

**MINUTES  
CITY COUNCIL MEETING  
July 24, 2018**

**3000 Bellemead Drive 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, and Public Safety Director Stephan Dembinsky.*

City Attorney Lonnie Groot informed the Council that the petitions received by the City Clerk had been certified by the Supervisor of Elections, Lisa Lewis. As such, the council needed to take action on them.

**CMBR GEIGER moved, seconded by CMBR RICE to add the two Ordinances referencing petitions for term limits on the November ballot to the 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.

**1. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:**

Employee service awards

Director Fred Hiatt presented Ryan Lamberson with a five-year service award.

Director Stephan Dembinsky presented SGT. Norman Medders with a ten-year service award.

**2. APPROVAL OF THE MINUTES:** Budget Workshop July 9, 2018 and City Council Meeting July 10, 2018

CMBR Bryan asked to amend the minutes of July 10<sup>th</sup> regarding the remarks of Attorney Doug Daniels. The proposed changes will be attached to the minutes. Mayor Jennings asked why Mr. Daniels was not asking for the changes himself, and CMBR Bryan answered that he didn't wish to pay for him to attend the meeting. CMBR Rice inquired if the changes were from listening to the transcript, and CMBR Bryan replied that he had not purchased a transcript as yet.

**CMBR LINDAUER moved, seconded by CMBR BRYAN to approve both the workshop minutes of July 9, 2018, and the minutes of July 10, 2018 as amended by CMBR Bryan.**

**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:**

- Monthly Departmental Reports
- Monthly Financial Reports
- Approval of 4<sup>th</sup> Amendment to Fire Suppression Services Agreement
- Approval of Non-Exclusive Franchise Application for ACET Recycling

**CMBR RICE moved, seconded by CMBR GEIGER 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:**

**4A. Ordinance 2018-04** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA CALLING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF PROPOSING TO THE ELECTORATE OF THE CITY OF DAYTONA BEACH SHORES A REVISION TO THE *CHARTER OF THE CITY OF DAYTONA BEACH SHORES* RELATING TO TERM LIMITS AND AN AMENDMENT TO SECTION 2.01; PROVIDING FOR BALLOT LANGUAGE; PROVIDING FOR THE DUTIES OF THE CITY CLERK; PROVIDING FOR INCLUSION IN THE *CHARTER OF THE CITY OF DAYTONA BEACH SHORES* AND POWERS AND AUTHORITY FOR THE CODE CODIFIER; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE AND EFFECTIVE DATE OF PROPOSED *CHARTER* AMENDMENT.

Mayor Jennings requested the City Attorney to read the ballot title and question as it would appear on the ballot.

Audience member Rosana Scaccia spoke as Chairman of the People’s Voice PAC. She stated that she had worked hard to obtain the necessary signatures to have the two petitions on the November ballot. She felt the language would eliminate any loophole regarding term limits.

**CMBR LINDAUER moved, seconded by CMBR Bryan to approve Ordinance 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.

**4B. Ordinance 2018-05** AN ORDINANCE OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA CALLING FOR A REFERENDUM ELECTION TO BE HELD ON NOVEMBER 6, 2018 FOR THE PURPOSE OF PROPOSING TO THE ELECTORATE OF THE CITY OF DAYTONA BEACH SHORES A CONTINGENT REVISION TO THE *CHARTER OF THE CITY OF DAYTONA BEACH SHORES* RELATING TO TERM LIMITS AND AN AMENDMENT TO SECTION 2.01; PROVIDING FOR BALLOT LANGUAGE; PROVIDING FOR THE DUTIES OF THE CITY CLERK; PROVIDING FOR INCLUSION IN

THE *CHARTER OF THE CITY OF DAYTONA BEACH SHORES* AND POWERS AND AUTHORITY FOR THE CODE CODIFIER; PROVIDING FOR SEVERABILITY AND PROVIDING FOR EFFECTIVE DATE OF ORDINANCE AND EFFECTIVE DATE OF PROPOSED *CHARTER AMENDMENT*.

Mayor Jennings requested the City Attorney to read the ballot title and question as it would appear on the ballot.

**CMBR BRYAN moved, seconded by CMBR LINDAUER to approve Ordinance 2018-05 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.

**5. REPORTS OF THE CITY MANAGER:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**6. Resolution 2018-08.** A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA IN SUPPORT OF THE PLANNING PROCESS FOR THE DEVELOPMENT OF THE REVISED “VOLUSIA COUNTY AND MUNICIPAL FLOODPLAIN MANAGEMENT PLAN”; PROVIDING A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading and Public Hearing.**

**CMBR BRYAN moved, seconded by CMBR LINDAUER to adopt Resolution 2018-08 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.

**7. Discussion on plans for Senior Center** City Manager Booker explained that he and Senior Center Director Roni Jackson met with the architect and walked through the building. Next year’s proposed budget includes \$500,000 with a carryover of \$100,000. That appears to be sufficient for the structural items, but the cosmetic changes may have to be phased. Director Jackson explained she would like to see the roof replaced and renovate the old council chambers area first. It would turn into a large exercise area to include a raised platform for the instructors, full-length mirrors, a bar, fans, new lighting and an entryway into the activity room. Phase two would include renovating the bathrooms, activity room and kitchen. The third and final phase would renovate the lobby area and street view. There was a brief discussion on what to name the facility if it would no longer be restricted to seniors. Activity Center sounded more inviting to adults of all ages. Mayor Jennings was concerned about parking during popular events such as concerts, the Taste and pickleball tournaments.

Audience member John Schmitz explained that he was glad to see the building renovated. He expressed concern due to the building's age of approximately 40 years. He asked council to consider the cost savings that may occur if the building was demolished and built new. Council was in agreement that after constructing the new Shores Community Center, they would like to see a first-class activity center.

**8. COUNCIL COMMENTS:** CMBR Geiger reminded the audience of the free concert on Friday night with the Endless Summer band, and the August 17<sup>th</sup> BeatlesBeat concert. There are only 30 tickets left. She stated that she had attended one of the Drive-In Mania movies and it was well attended. There is another movie tonight and another on Thursday. CMBRS Lindauer and Bryan felt it was nice to see more faces in the audience.

**9. AUDIENCE REMARKS/PUBLIC COMMENTS:** John Ersland stated that he had just returned from a family reunion in Canada and was glad to be back in the Shores.

Nancy miller stated that she was a candidate for Mayor and she believed in the will of the people. She felt the city was divided and wanted to promote goodwill. She began to comment on the investigation on CMBR Bryan's activities, but Attorney Groot asked her to stop. He explained it was not appropriate to make comments on that issue at this time.

Rosana Scaccia stated that she was Chairman of the People's Voice PAC. She wants to support the will of the people and in her opinion the current City Council did not. She stated the PAC would support Nancy Miller for Mayor.

City Attorney Lonnie Groot explained that freedom of speech was honored at the meeting, but comments needed to relate to city business. Political speeches were not appropriate as they are not considered city council action items.

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

**11. ADJOURNMENT:** The meeting ended at 7:54 pm.

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**MAYOR  
HARRY H. JENNINGS**

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**CITY MANAGER  
MICHAEL T. BOOKER**

**ATTEST:**

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**CITY CLERK, CHERI SCHWAB**