

**City of South Daytona
City Council Meeting Minutes
Monday, September 11, 2023
Immediately following the 6:00pm CRAG Meeting**

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 6:05 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 September 11th Stair Climb Memorial Cookout which was held at 12:30pm at the Fire Department in remembrance of 9/11. Earlier in the day, our firefighters participated in the 9/11 Memorial Stair Climb hosted by Halifax Landing where participants climbed 110 flights of stairs in remembrance of all who lost their lives during this tragic event in history.

Mr. Gillis announced the 15th Annual Kailynne Quartier Memorial Ride will be held on Saturday, September 16th beginning at 10:00am. He discussed the excellent event and encouraged participation which includes any type of vehicle. He also thanked the generous sponsors of the event.

The Fire Department will host a Movie Night showing "Spiderman – Across the Spider-Verse" on Friday, October 6th at Reed Canal Park starting at 7:00 pm, City Manager Gillis announced. He said candy and popcorn will be provided by the Fire Department and the Citizens Alert Hot Dog Wagon will have additional concessions for sale.

Mr. Gillis concluded with the Second and Final Budget Hearing is set for Tuesday, September 26, 2023.

Item 6: City Attorney Report:

City Attorney Wade Vose provided an update on items addressed since the previous council meeting. He discussed working on upcoming rezoning requests as well as Land Development Code amendments. He said he has been assisting the Police Department to revise some of their MOU's as well as with Human Resources on policies. City Attorney Vose also reported he reviewed the agenda in its entirety.

B. PRESENTATIONS

Item 8: Senator Tom Wright presented a check for \$750,000 for Sewer Lining which was approved as an appropriation bill in the 2023/2024 Florida Budget.

Senator Tom Wright discussed the appropriations process and how he is a strong advocate of our district. He said Florida is the most fiscally responsible State and how proud he is of what the State of Florida is doing. He commented that 91 million dollars was allocated to our district this year.

The \$750,000 check will be matched through city funds for a total of \$1.5 Million for sewer lining throughout the City. Sewer lining is important for our City, it allows us to use a “no dig,” trenchless process to line sewer pipes. The process involves inserting new epoxy-saturated pipe tubing into existing pipes, inflating the tubing and curing it into place. This results in a new seal lining the walls of existing pipes, replacing broken piping with the potential to last for decades.

Along with it not being good for the environment, the broken pipes allow for ground water to enter the lines which is then processed at the water treatment plant in Daytona Beach, which South Daytona is charged for the process. The entrance of ground water ends up costing the City a tremendous amount year after year.

Item 7: Proclamation: Childhood Cancer Awareness Month

Mayor Hall read the Childhood Cancer Awareness Month Proclamation and presented it to Connie Fields and grandson Benjamin Fields, a local childhood cancer hero.

Mrs. Fields thanked the city for their support. She said that action comes before awareness and any act of kindness benefits families in need. She noted how tough it is for children who battle cancer, as well as for the family. She recalled Kailynne Quartier, who always wore a smile. She concluded with a quote, that she said fit Kailynne’s personality; “I may have cancer, but cancer doesn’t have me.”

C. CITIZENS TO BE HEARD:

Brian Wilson (2800 S. Nova Road) discussed the Ordinance regarding Outdoor Storage.

Max Berger (South Daytona Tractor and Mower – 3000 S. Ridgewood Avenue) discussed the Ordinance regarding Outdoor Storage.

D. CONSENT AGENDA (Items 10-15):

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 10: Approval of minutes: August 8, 2023, City Council Meeting and August 8, 2023, Budget Workshop

Item 11: 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 12: Consideration of approving the appointment of Katheryn Meagher as the alternate to the River to Sea TPO (R2CTPO) Bicycle/Pedestrian Advisory Committee.

Item 13: Consideration of approving the Collective Bargaining Agreement with the International Union of Police Associations, AFL-CIO Local #6059.

Item 14: Consideration of approving the Southeast Volusia Regional (SEVR) SWAT Team Mutual Aid Agreement between the cities of Port Orange, Daytona Beach Shores, Edgewater, New Smyrna Beach, Ormond Beach, and South Daytona.

Item 15: Consideration of approving a 25-year Lease Agreement with the Florida Department of Transportation (FDOT) for Blaine O'Neal Park (980 Big Tree Road).

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

E. REGULAR AGENDA:

Item 16: Resolution No. 2023-28. A Resolution of the City of South Daytona, Volusia County, Florida, adopting the tentative millage rate for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024; specifying the date, time and place of the second and final public hearing to adopt a final millage rate; and providing for severability and an effective date. **First and only reading. Public Hearing.**

Attorney Vose read the title of Resolution No. 2023-28.

City Manager Gillis thanked the Council for their time and input into this year's budget, noting the hours spent with each Councilmember going line by line through the budget. Mr. Gillis recalled the budget workshop held in August and said that he is proud the City is able to keep our millage rate at 7.75 for the sixth year in a row.

Mr. Gillis explained that keeping the millage rate the same will equate to an 8.79% increase over the roll back rate which, compared to other Volusia County cities, places us in the middle. He said the average home in South Daytona has a taxable value of \$106,090 after all exemptions and the 7.75 millage rate would equate to approximately \$2 more per month in property taxes for the resident. Although new developments could assist in decreasing the tax rate, we are choosing to be more cautious with new development after the flooding event from last year. Overall, the City's budget decreased 1.68% from last year, he said.

Mr. Gillis discussed debt and reserves as the City should be debt free next year and the reserves are healthy. As Mayor Hall will often ask, we can write a check for \$3,235,809, he said.

The budget is focused on our mantra "Investing in Us" with \$11 million dollars in capital improvements planned to include replacing six aging computers greater than 10 years old, leasing eight unmarked Police Vehicles, continuation of saving \$50,000 per year towards the purchase of a new fire truck, a side-by-side vehicle in the Fire Department for rescues, especially when help is needed in Reed Canal Park. He discussed additional lighting at James Street Park, Riverfront Veterans Memorial Park Pavilion Improvements, and redoing the veteran monument to enhance the memorial.

Mr. Gillis said we have plans for roadway resurfacing on Western, Eastern and Northern Roads this year which will cost approximately \$150,000 per road. He explained gas tax revenue is decreasing to the point where it cannot fund the resurfacing of a single road. Staff have searched for other sources of funding in order to keep rehabilitating our roads. City Manager Gillis explained the best practice is to resurface a road every 15 years which with 45 miles of roads means we need to rehabilitate 3 miles of roadway each year. He proposed reallocating 0.4 mills from debt service to resurfacing. He also said staff proposes to utilize garbage proceeds towards resurfacing as well.

City Manager Gillis continued to list capital improvement items within the budget including a dump trailer, mower, maintenance truck in Parks and a new Piggotte Community Center electronic message sign to inform residents of upcoming items, emergency alerts and events. He said we have plans to

replace Lift Station #5 on Violet Street which received grant funding from the Department of Environmental Protection (DEP). Other lift stations to be replaced in the upcoming budget include Lift Station #1 on Palmetto Avenue, Lift Station #13 in Lantern Park, Lift Station #4 on Anastasia Drive and Lift Station #6 on Valencia Road. Public Works will be purchasing a new crane truck, utility truck, and two maintenance trucks as well as a ditch excavator which will be used in the Steven's Canal, Longshadow Ditch and other areas throughout the City. He discussed the long-awaited meter project in progress where residents will be able to track their water usage and be billed to the gallon.

Mr. Gillis noted that the bargaining unit police officers are set to receive \$2.00 per hour increase and firefighters \$1.00. General employees are slated to receive a 3% cost of living adjustment with an additional opportunity of an additional 2% based on performance or \$1 per hour whichever is greater.

Mr. Gillis concluded with a recommendation for approval and reminded that there will be another opportunity on September 26 to discuss the millage and budget during the Second and Final hearing.

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

Motion to approve by Councilwoman Lisa O'Neal. Second by Vice-Mayor Eric Sander. Motion carried unanimously at 6:48pm.

Item 17: Resolution No. 2023-29. A Resolution of the City of South Daytona, Volusia County, Florida, adopting the tentative budget for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024; specifying the date, time and place of the second and final public hearing to adopt a final budget; and providing for severability and an effective date. **First and only reading. Public Hearing.**

Attorney Vose read the title of Resolution 2023-29.

City Manager Gillis reiterated the budget is designed to tackle the aging infrastructure. The debt will be eliminated within this fiscal year, and we will start investing in us. He discussed the rejuvenation of our parks, streets, and infrastructure.

He said the second and final budget hearing will be Tuesday, September 26, 2023.

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 at 6:51pm.

Item 18: Ordinance No. 2023-14. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Land Development Regulations Section 5.6 to remove exceptions for outside storage of equipment or materials and to prohibit outdoor product display in Commercial Zones and amend outdoor storage requirements in Industrial Zones; and providing for conflicts, severability, applicability, and effective date. Recommended by the Planning and Appeals Board on August 16, 2023. **First Reading. Public Hearing.**

Attorney Vose read the title of Ordinance No. 2023-14.

City Manager Gillis discussed the history of outdoor storage within the City of South Daytona.

He explained the City's Land Development Code contains some provisions that conflict as Section 5.6 provides an exemption to allow outdoor storage for products primarily used outdoors where other areas prohibit the use. He said certain developers have approached the City requesting uses such as used car lots. Car lots are not allowed in South Daytona, but they indicate that provision and say, "isn't the product we are trying to sell primarily used outdoors?"

The modification to the Code is designed to provide clarity by striking through this conflicting provision and prohibiting outdoor storage in commercial zones. In light industrial zones, storage is allowed but only if screened by a wall.

Mr. Gillis provided an example of our residential areas as if they were to place a plethora of items in front of their yard, they would receive a visit from Code Compliance. If we do not allow outdoor storage in our residential areas, why should we allow this in our commercial corridors, he asked. Mr. Gillis recalled a saying by Mayor Hall, "you don't have to be rich to be clean." Maintaining property values and keeping our business corridor clean is of the utmost importance.

City Manager Gillis continued to explain the Ordinance also removed the language regarding sidewalk sales to avoid confusion with the City's vision of not having the frontage of commercial businesses full of various products for sale like an outdoor flea market. He said sidewalk sales would be processed as a special event permit.

He concluded with a staff recommendation of Ordinance No. 2023-14.

Mayor Hall opened the public hearing.

Frank Amendolia (791 Aspen Drive) discussed code compliance within subdivisions and the conflicts with the commercial corridors.

Mayor Hall closed the public hearing.

Councilman Brandon Young requested an explanation on the sidewalk sale provision. City Manager Gillis clarified with an example of an ice chest or LP tank distribution case in front of a gas station or grocery store. He said Planned Development zoning can be utilized in cases where these items are requested. The owner of the establishment would be required to install enhanced landscaping or decorative wall to hide the outside storage and it would be memorialized through Council approval. Councilman Young discussed the limited commercial corridor and the requirements within those areas to maintain quality businesses. Councilman Young asked for input from City Attorney Vose who responded that existing businesses will be classified as an existing non-conforming use. New businesses will be subject to this modification to the Land Development Code, Mr. Vose explained. City Manager Gillis concluded that a Planned Commercial Development would require approval by the City Council.

Vice-Mayor Sander suggested elaborating on the distinction within the Code which City Attorney Vose recommending those with the existing use, request documentation from the City stating they would be an existing non-conforming use after the adoption of this Ordinance.

The Council, with input from City Manager Gillis and City Attorney Vose, discussed the non-conforming use provision within the City Code.

Mayor Hall discussed his hesitation with the Code modification, noting his saying "a stop sign is a stop sign." He said the rule should affect everyone equally. Mayor Hall noted his concerns of shopping carts, LP tanks distribution cases, ice chests, etc. He said he would like to find a compromise after reviewing additional research with input from the city attorney.

Vice-Mayor Sander contributed ideas of compromises which the Council discussed.

Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Doug Quartier. Motion carried 4-1 with Mayor Hall voting No.

Item 19: Ordinance No. 2023-15. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances Chapter 21 "Consolidated Fee Schedule" to modify certain fees as

shown in Attachment A which is attached hereto and incorporated into this Ordinance; and providing administrative actions, codification, conflicts, severability and an effective date. **First Reading. Public Hearing.**

Attorney Vose read the title of Ordinance No. 2023-15.

City Manager Gillis said for many years, our city's fees were scattered throughout our code and policy books making them difficult for our residents and commercial partners to locate them. In 2021, staff went through our entire library and compiled all fees into a Consolidated Fee Schedule (Ordinance No. 2021-05) which was publicly discussed and approved. The intent was realized by the improvement of customer service and transparency of city operations.

He said the vast majority of the proposed fee changes center around the increase in the Consumer Price Index (CPI) over the past year. It is important that our fees keep pace with the CPI as the price of consumer goods, such as concrete and asphalt, fluctuates. It is important to note that the staff is not recommending that all fees be increased.

He highlighted the CPI increase of Utility fees, Stormwater fees, and Garbage rates noting most utility bills may increase about \$3.48 per month. He said since the agencies we do business with, (i.e.: Daytona Beach, Waste Pro) increase their prices, we have to increase as well. He discussed increased development fees as new development must pay their fair share.

He concluded with a staff recommendation of Ordinance No. 2023-15 with implementation beginning October 1, 2023.

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

Vice-Mayor Sander questioned animal control fees, and the new provision of permitting residents to have reptiles. City Manager Gillis noted the fee for reptiles would fall under the category of "other animals."

Councilman Young questioned if the goal of resident discounts was successful for facility rentals which City Manager Gillis answered yes and explained we are not the cheapest rental for non-residents. We do offer a discount for our residents because they appear to take greater care when utilizing our facilities.

Councilman Young said he would prefer a larger resident discount on sport fees.

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

E. COUNCIL COMMENTS:

Vice-Mayor Eric Sander addressed Mr. Amendolia and his inquiry on the Nova Canal Task Force. He said the Task Force was suspended for the summer and the City of Daytona Beach is conducting a study. More information should be available after the Mayor's roundtable meeting on Monday, he explained.

Mayor Hall noted Daytona Beach received three million dollars for the study.

Vice-Mayor Sander thanked the Police Department, Fire Department and City Manager for the drive-by parade for Winn Casey's 94th birthday. He said she was surprised and thankful for the well wishes.

Vice-Mayor Sander thanked the Council for sending him to the Florida League of Cities Conference in August. He said he gained a lot of knowledge and attended at least five workshops per day of the conference.

Vice-Mayor Sander concluded with an opportunity he had last month to observe the Public Works crew install Lift Station No. 18 in Bryan Cave. He said the heat index was between 112 and 115 degrees and the crew worked diligently and expertly in installing the new lift station which was operational immediately. He praised the teamwork and expertise of the crew, especially during the excessive heat.

Councilwoman Lisa O'Neal thanked everyone for coming out this evening.

Councilman Brandon Young discussed the Legislative Roundtable set for September 12th. He said Senator Tom Wright, Representative Tom Leek, Representative Chace Tramont, Representative Barnaby Webster, and Representative Stan McClain will be in attendance.

Councilman Doug Quartier discussed Code Compliance, which is a never-ending battle, especially with the amount of rain. He explained that he drives through the city each day and he observes Code Compliance in all areas of the City. He discussed the process of Code Compliance as we educate before we cite. Code Compliance returns after their initial visit and if a resident refuses to comply, then the officer will cite them, he explained. He discussed the Special Magistrate process. Code Compliance Officers are met with a lot of resistance and there will never be 100% compliance. He concluded by saying if someone has an issue contact us so that we can address it.

Mayor Hall addressed Frank Amendolia regarding the runway on the old Yelvington property which he recalled was a grass runway strip before the subdivision of Big Tree Village was developed. He addressed the number of sandbags which we do not limit for our residents. He noted most cars cannot hold more than 10 sandbags as they are very heavy.

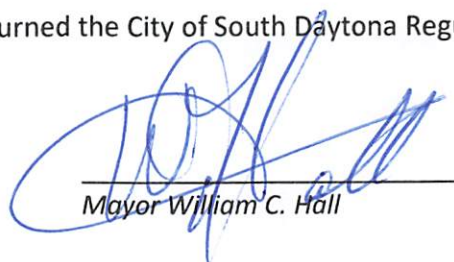
Mayor Hall said he is looking forward to the 15th Annual Kailynne Quartier Memorial Ride on Saturday, September 16th. He encouraged all types of vehicles to attend including motorcycles, cars, antique cars, trucks, or just attend the conclusion at the Piggotte Community Center.

Mayor Hall discussed the historic day today. He said he remembers what Pearl Harbor and December 7th meant to his grandparents and he sees 9/11 as the same. He said everyone knows where they were 22 years ago today. Mayor Hall thanked the Fire and Police Chief's for the lunch they provided to their first responders this afternoon. He said on September 12, 2001, we all loved each other, and he would like to see that again.

Mayor Hall concluded by saying he looks forward to seeing everyone on Saturday for the ride.

F. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 7:35 pm.


Deputy City Clerk, Becky Witte


Mayor William C. Hall