

MINUTES
CITY COUNCIL MEETING
April 10, 2018
3048 S. Atlantic Ave. Daytona Beach Shores, FL 32118

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

1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:

Employee Service Awards

Director Hiatt presented Wayne Delin with his 15-year service award and Matt Thomas with a 10-year service award. Director Dembinsky presented Dave Lockwood with his 5-year service award and Liz Ortman with a 15-year service award.

2. APPROVAL OF THE MINUTES: March 13, 2018 City Council Meeting and March 6, 2018 Special Joint City/County Meeting

CMBR GEIGER moved, seconded by CMBR LINDAUER to approve the minutes of March 13, 2018.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

CMBR RICE moved, seconded by CMBR GEIGER to approve the minutes of March 6, 2018.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

3. CONSENT AGENDA:

- Approval to spend \$500 from Contraband for kid's fishing tournament

CMBR LINDAUER moved, seconded by CMBR RICE to approve the consent agenda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

4. REPORTS OF THE CITY ATTORNEY:

Attorney Groot requested permission to send the draft sett with county dated march 20th. Consent to transmit to the county with a cover letter and summary.

CMBR LINDAUER moved, seconded by CMBR RICE to transmit the draft settlement agreement dated March 20, 2018, to the County of Volusia for review.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

5. REPORTS OF THE CITY MANAGER: The City Manager congratulated CMBR Lindauer for completing IEMO 3 and presented him with an attendance certificate.

OLD BUSINESS:

6. ORDINANCE 2018-01 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA REPEALING CHAPTER 16¼ OF THE *CODE OF ORDINANCES OF THE CITY OF DAYTONA BEACH SHORES*; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS AND INTENT; PROVIDING FOR REGULATION OF THE CITY'S PARKS AND RELATED FACILITIES; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, DIRECTIONS TO THE CODE CODIFIER AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. **Second Reading & Public Hearing.**

CMBR Bryan stated that he did not agree with the savings provision of the ordinance.

CMBR RICE moved, seconded by CMBR GEIGER to adopt Ordinance 2018-01 on second reading.

Vote: Motion passed (**summary:** Yes = 4, No = 1).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, Mayor Harry Jennings, Vice Mayor Peggy Rice. **No:** CouncilMember Richard Bryan.

7. ORDINANCE 2018-03 AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA RELATING TO THE SALE OF CITY REAL ESTATE LOCATED AT 1906 South ATLANTIC AVENUE; ADOPTING EXHIBITS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. **Second Reading & Public Hearing.**

CMBR Bryan questioned the amount of the earnest money thinking it was very small. Attorney Groot explained that the money simply bound the buyer into completing the contract.

CMBR GEIGER moved, seconded by CMBR LINDAUER to adopt Ordinance 2018-03 on second reading.

Vote: Motion passed (**summary:** Yes = 4, No = 1).

Yes: Council Member Lorraine Geiger, CouncilMember Mel Lindauer, Mayor Harry Jennings, Vice Mayor Peggy Rice. **No:** CouncilMember Richard Bryan.

NEW BUSINESS:

8. RESOLUTION 2018-03 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 & Public Hearing.

CMBR LINDAUER moved, seconded by CMBR GEIGER to adopt Resolution 2018-03 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

9. RESOLUTION 2018-04 A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA AMONG OTHER THINGS IMPLEMENTING THE PROVISIONS OF ORDINANCE NUMBER 2018-01; PROVIDING FOR AN EXHIBIT; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS AND INTENT; PROVIDING FOR RULES REGULATING THE CITY'S PARKS AND RELATED FACILITIES; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. First Reading & Public Hearing.

CMBR RICE moved, seconded by CMBR GEIGER to adopt Resolution 2018-04 on first reading.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

10. Approval to award contract to MUSCO Lighting in the amount of \$148,500 for Pickleball lights.

It was explained that the lights will better illuminate the entire court and no longer have shadows. The contract also piggybacks Clay County for pricing.

CMBR GEIGER moved, seconded by CMBR RICE to approve the contract with MUSCO Lighting in the amount of \$148,500.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

11. Approval to award non-conforming sign grant to Hawaiian Inn Beach Resort

CMBR GEIGER moved, seconded by CMBR RICE to approve the sign grant to Hawaiian Inn.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

12. **COUNCIL COMMENTS:** CMBR Lindauer thanked city staff for working with the townhomes while their roads were recoated.

13. **AUDIENCE REMARKS/PUBLIC COMMENTS:** John Ersland inquired if the city could look into limiting density inside future condominiums to curb population growth.

14. **ITEMS RECOMMENDED FOR THE NEXT AGENDA:** None.

15. **ADJOURNMENT:** The meeting ended at 7:24 pm.

**MAYOR
HARRY H. JENNINGS**

**CITY MANAGER
MICHAEL T. BOOKER**

ATTEST:

CITY CLERK, CHERI SCHWAB