



# city council minutes

**MINUTES**  
**September 5, 2017 \* 6:30 p.m.**  
**City Council Regular Session**

The Belle Isle City Council met in a City Council Regular Session on September 5, 2017 at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

Mayor Pisano  
Commissioner Gold  
Commissioner Carugno  
Commissioner Weinsier  
Vice Mayor/Commissioner Readey  
Commissioner Lance  
Commissioner Nielsen

Absent:

Commissioner Mosse

Also present: Attorney Tom Callan, City Manager Bob Francis, Chief Houston, and City Clerk Yolanda Quiceno. Meeting audio is available on the City's website at [www.cityofbelleislefl.org](http://www.cityofbelleislefl.org) and at City Hall.

**CALL TO ORDER**

Mayor Pisano called the meeting to order at 6:30pm. Comm Lance gave the invocation and led the pledge to the flag.

**CONSENT AGENDA**

a) Approval of the City Council Regular Session minutes for August 15, 2017.

**Comm Weinsier moved to approve the minutes for August 15, 2017.**

**Comm Nielsen seconded the motion.**

**Comm Carugno requested the following corrections,**

Page 5- Council Reports reads as follows, "Comm Carugno shared his concerns with the trash left behind by those who use the lake between 6-8am."

Should read, "Comm Carugno shared his concerns with the trash left behind on private property by those who use the lake. He requested more patrol by the Belle Isle Police Department between the hours of 6-8am."

Page 5-Council Reports reads as follows, "Comm Carugno addressed the safety at the s curve on Judge and Daetwyler Drive. After Discussion, he asked the City to request placing a flashing speed sign going west on the road."

Should read, "Comm Carugno addressed the safety ~~at the s curve~~ on Judge and Daetwyler Drive. After Discussion, he asked the City to request placing a flashing speed sign going west on ~~the road~~ Hoffner Avenue."

**CITIZEN'S COMMENTS**

Mayor Pisano opened for Citizen Comments.

- Phil Price residing at 7440 Daetwyler Drive said on Daetwyler, going south, after the flashing light there is no end school zone sign. Chief Houston said this is a County Road and the City will call Orange County.
- Faye Evans residing at 1614 Overlook Road asked if the tarps being used for the supplies be saved for future hurricanes.
- Pedro Torres residing at 5464 Chiswick Circle asked who oversees the Home Owner's Association. Mayor Pisano directed Mr. Torres to [www.myfloridalicense.com](http://www.myfloridalicense.com) for further information.

There being no further comment, Mayor Pisano closed the citizen comment section.

Mayor Pisano opened for the First Budget Public hearing.

City Manager Francis said at 7:30pm he and Mayor Pisano will have to join a scheduled conference with the Governor and the City Manager's of Florida cities.

### **FIRST BUDGET PUBLIC HEARING**

City Manager Francis presented the Fiscal year 2017-2018 Budget and Budget Message He stated that nothing has changed since the budget workshop. He gave a brief overview of the highlights of the budget as follows,

#### **General Fund**

- Millage to remain at 4.4018
- Budgeted amount of 4% COLA for all employees
- City increase 12.5% of Police employee retirement
- City increase to 9.5% of non-uniform employee retirement
- BING Grants decreased to \$7,000/District
- Urban Forestry increase to \$20,000
- Road Operating supplies increase to \$12,500 for new signage
- Request to Lake Conway Navigation Board to contribute to Marine Patrol Boat (\$23,000)

#### **Stormwater Fund**

- Request to Lake Conway Navigation Board to contribute to Street Sweeper (\$75,000 for sweeper; \$5,000 for aquatic weed control)

#### **Charter School**

- Engineering Fees of \$40,000 for CIP Plan and Stormwater issue at field

#### **Capital Improvement Plan**

- General Fund - Equipment
  - Code Enforcement Vehicle \$25,000\*
  - Police Vehicles \$67,500 (2 vehicles)
  - Police Radios \$30,000 (6 radios)
  - Marine Patrol Boat \$50,000
  - Public Works Dump Truck \$35,000
  - Public Works Wood Chipper \$7,500
- General Fund – Projects
  - Swann Beach Beautification \$12,000
  - Street Resurfacing & Curbing \$250,000
  - LED Street Lighting \$10,000
  - Sidewalk Replacement \$20,000
- Stormwater Fund – Equipment
  - Public Works Street Sweeper \$175,000
- Stormwater Fund – Projects
  - St. Partin Drainage \$10,000
  - Belle Vista Drainage \$10,000
  - Gene Polk Park Project \$180,000
  - Perkins Boat Ramp \$38,000
  - Lake Conway Shores Drainage \$117,550

- Charter School – Projects
  - High School Roof Replacement \$170,000
  - HVAC Replacement \$150,000

In addition, City Manager Francis said the City is looking at three increases to the personnel, (1) Part-time Social Media/Marketing, (2) Public Works employee and (3) Community Resource Officer for the Police Department.

Mayor Pisano opened for Public Hearing and Citizen Comments.

- Anna Maria Fiola residing at 2493 Trentwood Blvd requested if the street sweeping of the City can be scheduled on non-trash pickup days.

There being no further comments, Mayor Pisano closed public comment and opened for Board discussion.

**Comm Gold moved to approve the budget for second reading as presented.  
Comm Lance seconded the motion which passed unanimously upon roll call,**

**Comm Neilsen, aye  
Comm Lance, aye  
Comm Carugno, aye  
Comm Weinsier, aye  
Vice Mayor Readey, aye  
Comm Gold, aye**

**UNFINISHED BUSINESS**

- a) ORDINANCE 17-08 - FIRST READING AND CONSIDERATION AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING CHAPTER ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS" TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; PROVIDING FOR THE INSTALLATION AND OPERATION REQUIREMENTS TO MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR; PROVIDING FOR FEES, PENALTIES AND APPLICABILITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

**Comm Gold moved to present Ordinance 17-08 for second reading.  
Comm Lance seconded the motion, which was unanimously approved.**

- b) ORDINANCE 17-07 - FIRST READING AND CONSIDERATION AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA. DESIGNATING THE CITY OF BELLE ISLE AS A BIRD SANCTUARY: SPECIFYING UNLAWFUL ACTS: AMENDING CHAPTER 4, SECTION 4-1 OF THE BELLE ISLE MUNICIPAL CODE PROVIDING FOR PRESERVATION OF WETLANDS AND THE CONWAY CHAIN OF LAKES WITHIN THE CITY; ESTABLISHING RESPONSIBILITIES OF CERTAIN CITY DEPARTMENTS; PROHIBITIVE ACTIVITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND DECLARING AN EMERGENCY.

City Manager Francis said that Ordinance 17-07 was written according to the Florida Wildlife Commission (FWC) guidelines to create a bird sanctuary. He reported that he did receive a call from Shannon Wright Regional Manager of FWC who is not in favor of this Ordinance moving forward. They have not had a bird sanctuary request since 1980. If the Ordinance as written is not approved by FWC it will be more detailed than what we current have in the code.

**Comm Weinsier moved to present Ordinance 17-07 for second reading.  
Comm Lance seconded the motion, which was unanimously approved upon roll call.**

- c) ORDINANCE No.: 17-10 – FIRST READING AND CONSIDERATION AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING AIRPORT ZONING REGULATIONS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 44, COMMUNICATION TOWERS, TO CREATE ARTICLE V, AIRPORT ZONING REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Francis said that the Planning & Zoning Board has recommended approval of the ordinance.

**Vice Mayor Readey moved to present Ordinance 17-10 for second reading.  
Comm Gold seconded the motion, which was unanimously approved.**

### **NEW BUSINESS**

- a) RESOLUTION NO. 17-19 - RESOLUTION OF THE CITY OF BELLE ISLE ESTABLISHING A POLICY FOR NAMING PUBLIC PARKS AND RECREATIONAL FACILITIES

City Manager Francis discussed the issue of naming public places for people in the City. He clarified, if there is already a public place named for a person than that name will not be change.

**Comm Nielsen moved to adopt Resolution 17-19 naming of public places.  
Vice Mayor Readey seconded the motion, which was unanimously approved.**

- b) City Attorney search

City Manager Francis reported that the City receive seven responses for the Request for Proposal (RFP) for the City Attorney. A committee of four performed the review and selected three for Council review and interview (1) Shepard & Smith, (2) Fishbach Dominick and (3) Gayle Owens Law. He further added that Attorney Kruppenbacher do not submit a proposal because the City already has a contract and the Council already knows of their work and their fee schedule. In the RFP it allows the Council to waive any requirements of the RFP and Council can approve to add Attorney Kruppenbacher to the selection.

Counsel consensus was to interview the three law firms before adding Attorney Kruppenbacher to the list.

For the record, Comm Weinsier said it was never his concern that Attorney Kruppenbacher was not at all City meetings. His concern was having continuity of a regular Attorney at every meeting.

Faye Evans asked, what were the qualifications the City was asking for from the applicants? City Manager Francis said the RFP asked for expertise in Government/Municipal law, annexation and eminent domain.

Council discussed and agreed to the interview schedule for September 13<sup>th</sup> starting at 6:00pm giving each applicant a 30 minute interview with a 15 minute break in between each interview.

- c) Parking Fines Ordinance review

City Manager Francis said the current codes provides for parking fines of \$35 for parking violations. This \$35 fine has proven to be insufficient for deterring violations. The proposed amendment is to raise the fines to \$150.00. If Council has no objections it can presented for First Reading at the next City Council meeting.

Comm Carugno asked how the cars will be towed if a citation is processed. Chief Houston said it will be tagged and given a 24 hour waiting period before towing. Discussion ensued.

Attorney Callan asked if the violators have open tickets will they be prevented from getting replacement tags. Mr. Francis said that has not been included to the ordinance. Council consensus was to have the City Attorney research enforcement and penalty for open tickets and parking time limits. In addition, parking fines cannot be given to those areas not posted correctly.

**Comm Carugno moved to present the parking fines ordinance for first reading at the September 19<sup>th</sup> Council meeting.**

**Comm Nielsen seconded the motion, which was unanimously approved.**

d) Approval of Conway Isles Bing Grant application

City Manager Francis provided the Conway Isle BING Grant for additional security cameras. The amount of the project is \$5,900 but the grant amount is \$2,000. The grant meets the criteria and the funds are available.

**Comm Gold moved to approve the Conway Isle Bing Grant for \$2,000.00.**

**Comm Nielsen seconded the motion, which was unanimously approved.**

**Comm Readey motioned for a 15 minutes recess to allow the City Manager and Mayor to participate in the Governors conference call.**

**Comm Nielsen seconded the motion, which was unanimously passed.**

**ATTORNEY REPORT**

Attorney Callan provided a settlement agreement for the Comins Development LLC application. He gave a brief overview of the mediation hearing and a revised preliminary concept plan. The original PD application had 12 units along the lake consisting of two groups of six. They have agreed to construct three groups of three separated by a 35 foot strip in the middle. On the boat dock issue it was kept similar to the P&Z recommendation which was 3600 sq ft total and two piers. In addition, they agreed that the location and length of the boat dock should be subject to the permitting process of the City.

The document that was provided was received late yesterday. The document has some definitional issues. The underlines and strike outs are for consideration. Attorney Callan gave a brief overview of his redlined corrections to date. He pointed out the layout and design of the boat dock to be determined by a separate permitting process except for the terminal platform. Council discussion ensued on the site plan.

Attorney Callan said if approved tonight it will come back to City Council for review and approval of the final conceptual plan and a Public Hearing. This process is a settlement agreement to adopt the PD Ordinance that was rejected but with a new concept plan and conditions. Attorney Callan said that there were no objections from the public at the proceedings. This process allows more flexibility to the City to negotiate a smaller dock, less units and more open space overall. If the City Council rejects the settlement agreement it will go back to a hearing officer for a recommended order.

Attorney Callan said Council should forward any concerns to the City Manager or City Attorney no later than September 5<sup>th</sup>, 2017 for presentation at the September 19<sup>th</sup> City Council meeting.

**CITY MANAGER REPORT**

Bob Francis said that the items on the issues log are moving along. He reported that he will be meeting with Jack Liberty, his Attorney and the County Attorney to determine the correct Lake Level for closure of the boat ramps using the new Datum 88 vs. the old Datum 29.

Mr. Francis provided a few options for the New Welcome Belle Isle signs. Consensus was to move forward with option one. In conclusion, Mr. Francis reminded Council of the Charter review meeting on September 25<sup>th</sup> at 6:00pm.

Mr. Francis thanked everyone for their support with the Texas Hurricane Relief event. He suggested for future events Council calling a special or emergency meeting to consider logistical details for the entire event from beginning to end.

**CHIEF'S REPORT**

Chief Houston reported on the following,

- Chief Houston reported that the agency is ready for the Hurricane and have prepared accordingly.

## MAYOR'S REPORT

Mayor Pisano gave a Hurricane Irma Preparedness update per the Governor's conference call.

## COUNCIL REPORTS

### Comm Gold – District 1

- No report.

### Comm Carugno – District 2

- Comm Carugno discussed equipment standby for the hurricane and asked if Orange County will pull any boards to lower the Lake levels. Comm Lance said he has not heard of anything as of yet.
- He reported that residents have complained about Mattamy Homes doing construction in early hours of the morning.
- He further mentioned, for future discussion, revisiting the Boat Dock Ordinance, the 25 mph zone on Hoffner, low hanging trees, 4-lanes opening across Conway and residents concern on the home on Windsor Place with bullet holes.

### Comm Weinsier – District 3

- No report.

### Comm Lance – District 4

- Comm Lance also added that he has received calls that Mattamy Homes is working in the early hours of the morning. He advised the residents to call the patrol phone.
- Comm Lance also shared his concern with the current Boat Dock Ordinance and its interpretation. Mr. Francis said he spoke with the City Attorney and suggested that Council rescind the current Boat Dock Ordinance and adopts a temporary moratorium for 90-days to allow the City to revisit discussion.

**Upon discussion, Comm Lance moved to adopt an Emergency Moratorium Resolution effective immediately and hold on any boat dock permits being issued for thirty days or until the City Council posts for a hearing on September 19, 2017.**

**Comm Nielsen seconded the motion, which was unanimously approved.**

### Comm Nielsen – District 7

- Comm Nielsen spoke of scheduling a City Manager Evaluation. Mr. Francis provided Council with City Manager Performance Evaluation Examples as a template. Comm Nielsen made a motion to use the City Manager Performance Evaluation that was provided for this year. She further added that Council should review evaluating the City Clerk as well. Council consensus was to gather more information and schedule for a future date.
- Comm Nielsen reported that she received a call from a resident on Willoughby. They feel like they are being neglected due to the fact that their roads have not been paved. Comm Nielsen said those streets have not been paved for over 30 years and should be made a priority. Mr. Francis said they are on the schedule this year however the paving projects have been delayed due to the weather.

## ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 9:15p.m.

Yolanda Quiceno  
CMC-City Clerk