

**City of South Daytona
City Council Meeting Minutes
Tuesday, June 13, 2023, at 6:00pm**

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 6:00 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.
City Attorney Wade Vose

Not Present:

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 passing of Dorothy Lowery who would have celebrated her 102nd birthday on June 24th. Mr. Gillis recalled the previous birthdays spent with Ms. Lowery and the City Councilmembers.

Mr. Gillis provided a recap of the Annual Law Enforcement Remembrance Day which was on Friday, May 19, 2023 at Lohman's Memorial Park. He said the Annual Law Enforcement Memorial Service is a way to remember and honor our Fallen Heroes who have served our communities.

FY 2023-24 Budget Preparations are being made, City Manager Gillis announced.

City Manager Gillis provided a summary of the Sewer Inspection and Lining project stating that there are two companies contracted to assist with the project. He explained they are cleaning and televising Kenilworth Avenue and James Streets to prepare for resurfacing as well as Palmetto Avenue.

Mr. Gillis enthusiastically shared photographs of the proposed James Street Park Splashpad which is on the Consent Agenda for approval of the award with Western Aquatic Construction & Development. He discussed the upgrades to the splashpad and future expansion options.

City Manager Gillis concluded his report congratulating the 2023 Graduating Seniors. He said school is out and asked residents to be cautious of kids playing in our neighborhoods.

Item 6: City Attorney Report:

City Attorney Wade Vose provided an update on items addressed since the previous council meeting. He thanked the Council for welcoming his partner Paul Waters at the May meeting. He discussed some out of the ordinary matters he has been working on including forfeiture matters of instrumentalities of crimes as well as dangerous dog cases. He discussed a recent Dangerous Dog Hearing which was successful in that the appeal was withdrawn. He said during the last Planning and Appeals Board Hearing he was able to provide training on Quasi-Judicial Hearings. City Attorney Vose also reported he reviewed the agenda in its entirety.

B. PRESENTATION:

Mayor Hall said on May 25, 2023, City Manager Gillis was presented the Volusia League of Cities Executive Officer of the Year Award. He said this is one of the most prestigious awards at the annual event. He said the City Council wanted to formally present the award to Mr. Gillis at our June Council Meeting. Mayor Hall recalled hiring Mr. Gillis and the goals provided to him including reducing debt, encouraging quality development, increasing reserves, and more recently investing in us. Transparent, accountable, strong community pride, and strong work ethic are some qualities possessed by Mr. Gillis, he said. The Council presented the award to City Manager Gillis.

C. CITIZENS TO BE HEARD:

Mayor Hall recognized Volusia Council Councilman Matt Reinhart who was in attendance.

Kimberly Mitchell (31 Cherrywood Court) said this year is the five-year anniversary of her son's death. She requested consideration of a community workshop on substance use disorders and overdoses.

Frank Amendolia (791 Aspen Drive) discussed the weather and flooding in Big Tree Village. He discussed the path of rainwater during a storm.

Forest Read (149 Deskin Drive) discussed a recent relocation into the City and his concern about having his pet snake in his new home. He asked for a modification to the City Code to include the allowance of snakes as pets.

D. CONSENT AGENDA (*Items 8-18*):

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: May 9, 2023, City Council Meeting

Item 9: Consideration of approving the reappointment of Christy Gillis as representative on the Volusia Growth Management Commission (VGMC) as well as the appointment of Katheryn Meagher to the River to Sea TPO (R2CTPO) Citizens Advisory Committee (CAC).

Item 10: Consideration of approving an addendum to the agreements with American In Line Inspections Inc and Atlantic Pipe Service LLC (Sewer Rehabilitation Services Project - Bid No. 23-B-

005) to include pricing for Stormwater Pipe Lining, Cleaning and Pressure Grouting on an as needed basis within budgeted allocations per fiscal year.

Item 11: Consideration of awarding the Municipal Complex Generator Project (Bid No. 23-B-010) to L&S Enterprises LLC in the amount of \$298,467 as budgeted in the current fiscal year and funded by a Hazard Mitigation FEMA Grant.

Item 12: Consideration of awarding the James Street Park Splashpad Replacement Project (Bid No. 23-B-011) to Western Aquatic Construction & Development Inc in the amount of \$243,676 as budgeted in the current fiscal year and partially funded by a Community Development Block Grant (CDBG).

Item 13: Consideration of awarding the Rehabilitation of Sanitary Sewer Manholes and Wet Wells (Bid No. 23-B-012) to Danus Utilities on an as needed basis within budgeted allocations per fiscal year.

Item 14: Consideration of approving a piggyback agreement from New Smyrna Beach Utilities with Sparks Concrete, LLC for Concrete Services and Asphalt Repair Services on an as needed basis within budgeted allocations per fiscal year.

Item 15: Resolution No. 2023-12. A Resolution of the City of South Daytona, Florida, vacating a drainage and utility easement upon Parcel ID 5342-16-00-0021, lying within the Plat of the Green Acres Extension; and providing for recording, conflicts, severability, and an effective date. **First and only reading.**

Item 16: Consideration of approving the fourth and final amendment to the Volusia County School Board School Resource Officer (SRO) Agreement for the 2023-2024 school year.

Item 17: Consideration of approving **Resolution No. 2023-13 and 2023-14**, authorizing submittal of applications to the State of Florida Hazard Mitigation Grant Program (HMGP) and authorizing acceptance and execution of the grants, if awarded.

Item 18: Consideration of approving a proposal from Masci General Contractors for the milling and resurfacing of James Street and Kenilworth Avenue utilizing a contract with Volusia County in the amount of \$229,140 as budgeted in the current fiscal year.

Motion to approve the consent agenda as presented by Councilwoman Lisa O’Neal. Second by Councilman Doug Quartier. Motion carried unanimously.

E. REGULAR AGENDA:

Item 19: Ordinance No. 2023-08. An Ordinance of the City of South Daytona, Florida, relating to Comprehensive Planning; adopting a 2023-2032 Water Supply Facilities Work Plan; providing for amendments to the City of South Daytona Comprehensive Plan to incorporate by reference the 2023-2032 Water Supply Facilities Work Plan; amending the Intergovernmental Coordination Element and Public Facilities Element of the City of South Daytona Comprehensive Plan relating to Water Supply Planning; and providing for findings, administrative actions, codification, conflicts, severability, and an effective date. Recommended by the Planning and Appeals Board on May 17, 2023. **First Reading. Public Hearing.**

Attorney Vose read the title of Ordinance 2023-08.

City Manager Gillis explained the City's Comprehensive Plan is a guiding document for the City as it sets the overall foundation for all land use regulation in the city. The Water Supply Plan is a portion of this Plan. He explained these modifications are a housekeeping item as we purchase our water from the City of Daytona Beach and our city is substantially built out. He said all local governments in the District are required to have adopted their Water Supply Facilities Work Plan and Comprehensive Plan amendments by August 2023.

He explained the next step will be reviewed by the Department of Economic Opportunity and the Volusia Growth Management Commission for certification. He said the Ordinance will be back for Second and Final reading in August.

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 Councilman Doug Quartier. Motion carried unanimously.

Item 20: Ordinance No. 2023-09. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinance, Chapter 10, Offenses and Miscellaneous Provisions to add Article VIII, Human Trafficking Public Awareness Signage and Distance Requirements, to create Section 10-100, adopting Section 78-5 of the Volusia County Code of Ordinances, "Human Trafficking Public Awareness Sign", by reference, and to create Section 10-101 to add minimum distance requirements between establishments providing massage and bodywork services identified within Section 78-5 of the Volusia County Code of Ordinances, "Human Trafficking Public Awareness Sign", and schools, churches, and parks; and providing for administrative actions, codification, conflicts, severability, and an effective date. **First Reading. Public Hearing.**

Attorney Vose read the title of Ordinance 2023-09.

City Manager Gillis said Florida Statutes, authorizes counties and cities to enforce a requirement for certain establishments to post human trafficking public awareness signage. In 2021, Volusia County created Section 78-5 of the Volusia County Code of Ordinances which state public awareness signs must be placed in strip clubs or other adult entertainment establishments, and businesses that offer massage or bodywork services.

There are two goals with this proposed Ordinance, Mr. Gillis explained. The first goal is following the lead from the State Legislature and Volusia County Council in enforcing public awareness signs. The second goal is to further reduce a child's exposure to such establishments by requiring a minimum separation of 1,000 feet between those establishments and schools, churches and parks.

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

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

Item 21: Ordinance No. 2023-10. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona, Code of Ordinances, Chapter 14, Street, Sidewalks and Other Public Places, creating Section 14-1, Sidewalk Obstructions Prohibited, to prohibit obstructions of any sidewalk

within the City without a permit; and providing for administrative actions, codification, conflicts, severability, and an effective date. **First Reading. Public Hearing.**

Attorney Vose read the title of Ordinance 2023-10.

City Manager Gillis recalled a story of a gentleman who was camping on the sidewalk and obstructed a heavily traveled pedestrian path leading to Atlantic High School. He explained he encouraged the gentleman to relocate. He said pedestrian safety, especially for the school children, is of utmost importance and the code currently does not specifically address this issue.

Mr. Gillis said the proposed Ordinance modifies Chapter 14 of the City Code of Ordinances, Article I, Section 14.3 by adding the following language: "It shall be unlawful for any person to obstruct wholly or partially any sidewalk of the city without a permit.

Mr. Gillis concluded that this Ordinance is another tool in the toolbox for staff.

Mayor Hall opened the public hearing.

LuAnn Day (2164 Evergreen Ter) asked if this pertains to blocking sidewalks with vehicles. Mayor Hall and City Manager Gillis responded there should be a current Ordinance pertaining to that concern.

Frank Amendolia (791 Aspen Drive) discussed parking in areas other than the driveway. He discussed the parking issues in his neighborhood.

Mayor Hall closed the public hearing.

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

Item 22: Discussion of performance and future goals for the City Manager.

Vice-Mayor Eric Sander said he has seen nothing but excellence from City Manager Gillis. He described Mr. Gillis as a servant to the City and its people. He said he is humble and always searches for ways to improve the City, noting that his dedication can be at a cost to his family time. Vice-Mayor Sander commended Mr. Gillis for balancing family and work. He said the future goal should be to continue his excellent work explaining how we need to continue to reduce debt. Vice-Mayor Sander recalled Mayor Hall's goal to eliminate debt and he said he thinks we are ahead of schedule. He concluded by saying he looks forward to our debt being eliminated.

Councilwoman Lisa O'Neal echoed the comments of Vice-Mayor Sander and said Mr. Gillis continues to exceed expectations. She said she hears nothing but positive comments from the community. Councilwoman O'Neal concluded by telling Mr. Gillis to continue doing what you are doing.

Councilman Brandon Young recalled the award presented tonight, stating he nominated City Manager Gillis for Executive of the Year. He pointed out that there is always room for growth and development. Councilman Young recalled previous evaluations where he worried about burnout but Mr. Gillis has compiled a staff to assist. He echoed the comments of Councilwoman O'Neal in that he hears positive comments from residents. Councilman Young discussed Mr. Gillis' attributes of being transparent, accessible and dedicated. He said that we are at the 15-yard line with quality development, positive audits and financial reports, hurricane reserves and we will be at the finish

line when we rip up the notes (debt). There will be a time in the future to set the next phase of goals, he concluded.

Councilman Doug Quartier echoed the sentiments of his fellow Councilmembers. He said Mr. Gillis is in constant conversation with the Council. He explained the Council is able to bring any and all concerns to Mr. Gillis who will do everything in his power to get a solution to the problem. He said Mr. Gillis works nights and weekends. He concluded by saying he enjoys working with City Manager Gillis.

Mayor Hall agreed with the Council. He asked Finance Director Oliva for the amount of City debt in 2013 which Mr. Oliva responded just under 20 million dollars. Mayor Hall commented on the burden that debt was for every citizen in South Daytona. He recalled the struggles as well as the dedication and cooperation of the Council.

Mayor Hall acknowledged the concerns of Mr. Amendolia, saying he watched his daughter walk out of Lantern Park during the September 2022 Hurricane. He discussed a recent study from the City of New Smyrna Beach which concluded that no one can control 20 inches of rain.

Mayor Hall turned back to Mr. Gillis and said even though they may not always agree, they get through it. He thanked Mr. Gillis for all he does and how he is always available whether its 6:00am or 11:00pm. Every phone message or issue, Mr. Gillis responds with “we’re on it.” Mayor Hall recognized Mr. Reed and said he is not crazy about snakes, but Mr. Gillis is on it.

Mayor Hall concluded by thanking Mr. Gillis and saying the award is well deserved.

F. COUNCIL COMMENTS:

Vice-Mayor Eric Sander said he is very appreciative of all the hard work of all staff, from Parks and Recreation workers to those in the CRA. He said the city is looking good. He concluded by saying he is looking forward to a great summer.

Councilwoman Lisa O’Neal echoed Vice-Mayor Sander and wished all Father’s a Happy Father’s Day.

Councilman Brandon Young said he is intrigued by the snake conversation, noting that his quick research found that Port Orange allows 14 reptiles. He said he looks forward to additional conversations on the issue. Councilman Young thanked staff for their hard work under the leadership of City Manager Gillis. He said he looks forward to continued development as we move forward, and that positive economic energy will lessen the burden on the residents. He concluded by wishing a Happy Father’s Day to all of the fathers out there.

Councilman Doug Quartier echoed the sentiments and said he appreciated everyone for coming. He thanked Kathy Meagher for volunteering to serve as our representative for the R2CTPO. He said we are watching and listening to the concerns of our residents and working towards solutions for everyone.

Mayor Hall recognized Barabara Heegan from the Port Orange South Daytona Chamber of Commerce thanking her for bringing her expertise to our community.

Mayor Hall said it is summertime and kids are looking for things to do. He said there are a lot more pedestrians on the streets and asked that drivers not be distracted. He cautioned residents to stay hydrated and begin hurricane preparations.

Mayor Hall announced that Daryl King had recently passed away. He explained that Daryl was father of Caleb King, a Warner Christian Academy and Naval Academy Graduate who was killed in a plane crash in Key West. He said Daryl was living in Alabama but is now back with his son.

Mayor Hall concluded that with 4th of July approaching, he asked people to be respectful with fireworks, by ending at a decent hour and being respectful of animals and veterans who do not like fireworks.

G. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council 6:58 pm.

Deputy City Clerk, Becky Witte

Mayor William C. Hal