

# AGENDA ITEM

Item # C8

Date: June 8, 2021

City of South Daytona  
City Council Meeting Minutes  
Tuesday, May 11, 2021 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 6:04 pm (immediately following the 6:00pm South Daytona Community Trust Meeting).

**Roll Call:**

**Present:**

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

**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 provided a recap of the Mother's Day Tea event which was held on May 1, 2021. He said 42 people attended and that we received the highest of compliments with one person noting that it was exactly like the High Tea event they attended at the Grand Floridian. This event was another great idea from our Parks and Recreation Director Amy Zengotita.

He mentioned that it was National Police Week, May 9<sup>th</sup> through the 15<sup>th</sup>, which is an opportunity to honor those who protect our nation and safeguard the rights and freedoms which are guaranteed by the Constitution. He explained that we owe a debt of gratitude to the men and women who wear the uniform as well as our civilian support, and this is the week to recognize and thank them.

Mr. Gillis discussed the 1854 James Street surplus property bid opening set for May 18, 2021 at 2:00pm. He noted that we have received a lot of interest and that we will be selecting the highest responsible bidder in excess of \$13,350. He explained that the bid award will be brought back before council.

City Manager Gillis discussed the upcoming Harry Potter Movie Night on June 4, 2021 at Reed Canal Park with activities starting at 6:30pm and the movie beginning at 8:00pm.

While noting the South Daytona Summer Camp which will be held June 7 through August 13 for Grades 1<sup>st</sup> through 5<sup>th</sup>, he said that only a few spots remain.

City Manager Gillis extended the invitation to the Father's Day kickball and burger event set for June 12<sup>th</sup> from 11:00am to 1:00pm. Red Robin will be setting up a burger bar for the event, he said.

Mr. Gillis discussed the paving of Magnolia Avenue and Steele Avenue. He said that he has received lots of positive feedback and that Magnolia previously was similar to a dirt road. He said the ride has improved significantly and some will say is as smooth as a drag strip. He also said that the police have been running radar in that area. He complimented P & S Paving on the great job and said that some extra attention was given to the stretch of road in between Aspen Drive and Big Tree Road.

He said that survey work has started on the FDOT SunTrail project. He reminded the group of the proposed SunTrail project which will be installed from Palmetto Avenue to Ridge Boulevard to Carmen Drive to Reed Canal Road to Sauls Street. This is an FDOT funded design project which Mead and Hunt was awarded and has now commenced with the survey work.

City Manager Gillis also added a recap of the Sparkle Days event which WastePro collected 185 tons of household garbage, which was up five (5) tons from last year and forty (40) tons from the year before. Yard Waste collection was less than last year. He noted how it is always a worthwhile event although no crazy projects were accomplished this year like pulling cars out of lakes as was done in the past.

Mayor Hall inquired about the newly installed banner across US 1 honoring our veterans. City Manager Gillis thanked Mayor Hall for reminding him and announced that a banner honoring our veterans for Memorial Day will be installed across US 1 in front of the Sunshine Park Mall very soon. The banner will remain standing for approximately 1 month. He noted that Parks and Recreation Director Amy Zengotita designed the banner and that it looked fantastic.

**Item 6: City Attorney Report:** City Attorney Wade Vose discussed the items addressed within the last month. He noted working with Parks and Recreation Director Amy Zengotita on standard contracts and bid documents for the Riverfront Memorial Park playground project. He mentioned that he worked with the Planning Department on the chicken pilot project ordinance which will be brought to council in the future. He also said he made some substantial revisions working with Planning staff on the Verification of Use forms regarding Business Tax Receipts. He noted his attendance at the Planning and Appeals Board meeting where he discussed the simulated gambling ordinance. He said he had the opportunity to work with Brian Peek, Public Works Director, with a property line and legal description issue for the SunTrail Project. He also said he reviewed all the items on the agenda.

#### **B. Citizens to be Heard:**

Darlene Hoadley (727 Steele Avenue) discussed the Code Compliance progress from her discussion with the council last month noting that progress was made. She also shared her pleasure in the paving of Steele Avenue.

#### **C. Consent Agenda: (Items 8-13):**

Mayor Hall introduced the Consent Agenda and said that 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: City Council Meeting – April 13, 2021

**Item 9:** Resolution 2021-12 A Resolution of the City of South Daytona, Volusia County, Florida adopting the "2020 Volusia Multi-Jurisdictional Program for Public Information" plan as part of the National Flood Insurance Program Community Rating System creditable activities to further reduce insurance premiums to residents in special flood hazard areas; providing for severability; and providing an effective date. First and only reading.

**Item 10:** Consideration of approving Volusia County's plan to disburse Justice Assistance Grant (JAG) Funds they acquired to programs provided by SMA Healthcare and The House Next Door.

Motion by Vice Mayor Doug Quartier to approve the Consent Agenda. Second by Councilwoman Lisa O'Neal. Motion carried unanimously.

#### **D. REGULAR AGENDA**

**Item 11: Resolution No. 2021-14 A Resolution of the City Council of the City of South Daytona, Florida authorizing the Mayor to execute any State of Florida Agreements and Documents for Coronavirus Local Fiscal Recovery Funds; and providing for an effective date. First and only reading. Read by Attorney Wade Vose.**

City Manager Gillis conveyed that this Resolution is for the funds expected to be received from the Federal Government to deal with the Coronavirus Pandemic. He noted that we are resuming back to normalcy and that next council meeting we will resume sitting at the dais. He said that the Federal Government plans to provide money to the State which, in turn, will disperse the funds to the cities and counties to offset the negative effects of COVID 19. South Daytona is earmarked to receive 5.49 million which is expected that half will be distributed soon, possibly this month and the remainder next year. Four items have been identified as expenditures for these funds including (1) rent and small business assistance, (2) employee bonuses, (3) off-setting revenue reductions, and (4) investment in infrastructure including water, sewer, storm and broadband. He explained that staff would like to see the funds go towards infrastructure improvements. He continued to explain that infrastructure improvements would help residents, businesses, and employees. He said this resolution is authorization for the Mayor to execute documents for these funds since there is usually an expedited time frame imposed from the state.

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

**Item 12: Resolution No. 2021-13 A resolution of the City of South Daytona, Florida, amending Resolution No. 2020-38, setting forth appropriation for current expenses and capital outlay for the following funds: General Fund, Parks Improvement Fund, Redevelopment Trust Fund, Transportation Fund, Capital Projects Fund, and Utility Service Fund, as required by the City of South Daytona, Florida, during and for the fiscal year beginning October 1, 2020 and ending September 30, 2021; adopting the operating and capital budgets for the City of South Daytona; providing for severance; providing for conflicting ordinances; and providing an effective date. First and only reading. Read by Attorney Wade Vose.**

City Manager Gillis discussed the midyear budget amendment which captures changes to the budget during the first half of the budget year. The majority of the budget amendments are recognizing the Coronavirus Local Fiscal Recovery Funds. These midyear budget amendments are to help us adequately track the revenue and expenditure adjustments. He noted that the

City received \$455,000 from the federal government as part of the CARES act funding. These funds are ready to be spent on upgrades to the City Council Chambers, touchless door openers at City Hall, SCADA system installation and community message board on US 1.

City Manager Gillis discussed the projects that were delayed due to the pandemic which included the fence replacement at James Street Park, Pickleball Courts resurfacing, and work on Lift Station # 5 pumps and valves. He said the revenue was also adjusted since the budget created in September was very conservative and actuals funds received were higher than projected. Funds were added to the Riverfront Park Playground Project from CDBG funds which were rolled over from a previous project. This was approximately \$25,000. He said there was a Community Trust transfer of funds to cover expenses for senior families. These funds helped with air conditioning replacements as well as some roof repairs.

City Manager Gillis noted the Capital Improvement Project modifications include the addition of the Windle Lane Pond fountain. He said staffing changes include the Rental Rehabilitation Inspector to be downgraded from salary grade 18 to 15. He stated that this was from the retirement of long-term employee John Malin. He said that after his retirement a new employee will start at the same pay grade as the other Code Compliance Officers which is more in line with other cities.

City Manager Gillis concluded with saying that the overall adjustment is approximately 4 million dollars with the majority from the Coronavirus Local Fiscal Recovery Funds.

Councilman Brandon Young agreed that the council was very conservative when entering the budget year and that it was great to see additional funding. He noted that he is glad to see the funding going towards infrastructure improvements which will benefit all.

Councilwoman Lisa O'Neal agreed with Councilman Young.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Brandon Young. Motion carried unanimously.

**Item 13: Resolution No. 2021-11 A resolution approving an interlocal agreement renewal for the distribution of proceeds from the Local Option Fuel Tax; providing for conflicting resolutions; providing for severability and providing an effective date. First and only reading.**  
*Read by Attorney Wade Vose.*

City Manager Gillis discussed the Volusia County imposed six-cent and five-cent fuel tax. He said that this revenue is reserved for roadway maintenance. He said the county receives the proceeds from the fuel tax and distributes to the cities based on a formula. The current agreement is set to expire, and the cities have been working together with the county to agree on a formula which makes the most sense and he feels they have achieved that goal. He said that as an engineer, he agrees with the formula which is based on lane miles. The more lane miles a city has, the more funds will be needed for roadway maintenance. This agreement splits the revenue between the County who will receive 57% and the cities who will receive 43%. Volusia County will receive a large percentage since each city has county roads within their jurisdictions, for example Big Tree Road and Reed Canal Road in our City. Several cities will recognize a decrease in their revenue from the formula modification including Daytona Beach, Daytona Beach Shores, Holly Hill, Ormond Beach, Ponce Inlet and South Daytona. He said that our revenue decrease will be 0.18% spread over a five-year period. This Resolution provides approval for the Mayor to sign the

Interlocal Agreement. This long-term agreement will become effective August 31, 2021 and sunset at midnight on August 31, 2034. He noted there has been a decrease in fuel sales. There is also an increase in electric cars and incentives from the federal government regarding electric vehicles. He anticipates cities will rely less and less on this fuel tax in the upcoming years.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Eric Sander. Motion carried unanimously.

**Item 14: Ordinance No. 2021-04 An ordinance of the City Council of the City of South Daytona, Florida, approving the second amendment to the Master Development Agreement approved by Ordinance No. 04-25 dated September 13, 2004 and the first amendment approved by Ordinance No. 15-03 dated February 24, 2015 for the property located at tax parcels 5344-07-00-0020, 5334-07-00-0021, 5334-07-00-0022, 5334-07-00-0024, 5334-07-00-0026 and 5334-07-00-0028; amending the permitted uses from assisted living facility to luxury multi-family apartments, marina, restaurant and related accessory uses; providing for severability; providing for conflicting ordinances; and providing an effective date. Public Hearing. Second Reading. Passed First Hearing 04/13/2021. Read by Attorney Wade Vose.**

City Manager Gillis presented this exciting project for South Daytona which is approximately 6.7 acres adjacent to the river that has been vacant for many years. He said he believes we have found the right partner to develop the parcel. The developers plan to build an eight (8) story, 330-unit luxury riverfront apartment complex. The complex will have 151 one bedroom, one bath units, 152 two-bedroom, two bath units, and 33 three-bedroom, two bath units. The building will be in the Florida Vernacular style and will boast a commercial marina, a marina retail store, wonderful restaurant, dock, tiki bar, gym, and have the first valet parking in South Daytona. Metal roof construction with the bottom three levels concrete construction and the top five levels wood frame construction. The north side of the development will have a six-foot-high concrete masonry wall, the front and south side will have a six-foot-high aluminum fence for visibility. Approval will amend the current Master Development Agreement (MDA) which was for an ALF (assisted living) facility. This is consistent with city codes and staff worked vigorously with the developer to create a development he anticipates will make everyone proud. The traffic analysis shows that traffic will head towards Dunlawton Avenue but eventually traffic will be less mobile and will stay within our city. He commented that is something we are working towards. He expects this development would bring similar high-end development to our city along with restaurants and recreation.

City Manager Gillis introduced Mark Karat , AICP, Zev Cohen & Associates (300 Interchange Blvd, Ormond Beach, FL 32174) who introduced the team representing the development including Bobby Ball, Director of Engineering, Zev Cohen & Associates (300 Interchange Blvd, Ormond Beach, FL 32174), David Portwood, CEO, Davenport Consulting Group (Architectural Firm) (112 Orange Ave. Suite 204 , Daytona Beach FL 32114), Sean Palmer, Vice President, Davenport Consulting (Architectural Firm) (112 Orange Ave. Suite 204 , Daytona Beach FL 32114), Donald Caster, the COO of The Klotz Group (645 Mayport Rd, Ste 5, Atlantic Beach, Florida, 32233), as well as Michelle Tappouni, President TKC Construction Group (Michelle will be the project manager of the next phase of the project) (645 Mayport Rd, Atlantic Beach, Florida, 32233).

Mark Karat said South Daytona Council Meetings are the most positive city meetings in Volusia County.

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

Councilwoman Lisa O'Neal voiced that it was an exciting project.

Councilman Young and Councilman Sander agreed.

Motion to approve by Councilwoman Lisa O'Neal. Second by Councilman Brandon Young. Motion carried unanimously.

**Item 15: Ordinance No. 2021-07 An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Land Development Regulations to clarify regulations related to recreational vehicle storage; amending sections 5.5 to provide that recreational vehicle storage in the Business Heavy Commercial District and the Light Industrial District shall be a special exceptions rather than a permitted use; amending section 5.7 to clarify special exception criteria for RV and boat storage, parking and rental; providing for conflicts, severability, applicability, and an effective date. Recommended by Planning and Appeals Board 4/21/2021. Public Hearing. First Reading. Read by Attorney Wade Vose.**

City Manager Gillis discussed this Ordinance is presented to clean up an inconsistency within the Land Development Code. Currently, RV and Boat Storage is an allowable use in Business Heavy Commercial and Light Industrial. He continued to explain that in a separate section of the Land Development Code the use is listed as a Special Exception requiring certain criteria including council approval. In order to regulate and create consistency, staff recommends applying the Special Exception criteria to all zoning districts for the use of RV and Boat Storage more effectively. This change will apply to all new development moving forward. All existing locations would be allowed to remain. The development "Cover Your Ride" that was previously approved is still being developed and this change will not impact that project.

City Manager Gillis said that staff recommends the more stringent requirements to create a more pleasant streetscape and encourage higher end businesses. The requirements of masonry walls and enhanced landscaping will assist in the overall appearance of this use.

He reiterated that the goal of the Ordinance is to clear up an inconsistency within the Land Development Code.

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

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

**Item 16: Ordinance No. 2021-08 An ordinance of the City Council of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances to include a new Article II in Chapter 3.5 (Amusements and Entertainments) to be entitled Simulated Gambling; providing for Sections 3.5-125 to 131 containing definitions, area of enforcement, intent, prohibition of simulated gambling devices, affirmative defenses, exceptions, conflict with state law, enforcement, penalties; providing for conflicting provisions, severability and applicability; and providing for an effective date. Recommended by Planning and Appeals Board 4/21/2021. Public Hearing. First Reading. Read by Attorney Wade Vose.**

City Manager Gillis discussed receiving an influx of creative Business Tax Receipt applications. The purpose of this Ordinance is to clarify state law which prohibits illegal gambling activities. He said this modification to the code will clarify that we do not want illegal gambling within our city. Mayor and Vice-Mayor, as former members of the police force, know where illegal gambling was located in the past. This is another tool to remain vigilant. He said that this is the first part of a two-part series. Next month an Ordinance to tighten the regulations on Amusement Centers will be brought to Council.

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

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

#### COUNCIL COMMENTS

Councilman Brandon Young indicated that he would like to see the developer give the city a five-star yelp review for being so easy to work with. He thanked staff for their hard work and dedication to good development and appreciates the energy. He noted the demolition of 1600 S. Ridgewood Avenue (old convenience store at the corner of Beville Road and S. Ridgewood Avenue) and looks forward to a quality development going there.

Councilman Eric Sander also thanked staff for their hard work. He noted that the behind the scenes work keeps the city going. He thanked Finance Director Jason Olivia for the midyear budget and keeping on track with finances. He said he was surprised that the service station was demolished and that the little changes really show the hard work of the staff.

Councilwoman Lisa O'Neal echoed the sentiments of Councilman Sander. She also congratulated the two scholarship winners.

Councilman Sander echoed that congratulations.

Vice Mayor Doug Quartier said he is excited to see all the projects and events coming up. He said he knows citizens are excited to be opening back up again (from the Coronavirus Pandemic). He said he was thankful for the participation and thanked staff for their hard work and making the city look good.

Mayor William C. Hall thanked Attorney Vose for his reports and noted that it is his sixth full meeting with the council. He said that it is a pleasure to work with him and experience his professionalism and attitude. Attorney Vose thanked the Mayor and said it is a pleasure and he is glad to do it.

Mayor Hall said he was so happy to see the Shell Station at 1600 S. Ridgewood Avenue demolished noting that the building has been in a dilapidated condition for a long time.

He noted the paving of Magnolia Avenue and Steele Avenue and how it was a pleasure to receive positive phone calls on our work. He thanked Public Works Director Brian Peek for overseeing the paving project.

He noted a few things he was able to do the previous week, including attending a Citizens Alert Meeting where the Sons of American Legion, Post 361 (South Daytona Post) presented three checks of \$500 each to the South Daytona Fire Department, Police Department and Citizen Alert.

He said Bob Gilbert was instrumental in raising these funds mentioning his fund-raising events including golf tournaments and other events.

Mayor Hall noted that Citizens Alert has continued to run the baseball concession stand which has been a lot of fun. He noted the dedication of Renee Holland, President of Citizen Alert. He said he has received a lot of positive comments on how the food sold at the concession stand is not only inexpensive but delicious.

Mayor Hall called out Police Chief Mark Cheatham and said that he will be in attendance on Friday (May 14, 2021) for the Police Memorial Service at 8:30am at Lohman's Memorial Park on Beville Road. He said that it is very formal and somber with full dress uniform. He said the names of the officers in Volusia and Flagler Counties who have passed on will be read at the event. He said except for COVID last year, he has not yet missed the event. He noted that his wife said he will never stop being a cop and that it is very true to his heart.

He thanked two soon to be former employees. He announced that John Malin (36 years of service with the city) and Debbie Fitzgerald (35 years of service with the city) will be retiring next month. He said that both of these employees had worked for him while he was Police Chief. He said that Debbie was a great dispatcher and excellent records clerk. During her time with the Police Department, she had thirteen accolades and three pages full of honorable mentions. He noted a terrible homicide case that occurred many years ago and Debbie was instrumental in the recordkeeping. He said he would definitely miss Debbie and Councilwoman O'Neal agreed.

Mayor Hall said that he knows that when John Malin retires, he will have an RV trip and a Key West visit in his future. He said that John worked for Public Works, then the Police Department and is retiring from Code Enforcement. He noted that they may not have always seen eye to eye but they both had the goodness of the city in their hearts. He wished John and his wife a wonderful retirement.

Adjournment: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council at 6:53 pm.

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*Deputy City Clerk, Becky Witte*

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*Mayor William C. Hall*