

**City of South Daytona
City Council Meeting Minutes
Tuesday, April 11, 2023, 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	Councilman Brandon Young
Vice-Mayor Eric Sander	City Manager James L. Gillis, Jr.
Councilman Doug Quartier	City Attorney Wade Vose

Not Present: Councilwoman Lisa O'Neal

Pledge of Allegiance led by Mayor William C. Hall followed by the **Invocation** led by Vice-Mayor Eric Sander.

Item 5: City Manager Report:

City Manager Gillis relayed the passing of South Daytona Resident Frank Kaszuba. Mr. Kaszuba was 101 ½ years old when he passed on March 30, 2023. He attended several Council Meetings, most notably the Purple Heart Ceremony Meeting in November 2021. The Mayor, City Council Members and Staff celebrated his 100th and 101st birthdays with him and his family.

Mr. Gillis provided a recap of the Easter Egg Hunt on April 1, 2023, which was well attended. He noted that the 4- to 6-year-old age group collected 4,000 eggs in approximately 56 seconds which was some feat to watch.

Mr. Gillis announced the 26th Annual Fishing Tournament is set for Saturday, April 15th at 9:00am at Reed Canal Park. He said this event is a partnership with the Southern States Fishin' & Huntin' Magazine.

Mr. Gillis said the South Daytona Community Trust \$1,500 Academic Scholarship is now open and accepting applications. Submission Deadline is Friday, April 28, 2023. The scholarship is available for South Daytona residents for college or trade school.

City Manager Gillis said Sparkle Days will be from April 14th through the 24th. He recalled past Sparkle Days and reiterated the opportunity to Spring Clean.

He shared a reminder to RSVP to the Mother's Day Tea Party which is set for April 29th from 11am-1pm. He said the event replicates an afternoon high tea to celebrate the special moms, friends, aunts, grandmas and mother figures in your life.

National Prescription Medicine Drop-off Day at the Police Department will be held on Saturday, April 22, 2023, from 10:00am until 2:00pm, he said.

City Manager Gillis boasted on the Fire Department who achieved an Insurance Services Office (ISO) rating of 2 which is the highest rating that can be achieved for a department of our size. Insurance companies use this score to set rates for the upcoming year.

He also announced that Fire Chief Dave Giles has decided to retire after 30 years of service and discussed his dedicated service to the City.

A grant agreement for Hurricane Ian was received from Florida Division of Emergency Management for hurricane response and recovery as well as some mitigation measures. He said the costs were approximately \$2.6 million with our anticipated portion as \$147,000. He thanked staff for their perseverance in response as well as obtaining grants and aid for recovery.

City Manager Gillis announced the Mobile Home at 1930 S. Ridgewood Avenue was removed on Friday (Item 16 on the Agenda). He requested Resolution No. 2023-07 be deleted from the Agenda due to the structure in question being removed by the property owner.

Item 6: City Attorney Report:

City Attorney Wade Vose provided an update on items addressed since the previous council meeting. He discussed working with Code Compliance staff on unique requirements dealing with mobile home parks as well as a recent land use issue with Community Development. He noted working on the Ordinance relating to distance requirements which is on tonight's agenda. He said he has also worked with Laureen on recent applications as they relate to the City's Comprehensive Plan and Land Development Code. City Attorney Vose also reported he reviewed the agenda in its entirety.

B. PROCLAMATION: April 9th through 15th as Public Safety Telecommunicators Week

Mayor Hall read the Proclamation for Public Safety Telecommunicators Week and presented the Proclamation to Sheriff Chitwood and his team members Caroline D'Agati and Claudine Boring.

C. SWEARING IN FIRE CHIEF BRANT:

City Manager Gillis performed the swearing in ceremony for Fire Chief John Brant.

Fire Chief Brant expressed his appreciation for the opportunity to work for the City of South Daytona. He said he looks forward to moving the department in a forward direction. Chief Brant thanked his family for their support. He acknowledged Chief Dave Giles for his tenure and dedicated service.

D. Citizens to be Heard:

CJ Allen (2929 Gaslight Drive) discussed the outstanding efforts of the Code Enforcement and Police Departments. Ms. Allen acknowledged the Police Department and their assistance in a recent neighborhood issue.

Kristine Johansson (representative of the Port Orange South Daytona Chamber of Commerce) thanked the Council for their support. She mentioned the upcoming Youth Civic Leadership experience which starts in June. She discussed upcoming Chamber events including a new member reception (April 12, 2023), A Tasteful Affair (April 27, 2023) and the next Mix and Mingle (May 5, 2023).

Susan Allen (35 Cherrywood Court) expressed her appreciation for City Manager Gills who met with her and her neighbors regarding the Edison Pointe town home development immediately following the March Council Meeting.

E. Consent Agenda: *(Items 8-15):*

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: March 14, 2023, City Council Meeting

Item 9: Consideration of awarding the Tree Trimming and Removal Services (Bid No. 23-B-006) to Duval Landscape Maintenance LLC and T&K Enterprises of Volusia County, Inc on an as needed basis within budgeted allocations per fiscal year.

Item 10: Consideration of awarding Contracted Mowing and Landscaping Services (Bid No. 23-B-007) to MAWS Mowing LLC and Yellowstone Landscape Southeast LLC on an as needed basis within budgeted allocations per fiscal year.

Item 11: Consideration of awarding the HVAC Repair and Preventative Maintenance Services (Bid No. 23-B-009) to Jerry Brittingham A/C & Heat, Inc in the amount of \$11,036 annually as budgeted in the current fiscal year.

Item 12: Consideration of awarding the Sewer Rehabilitation Services Bid (Bid No. 23-B-005) to American In-Line Inspection, Inc and Atlantic Pipe Services LLC for pipe lining to reduce groundwater infiltration and inflow into the sewer system.

Item 13: Consideration of approving an Addendum to the Agreement with the Volusia County Property Appraiser for the Utilization of the Uniform Method of Collection of Non-Ad Valorem Assessments.

Item 14: Consideration of awarding the Magnolia Park Playground project (Bid No. 23-B-008) to Rep Services in the amount of \$226,154.05 as budgeted in the current fiscal year and funded by a 2022 Volusia County ECHO (Environmental, Cultural, Historical, or Outdoor Recreation) Grant.

Item 15: Resolution No. 2023-06. A Resolution of the City of South Daytona, Florida, approving the Wholesale Water, Wastewater, and Reuse Water Services Agreement with the City of Daytona Beach and authorizing the Mayor and City Manager to execute the Agreement; and providing for severability, conflicts and an effective date. **First and only reading.**

Motion to approve the consent agenda as presented by Vice-Mayor Eric Sander. Second by Councilman Brandon Young. Motion carried unanimously.

F. Regular Agenda:

ITEM REMOVED FROM THE AGENDA- Item 16: Resolution No. 2023-07. A Resolution of the City of South Daytona, Florida; adopted pursuant to Chapter 5 (Building, Housing and Structural Regulations, Article X, Dangerous Structures) of the South Daytona Code of Ordinances, finding the structures located at 1930 S. Ridgewood Avenue, Lot 1, South Daytona, Florida are unsafe and unfit

for human habitation and potentially injurious to the public health, welfare and safety of the community; authorizing the city to proceed with the demolition of said structures and liening the said property pursuant to the City's Code of Ordinances; providing for severability, conflicts and an effective date. **Public Hearing. First and only reading.**

City Manager Gillis requested the item be removed from the Agenda with no objections.

Item 17: Resolution No. 2023-08. A Resolution of the City of South Daytona, Florida, amending Resolution No. 2022-33, setting forth appropriation for current expenses and capital outlay for the following funds: General Fund, Recreational Development Impact Fee Trust Fund, Fire Impact Fee Trust Fund, Police System Impact Fee Trust Fund, Redevelopment Trust Fund, Transportation Fund, Transportation Impact Fee Trust Fund, Capital Projects Fund, Utility Service Fund, Water System Impact Fee Trust Fund and Wastewater Impact Fee Trust Fund, as required by the City of South Daytona, Florida, during and for the fiscal year beginning October 1, 2022 and ending September 30, 2023; adopting the operating and capital budgets for the City of South Daytona; providing for severance; providing for conflicting resolutions; and providing an effective date. **First and only reading.**

City Attorney Vose read the title of Ordinance 2023-08.

City Manager Gillis discussed the City's budget process. He said this Resolution is to address the mid-year budget adjustments. He acknowledged Finance Director Jason Olivia's well-written and detailed mid-year budget memorandum. City Manager Gillis discussed the impacts of Hurricane Ian and Hurricane Nicole to the Fiscal Year 2022-2023 Budget which accounted for most of the modifications.

City Manager Gillis elaborated on the Mid-Year Personal Services Updates including addition of a Code Compliance Officer, addition of a Staff Assistant I in Fire Department, addition of a Utility Billing Clerk, addition of an Assistant Public Works Director fulfilled by Mark Smith, reclassification of the Staff Assistant II, Police Administration to an Accreditation Manager as well as a reclassification of the Redevelopment Director to Economic Development Director fulfilled by Josh McEnany.

Mayor Hall complimented Finance Director Jason Oliva. He expressed his appreciation that the City was able to cover the 2.6 million dollars for Hurricane recovery without a loan. He recalled that in 2016 when he took office, he signed a \$1.5 million dollar note for hurricane clean-up. That note has been paid and we have made strides not to be in that position again. He said that is quite an achievement for our City Manager and staff, not to borrow money.

City Manager Gillis recalled the forethought of the Council to create a Hurricane reserve fund. He noted we were one of the first agencies to clean up from the storm.

Councilman Brandon Young commented that we are prepared with having the reserve funds. He gave kudos to City Manager Gillis and the team noting the preparations ahead of the storm. Councilman Young said we had the debris contractor sweep the city twice before most cities deployed their Debris contractors.

Vice-Mayor Sander noted his amazement at the tracking and accounting for the Hurricane recovery from the Finance Department, Personnel Department, Public Works and all the entire team. He provided kudos to all involved.

Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Doug Quartier. Motion carried unanimously.

Item 18: Ordinance No. 2023-05. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances, Chapter 3, Alcoholic Beverages, amending Section 3-1, Definitions, and Section 3-3, Proximity to church or school, to revise the minimum distance requirements between the sale of alcoholic beverages, and churches or schools, and to add minimum distance requirement between the sale of alcoholic beverages and public parks; amending Section 3-5, Restaurants exempted from distance requirements, to clarify that restaurants with class SR or SRX licenses are exempt from the distance requirements of Chapter 3; and providing for administrative actions, codification, conflicts, severability and an effective date. **First Reading. Public Hearing.**

City Attorney Vose read the title of Ordinance 2023-05.

City Manager Gillis said this Ordinance sells itself. He explained that most municipal codes contain a minimum separation between a liquor store and a church or school. State law has this requirement as well. The main goal of these provisions is to reduce the exposure that our children have to these types of establishments. He said our code has such a provision that requires a minimum separation of five hundred feet between liquor store and a church or school. The opportunity now exists where the City can further reduce our children's exposure to these establishments while still allowing the use in certain commercial districts. The proposed ordinance will achieve this objective by increasing the separation distance from 500 to 1,000 feet and adding parks to the list of uses included in the separation requirement.

With the goal of reducing the exposure that children have to these types of establishments in mind, he said staff is recommending that Ordinance No. 2023-05 be approved so that our code can be amended to further protect the children that live and play within our community.

Mayor Hall opened the public hearing. No public comments. Mayor Hall closed the public hearing.

Councilman Brandon Young questioned how the distance was measured.

City Manager Gillis answered that the code is clear that the distance is measured from the edge of the property line.

Councilman Brandon Young asked the number of liquor stores within the City which City Manager Gillis answered two and any place in the City is approximately one mile from a liquor store.

Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Brandon Young. Motion carried unanimously.

Item 19: Ordinance No. 2023-06. An Ordinance of the City of South Daytona, Florida, amending Chapter 10.5, Parks and Receptions, of the City of South Daytona, Code of Ordinances to add Section 10.5-19, allowing the City Council the option to designate the Planning and Appeals Board

to perform the duties of the Parks, Recreation and ADA Advisory Board; providing for administrative actions, codification, conflicts, severability and an effective date. **First Reading. Public Hearing.**

City Attorney Vose read the title of Ordinance 2023-06.

City Manager Gillis said it is currently a challenge to find citizens to serve on our City Boards. He said they had several great citizens on the Parks and Recreation and ADA Advisory Board who asked to join the Planning and Appeals Board when vacancies occurred. He explained since there are several Parks and Recreation Specialists now serving on the Planning and Appeals Board, this Ordinance allows those individuals to still be part of the direction.

City Manager Gillis explained this Ordinance does not eliminate the Parks, Recreation and ADA Advisory Board but allows the council to have the option to have them fulfill their duties.

He said there will be two hearings for this Ordinance and following Second Reading will be a Resolution formally designating the Planning and Appeals Board to fulfill the duties of the Parks, Recreation and ADA Advisory Board.

Mayor Hall opened the public hearing.

Joy Krom (533 Alice Place) asked if the designation would sunset. City Attorney Vose responded that the responsibilities can be rescinded at any time by City Council Resolution.

Mayor Hall closed the public hearing.

Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Doug Quartier. Motion carried unanimously.

Item 20: Ordinance No. 2023-07. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances, Chapter 20, Water and Sewer Service, Article IV. Sewers, creating Section 20-60, Public Sanitary Sewer System Pretreatment, to adopt Section 7.2 (P), "Public Sanitary Sewer System Pretreatment", of the City of Daytona Beach Land Development Code by reference, and to prohibit the introduction of industrial waste into the City of South Daytona sanitary sewer system; amending Chapter 20, Water and Sewer System; amending Chapter 20, Water and Sewer Service, to delete Article VII. Commercial and Industrial Wastes; and providing for administrative actions, codification, conflicts, severability and an effective date. **First Reading. Public Hearing. First Reading. Public Hearing.**

City Attorney Vose read the title of Ordinance 2023-07.

City Manager Gillis explained this is a housekeeping item as the terms and conditions of the new Wholesale Water, Wastewater and Reuse Water Services Agreement requires our city adopt a Wastewater Use Code which adheres to the City of Daytona Beach's Pretreatment Code as set out in Section 7.2(P), City of Daytona Beach Land Development Code. To fulfill this requirement, staff recommends amending the South Daytona City Code to adopt Section 7.2(P) of the City of Daytona Beach Land Development Code by reference in lieu of including the actual language which would have to be amended each time Daytona Beach amends their code, he explained. He said within this modification to the code, the City is also clarifying that any introduction of industrial waste into the City of South Daytona sanitary sewer system is prohibited.

City Attorney Vose clarified that as applied within the City of South Daytona, all references to the City of Daytona Beach and its respective officers and decisionmakers shall mean the corresponding officers and decisionmakers for the City of South Daytona.

Mayor Hall opened the public hearing. No public comments. Mayor Hall closed the public hearing. Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Doug Quartier. Motion carried unanimously.

G. Council Comments:

Councilman Brandon Young congratulated and welcomed Fire Chief John Brant. He also congratulated Josh McEnany on his appointment to Economic Development Director. He said he looks forward to the upcoming Groundbreaking Ceremony and said to keep moving forward.

Councilman Doug Quartier echoed the congratulatory remarks. He discussed Telecommunicators Week noting they are unsung heroes.

Vice-Mayor Eric Sander recalled the wonderful Easter Egg Hunt and acknowledged Amy Zengotita, Parks and Recreation Director for her successful events. He welcomed Chief Brant to the team and congratulated the Fire Department on their ISO rating. Vice-Mayor Sander said he looks forward to Spring Cleaning during Sparkle Days. He said he is glad that Riverfront Veterans Memorial Park is reopened and thanked Public Works and the Parks and Recreation team for their hard work.

Mayor Hall asked Vice-Mayor Eric Sander if he was looking forward to the Fishing Tournament set for Saturday, April 15th which Vice-Mayor answered that he will be in attendance and looks forward to freshwater fishing as he typically fishes in salt water.

Mayor Hall thanked staff and City Manager Gillis for the Financial Report noting he welcomes the positive comments and responses. He said each year he receives a letter from the State of Florida regarding the Financial health of the City and the first five letters were not so easy to read and sign. He said he is thankful for our current financial situation.

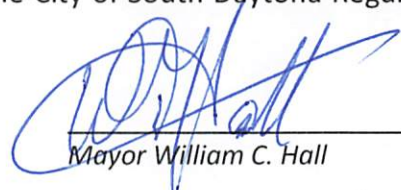
Mayor Hall thanked Councilman Quartier for his dedication to the South Daytona Citizens Alert Concession Stand at the Ball Field. He encouraged volunteers to join in serving the kids who love a two-dollar hot dog or a three-dollar hamburger.

Mayor Hall recalled a recent opportunity to speak to the South Dayton Historical Society. He said there are "Easter Eggs" within the new City Seal. He described the historic elements of the Big Tree, and the Sailboat named "Ol' Blake" as the City was first known as the Town of Blake. He expressed his enjoyment in speaking at the Historic Society's meeting.

Mayor Hall welcomed Fire Chief Brant, commenting that the CERT team is excited to hear from him. He adjourned the meeting and thanked everyone for attending.

H. Adjournment: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 6:58 pm.


Deputy City Clerk, Becky Witte


Mayor William C. Hall