

**City of South Daytona
City Council Meeting Minutes
Tuesday, August 8, 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 6:06 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.
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 provided a recap of the National Night Out Against Crime Parade which was held on Tuesday, August 1, 2023. He thanked residents for waving as they passed and letting the first responders know we are behind them.

South Daytona Elementary's Meet the Teacher Event will be held on Thursday, August 10th from 5pm to 6pm and on Friday, August 11th from 8am to 9am to accommodate parent's varying schedules, he said. He discussed the Meet the Principal event as we are reestablishing our partnership with South Daytona Elementary School. He reminded everyone that school starts on Monday, August 14, 2023.

City Hall offices will be closed on Monday, September 4th in observation of Labor Day, he reminded.

City Manager Gillis said Budget Hearings are set for Monday, September 11, 2023 and Tuesday, September 26, 2023 at 6:00pm at City Hall in the Council Chambers.

The 15th Annual Kailynne Quartier Memorial Ride is scheduled for Saturday, September 16, 2023 at 10:00am, he said. He said the Memorial Ride memorializes the heroic fight of a beautiful young girl, Kailynne Quartier. There will be four stops throughout the County.

Item 6: City Attorney Report:

City Attorney Wade Vose provided an update on items addressed since the previous council meeting. He discussed the Public Relations, General Employee Union issue he worked on with City Manager Gillis and Human Resources Director O'Dell noting they were successful in the response to

a petition requesting additional employee positions be added to the union. City Attorney Vose also reported he reviewed the agenda in its entirety.

B. CITIZENS TO BE HEARD: *None*

C. CONSENT AGENDA (Items 8-13):

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: July 25, 2023, City Council Meeting

Item 9: Consideration of approving the utilization of an existing contract between the City of Daytona Beach and Salty Marine Services doing business as Sea Tow Daytona/Ponce/New Smyrna for the removal of derelict vessels from the Halifax River on an as needed basis within budgeted allocations per fiscal year.

Item 10: Consideration of approving the FY 2023-2024 Team Volusia Economic Development Corporation Agreement.

Item 11: Consideration of approving an agreement with Atlantic High School for the use of Blaine O'Neal Park for the 2023/2024 and 2024/2025 School Years.

Item 12: Consideration of awarding the Harborside Pump Station Project (Bid No. 23-B-014) to Carr and Collier in the amount of \$37,633 as funded by a 2022 Legislative Appropriation and budgeted within the current fiscal year.

Item 13: Consideration of approving a Capital Equipment purchase of a 2023 Ford F-250 4x4 Crew Cab Truck for the Water and Sewer Department utilizing available resources within the Water and Sewer Fund.

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 14: Resolution No. 2023-27. A Resolution of the City Council of the City of South Daytona, Florida, approving a cost reimbursement grant for Sewer System Rehabilitation Pipelining 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 Vose read the title of Resolution No. 2023-27.

City Manager Gillis said that in June 2023, Governor DeSantis approved the 2023-2024 State Budget which included a \$750,000 appropriation for the City of South Daytona for sewer lining. Senator Tom Wright and Representative Chase Tramont supported the City's request in the Appropriation for the funding for Sewer System Rehabilitation Pipelining throughout the 2023 Legislative Session. He provided a thank you to all those involved in the appropriations including the Department of

Environmental Protection. He said the issue with sewer infiltration is so important that we would match the grant amount, dollar for dollar, to improve our sewer system.

Mr. Gillis presented a video of the Palmetto Avenue sewer line and the infiltration.

He explained the project will consist of lining cracked sanitary sewer pipes throughout the city. Lining will eliminate groundwater infiltration thereby making the system new again. Once a pipe is lined, groundwater infiltration will be eliminated for up to 50 years. By reducing infiltration, the occurrence of unintentional environmental pollution, via sewer overflows can be minimized. These potential overflows could pose a health hazard to residents and wildlife. By completing sanitary sewer pipelining, the city is able to greatly reduce or eliminate the amount of non-sewage flow entering the sewer plant. This reduction in inflow will greatly diminish the possibility of sewer plant discharges into the environment thereby protecting the health of our residents and wildlife. This is critical infrastructure for providing safe and reliable service to citizens, he said.

City Manager Gillis reminded that Senator Tom Wright is scheduled to present a check for the \$750,000 at the September 11, 2023, City Council Meeting and discussed the importance of grants.

He concluded with a staff recommendation of Resolution No. 2023-27 accepting the cost reimbursement grant for Sewer System Rehabilitation Pipelining with the Florida Department of Environment Protection (FDEP) and authorizing the Mayor and City Manager to execute the Grant Agreement and associated documents related to the project. He said if approved, staff will start immediately with the company Atlantic Pipe Services.

Mayor Hall asked to replay the video noting the amount of stormwater in the sewer pipe.

City Manager Gillis elaborated on the elevation, ground water table and the repairs that are necessary for improvement.

Councilman Sander noted we spend a lot of money to treat storm water and with these repairs we may be able to reduce the rates of sewer.

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

Item 15: Ordinance No. 2023-08. An Ordinance of the City of South Daytona, Florida, relating to Comprehensive Planning; adopting a 2023-2032 Water Supply Facilities Work Plan; providing for amendments to the City of South Daytona Comprehensive Plan to incorporate by reference the 2023-2032 Water Supply Facilities Work Plan; amending the Intergovernmental Coordination Element and Public Facilities Element of the City of South Daytona Comprehensive Plan relating to Water Supply Planning; and providing for findings, administrative actions, codification, conflicts, severability, and an effective date. Recommended by the Planning and Appeals Board on May 17, 2023. First Reading June 13, 2023. **Second and Final Reading. Public Hearing.**

Attorney Vose read the title of Ordinance 2023-08.

City Manager Gillis explained the City's Comprehensive Plan is a guiding document for the City as it sets the overall foundation for all land use regulation in the city. The Water Supply segment is a portion of this Plan. He explained these modifications are a housekeeping item as we purchase our water from the City of Daytona Beach and our city is substantially built out. He said all local

governments in the District are required to have adopted their Water Supply Facilities Work Plan and Comprehensive Plan amendments by August 2023.

He explained this was reviewed by the Department of Economic Opportunity and the Volusia Growth Management Commission for certification. He recognized Community Development Director Laureen Kornel, Public Works Director Steve Danskine and former Public Works Director Brian Peek for their work on this project.

He said this will be the formal approval of the document.

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

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

Item 16: 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 July 25, 2023. **Second and Final Reading. Public Hearing.**

Attorney Vose 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. He discussed the controversy over the idea of keeping chickens and discussed the pilot program. He said 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. He said staff recommends utilizing the specifications from the Pilot Program into the fully instituted Urban Chicken Program. He provided 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 (4) 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. Motion to approve by Councilman Brandon Young. Second by Councilwoman Lisa O'Neal. Motion carried unanimously.

Item 17: 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 July 25, 2023. **Second and Final Reading. Public Hearing.**

Attorney Vose 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. No public comments. Mayor Hall closed the public hearing.

Vice-Mayor Sander asked if we will reach out to the resident and notify him that it passed.

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

Item 18: 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 July 25, 2023. **Second and Final Reading. Public Hearing.**

Attorney Vose read the title of Ordinance No. 2023-13.

City Manager Gillis commented on Home Rule and this is another example of the State making legislation we must follow. He 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 Second 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.

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

E. COUNCIL COMMENTS:

Vice-Mayor Eric Sander said he is very appreciative of all the hard work of all staff, especially in this summer heat, all employees in Public Works, Parks and Recreation as well as those in the CRA. He said the city is looking good, noting the look of the new city vehicles on the street. He thanked Assistant Public Works Director Mark Smith and Police Chief Mark Cheatham as well as Fire Marshal Paul Nelson.

Councilwoman Lisa O'Neal thanked staff for their hard work on the budget and wished everyone a Happy Labor Day.

Councilman Doug Quartier echoed the comments of Vice-Mayor Sander and Councilwoman O'Neal. He said staff and the Council have spent a lot of hours working and reviewing the budget. He discussed road resurfacing and pipe lining. Councilman Quartier announced fall baseball starting and encouraged people to visit and volunteer.

Councilman Brandon Young provided a recap that the School Board held a workshop on rezoning which could potentially impact South Daytona and Campbell Middle School. He discussed School capacity. He reminded everyone that school begins on Monday, August 14.

Mayor Hall said he had the opportunity to meet with the new South Daytona Elementary School Principal. He said he realizes there may be some initial difficulties with the revised traffic pattern around the school but asked for patience to determine if the revised pattern is working or if some additional revisions will need to be made. He hoped it will be a positive change and emphasized

the safety of the students. He said he looks forward to being there the first couple of days opening doors for the students and welcoming them back to school.

Mayor Hall said he attended a ribbon cutting on Big Tree Road for Bella Cucina Italian Eatery and their food was very good. He thanked the Chamber of Commerce for the ribbon cutting event.

Mayor Hall recalled City Manager Gillis' earlier comment on the "sins of the past." He said we are moving past mistakes and working through the past problems. He sees wonderful things coming, noting the sewer lining and the resurfacing of roads.

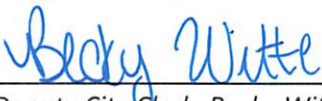
Mayor Hall commented on the upcoming Kailynne Quartier ride. He recognized Councilman Quartier and their longstanding friendship and stating she was a wonderful little girl. He invited all to attend in support of the Citizens Alert Council, Lions Club and Police Department.

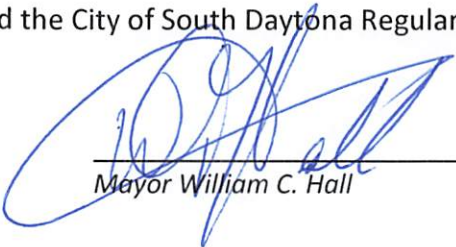
Mayor Hall commented on the importance of police patrol throughout the City.

He recalled during the first portion of his term he would receive a letter every year from Tallahassee regarding the City debt noting he no longer receives those notifications, thanking City Manager Gillis and Finance Director Oliva

Mayor Hall closed with a comment on the heat as his Jeep read 105 degrees. He said to make sure to hydrate.

F. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 6:46 pm.


Deputy City Clerk, Becky Witte


Mayor William C. Hall