

MINUTES

FACEBOOK LIVE

The South Daytona City Council met in a regular session on Tuesday, July 28, 2020 at 6:00 p.m. in the City Council Chambers at City Hall, 1672 S. Ridgewood Avenue, South Daytona, Florida.

PRESENT: Mayor William C. Hall
Vice-Mayor Lisa O'Neal
Councilman Brandon Young
Councilman Doug Quartier
Councilman Ralph Schoenherr
City Manager James L. Gillis, Jr.

ABSENT: City Attorney Scott Simpson

The audience joined the Council in the pledge of allegiance to the flag, followed by invocation by Councilman Young.

CITY MANAGER REPORT: City Manager Gillis gave an update on the utility billing late fee forgiveness payment plan. Through the months of April, May and June, like other municipalities in the area, South Daytona avoided utility shut offs recognizing the devastating impact on the community by the pandemic. During the month of July, utility shut offs were reintroduced to encourage residents still being affected financially to utilize grant money and assistance provided through multiple agencies while it is still available. Out of the 184 delinquent accounts, 82% have paid their bill or have signed up for a payment plan leaving 34 accounts remaining in a delinquent state. City staff made numerous attempts to contact those 34 account holders but were unsuccessful which may mean that they do not live at the residence anymore.

Mayor Hall requested Mr. Gillis explain our procedure of billing utilities. Mr. Gillis stated that the City utilizes two water technicians to read meters in three cycles. The technician utilizes a wand to read the sensor at the top of the meter lid. The wand inputs the reading into the City's billing program. If the reading is substantially higher than the previous read, it will flag the account and notify the technician to test and inspect the meter. If the meter experiences a zero reading for two months in a row, it will notify the technician to test the meter to see if it is working properly. If the technician is called out to check a meter, the property owner is notified by talking with them onsite. If they are not home, a door hanger will be left describing the test results.

All special events/programs have been canceled through the months of July and August due to COVID-19 case numbers staying elevated. Safety of children and participants are a priority for the City, stated City Manager Gillis.

The City will host "Night Out Against Crime" parade on Tuesday, August 4, 2020 between 7:00pm-8:00pm inviting all residents to turn on their porch lights, sit on the front porch and show support to our hometown heroes. If residents would like to join in the parade, meet behind the Sunshine Mall at 2400 S. Ridgewood Avenue.

South Daytona residents will receive a Code Compliance Guide in the mail as suggested by Vice-Mayor O'Neal. This guide will include tips for property owners to maintain their properties to keep the City looking good.

City Manager Gillis ended his comments with a feel-good story about how the South Daytona Community Trust was utilized to assist an elderly couple in having their air conditioning unit replaced.

City Manager Gillis thanked everyone for social distancing and following CDC guidelines.

CITY ATTORNEY REPORT: NONE

CITIZENS TO BE HEARD:

Debbie Connors, President of the Port Orange/South Daytona Chamber of Commerce came to the podium. The Chamber is hosting a golf tournament this weekend at Hidden Lakes Golf Course, the City Manager's breakfast will be held virtually on Wednesday, August 19, 2020 with Mr. Gillis speaking at 10:00am giving an update on millage rate and projects for the upcoming year. There will be a candidate's reception on Thursday, August 13, 2020 held at the Port Orange amphitheater between 4:00pm and 5:00pm giving people an opportunity to hear and meet candidates running for office.

Renee Holland, 139 Reef Road, South Daytona, FL came to the podium. Ms. Holland thanked Mr. Gillis for hitting the ground running after taking office a year and a half ago leading the City in a transparent, successful, positive direction. Ms. Holland stated that our current Parks Department does a better job than our former staff in maintaining our parks. Ms. Holland applauded Patty Rippey, Redevelopment Director for the new development in South Daytona stating it is what the City needs. Ms. Holland also mentioned South Daytona's Code Enforcement Department stating no one likes code enforcement but it is necessary to keep property values high.

CONSENT AGENDA

Those matters considered under the consent agenda are self-explanatory and are not to require review or discussion. 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. (Read by Mayor Hall)

Mayor Hall requested Resolution 2020-23 be pulled from the consent agenda. Vice-Mayor O'Neal made a motion to remove Resolution 2020-23 from the consent agenda, second by Councilman Quartier.

- Consent Agenda Approval
- Approval of Minutes: City Council meeting – June 9, 2020
- Consideration of reclassifying the Public Works Specialist position.
- Consideration of declaring outdated fire equipment as surplus and donating it to Lafayette County Fire Department.

- **Resolution 2020-21** – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, adopting a fee schedule for Community Development Administration actions “AKA” Development Application Process Schedule of Fees; providing for repeal of resolutions for severability; and providing an effective date. **First and only reading.**
- **Resolution 2020-22** – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, approving a FY 2020/21 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.**
- **Resolution 2020-24** – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, authorizing the adoption of the updated Volusia County Multi-Jurisdictional Local Hazard Mitigation Strategy Plan; providing for conflicting resolutions; providing for severability; and providing an effective date. **First and only reading.**
- **Resolution 2020-26** – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, authorizing the mayor extend the length of the agreement between the Division of Emergency Management and the City of South Daytona for the Windle Lane Expansion Project and providing an effective date. **First and only reading.**

Vice-Mayor O’Neal made a motion to approve the consent agenda, second by Councilman Quartier.

VOICE VOTE: ALL YES (5)

Resolution 2020-23 – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, adjusting the cost of fingerprinting services to more adequately reflect staff time necessary to perform the task and providing for an effective date. **First and only reading.**

A motion was made by Vice-Mayor O’Neal to approve, second by Councilman Quartier.

City Manager Gillis provided background for the agenda item. Most jobs require background checks which involves the submission of a fingerprint card prior to employment. After the COVID-19 lockdown, South Daytona Police Department had 167 requests for fingerprinting within 30 days. The City currently charges our residents \$3.20 for a fingerprint card and non-residents \$7.46. These fees do not adequately cover the staff time required to produce these cards; therefore, the recommendation is to charge one flat fee of \$10 with sales tax included.

Mayor Hall suggested a fee of \$5 for residents and \$10 for non-residents, stating residents should have a reduced fee. Council discussed the idea and agreed with Mayor Hall’s suggestion that residents should be charged \$5 and non-residents should be charged \$10 per fingerprint card, sales tax included.

Vice-Mayor O’Neal made a motion to approve the resolution as amended, second by Councilman Quartier.

VOICE VOTE: ALL YES (5)

REGULAR AGENDA

Resolution 2020-15 – a Resolution of the City Council of the City of South Daytona, Florida, establishing a proposed millage rate for the 2020-2021 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 2020-2021 fiscal year; providing an effective date.

First and only reading. Public Hearing.

What you are doing tonight, stated City Manager Gillis, is establishing a proposed millage rate for FY 2020-21. Once the proposed millage rate is set, it can be lowered but it cannot be raised without sending a first-class notice to all residents. You are essentially setting the maximum millage rate that can be assessed for next year. I have spoken with each of you and staff has heard your request not to raise the millage rate due to the devastating financial effects that the COVID-19 epidemic is having on this area. We have heard you and are recommending that the millage rate stay the same as last year which was the same as the year before that. The Assistant Finance Director and I have met with each of you one on one for approximately two hours each going over the budget in detail the past week. The City has been delaying maintenance on our infrastructure for the last 15 years and it is time we start investing in capital replacement and maintenance in the years to come. At the direction of City Council, the City hired a new auditing firm to put a set of fresh eyes on our financials. What they found is that our utility fund was operating at a loss since 2012. Our reserves were just as bad. In 2016, the unassigned net balance of the general fund was at around -\$500,000 and we were struggling to keep the lights on. We have made a lot of progress over the past year and a half since I first set us on a path towards financial solvency. I am proud to say that this year our reserves will be at \$1.9 million and we are capable of funding a hurricane cleanup without borrowing money like we had to do after Hurricane Matthew and Irma. The Government Finance Officers Association (GFOA) recommend reserves be equal to two months of budgeted expenditures and the City 's own resolution requires at least 10% of general fund expenditures be placed in reserves. I am proud to say that we unequivocally meet both of those requirements for the first time in the last decade. One of my goals for the previous year is to reduce our debt which was crippling our funds. Our debt now stands under \$10 million and we should be debt free within the next four years if we stick to the plan. I applaud this Council for making the tough decision to adjust our water and sewer rates. This Council believed the rate proposed by staff was too high for our residents to bear and you agreed to adjust it in small increments over time to make it easier on our residents. This strategy means that our utility will still operate at a loss for the next few years, but we are on a path to a brighter future. Some budget highlights are an additional \$320,000 paid toward debt, the purchase of four new police patrol vehicles, leasing four unmarked police vehicles for our investigations unit, three self-contained breathing apparatuses for the fire department, bridge repair at Reed Canal Park, grounds/facility maintenance truck, utility tractor, backhoe attachment, safety phones at Reed Canal Park, new carpeting in City Hall and Police Department, improvements at James Street Park, fountain replacement at Reed Canal Park, resurfacing of tennis and basketball courts at Melody Park, and new playground equipment at Riverfront Park. The Information Specialist position will be reclassified as Information Technology Director, the unfreezing of a code compliance officer, and on average a 3% raise for employees. A budget workshop is schedule for Tuesday, August 11, 2020 at 5:00pm and all are invited to attend stated Mr. Gillis.

Councilman Schoenherr commented that if not for COVID-19 the City could have adopted a roll-back rate. City Manager Gillis agreed and stated that our revenues from the State are expected to be decreased 20% next year due to the pandemic. That reduction makes the roll-back rate infeasible if we want to continue lowering our debt and improving our financial position. Councilman Quartier stated

staff has done a good job with this budget. Councilman Young liked the fact staff has forecasted and accounted for the 20% reduction in revenues due to the pandemic to properly prepare us for next fiscal year. Mayor Hall stated he was shocked to hear the City was in such bad shape in 2016 and he looks forward to a future that is much brighter.

A motion was made by Vice-Mayor O'Neal, second by Councilman Schoenherr.

VOICE VOTE: ALL YES (5)

Resolution 2020-25 – a Resolution of the City Council of the City of South Daytona, Volusia County, Florida, emphasizing the importance of taking personal responsibility in wearing face coverings where social distancing is not possible in order to minimize the spread of the COVID-19 virus and providing an effective date. **First and only reading.**

The City is operating under Volusia County's emergency plan for the COVID-19 virus stated City Manager Gillis. Since the County has not mandated the wearing of face coverings, our City Attorney has stated that the City cannot break from the County on this issue and legally enforce such a mandate. Some cities have decided to mandate face coverings. One city that instituted a mandate is now facing a lawsuit. This resolution is a common-sense approach asking our residents to take personal responsibility and wear face coverings when social distancing cannot be obtained and to avoid those who choose not to wear face coverings in public, stated Mr. Gillis.

Councilman Schoenherr agreed that the City cannot afford a lawsuit on this issue. Mayor Hall stated enforcement of such a mandate will be problematic at best. Councilman Young also agreed, it is a common-sense approach.

A motion was made by Vice-Mayor O'Neal, second by Councilman Young.

VOICE VOTE: ALL YES (5)

Ordinance 2020-08 – an Ordinance of the City of South Daytona, Volusia County, Florida, amending Article II, Chapter 10.5 (Parks and Recreation) of the Code of Ordinances to update the Parks, Recreation, and ADA Advisory Board; providing for severability; providing for conflicting ordinances; and providing an effective date. **First reading.**

This ordinance adds two alternate positions to the Parks, Recreation and ADA Advisory Board to allow volunteers to be more active in our community, stated Mr. Gillis.

A motion was made by Vice-Mayor O'Neal, second by Councilman Schoenherr.

VOICE VOTE: ALL YES (5)

Discussion of performance and future goals for the city manager.

City Manager Gillis started the discussion by saying that the City Council had three goals for my first year as City Manager which were to bring in new development, reduce debt and increase reserves.

As to the first goal, we have a large-scale apartment complex currently under construction at 3230 S. Ridgewood Avenue with completion set for this fall. This is the first major development in this City in several years. Staff is awaiting a second submittal for a townhome/condominium project across the street, stated Mr. Gillis, which will continue the high-end development that this Council has been desperately searching for. New businesses continue to flock to our City thanks in part to our partnership with the South Daytona / Port Orange Chamber of Commerce. Mr. Gillis commended Redevelopment Director, Patty Rippey on a great job marketing the city's business corridor along US 1.

Vice-Mayor O'Neal asked about the City's business retention rate. Ms. Rippey indicated she did not know the exact number but that the current COVID-19 pandemic hurt us for sure. She pointed out Don Wolfe, the owner of Iron Axe Bar & Grill in South Daytona who was in attendance, and said some businesses in the City were doing well and some are even doing much better than they were before the pandemic with their takeout options.

Mr. Gillis adding, he and Ms. Rippey had met with Senator Houston and Representative Fetterhoff a few Fridays ago to discuss how the pandemic has affected South Daytona and how they could help.

Councilman Schoenherr liked the structure and elimination of vagueness Mr. Gillis has established. Well documented policies have been written and set that are reasonable and fair to all.

If you want to see a picture of teamwork, Councilman Quartier began, look around this room. This is the team that Mr. Gillis built. By working together, they are making changes. Citizens come to council with a problem, council passes it along to the City Manager, shortly thereafter a phone call is made stating the problem has been rectified. Citizens are happy and staff are happy. South Daytona is getting a new fire truck under his management. The Mayor and Ms. Rippey along with the Chamber of Commerce make business visits monthly. Businesses and residents like that they can speak with a city employee and get a response. Good job concluded Councilman Quartier.

The annual performance evaluation was built into the City Manager's contract, stated Councilman Young and good for citizens to know. Some view evaluations/feedback with dread and some view it as a gift. I have always thought of you as the latter. The type of business development and being selective is appreciated continued Councilman Young. Keep your energy up and take care of yourself, concluded Councilman Young.

Mayor Hall stated he was very pleased with the past year moving the city forward echoing other council's comments for the City Manager to take care of himself. The three goals of new development, decreasing our debt and increasing our reserves were a vision shared by all on this Council, the Mayor continued, and we have the right City Manager to do it. I applaud you concluded Mayor Hall.

City Manager Gillis thanked the entire council for their cohesive vision being in concert with his and acknowledged the difficult decisions council had made regarding our utility rate adjustment because our water and sewer utility was operating at a loss. Something needed to be done, council stepped up and made the commitment which afforded the support needed so the City can reach these goals stated Mr. Gillis.

Mayor Hall stated the same three goals will continue as the future goals for the City Manager.

Ordinance No 2020-05 – an Ordinance of the City of South Daytona, Florida, amending Article VIII stormwater utility fee, Section 20.121 (Definitions) and Section 20.122 (Imposed) of the City’s Code of Ordinances to ensure only developed commercial properties are charged a stormwater utility fee; providing for severability; providing for conflicting ordinances; and providing an effective date. **Second reading. Public hearing. Passed first reading June 9, 2020.**

City Manager Gillis stated that staff is recommending vacant commercial property be treated the same as vacant residential property and not be charged stormwater fees.

A motion was made by Councilman Schoenherr, second by Vice-Mayor O’Neal.

VOICE VOTE: ALL YES (5)

Ordinance No 2020-11 – an Ordinance of the City of South Daytona, Florida, amending Article III, Administration and Enforcement, Section 3.1(D) of the Land Development Code to allow regular mail notice for public hearings before the City Council, except as required by law; repealing all inconsistent ordinances or parts thereof; providing for severability; and providing an effective date. **Second reading. Public hearing. Passed first reading on June 9, 2020.**

Citizens were notified of public hearings by certified mail, City Manager Gillis explained, and staff was receiving an inordinate number of notices returned because the recipient had to be home to accept the notice. State law requires regular mail notification and certified under certain circumstances. By changing from certified to regular mail, in accordance with State law, the City will achieve our goal of enhanced notification and we will save money while doing it.

A motion was made by Councilman Young, second by Vice-Mayor O’Neal.

VOICE VOTE: ALL YES (5)

Ordinance No 2020-12 – an Ordinance of the City of South Daytona, Florida, amending Article III, Administration and Enforcement, Section 3.6(E)(2)(F) of the City’s Land Development Code to require landscape plans to be prepared by a registered landscape architect as required by Florida Statute in conjunction with any development requiring site plan approval; repealing all inconsistent ordinances or parts thereof; providing for severability; and providing an effective date. **Second reading. Public hearing. Passed first reading on June 9, 2020.**

Large development projects that require a site plan approval will be required to have a state licensed/registered landscape architect design the landscape and irrigation plan moving forward stated Mr. Gillis. By approving this ordinance, the city will benefit from better quality development.

Councilman Schoenherr remarked this takes away the arbitrary and sets documented guidelines.

A motion to approve was made by Councilman Schoenherr, second by Vice-Mayor O’Neal.

VOICE VOTE: ALL YES (5)

Ordinance No 2020-13 – an Ordinance by the City of South Daytona, Florida, amending Article VII, Engineering Environmental Standards, Section 7.5(B)(1) of the City’s Land Development Code to require hard surface material be concrete or asphalt pavement for new construction in conjunction with any development requiring site plan approval; repealing all inconsistent ordinances or parts thereof; providing for severability; and providing an effective date. **Second reading. Public hearing. Passed first reading on June 9, 2020.**

For larger scale commercial projects that require a site plan the City’s Code of Ordinances did not require hard surface parking lots. Staff is recommending an asphalt or concrete surface for commercial parking lots stated Mr. Gillis.

A motion was made by Councilman Schoenherr, second by Vice-Mayor O’Neal.

VOICE VOTE: ALL YES (5)

Ordinance No 2020-14 – an Ordinance by the City of South Daytona, Florida, amending Article VII, Engineering Environmental Standards, Sections 5.6(A)(3)(B) and 7.5(B) of the City’s Land Development Code to require paved drive aisles in commercial and industrial zoning districts in conjunction with any development requiring site plan approval; repealing all inconsistent ordinances or parts thereof; providing for severability; and providing for an effective date. **Second reading. Public hearing. Passed first reading on June 9, 2020.**

To protect emergency vehicles to safely navigate the site, cut down on the amount of dirt on roadways and to improve appearance staff is recommending paved drive aisles for commercial and industrial zonings, explained Mr. Gillis.

A motion was made by Vice-Mayor O’Neal, second by Councilman Schoenherr.

VOICE VOTE: ALL YES (5)

COUNCIL COMMENTS

Good job stated Vice-Mayor O’Neal, no additional comments.

Councilman Schoenherr had no further comments.

Councilman Young inquired if any fall programs were planned. Not at this time replied City Manager Gillis but if the number of positive COVID-19 cases continue to drop, the City will certainly reconsider. Councilman Young spoke of a potential business opening that does not fall within the zoning regulations and would like the City Manager and City Attorney to be made aware, so proper protocols are followed as any other business.

Councilman Quartier reiterated how staff works as a team and thanked all for their input.

Mayor Hall commented on how well and professional the Facebook Live with the Police Department went. South Daytona Elementary School has agreed to open the gate by the church to allow student drop offs and offered support if needed. Mayor Hall thanked Patty Rippey and the Community Trust

program for A/C repair work done for an elderly couple and mentioned the façade grant program being offered to businesses in South Daytona to keep them looking their best.

Mayor Hall adjourned the meeting at 7:40pm

Recording Secretary

Mayor William C. Hall