

**City of South Daytona
City Council Meeting Minutes
Tuesday, May 14, 2024
immediately following the 6:00 pm
South Daytona Community Trust Board 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 6:08 pm.

Roll Call:

Present:

Mayor William C. Hall	Councilman Brandon Young
Vice-Mayor Eric Sander	City Manager James L. Gillis, Jr.
Councilman Doug Quartier	City Attorney Wade Vose

Not Present: Councilwoman Lisa O'Neal

Deputy City Clerk Witte said Councilwoman O'Neal is absent due to her attending her son's graduation ceremony.

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 said our annual Sparkle Days event has come to a close. He thanked those residents who took part in this spring-cleaning experience. Waste Pro collected 193.45 tons of household garbage, 51.36 tons of yard waste, 2.14 tons of tires and 21.1 tons of construction debris over this period.

Teacher Appreciation Week was May 6th through 12th, Mr. Gillis said. Teachers at South Daytona Elementary School received a proclamation from Mayor Hall to show our City's gratitude for all they do for our children.

The Annual Law Enforcement Memorial Service to remember and honor those officers who lost their lives in the line of duty will be held on Thursday, May 16th at 8:30 am at Lohman's Memorial Park, City Manager Gillis announced. He encouraged the community to attend.

Mr. Gillis announced that the City will be presenting a free summer movie series at the Piggotte Community Center over the school break. The first movie that will be shown is Finding Nemo on June 5th from 9 to 11 am. Visit the City's Facebook page for more information and a complete schedule.

City Manager Gillis was excited to announce the installation of the Veterans Memorial Park Wall which has a medallion for each of the six branches of government. He looks forward to the Veterans Monument, replacing the memorial bricks, which he anticipates will be installed before July 4.

Item 6: City Attorney Report:

City Attorney Wade Vose discussed two recent unique cases where properties with Code Enforcement liens and fines had a transfer of ownership, and excess funds were available for the City to request. He explained that typically during a tax deed sale or foreclosure, funds are exhausted before Code Enforcement fines and liens can be paid. He said his staff has applied for the excess funds and we may receive substantial code fines paid to the City.

B. CITIZENS TO BE HEARD:

CJ Allen (2929 Gaslight Drive) complimented the Code Compliance Department and the Police Department. She discussed the recently completed community survey of Lantern Park required by Volusia County to qualify for a stormwater grant through their Transform 386 program. She asked for more information on the City's Water Meter project.

City Manager Gillis discussed the meter replacement project and that the new meters read to the gallon which means we do not have to use any rounding to generate utility bills.

Barbara Ann Heegan, CEO for the Port Orange South Daytona Chamber of Commerce, announced an upcoming job fair on Thursday from 4pm to 7pm, at the Port Orange REC Center. This job fair will be open to the general public and high school seniors. She also thanked Mayor Hall for attending the recent Ambassador's luncheon at the Iron Axe in South Daytona.

Thomas Luck, 891 Valencia Road, commented on the traffic and excessive speeding, especially on Green Street, Big Tree Road, and Reed Canal Road.

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: April 9, 2024, City Council Meeting.

Item 9: Resolution No. 2024-12. A Resolution of the City of South Daytona, Florida, approving a Florida Department of Transportation (FDOT) Local Funding Agreement for the installation of new decorative signs and poles on State Road 5 (South Ridgewood Avenue from Ridge Boulevard to Reed Canal Road); authorizing the City Manager to execute the agreement and associated documents related to the project; and providing an effective date. **First and only reading.**

Item 10: Consideration of approving a proposal from Sparks Concrete for the milling and resurfacing of Garfield Drive, Carey Drive, Wells Drive and Palm Grove Court utilizing a contract with Volusia County in the amount of \$206,328 as budgeted in the current fiscal year.

Item 11: Consideration of approving the Seventh Amendment to the Agreement with Volusia County for the Provision of Fire Suppression Services to the Unincorporated Area on Nova Road until September 30, 2026.

Item 12: Resolution No. 2024-13. A Resolution of the City of South Daytona, Florida, authorizing the City Manager to sign the renewal of the Certificate of Public Convenience and Necessity, Advanced Life Support, Non-Transport; and providing an effective date. **First and only reading.**

Item 13: Consideration of approving an Agreement with Volusia County to provide a School Resource Officer to serve South Daytona Elementary for the 2024/2025 school year.

Motion to approve the consent agenda as presented by Vice-Mayor Eric Sander. Second by Councilman Doug Quartier. Motion carried unanimously.

D. REGULAR AGENDA:

Item 14: Consideration of approving the purchase of a Kubota SCL1000 Compact Loader in the amount of \$37,031.64 to be used for stormwater ditch maintenance as budgeted in the current fiscal year.

City Manager Gillis said during the budget process for the current fiscal year, the Public Works Department requested \$110,000 in the Utility Service Fund to be reserved for the purchase of a ditch excavator which would greatly enhance our ability to maintain our stormwater canals, ditches and swales. When the budget was approved, staff worked hard to obtain the absolute lowest price for the ditch excavator.

He explained that Public Works was successful as we were able to obtain Council approval in January 2024 to purchase the excavator at a reduced rate of \$58,867. The reason for the reduction in price was due to the excavator being new but the previous year's model. It was already on the lot and the dealer was anxious to sell it.

Mr. Gillis explained that the reduced price of the ditch excavator allows the City to purchase a secondary piece of equipment designed to help us maintain stormwater ditches and swales throughout the City. The Kubota SCL1000 Compact Loader operates on rubber tracks which would allow us to perform maintenance from the bottom of a ditch or swale rather than the top which we are only capable of doing now. He explained the machine and its rubber-track tread would allow staff to climb and maneuver throughout the ditch to maintain it. The purchase price of \$37,031.64, which is off of a state contract per our purchasing requirements, is still within our budget as allocated in the current year Utility Service Fund.

He concluded with a staff recommendation of approval from the City Council to obtain the equipment. If approved, the vehicle will be acquired this month and immediately utilized to maintain our ditches and swales prior to hurricane season.

Mayor Hall questioned if the City ever owned a piece of equipment like this which Mr. Gillis responded no. He explained historically they would hire day laborers to clean canals and ditches.

Councilman Young asked the life expectancy of the equipment which Mr. Gillis answered 15 years. He also said Public Works staff rented the equipment prior to requesting the purchase.

Vice Mayor Sander admitted he was skeptical at first, but received an explanation of how valuable the equipment will be and supports the purchase.

Motion to approve by Vice-Mayor Eric Sander. Second by Councilman Brandon Young. Motion carried unanimously.

Item 15: Ordinance No. 2024-02. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances, amending Chapter 13, Police, Article V, Chronic Nuisance Premises, Sections 13-60, 13-61 and 13-62, to include Fire Rescue nuisance activity calls within the monthly allowance of services; and providing for conflicts, severability, applicability, codification and an effective date. **First Reading. Public Hearing.**

City Attorney Vose read the title of Ordinance 2024-02.

City Manager Gillis said that in 2008, the City Council adopted Ordinance No. 2008-19 creating an article regarding Chronic Nuisance Premises, establishing a monthly allowance for Police and Code Enforcement services. The Code established the amount of police use and code enforcement use that each parcel of real property is entitled as a taxpayer of the City. Properties that use more than their allotment cause an unnecessary burden on all taxpayers of the City. Property owners should be responsible for the conduct and actions that occur on the property and therefore fiscally responsible for those actions.

Mr. Gillis explained the definition of a Nuisance activity and what those activities which impact Police, Fire, and Code.

City Manager Gillis explained these nuisance activities are serviced by Fire Rescue and are a burden to the department and the City. Fire Chief John Brant suggested including Fire Rescue into the Code under this section to deter the overuse of Fire Rescue personnel for the outlined Nuisance Activities.

He said this revision will be another tool in the toolbox that staff can use to reduce the ability of nuisance properties to abundantly request fire rescue services. The key words to the above statement is that staff "can use" this ordinance depending on the circumstances of the frequent calls in combination to other calls for service on a given property. This revision will not apply to a medical office or assisted living facility operating normally, just those properties that have been deemed a nuisance.

He concluded with a staff recommendation that the City Council approve Ordinance No. 2024-02 to include Fire Rescue nuisance activity calls within the monthly allowance of services under Chapter 13, Police, Article V, Chronic Nuisance Premises.

Mayor Hall opened the Public Hearing. No comments. Mayor Hall closed the Public Hearing.

Councilman Young asked if the associated fines were included in the Code which Mr. Gillis responded yes, in Article 21. Mr. Gillis continued to explain that the Special Master would declare a nuisance property and this process has worked well in the past, in that most nuisance properties contain renters with out-of-state property owners. Councilman Young included the Special Master process would change the behavior of those out-of-state owners.

Mayor Hall recalled this Ordinance was adopted in 2008 when he served as Chief of Police. He explained there were a few apartment complexes that were a problem and this Ordinance allowed 3 calls per month. He noted the Council at the time modified the table with the number of residents and the allowable nuisance calls. He concluded by explaining that it was used quite effectively.

Councilman Young inserted that it has worked for the last 16 years.

Councilman Quartier asked if the Police Department still has the Crime Free Housing Program which Chief Cheatham answered yes, but it has been modified over the years. Councilman Quartier explained the requirements to participate in the program included background checks on the tenants and ensuring that vehicles were parked as to not obscure the license plate.

Mayor Hall explained in 2008 that the apartment managers were part of the problem and once the owner received the Code violation, managers were replaced. He said the program, if used appropriately, will work.

Vice-Mayor Sander noted that more and more responses are medical needs, such as drug overdoses and this modification is important to include Fire Rescue.

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

E. COUNCIL COMMENTS:

Vice-Mayor Eric Sander thanked everyone for their hard work during this dry weather. He noted a recent punctured water line on his street which the Public Works crew diligently worked on. He thanked them for their quick response. He concluded by saying that everyone's hard work is appreciated.

Councilman Brandon Young congratulated Blaine O'Neal (Councilwoman O'Neal's son) for his graduation. He said his twins are graduating High School next week. He was surprised how fast time had gone as it seemed like yesterday, we were on the first day of school, opening doors for our South Daytona Elementary School Students. He touted the "Investing in Us" mantra.

Councilman Quartier said that hurricane season is quickly approaching. He asked that residents contact us if they see something as we can't fix what we don't know.

Mayor Hall said teachers are the most unappreciated, underpaid, under-loved group of professionals. He said as a LEO (Law Enforcement Officer) for most of his adult life he never understood the trials and tribulations of teachers until God blessed him with one in his life. He said he can't say he knows what they go through, but he knows it's not for him. He addressed Police Chief Cheatham for the upcoming Law Enforcement Memorial on Thursday morning. He acknowledged Fire Chief Brant and that he missed their recent Fire Fighter Memorial last week.

F. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council at 6:38 pm.


Deputy City Clerk, Becky Witte


Mayor William C. Hall