

OLD BUSINESS: None.

NEW BUSINESS:

6. Resolution 2017-09 A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, AMENDING THE GENERAL FUND BUDGET, PROVIDING FOR APPROPRIATIONS; PROVIDING AN EFFECTIVE DATE. First Reading and Public Hearing.

CMBR LINDAUER moved, seconded by CMBR GEIGER to adopt Resolution 2017-09 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

7. Resolution 2017-10 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, SUPPORTING A BILL IN THE 2018 FLORIDA LEGISLATURE TO MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE UNDER FLORIDA LAW; PROVIDING FOR AN EFFECTIVE DATE. First Reading and Public Hearing.

The City Attorney explained the bill had just been introduced at this point. The Florida League of Cities had asked all cities to support the legislation. Currently, texting while driving is only a secondary violation and officers can't pull a driver over just for that infraction. This proposed bill would allow law enforcement to issue tickets just for texting.

CMBR GEIGER moved, seconded by CMBR LINDAUER to adopt Resolution 2017-10 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

8. Approval for sign grant Pirate's Cove Resort

CMBR GEIGER moved, seconded by CMBR LINDAUER to approve the sign grant in the amount of \$6,500 for Pirate's Cove Resort.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

9. Approval for sign grant Shoreline All Suites Inn

CMBR BRYAN moved, seconded by CMBR LINDAUER to approve the sign grant in the amount of \$1,396.50 for Shoreline All Suites Inn.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

10. Approval to authorize Tuesday, December 26th as a holiday

CMBR LINDAUER moved, seconded by CMBR GEIGER to approve December 26th as a holiday for employees.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, CouncilMember Richard Bryan, Mayor Harry Jennings.

11 COUNCIL COMMENTS: CMBR Geiger reminded the audience of the Resident Cookout on Thursday (11/9) from 4 -5:30pm. CMBR Lindauer invited the citizens to watch Pickleball with a Cop on Wednesday (11/8) as he felt it was a great way for officers to meet the citizens. Mayor Jennings announced the Christmas Parade would be held on December 2nd. He and the Council wished everyone a Happy Thanksgiving.

12. AUDIENCE REMARKS/PUBLIC COMMENTS: None.

13. ITEMS RECOMMENDED FOR THE NEXT AGENDA: None.

14. ADJOURNMENT: The meeting ended at 7:39 pm.

**MAYOR
HARRY H. JENNINGS**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB