

City of South Daytona
City Council Meeting Minutes
Tuesday, May 9, 2023, immediately following
the 6:00pm Community Redevelopment Agency Meeting (CRAG)

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 6:07 pm.

Roll Call:

Present:

Mayor William C. Hall
Vice-Mayor Eric Sander
Councilman Doug Quartier
Councilman Brandon Young
City Manager James L. Gillis, Jr.
Attorney Paul Waters filling in for City Attorney Wade Vose

Not Present:

Councilwoman Lisa O'Neal

Deputy City Clerk noted that Councilwoman O'Neal is dealing with a medical issue, and we wish her well.

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 provided a recap of the 2023 Sparkle Days event from April 14th through April 24th. He said the event was successful in cleaning up our community with 227 tons of household garbage, 68 tons of yard waste and 30 tons of construction debris collected by Public Works and our solid waste contractor WastePro. Our residents really took this opportunity to clean their homes and yards as this represents a 25% increase from last year. He said Public Works also assisted in removing a boat and recreational vehicle.

Mr. Gillis announced the Annual Law Enforcement Memorial Service to remember and honor our Fallen Heroes who have served our communities with pride will be held on May 19, 2023, at 8:30 am at Lohman's Memorial Park. He encouraged the community to attend.

City Manager Gillis said Teacher Appreciation Week was May 1st through 5th. Teachers at South Daytona Elementary School were greeted by the Council and received a proclamation from Mayor Hall to show our City's gratitude for all they do for our children.

Item 6: City Attorney Report:

Attorney Paul Waters, filling in for City Attorney Wade Vose introduced himself. He conveyed City Attorney Vose had a family commitment and will present his report in June.

B. CITIZENS TO BE HEARD:

CJ Allen (2929 Gaslight Drive) discussed her appreciation with the recent police assistance in her neighborhood. She asked about setting a curfew for minors.

Karin Tausan (315 Olive Street) discussed speeding on Olive Street.

Michal Agri (representative from the Port Orange South Daytona Chamber of Commerce) introduced himself and thanked the Council for their support. He introduced Barbara Ann Heegan, the new President and CEO of the Port Orange South Daytona Chamber of Commerce who was selected from over 70 applicants.

Barbara Ann Heegan (President & CEO of the Port Orange South Daytona Chamber of Commerce) introduced herself to the Council.

Frank Amendolia (791 Aspen Drive) discussed the hurricanes in the Fall of 2022 and flooding concerns in Big Tree Village.

Christine Kliment (1990 Big Oak Drive) discussed the City newsletter, a recent citation and the difficulties she has faced in recuperating from the Fall 2022 Hurricanes.

C. PRESENTATION: Robert Gilbert, representing the Sons of the American Legion, Post 361 (South Daytona Post) presented a \$1,000 donation to the South Daytona Police Department, South Daytona Citizens Alert Council and the South Daytona Fire Department.

Robert Gilbert (546 Cambridge Circle) member of the Sons of the American Legion, Post 361 (South Daytona Post) discussed the Sons commitment to raising money and donating to the community. He recognized his late father served in the Navy and explained that he continues to honor him through community service and this organization. Mr. Gilbert described the history of his family's commitment to South Daytona and said he strives to raise the bar each year, from a donation of \$300, to \$500, to \$750 and now \$1,000 to the Fire Department, Police Department and Citizens Alert Council. He said that in the last 14 years, the Sons of the American Legion Post 361 donated over \$22,000.

D. 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 10: Consideration of approving the utilization of GovDeals for the online auctioning of City Surplus Items utilizing a cooperative purchasing agreement with Sourcewell.

Item 11: Resolution No. 2023-09. A Resolution of the City Council of the City of South Daytona, Florida, authorizing the adoption of the 2023 update to the City of South Daytona Annual Progress Report for the City's Floodplain Management Plan; providing for conflicting resolutions; providing for severability and providing an effective date. **First and only reading.**

Item 12: Resolution No. 2023-10. A Resolution of the City Council of the City of South Daytona, Florida, revising Section 9 Enforcement of the Cross-Connection Control Plan as provided in Sec. 20-133 of the City Code of Ordinances; and providing for severability, conflicts, and an effective date. **First and only Reading.**

Item 13: Consideration of approving a revised Wholesale Water, Wastewater, and Reuse Water Services Agreement with the City of Daytona Beach.

Item 14: Consideration of approving Volusia County's plan to disburse Justice Assistance Grant (JAG) Funds they acquired to programs provided by SMA Healthcare and The House Next Door.

Item 15: Consideration of approving the automatic renewal clause for Fiscal Years 2023/24, 2024/25 and 2025/26 within the Cooperation Agreement with Volusia County for Participation in the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs.

Motion to remove item 9 from the consent agenda by Vice-Mayor Eric Sander. Second by Councilman Brandon Young. Motion carried unanimously.

Motion to approve the consent agenda items 8, 10, 11, 12, 13, 14, and 15 as presented by Vice-Mayor Eric Sander. Second by Councilman Brandon Young. Motion carried unanimously.

Item 9: Consideration of approving a Demolition Grant Request in an amount not to exceed \$15,000 for the removal of all structures, concrete, fencing and debris at 1848 South Ridgewood Avenue as was presented in tonight's C.R.A.G. meeting.

City Manager Gillis recalled the 6:00pm Community Redevelopment Agency (CRA) Meeting where the Board approved the demolition Grant Request in an amount not to exceed \$15,000 for the removal of all structures, concrete, fencing and debris at 1848 South Ridgewood Avenue with a one-year restriction ending May 9, 2024. He restated the skate park structures must be removed within 30 days per Resolution No. 1988-15 or the city will have the structures removed.

Motion to approve by Councilman Brandon Young. Second by Councilman Doug Quartier. Motion carried unanimously.

E. REGULAR AGENDA:

Item 16: 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 April 11, 2023. **Second and Final reading. Public Hearing.**

Attorney Waters read the title of Ordinance 2023-05.

City Manager Gillis 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 a 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.

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

Item 17: 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 April 11, 2023. **Second and Final reading. Public Hearing.**

Attorney Waters 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 members of the Planning and Appeals Board who have parks and recreation experience, 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 fulfil their duties.

He said following this Second Reading, there is consideration of a Resolution to formally designate the Planning and Appeals Board to fulfill the duties of the Parks, Recreation and ADA Advisory Board.

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.

Item 18: Resolution No. 2023-11. A Resolution of the City Council of the City of South Daytona, Florida, designating the Planning and Appeals Board to perform the duties of the Parks, Recreation and ADA Advisory Board as provided in Sec. 10.5-19 of the City Code of Ordinances; and providing for severability, conflicts and an effective date. **First and only Reading.**

Attorney Waters read the title of Resolution 2023-11.

City Manager Gillis stated this is the Resolution formally designating the Planning and Appeals Board to fulfill the duties of the Parks, Recreation and ADA Advisory Board. He said if the Council in the future wishes to discontinue the appointment, a resolution will be required.

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

Item 19: 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 April 11, 2023. **Second and Final reading. Public Hearing.**

Attorney Waters 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 as industrial waste causes damage to our system, pipes, and personnel.

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 Brandon Young. Motion carried unanimously.

F. COUNCIL COMMENTS:

Vice-Mayor Eric Sander recalled the recent Elected Official Roundtable where he was able to fill in for Mayor Hall. He said the Nova Canal Taskforce has been put on hold as the City of Daytona Beach has received money for a study. He said he looks forward to when the Task Force begins again.

Vice-Mayor Sander said the River to Sea TPO sponsored his attendance at a Metropolitan Planning Organization Advisory Council Weekend Institute on May 6, 2023. He said it was a very engaging institute as he was able to learn more about transportation planning. He said there were 14 students in the class.

Councilman Brandon Young said the Florida Legislature just ended their session. He said there were appropriations for Volusia County including money for South Daytona Sewer Lining, a study for the Nova Canal and many other good projects. He confirmed with City Manager Gillis that the grant for the demolition of the Skate Park will be noted in the FY 23/24 CRAG Budget if not completed by October 1 which City Manager Gillis confirmed.

Councilman Doug Quartier thanked the Sons of the American Legion for their support through the years. He said he is always there to help. Councilman Quartier assured the citizens that their voices are heard and he is always available. He recommended citizens call City department heads and Council with any and all concerns as we can't fix what we don't know is broken.

Councilman Eric Sander echoed Councilman Quartier saying he is always available by phone.

Mayor Hall said his family lives throughout the City, and he travels from Lantern Park, to Big Tree Shores, to Big Tree Village and everywhere in between. He likes to keep an eye on the City. He said if you haven't seen him, he'll be sure to wave next time.

Mayor Hall explained through his 40 years of service, nothing means more than citizens being safe in their homes. He discussed Big Tree Village which was built over 40 years ago, and he doesn't know who designed it or who approved it. He recalled 1994 when Hurricane Gordon came through. He acknowledged Mr. Amendolia and some of the points he made as well as the impossibility of controlling over 20 inches of rain. Mayor Hall recalled a recent rain event in Miami which was not in conjunction with a named storm. He concluded by recognizing that the concerns are heard and if we can find a way to fix it, we will.

G. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 6:55 pm.

Deputy City Clerk, Becky Witte

Mayor William C. Hall