

**City of South Daytona  
City Council Meeting Minutes  
Tuesday, July 25, 2023, at 6:00pm**

City Council Chambers, 1672 S. Ridgewood Avenue, South Daytona, Florida  
and FaceBook Live ([www.facebook.com/CityOfSouthDaytona](http://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 Eric Sander  
Councilwoman Lisa O'Neal  
Councilman Doug Quartier  
Councilman Brandon Young  
City Manager James L. Gillis, Jr.  
Attorney Paul Waters filling in for City Attorney Vose

**Not Present:** City Attorney Wade Vose

**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 recognized Kevin Hannah of Hannah's Family Diner who purchased an Automated External Defibrillator (AED) for our Citizens Alert Hot Dog Wagon. The AED will be available during Special Events held by the City. This was a very generous donation from Mr. Hannah and Hannah's Family Diner.

The National Night Out Against Crime is Tuesday August 1, he said. The event will feature a parade of first responders along with our partner organizations that will begin at 7:00 pm behind the Sunshine Park Mall to support our Police Department in their fight against crime.

The Fiscal Year 2023/2024 Budget Workshop will be held on August 8, 2023, at 5:00 pm in the City Council Chambers at City Hall followed by our regular City Council meeting at 6:00 pm, he announced.

City Manager Gillis said revitalization efforts have begun as the old, abandoned skate park and CEMEX (formerly Rinker) cement plant on US 1 were demolished over the summer.

James Street Park Splashpad is currently being replaced and will be closed until the replacement is complete, he explained. He said the splashpad will be a baseball theme with dugouts and water features.

Mr. Gillis said the Florida Department of Transportation is moving towards completion of a new shared use path on Palmetto Avenue.

The replacement of our old water meters have begun with new ones designed to allow our residents to monitor their water usage in real time and set alarms to prevent high usage in any given month, he shared.

City staff have met with the new principal of South Daytona Elementary School, Carrie Devaney, to resolidify our partnership. He discussed the back-to-school supply drive which will be given to students during the "Meet the Teacher" events.

The deep sewer main on Palmetto Avenue collapsed and emergency repairs had to be undertaken at a cost of \$58,947 to prevent a substantial backup of the system. He described the process for the repair. He informed the City Council of the emergency repair per the City's purchasing policy.

City Manager Gillis discussed the MetroNet Fiber Optic installation. He elaborated on the Daytona Beach News Journal article. He said the City will not be issuing any further permits until they pay the money owed for the damage incurred by the City and they repair the disturbed areas already impacted.

Mr. Gillis touted the "investing in us" mantra the City has adopted. He discussed an item on the consent agenda regarding the US 1 Streetscape improvements. He said this year the City will be working on improving the US 1 streetscape from McDonald Avenue to Ridge Boulevard. He said the overall vision will benefit business owners and attract high quality businesses to our City.

#### **Item 6: City Attorney Report:**

Attorney Paul Waters said he was filling in for City Attorney Wade Vose. He discussed a request to prohibit fireworks within the City of South Daytona. Attorney Waters said in 2020 Governor DeSantis signed a law establishing three fireworks' "holidays" when they are allowed: New Year's Eve, New Year's Day and Independence Day. He explained last year South Daytona strengthened the City Code to the most restrictive within the parameters of the law. He explained the City Code prohibits fireworks within the City rights-of-ways and parks, from shooting fireworks at other people or property and to restrict fireworks use until midnight on the State-designated holidays.

City Manager Gillis elaborated on the law and the requests to ban fireworks. He asked neighbors to be respectful of one another since unfortunately, State Law does not allow us to ban fireworks.

#### **B. CITIZENS TO BE HEARD:**

Tambria Beaty, 1864 Golfview Blvd, said she was a resident of 25 years. Ms. Beaty discussed problem properties in her neighborhood, mostly renters with out of state owners. She suggested strengthening the City Code to increase fines or to require that out of state property owners who rent to employee a local property management company.

Brian Wilson, 2800 S. Nova Road, said he has a Golf Cart business on Nova Road and was recently told by city staff that he cannot keep golf carts in the grass for advertising purposes. He said not being able to have the golf carts displayed on Nova Road hurts his business and asked for the Council to look into the issue.

Janet Kisner, 1639 Golfview Blvd, asked to recognize Mark Smith who has done an excellent job within the City. She also discussed Code Enforcement needs throughout the City.

Darlene Hoadley, 727 Steele Avenue, discussed fireworks, noise and debris. She also discussed neighborhood issues and Code Enforcement.

**C. CONSENT AGENDA (Items 8-21):**

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: June 13, 2023, City Council Meeting

**Item 9: Resolution No. 2023-15.** A Resolution of the City of South Daytona, Florida, approving a FY 2023-2024 Funding Agreement with the River to Sea Transportation Planning Organization and authorizing the City Manager to execute said agreement; providing for repeal of Resolutions in conflict herewith; providing for severability; providing an effective date. **First and only reading.**

**Item 10: Resolution No. 2023-16.** A Resolution of the City Council of the City of South Daytona, Florida, accepting Underground Utility Easements on South Ridgewood Avenue for future phases of the US 1 Streetscape Project; providing for severability, conflicts, and an effective date. **First and only reading.**

**Item 11: Resolution 2023-17.** A Resolution of the City of South Daytona, Florida, providing for the Community Aesthetic Feature Agreement to be entered into with the Florida Department of Transportation, for the installation of the new entryway feature on the US 1 right-of-way owned by the Department. **First and only reading.**

**Item 12:** Consideration of awarding the South Daytona Monument Entryway Signs Project (Bid No. 23-B-016) to Don Bell Signs in the amount of \$168,652 as budgeted within the current fiscal year.

**Item 13:** Consideration of awarding an agreement with Certified Backflow Services for the testing, repair and certification of backflow prevention devices (Bid No. 23-B-015) on an as needed basis within budgeted allocations per fiscal year.

**Item 14:** Consideration of approving a piggyback agreement from the City of Leesburg with Danus Utilities for Lift Station Rehabilitation Services on an as needed basis within budgeted allocations per fiscal year.

**Item 15:** Consideration of approving a Fire Training Facilities Agreement with the City of Port Orange for use of the Port Orange Fire Department's Fire Training Facilities.

**Item 16:** Consideration of approving the First Amendment to the Agreement with Tetra Tech to modify the compensation from \$100,000 to \$166,000 for support with the FEMA Public Assistance recovery program as budgeted within the current fiscal year.

**Item 17:** Consideration of approving a Unity of Title for 2900 S. Ridgewood Avenue (CEMEX).

**Item 18:** Consideration of approving the Coastal Crisis Negotiations Team Mutual Aid Agreement between the cities of Port Orange, Daytona Beach Shores, Edgewater, New Smyrna Beach, Ormond Beach, Holly Hill and South Daytona.

**Item 19:** Consideration of approving the final portion of the Septic to Sewer Conversion Project to Lapin Septic Tank Service in the amount of \$58,000 as budgeted within the current fiscal year, funded by a grant from the Florida Department of Environmental Protection (FDEP).

**Item 20:** Consideration of approving the agreement with the South Daytona Professional Firefighters Local # 3193 (International Association of Fire Fighters) Collective Bargaining Agreement.

**Item 21:** Consideration of approving **Resolution No. 2023-18, 2023-19, 2023-20, 2023-21, 2023-22 and 2023-23, 2023-24**, authorizing submittal of applications to the State of Florida Hazard Mitigation Grant Program (HMGP) and the Volusia County Community Development Block Grant for Disaster Recovery (CDBG-DR) and authorizing acceptance and execution of the grants, if awarded.

Motion to approve the consent agenda as presented by Vice-Mayor Eric Sander. Second by Councilwoman Lisa O'Neal. Motion carried unanimously.

#### **D. REGULAR AGENDA:**

**Item 22: Resolution No. 2023-25.** A Resolution of the City Council of the City of South Daytona, Florida, establishing a proposed millage rate for the 2023-2024 fiscal year; determining the rolled-back rate; establishing a date, time, and place at which a public hearing will be held to consider the proposed millage rate and the tentative budget for the 2023-2024 fiscal year; providing an effective date. **Public Hearing. First and only reading.**

*Attorney Waters read the title of Resolution No. 2023-25.*

City Manager Gillis said this Resolution sets the proposed millage rate. He explained that once the proposed millage rate is set, it cannot be increased without first class notice to all property owners. The Budget Workshop will be held on August 8, 2023, at 5:00 pm.

Even though the cost of goods, labor, and personnel are increasing, staff would recommend keeping the millage at 7.75, he explained. He recalled the direction of the Council to keep the millage rate the same as we have over the last several years until we have satisfied the city debt. City Manager Gillis explained that adoption of the proposed rate of 7.7500 mills is a tax increase. Mr. Gillis explained the roll-back rate, which is maintaining the same revenue as the prior year but remaining at 7.75 mills, is fiscally responsible for our City. City Manager Gillis said many cities rely on development to assist in the cost to run a city. He said South Daytona is very particular with new development. We are committed to quality development and staff spends time ensuring development is high quality, does not overwhelm our roads or our drainage systems, and positively impacts the City.

Mr. Gillis said in 2016 the City was in dire straits with high debt and low reserves. The Council and staff made a commitment to get the City debt free by 2024, and we are on the right path. He said moving forward, we want to pay as we go. He explained that currently 0.4 mills are allocated towards debt reduction which, when complete, staff recommends moving those dedicated funds towards roadway resurfacing. In 2003 when he started working for South Daytona, he was really proud of the roads, he said. As the years went by, there were few funds available for resurfacing.

As a result, we are significantly behind schedule when it comes to roadway resurfacing. Next year the roads selected to be resurfaced are Western Road, Eastern Road and Northern Road.

City Manager Gillis discussed union negotiations and how we must keep up with the neighboring jurisdictions as we will never be the highest, but we also do not want to be the lowest. He said safety and security is number one when developing the budget.

Mr. Gillis provided the operating highlights of the budget which included leasing eight unmarked police cars for command staff, new storage lockers for the fire department and the repair of the Fire Station roof. He provided an overview of park improvements including James Street Park lighting additions and Riverfront Park pavilion improvements.

City Manager Gillis provided the capital improvement highlights including four police vehicles purchased for officers, the purchase of another tag reader and its benefits, two new mobile speed signs, as well as a side-by-side vehicle (gas operated cart) for the Fire Department, mainly to be used during city events. He said the city will continue to place \$50,000 aside in a fund for the purchase of a new fire truck. He said the Parks Department is slated to purchase a dump trailer, enclosed box trailer and a F350 truck.

As we get out of debt, capital improvement purchases can be made which will maintain and improve the city, he explained.

Mr. Gillis said the tentative budget will be discussed in more detail on August 8, 2023. The dates for adoption of the tentative and final millage rates are Monday, September 11, 2023, and Tuesday, September 26, 2023, respectively at 6:00pm at City Hall, in the Council Chambers.

Mr. Gillis concluded with a staff recommendation to approve Resolution No. 2023-25 to adopt the tentative millage rate at 7.75.

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

Councilman Sander commented this is a good roadmap for the future. Councilwoman O'Neal agreed.

Council Young said he will have more comments during the budget workshop in August, but he noticed some areas where we can sharpen our pencil. He discussed the millage rate at 7.75, rental homes, and the benefit of the "save our homes" act which provides a maximum of a 3% increase on homesteaded properties.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Brandon Young. Motion carried unanimously.

**Item 23: Resolution No. 2023-26.** A Resolution of the City Council of the City of South Daytona, Florida, approving a grant for the replacement of Lift Station No. 5 (Violet Street) with the Florida Department of Environment Protection (FDEP); authorizing the Mayor and City Manager to execute the Grant Agreement and associated documents related to the project; and providing an effective date. **First and only reading.**

*Attorney Waters read the title of Resolution No. 2023-26.*

City Manager Gillis said this project is an example of “investing in us.” He said Lift Station 5 was installed in the 1970’s which was controversial as it was located within a neighborhood. He commented that 50 years is a very long lifespan for a sewage lift station, and it needs to be replaced. He said staff was able to apply for a grant to cover \$1,250,000 of the total cost through the Department of Environmental Protection. Mr. Gillis explained that the Coronavirus State and Local Fiscal Recovery Funds also known as ARPA funds provided to the City during the COVID crisis will cover the remaining cost of the replacement.

If approved, design and permitting will begin immediately with construction to begin next summer, he said. The proposed grant expires on December 31, 2026, which means the station will have to be designed and replaced by this date.

Mayor Hall commented that receiving a grant for the Lift Station is much better than signing a loan and Mr. Gillis agreed.

Motion to approve by Councilman Doug Quartier. Second by Councilwoman Lisa O’Neal. Motion carried unanimously.

**Item 24:** Consideration of approving a Work Authorization with Parker Mynchenberg & Associates in the amount of \$152,900 for design of the Lift Station No. 5 (Violet Street) Replacement project as funded by a Florida Department of Environmental Protection (FDEP) Grant.

City Manager Gillis said this agenda item follows Resolution 2023-26 for a Work Authorization with Parker Mynchenberg & Associates, Inc. for the design of the Lift Station No. 5 Replacement project. The preliminary design will be funded through the Florida Department of Environmental Protection (FDEP) Grant.

He said the city has worked with the firm of Parker Mynchenberg & Associates for many years and this agreement falls under the approved Master Agreement for Professional Services. He said the firm understands the time constraints and requirements for this project as this station must be designed and replaced by December 31, 2026. He said he knows this Lift Station will be a benefit to the neighborhood and one the Legislature will be proud they funded.

Mr. Gillis concluded with a recommendation that the Council approve the Work Authorization with Parker Mynchenberg & Associates in the amount of \$152,900 for the design of the Lift Station No. 5 Replacement project. The funds will be supplied by the State Legislature, through a Florida Department of Environmental Protection (FDEP) Grant, and the engineering firm will begin immediately with the design of this project.

Mayor Hall said he thinks being able to take care of our citizens is more important than impressing Tallahassee.

Motion to approve by Councilman Doug Quartier. Second by Councilwoman Lisa O’Neal. Motion carried unanimously.

**Item 25: Ordinance No. 2023-09.** An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinance, Chapter 10, Offenses and Miscellaneous Provisions to add Article VIII, Human Trafficking Public Awareness Signage and Distance Requirements, to create Section 10-100, adopting Section 78-5 of the Volusia County Code of Ordinances, “Human Trafficking Public Awareness Sign”, by reference, and to create Section 10-101 to add minimum

distance requirements between establishments providing massage and bodywork services identified within Section 78-5 of the Volusia County Code of Ordinances, "Human Trafficking Public Awareness Sign", and schools, churches, and parks; and providing for administrative actions, codification, conflicts, severability, and an effective date. First Reading approved June 13, 2023. **Second and Final Reading. Public Hearing.**

*Attorney Waters read the title of Ordinance No. 2023-09.*

City Manager Gillis said Florida Statutes, authorizes counties and cities to enforce a requirement for certain establishments to post human trafficking public awareness signage.

Human Trafficking is a modern form of slavery, he explained, and that Human Trafficking is the recruitment, transportation, transfer, harboring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit.

In 2021, Volusia County created Section 78-5 of the Volusia County Code of Ordinances which states public awareness signs must be placed in adult entertainment establishments and businesses that offer massage or bodywork services.

There are two goals with this proposed Ordinance, Mr. Gillis explained. The first goal is following the lead from the State Legislature and Volusia County Council in enforcing public awareness signs. The second goal is to further reduce a child's exposure to such establishments by requiring a minimum separation of 1,000 feet between those establishments and schools, churches and parks.

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

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

**Item 26: Ordinance No. 2023-10.** An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona, Code of Ordinances, Chapter 14, Street, Sidewalks and Other Public Places, creating Section 14-1, Sidewalk Obstructions Prohibited, to prohibit obstructions of any sidewalk within the City without a permit; and providing for administrative actions, codification, conflicts, severability, and an effective date. First Reading June 13, 2023, **Second and Final Reading. Public Hearing.**

*Attorney Waters read the title of Ordinance No. 2023-10.*

City Manager Gillis recalled a story of a gentleman who was camping on the sidewalk and obstructed a heavily traveled pedestrian path leading to Atlantic High School. He explained he encouraged the gentleman to relocate. He said pedestrian safety, especially for our school children, is of utmost importance and the code currently does not specifically address this issue.

Mr. Gillis said the proposed Ordinance modifies Chapter 14 of the City Code of Ordinances, Article I, Section 14.3 by adding the following language: "It shall be unlawful for any person to obstruct wholly or partially any sidewalk of the city without a permit.

Mr. Gillis concluded that this Ordinance is another tool in the toolbox for staff and provided examples of permitted obstructions.

He noted that City Attorney Vose had conveyed this is the most the city can do within the law.

Mayor Hall opened the public hearing. No public comments. Mayor Hall closed the public hearing. Mayor Hall said he has reservations and concerns about the enforcement of this Ordinance due to his experience in law enforcement.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Doug Quartier. Motion carried unanimously.

**Item 27: Ordinance No. 2023-11.** An Ordinance of the City Council of the City of South Daytona, Florida, amending Chapter 4 (Animals and Fowls), Article 1 (General), Section 4-9 (Keeping Fowl Prohibited, with the exception of Chickens regulated through the Urban Chicken Pilot Program) and Section 4-13 (Number of dogs, cats, pot belly pigs, chickens and rabbits that may be kept at residence) of the Code of Ordinances to allow for an Urban Chicken Program for the ownership of chickens on residential lots under certain conditions; and providing for recitals, administrative actions, codification, conflicts, severability, and an effective date. **First Reading. Public Hearing.**

*Attorney Waters read the title of Ordinance No. 2023-11.*

City Manager Gillis said in August 2021, the City Council created a Temporary Urban Chicken Pilot Program after a request from a resident. The pilot program was set to expire on August 10, 2022. With a limited number of program participants but continued interest, the Council extended the Pilot Program until August 9, 2023. The extension of this pilot program provided staff additional time to properly evaluate it to ensure resident satisfaction.

Although there remains limited interest, the program participants have been successful within the established program. Staff recommends utilizing the specifications from the Pilot Program into the fully instituted Urban Chicken Program. Some highlights of the program which staff feels will ensure the success of the program include:

- Limited to existing single-family detached residence that is owner-occupied outside of the boundaries of the Community Redevelopment Area (CRA).
- Limited to one (1) urban chicken permit on any given street. Permits shall be issued on a first-come, first-served basis.
- Written consent from each property owner of privately or publicly owned real estate within two hundred (200) feet of the outer boundaries of the premises for which the permit is being requested, stating that they have no objection to the applicant's ownership and maintenance of chickens.
- Maximum of four chickens per property.

Mr. Gillis said staff requests the Council approve Ordinance No. 2023-11 establishing the fully instituted Urban Chicken Program.

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

Mayor Hall noted another restriction that a permit can only be issued to an owner-occupied property.

Councilwoman Lisa O'Neal questioned the number of permits which City Manager Gillis answered there are four successful permit holders.

Mayor Hall also brought attention to the removal of the restriction of 10 permits city wide.



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

**Item 28: Ordinance No. 2023-12.** An Ordinance of the City Council of the City of South Daytona, Florida, amending Chapter 4 (Animals and Fowls), Article 1 (General), Section 4-1 (Definitions), Section 4-8 (Keeping Livestock or Reptiles Prohibited with the Exception of Miniature Vietnamese Pot Belly Pigs) and Section 4-13 (Number of dogs, cats, pot belly pigs, chickens and rabbits that may be kept at residence) of the Code of Ordinances to allow for specifically defined pet snakes on residential lots; and providing for recitals, administrative actions, codification, conflicts, severability, and an effective date. **First Reading. Public Hearing.**

*Attorney Waters read the title of Ordinance No. 2023-12.*

City Manager Gillis said in June, a resident requested the City Council review the City Code to allow for residents to have snakes as pets. Snakes do not require daily walks in the park, and they are quiet during the day and at night. With infrequent defecation, a pet snake's habitat is also an easy clean-up.

Mr. Gillis said staff reviewed FWC (Florida Fish and Wildlife Conservation Commission) regulations as well as many other municipalities and verified with the resident that the change fits his request.

City Manager Gillis provided the definition of Pet Snake which is proposed as "a non-venomous snake that will not grow to more than five (5) feet in length, and will be less than ten (10) pounds at maturity. Any poisonous, venomous, constricting, or inherently dangerous snakes including, but not limited to, rattlesnakes, boa constrictors, and pit vipers are excluded and prohibited."

He concluded with a recommendation that the City approve the first reading of Ordinance No. 2023-12 to allow residential homeowners to have pet snakes on residential properties, retaining the limit of 4 pets per residence.

Mayor Hall opened the public hearing.

Forest Read, 149 Deskin Drive, thanked the Council for the modification to the City Code and suggested expanding to other reptiles including bearded dragons and geckos in the future. He said he was impressed by the receptiveness of the city to modify the code and is proud to be a resident.

Mayor Hall closed the public hearing.

Councilman Young thanked Mr. Read and said he prefers smart rules and regulations which add accountability. He said the restrictions to include non-venomous and include a size restriction were important aspects of the ordinance change.

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

**Item 29: Ordinance No. 2023-13.** An Ordinance of the City Council of the City of South Daytona, Florida, amending Chapter 18 (Traffic), Article III (Golf Cart Regulations), Section 18-21 (Use of Golf Carts within City of South Daytona) of the Code of Ordinances to comply with recently enacted amendments to state law; and providing for recitals, administrative actions, codification, conflicts, severability, and an effective date. **First Reading. Public Hearing.**

*Attorney Waters read the title of Ordinance No. 2023-13.*

City Manager Gillis said HB 949 was signed by Governor DeSantis on May 11, 2023, and will require Florida residents who are 18 or younger obtain a learner's permit or driver's license before they may legally drive a golf cart. In 2010, the City Council created an ordinance to allow for golf carts. This amendment requires a modification to the City of South Daytona City Code, Sec. 18-21. Use of golf carts within the City of South Daytona.

The code will be modified to add:

- (d) A golf cart may not be operated on public roads or streets by a person:
  - (i) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license.
  - (ii) Who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification.

To coincide with HB 949, the Code will go into effect on October 1, 2023. He noted the interesting fact that you can be 21 without a driver license and drive a golf cart as long as you have an ID.

He said staff recommends the City Council approve the First Reading of Ordinance No. 2023-13, to comply with recently enacted amendments to state law which requires Florida residents who are 18 or younger obtain a learner's permit or driver's license before they may legally drive a golf cart.

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

Mayor Hall clarified the age limit is 18 to drive if they possess a valid form of government-issued photographic identification.

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

**Item 30:** Discussion on the use of speed humps to control speed on local roadways.

Motion to discuss by Councilwoman Lisa O'Neal. Second by Councilman Doug Quartier. Motion carried unanimously.

City Manager Gillis said city staff has received numerous requests over his 20 years of service for the installation of speed humps in an effort to slow traffic down on our local roadways.

Mr. Gillis said there is no doubt that the installation of speed humps are an effective way to reduce speed on roadways. Studies show that reducing vehicle speeds leads to a reduction in the accident rate of a roadway. Speed humps will free police officers from having to monitor or enforce speed limits on roadways which will allow them more time for other duties, he said.

The negative aspects to the installation of speed humps are numerous, he explained. Speed humps only reduce speed within a 50-foot length of roadway which will require the installation of numerous devices to adequately control the full length of a city street. Speed humps have been shown to be a liability to a municipality. Motor vehicle operators and motorcyclists have prevailed in their lawsuits against jurisdictions over the use of speed humps. Speed humps will also slow down first responder vehicles thereby increasing response times during critical emergencies. Speed humps are costly to install as prices range from \$5,000 to \$10,000 per device and the fact that many

would have to be installed to adequately control speed over the entire length of a roadway can make them financially infeasible. Speed humps can divert traffic onto adjacent roads that do not have such devices thus moving the problem to another roadway. Speed humps increase vehicle wear and tear. Speed humps increase noise levels when vehicles go over them, particularly at night, and from the fact that drivers have to accelerate after a speed hump to get back up to speed on a roadway. If a vehicle is travelling at a high rate of speed down a roadway and does not break for the speed hump, their vehicle may be forced off the road and into nearby homes causing the very injuries and deaths these devices are designed to prevent.

He discussed the Volusia County program established for installing speed humps on a street.

Mr. Gillis recalled the City has only tried to install a speed hump once over the last twenty years. The Public Works Department was asked to install a speed hump on Magnolia Avenue near the intersection of Ponderosa Drive. The installation was completed at about 2:00 pm. Due to numerous motorists' complaints, many from the surrounding neighborhood, the Public Works Department was asked to remove the speed hump approximately 30 minutes later. Those of us who participated in the speed hump installation remember the chaos it caused on the roadway as motorists were so shaken by the experience that they pulled over and demanded its removal. These were not cars speeding down the roadway, they were simply driving the speed limit but were forced to slow down to about 5 mph when going over the hump. The adjacent residents pulled out their lawn chairs and watched the spectacle which again only lasted about 30 minutes.

He concluded that staff believes speed humps are a poor substitute for active enforcement. When a speeding complaint is received on any given roadway in this City, we must utilize our Police Department to effectively patrol and enforce the posted speed limit just as we have done for decades. It is recommended that when a speeding complaint is received, our Police Department sets up active enforcement on the given roadway. Our speed trailer should be utilized in conjunction with police enforcement to document average speed on the roadway and times where the speed tends to be higher so enforcement actions by our Police Department can achieve more effective results, he said.

Mr. Gillis explained City staff stands ready to implement any decision made by the City Council on this item. If the City Council decides to implement the use of speed humps throughout the community, he suggested utilizing a program similar to Volusia County. The Volusia County program requires the submittal of a neighborhood petition, agreement for the setup of a special assessment district to cover the cost of installation and requires justification via a traffic study that demonstrates a speed issue truly exists on the roadway.

Mayor Hall said he has had to discuss speed humps with many residents and neighborhoods throughout his career, first as Chief of Police and now as Mayor. He said along with the City Manager and Police Chief, they receive requests for Speed Humps and are seeking direction from the Council as a whole. He recalled several months ago; residents came to the City Council to request a speed hump on their road. He said he requested the City Manager provide the Council with the opportunity to weigh in on the issue.

Vice-Mayor Sander said he was not in favor of speed humps as it may slow down first responders. He said he is not in favor of special assessment districts for installation of the devices nor the petition aspect. He said he is more in favor of enhanced patrol and use of traffic devices.

Councilwoman Lisa O'Neal agreed that she not in favor of speed humps.

Councilman Doug Quartier agreed with Vice-Mayor Sander and Councilwoman O'Neal. He suggested extra patrol and the use of handheld radar patrol. He recommended checking with Daytona Beach and Volusia County for the data on successful speed humps.

Mayor noted Daytona Beach has speed humps.

City Manager Gillis said some speed humps in Daytona Beach were removed after residential requests.

Mayor Hall concurred that he is not in favor of an assessment.

Councilman Brandon Young said he is not in favor as he has seen speed humps installed in other communities (noting Altamonte Springs). He said, active enforcement creates a culture of deterrent as many know not to speed on Sauls Street or through Daytona Beach Shores. He asked who sets speed limits on city streets and Mayor Hall responded that the City Code states the City Manager sets all traffic control devices. He concluded that he is open to lowering speed limits before installing speed humps.

#### **E. COUNCIL COMMENTS:**

Vice-Mayor Eric Sander said he is very appreciative of all the hard work of all staff, recognizing Mark Smith, all employees in Public Works, Parks and Recreation workers as well as those in the CRA. He said the city is looking good, noting the Lift Station replacement. He thanked Chief Brant and Chief Cheatham as well as Fire Marshal Nelson. He thanked Becky Witte and Jay Robinson for the publication of the large agenda. He elaborated on the agenda review and how each Councilmember thoroughly reviews the agenda and spends hours with the City Manager to address questions, concerns and issues prior to the meeting, which makes the meeting go smoothly. He concluded by saying to enjoy the rest of the summer and stay hydrated in the heat.

Councilwoman Lisa O'Neal thanked attendees for staying with us during our long meeting this evening.

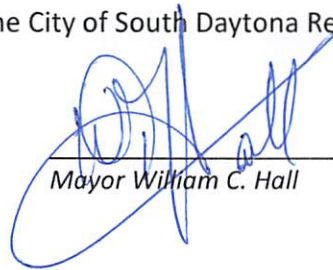
Councilman Doug Quartier echoed the comments of Vice-Mayor Sander. He said staff and the Council have spent a lot of hours working and reviewing the budget. He discussed the work and progress every day and that we are going in a good direction with lots of projects going on.

Councilman Brandon Young thanked staff. He discussed the Entry Way features which he would like to see on Nova Road and other gateways to the City. Councilman Young elaborated on home rule which allows the City Council makes decisions for our city including regulations on chickens and snakes. He said the legislature occasionally removes our home rule as they did with the Statute on Fireworks.

Mayor Hall echoed the comments and adjourned the meeting.

**F. ADJOURNMENT:** Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 8:04 pm.

  
Deputy City Clerk, Becky Witte

  
Mayor William C. Hall