

**MINUTES**  
**CITY COUNCIL MEETING**  
**September 10, 2018**  
**3000 Bellemead Drive Daytona Beach Shores, FL 32118**

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

Due to audio recording issues, the meeting began at 7:19 pm.

- 1. Resolution 2018-14** A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY FOR THE FISCAL YEAR 2018-2019; AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading and Public Hearing.**

The City Attorney read Resolution 2018-14 in its entirety for the record.

**CMBR LINDAUER moved, seconded by CMBR GEIGER to adopt Resolution 2018-14 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.

- 2. Resolution 2018-15** A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2018-2019; AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading and Public Hearing.**

The City Attorney read Resolution 2018-15 in its entirety for the record.

Audience member Honey Burget inquired last year's budget amount and the total was provided to her.

**CMBR GEIGER moved, seconded by CMBR LINDAUER to adopt Resolution 2018-15 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.

- 3. CEREMONIAL ITEMS, PRESENTATIONS AND PUBLIC NOTICES:**  
**Employee Service Award**

Director Dembinsky presented LT. Karen Howard with a 20-year service award.

**4. APPROVAL OF THE MINUTES:**

City Council Meeting July 10, 2018  
City Council Meeting July 24, 2018  
City Council Meeting August 14, 2018

**CMBR RICE moved, seconded by CMBR LINDAUER to accept the minutes of July 10, 2018, as previously presented and approved.**

There was a short discussion regarding the addendums provided by CMBR Bryan for the minutes. It was explained that this motion would not include the addendum.

**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.

**CMBR RICE moved, seconded by CMB GEIGER to approve the minutes of July 24, 2018, minus the addendum from CMBR Bryan.**

**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.

**CMBR LINDAUER moved, seconded by CMBR RICE to approve the minutes of August 14, 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.

**5. CONSENT AGENDA:** None.

**6. REPORTS OF THE CITY ATTORNEY:** City Attorney Lonnie Groot announced that the recent litigation with the County of Volusia had been resolved and all the cases were dismissed. He will be speaking with each councilmember individually regarding a recent ethics case. He informed the council that he would be reviewing the Charter as it relates to the Code of Ordinances. There are some instances where the two do not match and that can be problematic.

**7. REPORTS OF THE CITY MANAGER:** City Manager Booker informed the audience that the city would keep an eye on Hurricane Isaac. Of the three storms in the Atlantic, that is the one which could impact the city.

**OLD BUSINESS:**

**8. Amended Resolution 2018-10** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA PROVIDING FOR CITY COUNCIL POLICIES RELATING TO PUBLIC INPUT, PUBLIC MEETINGS AND PUBLIC HEARINGS INCLUDING, BUT NOT LIMITED TO, DECORUM AT MEETINGS AND RELATED MATTERS AND PROCEDURES; PROVIDING FOR LEGISLATIVE AND ADMINISTRATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. **First Reading and Public Hearing.**

The City Attorney explained the two provisions added to the resolution. The first regulates any electioneering or campaigning activities during a council meeting. The second provision regarded minutes and the ability of a councilmember to request that a statement be added to the record.

**CMBR RICE moved, seconded by CMBR GEIGER to adopt Amended Resolution 2108-10 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.

**NEW BUSINESS:**

**9. Resolution 2018-11** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA, HONORING FIFTY YEARS OF MUNICIPAL HOME RULE IN THE FLORIDA CONSTITUTION AND COMMITTING TO AN EDUCATIONAL INITIATIVE TO HELP FLORIDIANS UNDERSTAND THIS BENEFICIAL RIGHT. **First Reading and Public Hearing.**

**CMBR LINDAUER moved, seconded by CBMR GEIGER to adopt Resolution 2018-11 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. Resolution 2018-12** A RESOLUTION OF THE CITY OF DAYTONA BEACH SHORES, VOLUSIA COUNTY, FLORIDA, PROVIDING FOR AN INCREASE IN THE COMPENSATION TO THE MAYOR AND CITY COUNCIL, AND SETTING AN EFFECTIVE DATE. **First Reading and Public Hearing.**

This item was pulled at the beginning of the meeting by Mayor Jennings.

**11. Resolution 2018-13** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTONA BEACH SHORES, FLORIDA EXPRESSING ITS APPRECIATION TO THE BANK OF AMERICA FOR RETAINING ITS PRESENCE IN THE CITY OF DAYTONA BEACH SHORES AND THE PROVISION OF SERVICES TO THE CITIZENS OF THE CITY AND PROVIDING FOR AN EFFECTIVE DATE. First Reading and Public Hearing.

CMBR Lindauer thanked the Mayor, the City Manager and the residents who worked to make this happen. The branch is very convenient for many uses.

Audience member Russell Fry spoke. He explained that he is visually impaired, and it would have been difficult to travel. He thanked the Mayor for his efforts.

Rosana Scaccia also thanked the Mayor for his efforts. She added that the People's Voice PAC also sent out an email to help keep the branch open.

**CMBR GEIGER moved, seconded by CMBR RICE to adopt Resolution 2018-13 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.

**12. Approval for non-conforming sign grant for Fantasy Island Resort**

**CMBR LINDAUER moved, seconded by CMBR BRYAN to approve the non-conforming sign grant for Fantasy Island Resort.**

**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.

**13. Consideration to suspend recycling services**

City Manager Booker recommended that the council suspend recycling service. He stated that the cost would increase, and that recycling is not marketable right now. He added that even if the city continues to collect items as recycling, they are going to the landfill. He stated that the tonnage cost for solid waste would increase slightly but the cost of recycling would be eliminated. CMBR Lindauer felt it didn't make sense to pay for recycling if it wasn't going to occur. CMBR Rice felt it could be a problem for condominiums. The condo boards would need to encourage the owners to maintain the behavior of recycling otherwise the garbage would pile up. It was explained that the totes would still get picked up as they are currently. Mayor Jennings requested the City Attorney to craft a resolution for the next meeting.

**14. COUNCIL COMMENTS:** CMBR Rice thanked the Culture & Entertainment Board for their work on the End of Summer Bash. It was another great event.

**15. AUDIENCE REMARKS/PUBLIC COMMENTS:**

Grover Cleveland asked the council for assistance with a flooding issue. He lives in Daytona Beach on Roslyn Avenue. He has tried speaking with the City of Daytona Beach who states the problem is with the Shores. He has spoken with Brian Edwards who showed him that the water lines belong to Daytona Beach. He would like both cities to work together to fix the problem.

Honey Burget stated that she appreciated the PS Director who introduced a candidate for Circuit Judge a few meetings ago. She stated it was at that meeting when Nancy Miller also got introduced as a candidate for Mayor.

**16. ITEMS RECOMMENDED FOR THE NEXT AGENDA:** Recycling Service

**17. ADJOURNMENT:** The meeting ended at 8:20 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**