

City of South Daytona
City Council Meeting Minutes
Monday, September 13, 2021, immediately following the 6:00pm
Community Redevelopment Agency 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 6:04 pm.

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.

AGENDA ITEM

Item # C8

Date: September 28, 2021

Pledge of Allegiance led by Mayor William C. Hall followed by the **Invocation** led by Councilman Brandon Young. Mayor Hall requested a moment of silence in honor of September 11, 2001.

Item 5: City Manager Report:

City Manager Gillis reminded the group of the 13th Annual Kailynne Quartier Memorial Ride on Saturday, September 18. Registration will be from 8:00am until 9:45am in front of the Police Department with kickstands up at 10:00am and all vehicles are welcome. The fellowship ride, as he called it, will end at James Street Park with a lunch served by Citizens Alert with Mayor Hall as head chef. This ride memorializes a brave girl who lost her fight with brain cancer in 2007, he explained.

He said that the Fire Department will host a Drive-In Movie Night presenting “Raya and the Last Dragon” on Saturday October 2nd at Reed Canal Park starting at 7:30 pm.

He praised the Fire Department for obtaining a \$5,000 grant to offset the cost of purchasing self-contained breathing apparatus.

City Manager Gillis acknowledged the 32 businesses and organizations that donated funds, totaling \$5,300 to the National Fire Safety Council which is utilized to teach fire safety.

Item 6: City Attorney Report: City Attorney Wade Vose updated the council on items addressed since the last council meeting. He said he participated in multiple meetings regarding the sale of the city cell tower. He informed the council of an appeal filed with the 5th District Court of Appeals (DCA) concerning a Code Enforcement fine reduction matter. The appeal seeks to overturn a decision of the circuit court which upheld the decision of the city’s Special Master, he explained. He concluded advising that his staff filed a response to the appeal requesting the 5th DCA uphold the Special Masters and the Circuit Court decisions.

Mr. Vose said he provided legal counsel at the August Planning and Appeals Board Meeting, he worked extensively with Public Works Director Brian Peek with a lake and canal management piggyback

agreement, continued the extensive work with staff on the consolidated fee schedule as well as with the Finance Department's investment policy and ordinance. He also said he had the opportunity to work with Fire Chief David Giles on suggested additions to the Daytona State student ride along contract to provide additional protection to the city.

City Attorney Vose noted that he also prepared, revised, and reviewed the agenda in its entirety.

Mayor Hall thanked City Attorney Vose, noting that his report was refreshing. Councilman Sander and Councilwoman O'Neal also thanked Mr. Vose for his report.

B. Presentations:

Item 7: Senator Tom Wright check presentation for the installation of a stormwater pump at Reed Canal Park.

Senator Tom Wright remarked that he has been our Senator for three years now and is really enjoying it. He said that the first year as Senator he brought 1.7 million to the community, 2.2 million the second year and 13 million dollars this third year. Senator Wright said he enjoys representing our people, is getting a lot of good things accomplished and continues to strive to protect home rule.

City Manager Gillis, Public Works Director Peek and Mayor Hall received the \$100,000 check for the stormwater pump from Senator Wright.

Item 8: Proclamation: Childhood Cancer Awareness Month

Mayor Hall read the Childhood Cancer Awareness Month Proclamation and presented it to Connie Fields and a local childhood cancer hero.

Mrs. Fields thanked the city for their support over the past 4 years. She said that action comes before awareness and any act of kindness benefits families in need.

C. Citizens to be Heard:

Michael Lynch (2653 Anastasia Drive) discussed a code enforcement violation regarding parking in front yard and the package area.

D. Consent Agenda: (Items 10-17):

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 10: Approval of minutes: August 10, 2021 City Council Meeting and Budget Workshop.

Item 11: Resolution No. 2021-23. A Resolution of the City of South Daytona, Volusia County, Florida, urging the Florida Legislature to enact legislation to allow Counties and Municipalities to regulate smoking in parks within the jurisdiction of the Local Government; providing for an effective date. First and only reading.

Item 12: Consideration of approving the FY 2021-2022 Team Volusia Economic Development Corporation Contract.

Item 13: Consideration of approving the FY 2021-2022 Community Development Block Grant (CDBG) Subrecipient Agreement for the amount of \$77,117 for James Street Park Baseball Playground and Picnic tables at Riverfront Veterans Memorial Park Pavilion.

Item 14: Consideration of accepting a FEMA Assistance to Firefighter Grant in the amount of \$49,500 for the purchase and installation of a vehicle exhaust extraction system for Fire Station 98.

Item 15: Consideration of approving an agreement with Orange Lien Data, Inc. to satisfy lien requests for the City of South Daytona.

Item 16: Consideration of approving an agreement with the Halifax Humane Society for the provision of Animal Sheltering Services.

Item 17: Consideration of awarding the installation of ADA accessible doors to NABCO Entrances, Inc in the amount of \$71,796 utilizing Coronavirus Relief Funds from Volusia County as budgeted in the current fiscal year.

Motion to approve the consent agenda by Councilwoman Lisa O’Neal. Second by Councilman Eric Sander. Motion carried unanimously.

E. REGULAR AGENDA 6:22pm

Item 18. Resolution No. 2021-20. A Resolution of the City of South Daytona, Volusia County, Florida, adopting the tentative millage rate for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022; specifying the date, time and place of the second and final public hearing to adopt a final millage rate; and providing for severability and an effective date. First and only reading. Public Hearing.

Read by Attorney Wade Vose.

City Manager Gillis said that he was pleased to hold the line on the millage at 7.75 as directed by the Council. This was the fifth consecutive year to remain at 7.75 mills. The budget includes the goals outlined by the council which he explained are to increase reserves, decrease debt as well as start improving capital. City Manager Gillis thanked the council for spending hours, in one-on-one sessions with staff as well as individually at home. He recalled the extensive meetings with each councilmember where a detailed review of the budget with councilmembers each asking pertinent questions and staff providing straightforward answers occurred. He thanked Jason Oliva, Finance Director for the comprehensive budget. He recapped the Budget Workshop in August as well as the meeting in July when the tentative millage and budget was presented and adopted.

City Manager Gillis provided highlights of the FY 2021-2022 budget, in lieu of presenting the budget in its entirety again, noting that each councilmember has seen the presentation at least three times. He highlighted the budgeted expenditures of replacing 6 desktop computers, Police ballistic vests to keep our officers safe, cameras in the parks to keep our residents safe, a makeover for the Piggotte Community center, renovation of James Street park t-ball field, playground and tennis courts, four (4) new patrol vehicles, new firefighter gear, replacing two (2) lift stations, resurface Oriole Lane, as well as miscellaneous vehicles in Code Enforcement. He explained that we are starting to take care of our aging capital equipment. City Manager Gillis said this millage will be a slight tax increase to our residents due to property values increasing, approximately \$3.74 per month for the average family. This budget is set to increase reserves, decrease debt as well as improving capital, he said.

He concluded explaining the millage and budget require two formal public hearings and staff recommends adoption of Resolution 2021-20.

Mayor Hall opened the public hearing.

Attorney Vose announced the Fiscal Year 2021-2022 operating millage rate is 7.75 mills, which is greater than the rolled-back rate of 7.3719 mills by 5.13%. The gross taxable value for operating purposes, not

exempt from taxation, has been certified by the Volusia County Property Appraiser to the City of South Daytona as \$698,953,702.

No public comments received.

Mayor Hall closed the public hearing.

Motion to approve by Vice-Mayor Doug Quartier. Second by Councilman Brandon Young. Motion carried unanimously at 6:28 pm.

Attorney Vose announced the second and final public hearing to adopt a final millage rate will be conducted on September 28, 2021 at 6:00 pm.

Item 19. Resolution No. 2021-21. A Resolution of the City of South Daytona, Volusia County, Florida, adopting the tentative budget for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022; specifying the date, time and place of the second and final public hearing to adopt a final budget; and providing for severability and an effective date. First and only reading. Public Hearing.

Read by Attorney Wade Vose .

City Manager Gillis said this item follows closely with the last presentation and Resolution. This budget paves the way to be debt free by 2024, he announced. He reiterated that this budget focuses on increasing reserves, decreasing debt as well as improving capital. The budget assists the Police and Fire Departments, Public Works concerns, as well as Parks concerns, City Manager Gillis said. He restated how appreciative he was that the council spent hours with staff reviewing and providing input into the budget.

Mayor Hall opened the public hearing.

No comments received.

Mayor Hall closed the public hearing.

Attorney Vose announced the second and final public hearing to adopt a final budget will be conducted on September 28, 2021 at 6:00 pm.

Motion to approve by Councilman Eric Sander. Second by Councilwoman Lisa O'Neal. Motion carried unanimously at 6:32 pm.

Item 20. Consideration of awarding the sale of the Wireless Communication Facility (Cell Tower) located at 1770 Segrave Street to American Tower Corporation in the amount of \$2,725,000 contingent on the successful negotiation of an acceptable purchase agreement.

City Manager Gillis said in 1992 the city leased a portion of the Public Works yard located at 1770 Segrave Street to Bell South Mobility for construction of a Wireless Communication Facility. After 25 years, in 2017, the lease expired and the city assumed ownership of the tower per the contract. The city currently receives approximately \$87,000 annually from the lease agreements with New Cingular Wireless and T-Mobile. Of those funds received, \$50,000 is set aside each year for future maintenance reserve and \$10,000 is budgeted to the attorney firm for legal management of the lease agreements. This leaves approximately \$27,000 per year of revenue from the cell tower, he explained. The management of a cell tower site requires employees with a specific knowledge and the ability to climb the tower when needed for inspections, which a city of our size cannot afford to retain. For these reasons, the financial benefits of the sale of the cell tower outweigh the unknown long-term retention of the asset, City Manager Gillis explained.

Mr. Gillis said the city received several proposals and City Attorney Vose, Finance Director Oliva and City Manager Gillis met with the two top proposers. The top proposers submitted their best offer and American Tower increased their proposal from \$2,600,000 to \$2,725,000.

If the council desires to sell the Wireless Communication Facility, staff requests authorization to negotiate an acceptable purchase agreement with American Tower, he summarized.

Councilman Eric Sander noted this is a good thing.

Mayor Hall asked if the city would keep the land. City Manager Gillis responded that there will be an easement and the land will remain part of the Public Works property.

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

Item 21. Ordinance 2021-02. An Ordinance of the City of South Daytona, Florida amending Section 2-8, "Investment of Municipal Funds," of Article I, "In General," of Chapter 2, "Administration," of the City of South Daytona Code of Ordinances by revising the list of financial institutions from which securities may be purchased using municipal funds; removing authorization for investment of surplus funds in investment vehicles other than those enumerated by statute; providing for withdrawals of securities to be made by the Finance Director's designee; providing for administrative actions, codification, conflicts and severability; and providing an effective date. Public Hearing. First Reading.

Read by Attorney Wade Vose.

City Manager Gillis said historically the city did not have the funds available to invest, which is why our investment policy is outdated (from 1995). He said that now that the City has funds in excess of those required to meet current expenses, City staff has revised the investment policy in order to begin an effective short-term investment program.

He said adopting of Ordinance No. 2021-02 amending section 2-8 "Investment of Municipal Funds" in the City's Code of Ordinances is the first step. After the adoption of Ordinance No. 2021-02, a future resolution (Resolution No. 2021-26) will be brought before the City Council for their consideration which will define, in detail, the City's investment policy, he explained. He commented the outdated Ordinance and policy was an audit comment to be addressed this year.

Mayor Hall opened the public hearing.

No comments received.

Mayor Hall closed the public hearing.

Councilman Young provided questions and specified items he would like addressed in the investment policy. City Manager Gillis responded that those clarifications can be made within the policy.

Vice-Mayor Quartier asked when the last time the city was able to invest. Finance Director Jason Oliva replied in 2008 the city sold the last of the investments.

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

Item 22. Ordinance 2021-05. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances to include a new Chapter 21 to be entitled "Consolidated Fee Schedule"; providing for consolidation of city fees and city fines; repealing and amending various provisions setting forth fee schedules, fees, penalties and fines in the City of South Daytona Code of

Ordinances and Land Development Regulations; repealing fee schedules; providing for cross-references to the new Consolidated Fee Schedule in provisions for permits, fees, penalties, and fines; amending the number of permitted off-premise garage sale signs; providing for administrative actions, codification, conflicts, and severability; and providing for an effective date. Recommended by Planning and Appeals Board 7/21/2021. Public Hearing. First Reading.

Read by Attorney Wade Vose.

City Manager Gillis credited Becky Witte, Deputy City Clerk who worked diligently to provide this proposed ordinance of the consolidated city fees. He said that currently City fees are located in various codes, ordinances and resolutions. Consolidation of city fees in the Code of Ordinances is another way to improve customer service and transparency of city operations, he explained. Staff plans to bring the fee schedule to the council at least annually (in September) for review and to make modifications as needed.

He noted that the second reading would be held on Tuesday, September 28, 2021. He concluded that staff recommends approval for transparency, customer service and for staff to review and update with the council annually.

Mayor Hall opened the public hearing.

No comments received.

Mayor Hall closed the public hearing.

Vice Mayor Quartier noted this is a good idea and recalled that staff had begun to adjust city fees over the last few years.

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

Item 23. Ordinance No. 2021-06. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Land Development Regulations Article II., Definitions, Section 2.2., Terms Defined, and Article V. Zoning Regulations., Section 5.6., Supplementary Regulations, Providing Regulations for Shipping Containers; Renumbering Subsections; and providing for conflicts, severability, applicability and an effective date. Recommended by Planning and Appeals Board 8/18/2021. Public Hearing. First Reading.

Read by Attorney Wade Vose.

City Manager Gillis said the City's Land Development Code does not allow shipping containers in any zoning district. He said this has been enforced for at least his tenure of 18 years. He noted that shipping containers are not permitted in Daytona Beach or Port Orange. Recently, business owners contacted staff to see if a compromise can be reached to allow for the use of shipping containers in the City, he explained. In consideration of this request, staff began to research how to partner with the business community while keeping architectural integrity of our commercial corridors.

As contained in the proposed ordinance, shipping containers would be restricted to those properties within the Business Heavy Commercial (BHC) zone and on those properties which have an existing non-conforming use that would be permitted within the BHC zoning district, City Manager Gillis summarized. The BHC zone was selected as being the most appropriate zoning district to permit shipping containers, if the City intends to allow shipping containers, because the purpose and intent of the BHC zoning district is to provide for those storage and commercial uses which are considered intensive in relation to the other

districts. The ordinance prohibits the use of shipping containers within our Community Redevelopment Area (CRA), he added.

Mr. Gillis continued that the proposed ordinance requires qualified properties to be at least one acre in size with two shipping containers being allowed per acre for a maximum of four. He explained to protect the life, health and safety of the public, the proposed shipping containers shall not be permitted as living quarters or office workspace. No plumbing, electric or air conditioning shall be permitted inside of a shipping container to ensure the unit will not be occupied, he elaborated and the material to be stored in the shipping containers are subject to review by the Chief Building Official and Fire Chief to ensure the materials stored within are not hazardous.

Of significant importance is that the shipping containers must be placed in an eight-foot masonry block enclosure with a stucco finish painted to match the color of the principal structure, he said. City Manager Gillis outlined that this enclosure is similar to what is required for a commercial dumpster which is essentially a metal container and the primary purpose for this enclosure is to provide architectural consistency throughout the site. Since shipping containers come in all shapes and sizes, the enclosure will ensure that the containers will be linked architecturally to the principal structure. The enclosure will ensure the visually appealing commercial corridor that we are all trying to achieve. The enclosure also ensures the shipping containers are placed in a uniform manner, side by side, and not haphazardly scattered throughout the site like we have seen code violators do in the past. The shipping containers must also sit on a concrete slab (with a minimum of 4 inches) to ensure level placement and prevent weeds from growing in and around them. The location of the enclosure is proposed to be in the rear yard of a property behind the principal structure, City Manager Gillis said.

Mr. Gillis said that when presented before the Planning and Appeals Board on August 18, 2021, the board members voted 5-1 to recommend approval of the ordinance to the City Council provided that consideration be given to those properties outside of the BHC, the placement of shipping containers on the ground, the use of landscaping instead of a masonry wall enclosure and the allowance of electric and air conditioning in the units.

He said that staff believes the recommendation of the PAB is contrary to the City's goal of creating and maintaining aesthetically appealing commercial corridors and could create a condition where individuals could reside in or conduct business within the container. As a result, staff is recommending the approval of the proposed ordinance as originally written, he reported, and this is a compromise which allows the business community to gain the use of shipping containers for storage while maintaining the integrity of our commercial corridors.

Mayor Hall opened the public hearing.

Alex Ford (145 E. Rich Ave, DeLand) representing Yelvington Big Tree discussed a current code enforcement action which his client is seeking appeal. Mr. Ford suggested tweaks to the Ordinance including expanding the zoning classification to BHC, Light Industrial, and PCD as well as nonconforming uses; allowing electric and air conditioning but prohibiting plumbing; allowing screening with fences or hedges in lieu of a masonry wall; as well as removing the requirement of a concrete slab. He recalled that the Planning and Appeals Board felt that existing units should be grandfathered. He also said that the representative from Cobb and Cole will also ask that those are grandfathered. He commented that the cap of two (2) units per acre with maximum of four (4) is unnecessarily strict and screening should allow more units. He also said if appropriately screened, positioning behind the primary structure is not necessary. He concluded that rental of the units should be permitted.

Mr. Ford provided a picture to the council and discussed the addition of a roof on his client's shipping containers. He requested that the ordinance could be modified to allow roof structures with an engineer certification. He said that his client wants to resolve the appeal. He commented he is continuing to work with the staff to get something reasonable and acceptable to all parties.

Mayor Hall questioned the type of business on the Yelvington property. Attorney Alex Ford replied that it was originally a sod business but now is landscaping materials. Mayor Hall asked if the landscaping materials were on the property and Mr. Ford confirmed.

Attorney Ford closed by explaining his client is interested in rezoning the property to a planned commercial development which would require a comprehensive plan and future land use change.

Councilman Young asked if the Yelvington property was currently zoning Industrial. City Manager Gillis responded the property is currently zoned Residential.

Nika Hosseini (231 North Woodland Blvd., DeLand, Cobb and Cole) echoed the presentation from Attorney Ford. She said she was representing SNBP II, LLC, a local property owner. She thanked staff for the time and effort presenting this ordinance. She said she attended the Planning and Appeals Board meeting where this was discussed for approximately 2 hours. She recalled the Planning and Appeals Board went line by line and took the input of staff and business owners. Attorney Hosseini suggested the council review the Planning and Appeals Board notes. She agreed with regulations, keeping South Daytona beautiful and furthering the city goals and hoped to reach a point that makes sense to everyone. She explained that the property shown on the screen has been cleaned up. Ms. Hosseini closed with saying she felt all parties are interested in furthering the city's goals in a mutually beneficial way.

Tim Kostidakis, 916 Woodmere Circle, Ormond Beach discussed the shipping containers on his property on Nova Road which most were removed after tenant was evicted. He suggested allowing for existing shipping containers to be grandfathered in. He closed with saying he felt the city is being heavy handed with the new prohibition.

Jessica Gow (Cobb Cole, 149 South Ridgewood Avenue, Suite 700, Daytona Beach) requested the council consider grandfathering existing shipping containers. She suggested the revisions of the Planning and Appeals Board be included. She noted that shipping containers are a legitimate use within the city and would like these existing containers treated as a legal non-conforming use.

Mayor Hall closed the public hearing.

Mayor Hall noted this is the first reading and second reading will be on the 28th of September.

Councilwoman O'Neal questioned how many businesses currently utilize Shipping Containers. City Manager Gillis answered four (4) that staff is aware of.

Councilman Young questioned if shipping containers are movable or non-movable stating those speaking during public comments had differing opinions. He asked if the City Attorney could address the aspect of grandfathering. He said he was concerned with rental units because that could be a storage facility.

Vice Mayor Quartier asked about moving the unit if a roof structure is built on it. He asked about the concrete foundation and noted a foundation would assist with the structure sinking into the ground and weeds growing among the base of the structure.

Mayor Hall said he was against renting the units as well as adding electrical and air conditioning. He said he would like to see a prohibition of adding windows, doors, and being subdivided. Mayor Hall continued to explain if subdivided it could transform into 10 businesses within one storage unit depending on the

length. He questioned why a sod farm needs electric and air condition in a storage unit and the need to subdivide the units.

City Manager Gillis addressed the aspect of grandfathering and explained that practice is used when the code changes something legal to something illegal. He said shipping containers have always been prohibited in South Daytona; therefore, they cannot be grandfathered.

Mayor Hall asked for the City Manager to provide before the next council meeting the business tax receipt information on S. Nova Road that utilized the shipping containers. He also said he did not like the permanent roof structure on the shipping containers.

Councilman Young commented it is visually appealing but makes it more like a structure.

Councilwoman O'Neal agreed.

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

Item 24. Ordinance No. 2021-11. An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Land Development Regulations Article V, Zoning Regulations, Section 5.5, Schedule of Zoning District Regulations, Prohibiting Small Box Discount Stores and Liquor Stores within the Community Redevelopment Area; Amending Section 5.6, Supplementary Regulations, Clarifying the Regulations for Accessory Uses and Structures; Providing Regulations for Sheds and Garages; Prohibiting Motorcycle and Car Wash Special Events in the Community Redevelopment Area; Renumbering Subsections; and providing for conflicts, severability, applicability and an effective date. Recommended by Planning and Appeals Board 7/21/2021. Public Hearing. Second Reading. Passed First Hearing 8/10/2021.

Read by Attorney Wade Vose.

City Manager Gillis said that this ordinance covers several items, first prohibiting small box discount and liquor stores within the CRA in an effort to further the quality development within our CRA. He discussed the ample number of small box retail and liquor stores along S. Ridgewood. He explained this ordinance also allows for residents to purchase prefabricated sheds under 200 square feet that are not the same material and style of the original structure. Garages would be any accessory structure over 200 square feet with a maximum of 50% the primary residential building. Garages will be held to a higher standard, requiring the accessory structure match the primary residence, he explained. City Manager Gillis said the ordinance also restricts car and bike washes within the CRA because of traffic flow concerns and to maintain our standards within the CRA. Car washes can be held on off-site locations for a more appropriate traffic flow and attention, he continued.

Mayor Hall opened the public hearing.

Nika Hosseini, (231 North Woodland Blvd., DeLand, Cobb and Cole) on behalf of SHC South Daytona LLC, contract purchaser of property located at 2501 S Ridgewood Avenue, reviewed the ordinance and based on conversations with the City Attorney requested confirmation that in regards to small box retail, pending applications will not be impacted. She continued to explain that her client has a pending, proposed application for a small box retail store within the CRA. She said that they have been working with staff on the application and sought confirmation that they would be exempt from the prohibition of small box retail in the CRA.

Rev. Michael Chambliss, (representing White Chapel Church and Warner Christian Academy, 1730 S. Ridgewood Ave, South Daytona), said the church has been in existence for 89 years with the school

celebrating 50 years this week. He opposed the prohibition of car washes within the CRA. He explained that the church and school has had countless carwashes and no complaints have ever been received. He relayed with over 10 plus acres, traffic has never been an issue. He reported the school even refigured the traffic pattern for parent drop-off. Reverend Chambliss assured the council that he wants to be a good partner with the city and would like to allow his youth to have car washes. He explained that car washes provide youth with establishing a work ethic. He requested allowing car washes or providing for a religious or educational exemption.

Mayor Hall closed the public hearing.

Vice-Mayor Quartier asked how many car washes the church or school has had in the last three to five (3 to 5) years.

City Manager Gillis said that a car wash would require a special event permit and the records show that staff has received none in the last five (5) years. He noted that he had participated in a car wash for the Warner Football team with his son which was held at an off-site location. He said that particular car wash benefited the business, and the location was at an advantageous location for traffic flow and promotion.

Councilman Young questioned if a small shipping container could be placed as a shed. Mayor Hall echoed the question. Councilman Young said he would like to add clarifying language that excludes shipping containers as a shed.

Councilman Young also noted that he appreciated the approval from Home Owners Associations (HOA). He suggested staff letting the HOA representatives know of this modification to the Land Development Code.

City Manager Gillis, City Attorney Vose, and the Council discussed revising the Ordinance.

City Attorney Vose suggested to modify the definition to add “and the term does not include shipping containers.”

Councilman Young clarified that motorcycle and bike are combined within the ordinance. City Manager Gillis replied that was correct.

City Attorney Vose clarified for the record that a written response to Mark Watts from Cobb Cole was provided and that the current application is a pending application with the city in accordance with section 3 of Ordinance 2021-11.

Motion by Councilman Brandon Young to amend the definition of “Shed” to change from *“‘Shed’ is defined as any storage structure that is either attached to or detached from the principal structure and designed primarily for storage of small items such as yard equipment, tools, toys, bicycles etc., but the term does not include a garage designed for the storage of automobiles.”* to *“‘Shed’ is defined as any storage structure that is either attached to or detached from the principal structure and designed primarily for storage of small items such as yard equipment, tools, toys, bicycles etc., but the term does not include a garage designed for the storage of automobiles, and the term does not include shipping containers.”* Second by Councilman Eric Sander. Motion carried unanimously.

Motion by Councilwoman O’Neal as amended. Second by Councilman Eric Sander. Motion carried unanimously.

F. COUNCIL COMMENTS

Councilman Eric Sander thanked staff for the comprehensive budget, as well as the hard work put into the consolidated fee schedule.

Councilwoman Lisa O’Neal echo Councilman Sander and had nothing additional.

Councilman Brandon Young thanked staff for financially moving the city in the right direction. He said he is encouraged with the aspect of being debt free. He thanked Senator Wright and County Councilwoman Wheeler for attending tonight.

Vice-Mayor Doug Quartier echoed the sentiments. He said he liked the consolidated fee schedule and the opportunity to review every September. He encouraged attendance to the ride on Saturday, September 18th which will start at the Police Department noting it was a fundraiser put on by the Lion’s Club and Citizens Alert. He said he looks forward to seeing everyone there.

Mayor William C. Hall commented on the Kailynne Quartier Memorial Ride that he asked Reverend Gary Garmon to perform the blessing of the vehicles. He said this is the 13th year and encouraged support of the ride, the Lions Club, and Citizens Alert. He commented it was nice to hear the visiting attorneys say so many good comments about working with our staff. He commented on the new South Daytona Vet Hospital which is temporarily occupying the old bank and how they recently treated one of the police K-9’s who was shot over the weekend in the line of duty. He thanked the staff of the veterinary hospital noting that K-9’s are like regular officers and are treated as such. He concluded the meeting saying see you on Saturday.

G. ADJOURNMENT: Mayor William C. Hall adjourned the City of South Daytona Regular Meeting of the City Council at 7:47 pm.

Deputy City Clerk, Becky Witte

Mayor William C. Hall