

**City of South Daytona  
City Council Meeting Minutes  
Tuesday, October 10, 2023, at 6:00pm**

City Council Chambers, 1672 S. Ridgewood Avenue, South Daytona, Florida  
and Facebook Live ([www.facebook.com/CityOfSouthDaytona](https://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 Garrett Olsen, filling in for City Attorney Wade 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 announced the 18th Annual Blaine O'Neal Golf Tournament set for Saturday, October 21, 2023, at Cypress Head Golf Course. He said all proceeds from the tournament benefit the South Daytona Community Trust.

Mr. Gillis discussed the upcoming Drive-thru Boo set for Friday, October 27, 2023, at 6pm at Reed Canal Park. He described the free event where costumes are encouraged. Nine spooky stations will provide candy, he said, for a night of safe fun for the family.

The City will be assisting South Daytona Christian Church, First Baptist Church of South Daytona and other local churches and organizations with the annual Light the Night on Tuesday, October 31, 2023, from 6pm to 8pm.

Mayor Hall asked for a recap of the Movie Night, which was held on Friday, October 6<sup>th</sup> at Reed Canal Park. The movie was "Spiderman – Across the Spider-Verse" and was hosted by the South Daytona Fire Department who provided a presentation for Fire Safety Month as well as free popcorn and candy. City Manager Gillis said the turnout was great as there were at least 40 cars before the movie even began. He said the Citizens Alert Hot Dog Wagon also sold concessions at the event.

**Item 6: City Attorney Report:**

Attorney Garrett Olsen provided an update in the absence of City Attorney Wade Vose. He introduced himself and explained how he often works with the City's Police, Building and Code

Compliance Departments. Attorney Olsen said Attorney Vose assisted with the proposed Ordinance on the agenda regarding additional items able to be processed through the City's Utility Bill. He discussed the accompanying business impact analysis for said Ordinance which his team created and worked with the Deputy City Clerk to complete. He also said he continues to assist the City in matters of Code Compliance and preparation of the City's Special Master Hearings. City Attorney Vose also reviewed the agenda in its entirety, reported Attorney Olsen.

## **B. PRESENTATION**

Mayor Hall accepted a \$5,000 donation to the South Daytona Community Trust from the August Spreng Living Trust. Mayor Hall presented August Spreng a Certificate to show appreciation of his dedication to the City.

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

Emma Clark, representative of the Port Orange South Daytona Chamber of Commerce, announced some of the upcoming Chamber events, including Casino Night on October 27. She commented on how beautiful the Piggotte Community Center renovations turned out as her company (All Aboard Storage) recently rented the facility.

Susan Allen, 35 Cherrywood Court, discussed new development and the new townhomes of Edison Pointe adjacent to her home on Cherrywood Court. She discussed the southern white vinyl fence on the Edison Pointe property which she feels was not installed per quality standards as it was placed over large roots and on uneven ground.

## **D. CONSENT AGENDA (*Items 8-12*):**

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: September 26, 2023, City Council Meeting

**Item 9:** Consideration of approving a Unity of Title for 2727 S. Ridgewood Avenue (Seaview).

**Item 10:** Consideration of approving a donation of 2007 John Deere Baseball Infield Rake to Atlantic High School as budgeted and replaced in FY 2022/2023.

**Item 11:** Consideration of approving a Special Event Permit application involving outdoor amplification at 919 Reed Canal Road (Reed Canal Park) on Saturday, November 18, 2023, between the hours of 10:00 am and 6:00 pm for the City of South Daytona's BBQ and Bluegrass Festival.

**Item 12:** Consideration of approving the Capital Equipment purchases for the Police Department (4 Patrol Vehicles) as budgeted in Fiscal Year 2023-2024.

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 13: Ordinance No. 2023-16.** An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona, Land Development Regulations Section 5.5 to provide for additional uses prohibited within the Community Redevelopment District Overlay; providing for conflicts,

severability, applicability, and an effective date. Recommended by the Planning and Appeals Board on September 20, 2023. First Reading September 26, 2023. **Second and Final Reading. Public Hearing.**

*Attorney Garrett Olsen read the title of Ordinance No. 2023-16.*

City Manager Gillis explained the Community Redevelopment District Overlay was established to enhance the quality and improve property values in the Community Redevelopment Area (CRA). Staff has recognized an abundance of Call Center requests within the CRA, he explained, with a request on the day of the First Reading of the Ordinance on September 26<sup>th</sup>. Staff's experience with call centers in South Daytona involves a call center opening up within a plaza and the number of employees within the call center expands quickly and overwhelms the parking and facilities in the entire plaza. The lack of parking drives other businesses from the plaza and leaves unoccupied units which is not the vision for our CRA. In order to continue to promote the vision of the City Council as well as continue to enhance the quality and improve property values in the CRA, staff recommends prohibiting Call Centers within the CRA, he explained.

Staff defines call centers as an establishment primarily engaged in answering telephone calls and relaying messages to clients or in initiating or receiving communications for telemarketing purpose, such as promoting clients' products or services, taking orders for clients, or soliciting contributions or providing information for clients.

City Manager Gillis said the objective of this request is not to prohibit call centers from our City entirely. Call Centers would still be allowed in Business General Commercial (BGC) zoning districts outside of the CRA, he explained.

The Planning & Appeals Board recommended the City Council approve the Ordinance for Land Development Code amendment (Section 5.5) to prohibit Call Centers in the Community Redevelopment Area (CRA) at their regular meeting on September 20, 2023, Mr. Gillis conveyed.

City Manager Gillis concluded with a recommendation that the City Council approve the first reading of Ordinance No. 2023-16.

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.

**Item 14: Ordinance No. 2023-17.** An Ordinance of the City of South Daytona, Florida, amending the Official Zoning Map by changing the zoning of 1600 S. Ridgewood Avenue (Parcel No. 5344-02-00-0080), 333 Beville Road (Parcel No. 5344-02-00-0150), and 1614 S. Ridgewood Avenue (Parcel No. 5344-43-00-0001, 5344-43-00-1000, 5344-43-00-2000) from Business General Commercial (BGC) to Planned Commercial Development (PCD); providing for conflicts, severability, applicability, and an effective date. Recommended by the Planning and Appeals Board on September 20, 2023. First Reading September 26, 2023. **Second and Final Reading. Public Hearing.**

*Attorney Garrett Olsen read the title of Ordinance No. 2023-17.*

City Manager Gillis explained the location of this crucial corner and entrance to our city. He said to uphold the City of South Daytona's commitment to maintaining exceptional development standards, four property owners have submitted requests for the corner of Beville Road and South

Ridgewood Avenue to undergo a rezoning process from the current zoning classification of Business General Commercial (BGC) to Planned Commercial Development (PCD). The Planned Commercial Development will be for the entire block and the Master Development Agreement including uses and appearance will be reviewed and approved by the City Council at a later date.

Mr. Gillis explained that after rezoning, staff will work with a developer to create a Master Development Agreement (MDA). The proposed MDA will be presented to the City Council who will make the final decision of the uses and development on this entrance to our city. The Development Agreement will set forth specific site plan characteristics for the PCD land including the current use of Professional Offices as well as other specific uses and criteria geared towards quality development.

City Manager Gillis noted one of the owners was in attendance.

He concluded with a staff recommendation that the City Council approve Ordinance 2023-17 to rezone 1600 South Ridgewood, 333 Beville Road, 1614 South Ridgewood Unit 100, and 1614 South Ridgewood Unit 200 from Business General Commercial (BGC) to Planned Commercial Development (PCD) with the Master Development Agreement to be brought forth at a subsequent meeting.

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 15: Ordinance 2023-18.** An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances, amending Chapter 20, Water and Sewer Services, Article V, Water and Sewer Billing, Section 20-70, to include local business tax receipts and annual fire inspection fees, cost and fees for animal retrieval, intake and impounds, and cost and fees under Chapter 767, Florida Statutes, on the City Utility Bill; and providing for conflicts, severability, applicability, codification, and an effective date. First Reading. Public Hearing.

*Attorney Garrett Olsen read the title of Ordinance No. 2023-18.*

City Manager Gillis explained this Ordinance revision covers three items, Business Tax Receipt renewal and Fire Inspection Fees which go hand in hand and animal control fees such as those charged for animal retrieval by the Halifax Humane Society.

He explained the Local Business Tax Receipt Renewal Process and annual Fire Inspections for Commercial Businesses. He said each July, staff reviews all business tax receipts to assess whether the business still exists. For those businesses that appear to have shut down, we send them a Business Tax Receipt revocation notice and provide them with an opportunity to demonstrate they are still operating. If we don't get a response, the Business Tax Receipt is officially revoked. For those that still exist, staff will send notices for renewal. Mr. Gillis said 90% of businesses respond and renew. Staff contacts the remaining 10% numerous times, equating to many staff hours. As State Law and the City Code establishes late fees be assessed for Business Tax Receipts beginning October 1, some businesses have inquired about the ability to just have it placed on their water bill, so they don't have to make a separate payment or be assessed the fine if they forget.

Mr. Gillis said if this Ordinance is approved, staff will send out letters in July asking for renewal payments. If the renewal isn't submitted and paid by September 30th, staff will add the renewal fee to their water bill to avoid the resident or business owner from being assessed a late fee as required.

This modification will be both a time saver for staff and a convenience factor for the business or resident as a way to avoid required late charges, he explained. As Fire Inspections are required annually for Commercial Business, this fee would also be included.

City Manager Gillis continued to explain animal control costs. He said if a pet is wandering the streets and the owner can't be located, the pet is taken to the Halifax Humane Society. In the past, when the pet owner collected their pet from Halifax Humane Society, they were charged for the pet's care before the pet would be released. The Humane Society has changed their processes and now surrenders the pet with the bill sent to the applicable City. If this ordinance is approved, the City will send an invoice to the pet owner indicating the amount due to cover the pet's bill. If payment isn't secured, the billed charges will be added to the water bill. Again, this is a convenience to both staff and the pet owner as we can ensure the fees charged are recovered without extraordinary staff time being spent obtaining the payment and it provides the pet owner an opportunity to make payments on the amount owed if they can't pay all at once through our utility bill repayment plan already established by existing ordinances.

He concluded with a staff recommendation of the first reading of Ordinance No. 2023-18 to allow for local business tax receipt and annual fire inspection fees, cost and fees for animal retrieval, intake and impounds, as well as cost and fees under Chapter 767, Florida Statutes be applied to the City's Utility Bills, as applicable.

Mayor Hall opened the public hearing.

Frank Amendolia, 791 Aspen Drive, requested additional information on the Annual Fire Inspection, and asked if the inspection was also for home-based businesses. City Manager Gillis said the Fire Inspection is for Commercial Businesses.

Mayor Hall closed the public hearing.

Councilman Young asked the typical Business Tax Receipt Fee which City Manager Gillis answered \$52.50.

Councilman Young inquired on the cost of animal intake which City Manager Gillis answered \$125 and explained the Humane Society said they did not want to handle money and placed the responsibility on the City.

Councilman Young discussed Business Tax Receipts on rental properties with City Manager Gillis and proposed the bill to be called "Utility and Public Services Bill" in lieu of "Water and Sewer Bill."

Councilwoman O'Neal questioned the logistics of adding the Business Tax Receipt fee to the Utility Bill. She questioned the cost savings of the proposed process. Councilwoman O'Neal inquired on the procedure when someone lives in an apartment complex or does not receive a water bill which City Manager Gillis explained would be handled in a different way as this process will be used as a last resort. Councilwoman O'Neal noted the proposed process may be more complicated.

Councilman Quartier asked if a case would be brought before the Special Master if a renewal was not paid which City Manager Gillis answered those without Business Tax Receipts would be brought before the Special Master.

Councilman Young inquired on the percentage of utility bills which had automatic deduction through a Credit Card which staff answered approximately fifty percent.

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

**F. COUNCIL COMMENTS:**

Vice-Mayor Eric Sander commented on the fantastic movie night as almost the entire fire department was in attendance at the event. He also asked to Pray for Israel.

Councilwoman Lisa O'Neal echoed the sentiments of Vice-Mayor Sander with nothing additional to add.

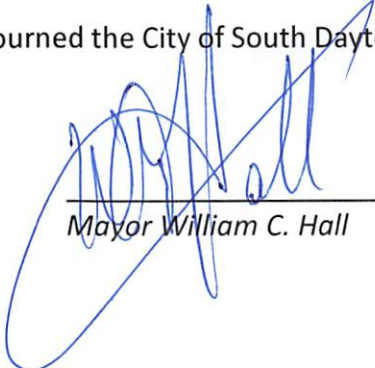
Councilman Doug Quartier said the movie night had a good showing, noting they were at Reed Canal Park until at least 10:20pm. He said Baseball is coming to an end and the Parks Department is gearing up for Flag Football. He concluded that there is another Movie Night on November 3, 2023 (Super Mario Bros. Movie at 5:30pm at Reed Canal Park).

Councilman Brandon Young had no comments.

Mayor Hall said before we meet again the annual Biketoberfest event will occur. He said to keep an eye out for the new riders and drive safe.

**G. ADJOURNMENT:** Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 6:36 pm.

  
Deputy City Clerk, Becky Witte

  
Mayor William C. Hall