

MINUTES

FACEBOOK LIVE

The South Daytona City Council met in a regular session on Tuesday, March 9, 2021 at 6:22 p.m. in the City Council Chambers at City Hall, 1672 S. Ridgewood Avenue, South Daytona, Florida.

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

* City Manager Gillis noted that Councilwoman Lisa O'Neal had a family emergency and regrets that she could not attend the meeting.

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

CITY AMANGER REPORT: City Council Chambers have been updated with audio/visual improvements with three (3) monitors, two (2) cameras, and a digital time clock. New microphones are on back-order and will be installed prior to the next council meeting.

Baseball opening day is scheduled for March 27, 2021, 9:00 a.m. at James Street Park. Currently, 209 children have registered which is the highest number of participants since 2015. To enhance the resident's experience, we have replaced the fencing around the fields, painted and updated the bathrooms, installed all new signage, replaced the audio system and planted flowers in the park. This year the scorekeepers will announce the games and we will have Citizen Alert operating the concession stand. Please join us on opening day for a fun event for all.

Since the City cannot hold our annual Easter egg hunt this year due to COVID restrictions, we will host an "Egg Your House" event which will be held on March 20, 2021 from 9:00 a.m. – 4:00 p.m. This fun event will feature City staff members visiting those homes who have pre-registered to hide eggs for your family. South Daytona residents can register through the Parks & Recreation Department. Plan on participating in this fun and unique event only offered in South Daytona.

Sparkle Days will be April 16th thru April 26th. This is the time of year South Daytona residents can "spring clean" their homes and properties by placing everything from trash, debris, appliances, tires, vehicles, boats and trailers by the curb for pickup. Our garbage hauler Waste Pro will have extra trucks in town during that time to ensure timely pickup.

The South Daytona Community Trust Academic Scholarship is an award exclusive to South Daytona residents who are seniors in high school. The chosen applicant for the scholarship will be awarded \$1,500 towards

school expenses. Applications will be available on April 1, 2021 and the deadline to submit is April 30, 2021. The applications will be reviewed and ranked by staff with the award being made at the May 11, 2021 Community Trust Meeting. The recipient must be a South Daytona resident, show proof of acceptance to college, university, or post-secondary school, demonstrate community service hours, include one teacher recommendation and a 500-word essay.

City Hall has illuminated the flagpole with LED blue lights from 6:00 pm till midnight honoring our police officers. City Hall will have the carpet replaced by Empire Today in the upcoming weeks to alleviate the possibility of a trip hazard.

CITY ATTORNEY REPORT: Staff and the City Attorney have worked on ordinance revisions regarding storefront casinos, had the opportunity to work with the Daytona Beach City Attorney on the termination of the East Volusia Regional Water Authority, reviewed a Mater Development Plan, made amendments to an agreement regarding extra duties for police officers, established procedures for selling City surplus property, and lastly Mr. Vose provided Sunshine Law and Ethics training to the Planning and Appeals Board, adding he is available for council and staff's continuing required ethics training if needed.

CITIZENS TO BE HEARD

Amanda Dietz, 938 Boulder Drive, South Daytona came to the podium to address the council regarding backyard chickens. Ms. Dietz provided council with a proposed amendment to Ordinance No. 2018-03, which would allow for backyard chickens in South Daytona.

Mike MacLure, citizen of Port Orange, and member of the Port Orange South Daytona Chamber of Commerce came to the podium to thank council for their continued support.

CONSENT AGENDA

Those 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. (Read by Mayor Hall)

Approval of minutes: City Council Meeting – February 9, 2021

Consideration of approving the 2020 Community Redevelopment Annual Report which highlights the accomplishments, activities and projects that occurred this past year in our Community Redevelopment Area.

Consideration of approving the creation of a Demolition Grant Program designed to offer an incentive to property owners for the removal of unmarketable or blighted commercial structures within our Community Redevelopment Area (CRA).

Consideration of approving a contract for the provision of athletic uniforms with Beach Boyz Embroidery of

South Daytona.

Consideration of approving a contract for the provision of sports referees, umpires and scorekeepers with DYJ, Inc.

Consideration of approving a revision to Volusia County's plan to disburse Justice Assistance Grant (JAG) funds by taking those previously awarded to the House Next Door and reallocating them to SMA Healthcare, Inc.

Consideration of approving the termination of the Amended Interlocal Agreement establishing the Eastern Volusia Regional Water Authority.

Resolution No. 2021-05: A resolution of the City Council of the City of South Daytona, Florida, designating community wide special events for the year beginning in April 2021 and ending in March 2022; providing for resolutions that conflict herewith; providing for severability; and providing for an effective date. **First and Only Reading.**

Resolution No. 2021-06: A resolution of the City Council of the City of South Daytona, Florida, extending the protections and relief offered by the Families First Coronavirus Response Act (FFCRA) for three (3) additional months expiring June 30, 2021; providing for repeal of resolutions in conflict herewith; providing for severability; and providing an effective date. **First and Only Reading.**

Mayor Hall called for a motion to approve the consent agenda, Councilman Young requested to remove items 12 (umpire contract award) and 16 (FFCRA extension) from the consent agenda.

Councilman Sander made a motion to approve the modified consent agenda, second by Councilman Young.
VOICE VOTE: ALL YES (4)

Consideration of approving a contract for the provision of sports referees, umpires, and scorekeepers with DYJ, Inc.

City Manager Gillis gave a brief background on the process and recommendation for the bid. City staff advertised for a request for proposals for sports referees, umpires and scorekeepers with bid opening on February 26, 2021. The City received one (1) bid from DYJ, Inc. for a three (3) year contract providing referees, umpires, and scorekeepers, therefore recommend awarding the bid to DYJ, Inc.

Councilman Young stated he was happy to hear the high number of participants in the baseball program as only one game was played last year before COVID-19 hit our area. Councilman Young stated that he had concerns that only one bid was received and that the price was significantly higher than what was paid in the past and would like to know what sister cities are paying.

Mayor Hall questioned if Councilman Young's desire was to direct staff to do something else. Councilman

Young stated it was too late at this point for spring baseball. Councilman Sander noted the contract could be terminated at any time without cause. City Manager Gillis stated he would prepare a matrix of what other cities are paying on each sport and provide to council for their review so a determination can be made as to whether to continue with the contract.

Councilman Sander made a motion to approve the contract, second by Councilman Young.

VOICE VOTE: ALL YES (4)

Resolution No. 2021-06 A resolution of the City Council of the City of South Daytona, Florida, extending the protections and relief offered by the Families First Coronavirus Response Act (FFCRA) for three additional months expiring June 30, 2021; providing for repeal of resolutions in conflict herewith; providing for severability; and providing an effective date. **First and Only Reading.**

City staff is requesting an extension of benefits offered through the Families First Coronavirus Response Act (FFCRA) which allows employees to be paid while quarantining if acquire or exposed to the virus and not use personal leave time, stated City Manager Gillis. This program helps isolate the incident and prevents an outbreak. Since the vaccine is currently not available to everyone, it makes sense to extend this benefit. Otherwise, employees might try and hide their symptoms to avoid using personal leave and expose others to this potentially deadly virus.

Councilman Young stated he is not excited about the extension. Adding, he spoke with the City Manager about the extension stating it is a benefit afforded employees that the City is not extending to its citizens. Councilman Young stated that he was not in favor of extending the benefit indefinitely. He stated that if the benefit is extending tonight, the message needs to be sent that this is the last extension of such a benefit.

Employees had the option to work from home during the pandemic but came to work, stated Councilman Quartier, he commended the dedication of the employees and supports the extension.

Councilman Sander inquired how much it has cost the city to offer paid leave for virus quarantine.

City Manager Gillis replied it has been minimal, mostly the benefit has been used by those who may have been exposed to the virus as time off to get tested and for the results to come back negative before returning to work.

Councilman Sander made a motion to approve, second by Councilman Young.

VOICE VOTE: ALL YES (4)

REGULAR AGENDA

Consideration of approving the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ending September 30, 2020 and the Independent Auditor's Report as presented by James Moore.

Zach Chalifour, partner for James Moore, came to the podium to address City Council. Mr. Chalifour thanked

council and city's finance department for their hard work. The Annual Comprehensive Financial Report is a large document with five reports within it. South Daytona's report was entirely produced by City staff which should be commended adding it is a unique and positive attribute for such a small City to produce its own report. Most small cities hire a consultant to complete the report. The first section is the independent auditor's report which I can happily state that the financial statements in the ACFR were fairly presented in all material respects and can be relied upon. An unmodified opinion is the best opinion the firm can issue performing your audit. The second section is an audit performed in accordance with Government Auditing Standards for internal control and compliance, checking for deficiencies with compliance on budget and grants. The highlight here is the firm found no comments this year where last year the firm had two (2) comments which were corrected. A Federal Single Audit is required if a municipality spends more than \$750,000 of Federal awards such as public grants, FEMA and CARES ACT funding. The firm looked at two (2) major grant programs and found no issues with compliance and gave a clean report. The Florida Auditor General requires a follow-up report of prior audit findings and the financial condition of the municipality. In 2019 the audit showed seven (7) comments, five (5) of which were corrected this fiscal year. The two (2) comments repeated were not immediately correctable and both were related to the financial position of the utility fund. The City has made substantial progress in the utility fund but, as this body is aware, the deficits could not be corrected in just one year. The City is on path to have the utility fund solidified by 2024. The fifth report is to ensure the City is in material compliance with specified investment and investment policy set by State Statute. James Moore found the City of South Daytona in compliance.

Your reserves look good this year. The Government Finance Officers Association (GFOA) recommends three months of reserves if the City is a coastal community which puts South Daytona right on target where it needs to be.

Mayor Hall inquired about a new water and sewer contract with Daytona Beach to which Mr. Gillis replied would be addressed after a new City Manager was hired for Daytona Beach. Mayor Hall commented on the fantastic job the City has been doing to reduce debt. In 2012, the City had over \$26 million in debt but now we have just under \$10 million with most of that debt coming off in the last two years.

Councilman Sander made a motion to approve, second by Councilman Young.

VOICE VOTE: ALL YES (4)

Consideration of approving the replacement of Lift Station #11 located in the Harborside subdivision and Lift Station #20 located in the Green Acres subdivision in the amounts of \$64,398 and \$69,156, respectively from Hydra Services as budgeted in the current fiscal year.

City Manager Gillis stated by adjusting the utility rates, the City is now able to start investing in our infrastructure. We are beginning to have the funds available to start replacing our aging lift stations throughout the City. The first two stations are #11 in Harborside and #20 in Green Acres. Those two stations are past their useful life and need to be replaced.

No discussion by council. Councilman Sander made a motion to approve, second by Vice-Mayor Quartier.

VOICE VOTE: ALL YES (4)

Consideration of approving a contract for sewer rehabilitation services with American In-Line Inspection Services utilizing an existing contract with the City of Eustis and the expenditure of \$27,977 to repair and line the sanitary sewer main on Olive Street.

City Manager Gillis stated that again, the increased revenue from the utility rate adjustment was going towards revitalization of our infrastructure. The sewer main on Olive Street is very old and too deep to replace without spending a fortune. The process of lining the sewer main essentially makes the pipe new again without digging it up. This item has been budgeted with this sewer main being prioritized, stated Mr. Gillis.

Councilman Young inquired how long does the process take and City Manager Gillis replied about a week. Mayor Hall stated this is for 300 feet of pipe and asked how many miles of sewer pipe do we have in South Daytona? Mr. Gillis responded with approximately 40 miles of sewer. Mayor Hall asked how long have our sewer lines needed attention. Mr. Gillis replied that this has been a problem for about 15 years but that the City has not had the finances to perform any meaning lining program until now. Vice-Mayor Quartier asked if this is the same procedure done at the Dunkin Donuts location which prevented a substantial amount of groundwater from entering our sewer system unnecessarily? Mr. Gillis replied, yes this would be the same procedure and we would achieve the same beneficial results.

Councilman Sander made a motion to approve, second by Vice-Mayor Quartier.

VOICE VOTE: ALL YES (4)

Consideration of approving a design contract for the Florida Department of Transportation's Sun Trail project with Mead and Hunt for \$981,116 to be entirely funded with grant proceeds.

City Manager Gillis began by stating the Florida Department of Transportation (FDOT) has developed a SunTrail project designed to allow for someone to bike from Jacksonville to Key West. The FDOT has grant money available to complete segments of their designed path. The path through South Daytona runs from Palmetto Avenue to Ridge Boulevard then to Carmen Drive and then to Reed Canal Road before exiting down Sauls Street into Port Orange. The FDOT has awarded just under \$1 million to the City to design the segment beginning at Carmen and ending on Sauls. The installation of the SunTrail project through this section of the City would drastically transform the area from an industrial guardrail look on Reed Canal Road to a more residential style with a cantilever sidewalk over the canal with decorative bollards. The design and subsequent construction of this project will be funded by the Florida Department of Transportation.

Mayor Hall commented on the \$1 million cost for a design contract and City Manager Gillis stated that this estimate was reviewed and approved by the FDOT as reasonable. Councilman Young spoke about whether the trees along Carmen can be saved. City Manager Gillis stated that the goal of the design will be to save as many trees as possible.

A motion to approve was made by Councilman Sander, second by Councilman Young.

VOICE VOTE: ALL YES (4)

Resolution No 2021-03: A resolution of the City Council of the City of South Daytona, Florida, urging the Florida Legislature to enact legislation to allow municipalities to regulate smoking in parks and providing for an effective date. **First and Only Reading.**

Currently, Senate Bill 334 and House Bill 229 are being debated before legislature authorizing counties and municipalities to further restrict smoking in public parks, beaches and state parks. Daytona Beach Shores Council contacted South Daytona requesting partnership in support of Senate Bill 334 and House Bill 229. The resolution calls for the Mayor to submit the resolution to the Governor, President of the Florida Senate and Speaker of the Florida House urging support of Senate Bill 334 and House Bill 229.

No discussion by council.

A motion was made by Councilman Young, second by Vice-Mayor Quartier.

VOICE VOTE: ALL YES (4)

Discussion of the First Step Shelter's admission data and the City's continued financial commitment to the organization.

Last year, South Daytona City Council authorized a one-time donation in the amount of \$30,500 to the First Step Shelter to combat homelessness, stated City Manager Gillis. The City received several complaints from residents about the amount that was contributed when we only had one person in South Daytona who identified as homeless that was taken to the shelter. That is a lot of money for just one person was the predominant message. As a result, the City did not budget any contribution to the First Step Shelter this year.

Mayor Hall recognized Dr. Victoria Fahlberg, director of the First Step Shelter, who came to the podium to address council stating she is here to advocate for the shelter and to answer any questions. Mayor Hall inquired from City Attorney Vose if South Daytona is Pottinger compliant without an area for homeless. Mr. Vose replied he would need to perform some research on the issue before giving an answer.

Councilman Young asked if all cities on this side of the County were participating and Dr. Fahlberg said no, some cities are choosing not to participate.

City Manager Gillis cautioned that the City could be brought into a lawsuit, as a partner, if the family of the person who was struck by a vehicle and killed in front of the shelter decides to seek legal action. Councilman Sander responded by asking the City Attorney if there was any way to protect and insulate the City if we did decide to provide a financial contribution? Mr. Vose replied no, there is no way to insulate or protect the City. Anybody can sue anybody for anything, when you cast a wide net it is hard to get out of.

Vice-Mayor Quartier inquired if an individual must request to go the shelter or are there options such as the Salvation Army. Police Chief Cheatham came to the podium, the Salvation Army is available along with in-house/domestic options from private contributors but is limited.

Rosanne Tornature, owner of Wholesale Lighting and member of the First Step Shelter Board, was recognized by Mayor Hall and came to the podium to address the council. Ms. Tornature expressed the importance of providing financial support, stating she made the donation to pay for the Safe Zone personally because she feels saving a life, even if it is only one, is worth it.

No further discussion from council.

COUNCIL COMMENTS

Councilman Young attended the Volusia League of Cities meeting which forecasted a \$3.9 billion reduction in municipal revenue for 2021, 2022, and 2023 due to the COVID pandemic. He also stated that he is watching several bills such as House Bill 883 and Senate Bill 60 which would prohibit code enforcement from acting on anonymous complaints.

Councilman Sander thanked all who attended in person and live on Facebook. The financial report is awesome and thanked staff and everyone for the hard work over the past year.

Vice-Mayor Quartier agreed with Councilman Sander on the audit report, thanking staff. Vice-Mayor is excited about the baseball program and the number of kids registered.

Mayor Hall recognized Citizens Alert President, Renee Holland in the audience and thanked her for stepping up. Mayor Hall stated how remarkable the change in the City's financial position from 2016 till now, thanking Finance Director, Jason Oliva, finance staff and City Manager Gillis for the hard work. Mayor Hall stated the blue light that was installed to illuminate our flagpole was awesome and that he enjoys hearing the sirens as it means people are working out there to save our lives. He concluded by stating that he looks forward to seeing all for baseball opening day.

Mayor Hall adjourned the meeting at 8:11 p.m.

Recording Secretary

Mayor William C. Hall