

City of South Daytona
City Council Meeting Minutes
Tuesday, October 11, 2022 at 6:00pm

City Council Chambers, 1672 S. Ridgewood Avenue, South Daytona, Florida
and FaceBook Live (www.facebook.com/CityOfSouthDaytona)

A. Opening. Call to Order: Mayor William C. Hall called the City of South Daytona Regular City Council Meeting to order at 6:00 pm.

Roll Call:

Present:

Mayor William C. Hall
Vice-Mayor Doug Quartier
Councilman Brandon Young
Councilwoman Lisa O'Neal
Councilman Eric Sander
City Manager James L. Gillis, Jr.
City Attorney Wade Vose

Not Present: None

Pledge of Allegiance led by Mayor William C. Hall followed by the **Invocation** led by Councilman Brandon Young.

Item 5: City Manager Report:

City Manager Gillis discussed Hurricane Ian and the City's efforts to clean up from the storm. He recalled the sandbag events which occurred on Saturday, Sunday, Monday and Tuesday before the storm. Over 15,000 sandbags and 3,500 cubic feet of sand were dispersed to our citizens. All city-owned ponds were pumped down, all waterways were checked, and drains and inlets were cleaned. He said Public Works staged generators in key areas and even picked up tree limbs that people foolishly started cutting down before the storm.

On Wednesday, September 28, 2022 Hurricane Ian made landfall as a Category 4 Hurricane just south of Punta Gorda. Hurricane Ian caused 137 fatalities and approximately \$40 billion dollars in damage, mostly from flooding. He quoted a New York Times article regarding Fort Myers which was titled "When Hurricane Ian destroyed a Florida Beach Town." Almost every neighborhood in Orlando received flooding with most cities receiving at least 14 inches of rain. He said the storm stalled after making landfall and released tremendous amounts of rainfall, concentrated on the east coast as it exited the State of Florida. There was widespread flooding in New Smyrna Beach, Port Orange, South Daytona, Daytona Beach, Holly Hill and Ormond Beach. New Smyrna Beach and Spruce Creek received 21 inches of rainfall according to NOAA (National Oceanic and Atmospheric Administration). Mr. Gillis told of 1 person who died in floodwaters in New Smyrna Beach. He said neighborhoods throughout Port Orange were flooded as rainfall amounts exceeded capacity and Spruce Creek experienced an 8-foot storm surge. Nova Canal crested in Daytona Beach causing widespread flooding with people being carried, boated and trucked to safety.

Floodwaters penetrated throughout the lower lying regions in Holly Hill with the Marina Grande Condominium being particularly hardest hit. In Ormond Beach, neighborhoods around the performing arts center, Beach Street and Central Park had significant flooding. In our community, we knew it was going to be a significant flooding event when the storm stalled and the rain would not cease.

Mr. Gillis said he spent the night in Public Works alongside Mark Smith, Luke Strydom, Taylor Macaulay, Jimmie Hoffman, and Wendy Mahoney. He said they answered alarm calls throughout the storm. The new SCADA system performed perfectly, allowing staff to know the exact location of the alarms and the needs of those stations. He said the pumps worked throughout the storm. He recalled at 5:00am Thursday morning when he updated the Council that all pumps were running with most at high alarm. When winds were at dangerous levels, the Public Works team wired a backup generator to the Sherwood Forest Pump which had lost power as FPL crews were not able to assist due to the high winds.

Mr. Gillis said the rain did not let up all night, wave after wave. On Thursday while the rains continued he met with Police Chief Cheatham and Fire Chief Giles considering evacuations. The numerous power outages on Thursday had us relying on generators to power our lift stations and pumps. He said generators were placed at key lift stations pre-storm and some floated away.

Flooding was experienced in Lantern Park, Coventry Forest, Big Tree Village, parts of Palm Grove, Sherwood Forest, Bryan Cave, Orchards, Hammock Lakes, Lakeview Estates, Kenilworth Avenue, Brian Avenue, Green Street, Violet Street, Jacobs Road, almost all businesses on the Nova Canal, and Palmetto Avenue. He discussed a video of the Halifax River extending to US 1. He said Nova Canal crested at Godowa Septic in South Daytona. Reed Canal Park Lake was flowing onto Nova Road. Reed Canal was cresting and Stevens Canal merged with Red Cedar and parts of Big Tree Village. In all, there was simply no place for water to go. He explained that the city pumps rely on the Nova Canal, Stevens Canal and Reed Canal to transport the water to the river, which was flooded. There was no place for it to be pumped.

He said Volusia County reports approximately \$303 million in damages, mostly from flooding. He does not know of anyone that wasn't adversely affected from the storm.

City Manager Gillis said by Sunday the city was dried out with crews working through the weekend, day and night. South Daytona personnel worked around the clock during the storm and crews were out even when roads and bridges were closed to ensure pump stations remained online during the event. Police, Fire, Public Works, Parks, CRA, and City Hall personnel were working hard for the city and even Finance Director Oliva set out to place stop signs at the intersections where the signals were down.

He said at this time FPL crews have restored power to all of South Daytona. Most streets have been swept of debris and debris collection is ongoing. He said the debris haulers have two separate goals - vegetation and household items such as couches and mattresses. He explained the vegetative debris and household debris must be kept separate. The debris is being staged at the former Cemex site. He acknowledged the developer of the old Cemex site who is allowing the city to use the site for this cleanup effort. Approximately half the City is complete with the first pass of debris collection. He said the second and final pass will be announced in the upcoming weeks.

City Manager Gillis said FEMA assistance is available. He said 5 workstations are available at the Piggotte Community Center and employees are available to assist with applying for assistance.

Mr. Gillis said this wasn't an isolated incident and that all cities on the east side of Volusia County have been helping each other with resources, pumps and generators. Flooding has been widespread across the State. He said his counterparts throughout the State have concurred that infrastructure can't be designed to withstand this type of storm as the rainfall amounts were excessive and almost every home in a low-lying area flooded. There wasn't a pond, or canal or waterway that withstood this amount of rain. Pumps were rendered useless because there wasn't any where for the water to be pumped too.

City Manager Gillis told stories of neighbors helping neighbors, with employees at a local company, Universal Engineering, helping their co-workers clean out houses, volunteers from his church going street to street to assist and recognized Janet Kisner for gifting gas to a neighbor she did not know.

Mr. Gillis reiterated that FEMA funds are available and city staff is available for assistance in filing FEMA claims. He concluded that this is the time for neighbors to help neighbors and together we can help restore this community.

Item 6: City Attorney Report:

City Attorney Wade Vose provided an update on items addressed since the previous council meeting. He bragged on city staff working through these last few weeks. He discussed his assistance with the agreement for the temporary debris management site and communications with the attorney for the developer. Mr. Vose complimented staff on the continuity of operations and the refreshing difference from other jurisdictions. City Attorney Vose also reported he reviewed the agenda in its entirety.

B. Citizens to be Heard:

George Locke (1883 Magnolia Avenue) discussed historic flooding through the city. He discussed the Aspen pond installed during his tenure on the City Council. He said in his 76 years, he has never seen anything like Hurricane Ian as Nova and Reed Canal reached historically high levels. Mr. Locke said there was no place to pump the water and staff did everything they could. He complimented the debris collection and thanked the team for doing what they did.

Jack Delaney (141 Deskin Drive) thanked city workers, saying they did a great job. He questioned the drainage of the Orchards Subdivision and the pumps. City Manager Gillis explained that ponds within Hammock Lakes, Bryan Cave Pond, Harborside and the Orchards are private ponds controlled by the corresponding Homeowners Association. He said the inlets from the pond in the Orchards Subdivision is tied to Reed Canal Lake which was elevated to Nova Road. That is the reason the levels decreased on Sunday when water began decreasing in other areas. Mr. Delaney asked about debris collection which Mr. Gillis responded was on its way.

Frank Amendolia (791 Aspen Drive) disagreed with former Mayor Locke. He discussed the drainage in Big Tree Village and the location of his home in the "soup bowl" of the subdivision. He said there was at least 18 inches of water, and his house was ground zero. He discussed development, stormwater and inconsiderate people driving through floodwaters.

Sue Galba (1742 Jacobs Road) discussed flooding in front of her home on Jacobs Road. Mayor Hall said we will look in to her concerns.

Harrison Beach (2944 Carriage Drive) said Volusia County has failed with the drainage system. He discussed the extensive flooding in Lantern Park.

Trish Fraser (2939 Carriage Drive) said the meteorologist predicted wrong and there are now water problems. She echoed the sentiments of Mr. Harrison. She said she and her dog were rescued by fire and police department personnel.

James Payne (2951 Gaslight Drive) asked about permits. Mayor Hall replied an agenda item is forthcoming on the agenda to address that issue.

Kaleena Norris (1725 Jacobs Road) discussed the flooding on Jacobs Road and asked for answers. Mayor Hall responded that there is no answer he can provide tonight.

Darlene Hoadley (727 Steele Avenue) commented this evenings Council meeting had been emotional, and everyone has suffered. She discussed her home which is over 70 years old. She expressed her sympathy for her neighbors and the city as a whole. She said she knows the Council does everything they can and is proud of the professionals we have working for the City. She concluded with a hope the community pulls together and gets past this.

Jack Delany (141 Deskin Drive) questioned drainage in the Orchards.

Trish Fraser (2939 Carriage Drive) noted that mold remediation will take at least 4 to 6 weeks and asked if the city can secure mold remediation assistance.

Garrett Troup (2948 Carriage Drive) questioned the drainage of Lantern Park. City Manager Gillis answered the water is drained into Reed Canal but when Reed Canal is high the two main drains will not work. Mr. Troup inquired dissipation of water after the event.

CJ Allen (2929 Gaslight Drive) inquired if the gates on the canal function properly.

Harrison Beach (2944 Carriage Drive) discussed the retention pond and drainage from Lantern Park after the event.

C. Consent Agenda: (Items 8-9):

Mayor Hall introduced the Consent Agenda and said the matters included under the consent agenda are self-explanatory and not expected to require discussion for approval. Items will be enacted by one motion. If discussion is desired by any member of the City Council, that item must be removed from the consent agenda and considered separately.

Item 8: Approval of minutes: September 27, 2022 City Council Meeting.

Item 9: Consideration of approving Capital Equipment purchases for the Police Department (4 Patrol Vehicles), Building Department (1 Truck) and Parks and Recreation Department (2 Trucks and 1 Tractor) as budgeted in Fiscal Year 2022-2023.

Motion to approve the consent agenda as presented by Councilwoman Lisa O’Neal. Second by Councilman Eric Sander. Motion carried unanimously.

D. Regular Agenda:

Item 10: Consideration of approving the Notice to Proceed with the City's contactor for debris removal, Crowder Gulf, as well as the City's debris monitoring and FEMA reimbursement consultants, Tetra Tech.

City Manager Gillis said a State of Emergency was declared via Resolution 2022-26 on September 27, 2022. In accordance with our emergency procurement procedures, staff is requesting the City Council formally approve the Notice to Proceed for the agreements. Debris collection and monitoring activities have begun and will continue until such time as the City is clear of debris. Tetra Tech will then remain to assist the City in seeking reimbursement for our collection activities. Funds expended will be taken out of the City's Hurricane Reserve.

City Manager Gillis said he cannot give enough accolades to the Developers of the old Cemex site who signed the temporary lease agreement on Saturday following the storm at no cost to the city.

Motion to approve by Vice-Mayor Doug Quartier. Second by Councilwoman Lisa O'Neal. Motion carried unanimously.

Item 11: Consideration of approving the Temporary License Agreement with 2900 Ridgewood Owner, LLC for a Temporary Debris Management Site in response to Hurricane Ian.

The City began collecting debris from the City rights-of-way following Hurricane Ian on Wednesday, October 5, 2022. Before collection could begin, the Department of Environmental Protection (DEP) required the City to permit a Disaster Debris Management Site. The Disaster Debris Management Site is used to bring, stage and grind the debris before sending it to the final disposal site (Volusia County Landfill).

Staff contacted the developers for 2900 S. Ridgewood Avenue (old Cemex site) to utilize their site temporarily for this purpose. In compliance with the City's Emergency Declaration via Resolution 2022-26, City Manager Gillis executed the agreement to expedite the Disaster Debris Management Site Permit from DEP.

In accordance with our emergency procurement procedures, staff is requesting the City Council formally approve the Temporary License Agreement for a Temporary Debris Management Site in response to Hurricane Ian with 2900 Ridgewood Owner, LLC. City Manager Gillis noted that the property owner was generous enough to let the City utilize the property without cost and the benefit of the site in a central location.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Eric Sander. Motion carried unanimously.

Item 12: Consideration of approving the utilization of the Building Department Reserve Fund to cover the costs of owner/builder permit fees related to Hurricane Ian (including state taxes and fees) until November 30, 2022.

City Manager Gillis explained history of waiving permit fees which some of the time benefited the contractors as they did not pass the savings to the residents. He explained staff's proposal is for the Building Department Reserve Fund to cover the costs of permits (including mandatory state fees and taxes associated with those permits). He also explained the following items will not require city permits:

- Installation of minor temporary shoring to stabilize buildings
- Installation of temporary sheathing panels, similar materials and related closure systems (e.g. water resistive barriers, roofing underlayments) intended to reduce or prevent intrusion of wind and water
- Removal of interior building materials such as drywall and insulation to facilitate water removal and to commence drying of the building
- Minor siding, soffit and roofing repairs not exceeding 100 square feet of aggregate area for each type (siding, soffit, roofing)
- Repair or replacement of gutters and downspouts

Mr. Gillis reiterated this would be a great benefit to our residents and they will experience the savings, not the contractor.

He concluded with a recommendation that the City Council approve utilizing the City of South Daytona Building Department Reserve Fund to cover the costs of owner/builder permit fees related to Hurricane Ian (including state taxes and fees) until November 30, 2022.

Mayor Hall asked if November 30, 2022 was sufficient time which City Manager Gillis explained could be extended.

Councilman Young echoed the sentiments and asked for an item on the November agenda.

Councilwoman O’Neal agreed and suggested additional time for residents.

Mayor Hall asked for a clarification of fees and sales tax. City Manager Gillis explained that permit fees are required to be placed into a separate account which has a reserve fund. With the reserve fund the City will pay the permit fees for every owner/builder including the state taxes collected per permit.

City Attorney Vose clarified there are state taxes on building permits, this is not related to State sales tax.

Mayor Hall asked when the separate account for the Building Department was established. City Manager Gillis explained there was an audit comment for several years and this account was created approximately two years ago. Mayor Hall clarified that previously the funds were commingled and City Manager Gillis confirmed.

Motion to approve by Councilwoman Lisa O’Neal. Second by Councilman Eric Sander. Motion carried unanimously.

E. Council Comments:

Councilman Young said words are not sufficient and his heart breaks for those who experienced loss. He discussed the memories lost and said tonight was for the Council to listen. He said he knows we will learn and improve as we do every storm. He knows the community will improve as we move forward. He concluded by thanking staff especially during the times they worked above and beyond their normal duties.

Vice-Mayor Quartier echoed the sentiments of Councilman Young. He recalled with over 60 years in South Daytona this is the second worst Hurricane, noting Hurricane Donna in the early 1960's. He told of watching the water rise in his garage and the back of his house and there is nothing you can do. Vice-Mayor Quartier said he traveled through the city with City Manager Gillis, speaking with citizens and receiving input. He asked for suggestions, concerns, and thoughts to be brought to us.

Councilwoman O'Neal echo the sentiments of Councilman Young and Vice-Mayor Quartier. She discussed cars floating in her neighborhood. She said she hopes we never experience a storm of this magnitude again and that we address the areas of concern. She thanked staff for their hard work during the storm. She concluded asking everyone to please help your neighbors.

Councilman Sander said he heard this was a once in a 1,000-year storm. He discussed the trauma, flooding, and property damage. He expressed his appreciation of people working together, whether it was filling sandbags, providing supplies or cleaning up with neighbors.

Mayor Hall thanked city staff, City Manager Gillis, Mark Smith (Public Works Superintendent), Police Chief Cheatham and Fire Chief Giles. He said he cannot say he was more proud, recalling he had been there as Police Chief for the City and this team did better than he could have.

Mayor Hall said his Mother has lived on the property on Reed Canal Road since 1947 (before that she lived on Herbert Street). She said before the storm Blue Villa pond was lower than ever and thought the lake would not come back to its normal level. She said she has never experienced such a storm event.

Mayor Hall again thanked City staff and his appreciation for the Hurricane Reserve fund. He said in 2016 when he took office, he signed a \$1.5 million dollar note for hurricane clean-up. That note has been paid off and we have made strides not to be in that position again.

Mayor Hall said he is taking all the comments received this evening and every person on the dais will work to do their best to try to make it right. He discussed Volusia County control of Big Tree Road and Reed Canal Road as well as State Roads which are within our city but out of our control.

F. Adjournment: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 7:12 pm.

Deputy City Clerk, Becky Witte

Mayor William C. Hall