



**CITY OF BELLE ISLE, FL**  
**CITY COUNCIL MEETING**

Held in City Hall Chambers 1600 Nela Ave, Belle Isle

Tuesday, April 19, 2022, \* 6:30 pm

**MINUTES**

Present was:

Nicholas Fouraker, Mayor  
District 1 Commissioner – Ed Gold  
District 2 Commissioner – Anthony Carugno  
District 3 Commissioner – Karl Shuck  
District 4 Commissioner – Randy Holihan  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin

Absent was:

n/a

Also present were City Manager Francis, Attorney Langley, Chief Houston, Public Works Director Adkins, and City Clerk Yolanda Quiceno.

**1. Call to Order and Confirmation of Quorum**

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed quorum.

**2. Invocation and Pledge to Flag - Commissioner Carugno, District 2**

Comm Carugno gave the invocation and led the pledge to the flag.

Comm Carugno moved to reorder the agenda to allow presentations of 5a, 5c, and 6a. Council consensus moved in favor.

Mayor Fouraker recognized Scout Leader Mark Bradley and Troop 4036 observing the meeting to earn their Merit Badges.

**6a. Tree Board Recommendation to Replace George Travis on Tree Board**

City Manager Francis said under Section 2-129 (c) of the BIMC, a seat is declared vacant on the Tree Board due to a member of the Board having three unexcused absences within the period specified in the code. The Chair of the Tree Board spoke to the member, and the member agreed to be removed. This is an at-large appointment, and the Tree Board recommends advertising the vacancy for the at-large position.

**Comm Carugno moved to remove the George Travis from the Tree Board and advertised the open seat until a suitable candidate was selected.**

**Comm Lowell seconded the motion, which passed unanimously 7:0.**

**5c. Reconsider the decision regarding the Lancaster House move**

City Manager Francis said the City Council voted to move the Lancaster House to Wallace Field. After a Staff review of the logistics, cost, and other considerations, the best course of action is to keep the house in its current location for a few more years. Moving the home will obliterate the antebellum look of the existing tree canopy. Staff provided a Memorandum outlining the reasons for keeping the house in its current location and considered other factors that were not discussed at previous meetings. Discussion ensued on possible street locations for moving the home and the current Cornerstone Charter Academy (CCA) lease agreement office space.

**Comm Carugno moved to approve the City Manager's recommendation to keep the Lancaster House in its current location and direct the City Manager to work on a lease agreement with the Pioneer Days Organization and CCA.**

**Comm Holihan seconded the motion.**

Mayor Fouraker spoke on the previous motion to move the home. He said directing the City Manager at this time to work on a lease with Pioneer days will not be possible because of the current lease conditions with CCA. The City will need CCA approval to carve the parcel out of its current lease to consider a sub-lease.

Attorney Langley said leaving home at its location will require CCA approval to develop a concept for a sublease (including metes & bounds) or regain possession separate from the lease.

Comm Shuck shared his concern and said the City has pushed this issue long enough and addressed future growing costs and moving the home. Discussion ensued.

Mayor Fouraker opened for public comment.

- Billy Morgan residing at 1916 Elizabeth Avenue, Orlando, FL, spoke in favor of the motion and discussions with staff. He reported that Pioneer Days would have its Annual Meeting on Thursday.
- Larry Miles residing at 6110 Matchett Road, shared some history on saving the home and spoke in favor of the motion.

There being no further comment, the comment section was closed.

**The motion passed 6:1 with Comm Shuck, nay.**

5a. Interview/Selection of CCA Representative

City Manager Francis presented the two candidates to the Cornerstone Charter Academy Board, Jason Hunter and Ralph Armstead. Both were contacted by City staff to appear at today's meetings for consideration. Ralph Armstead was not present.

Jason Hunter residing at 5130 St Michael Avenue was present for the interview and Council consideration. Council moved forward with the interview for the CCA Board Member position.

**After discussion, Comm Smith moved to appoint Jason Hunter for CCA Board consideration  
Comm Gold seconded the motion, which passed unanimously 7:0.**

**3. Consent Items**

- a. **RESOLUTION 22-13** - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AUTHORIZING COUNCIL MEMBERS AND THE MAYOR AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- b. **Resolution 22-14** - In support of the placement of one percent (1%) Transportation Surtax referendum on the November 8, 2022, countywide ballot for consideration by Orange County, Florida voters.
- c. Approval of Public Works Vehicles
- d. Approval of the City Council meeting minutes - March 15, 2022
- e. Monthly Reports-March 2022: Finance Reports, Police Activity Report, NAV Board Report, OIA Staff Sheet, and Fire Unit Responses.

**Council moved to pull items b, c, d, and e for discussion.**

**Comm Gold moved to approve Item a as presented.  
Comm Lowell seconded the motion, which passed unanimously 7:0.**

Mayor opened for discussion on item 3b: Resolution 22-14.

Council discussed the endorsement of the Resolution and several concerns with the proposed sales tax initiative. Some of the concerns addressed are that giving a 30-year tax without showing a ten-year report creates some challenges to supporting the initiative and the ability to change the disbursement calculations.

**There being no further discussion, Comm Shuck moved to table the Resolution until the BOCC provided additional information.  
Comm Smith seconded the motion, which passed unanimously 7:0.**

Mayor opened for discussion on item 3c: Public Works Vehicles.

Comm Partin asked for clarification on the approval of the Public Works Chevy Truck lease by the Budget Committee. Mr. Francis stated that approval of the Public Works truck was missed during the discussion at the last meeting because of the switch from an F150 to an F250 and no supporting documentation of costs. At the previous session, they approved budget amendments that included the Police vehicles.

**After further discussion, Comm Gold moved to approve the budget amendment of the Public Works truck.  
Comm Lowell seconded the motion, which passed unanimously 7:0.**

Mayor opened for discussion on item 3d: City Council Meeting minutes March 15, 2022.

Comm Carugno made the following corrections to the meeting minutes for approval.

Page 2, Paragraph 10.

Reads, "After approval of Ordinance 22-05, Comm Carugno said he would like to request that the speed limit be changed to 15mph on ~~all local roads/streets.~~"

Should read, "After approval of Ordinance 22-05, Comm Carugno said he would like to request that the speed limit be changed to 15mph on neighborhood side streets."

Page 4, Paragraph 7,

Reads, "Comm Carugno said he would like to remove the sidewalk ordinance from the discussion. He gave an overview of the ANAC Committee discussion and said the ~~north or the airport construction~~ would continue through June."

Should read, "Comm Carugno said he would like to remove the sidewalk ordinance from the discussion. He gave an overview of the ANAC Committee discussion and said the north flow of the airport is due to construction and would continue through June."

**There being no further discussion, Comm Smith moved to approve the edits to the March 15, 2022 minutes as discussed.**

**Comm Lowell seconded the motion, which passed unanimously 7:0.**

Mayor opened for discussion on Item 3e: Monthly Reports

Comm Carugno discussed the Marine Patrol report and the total number of violations. He found that the total number reported is low and wants to see the information, including patrol assist calls. Comm Carugno also addressed the request for additional patrol on the north side of Hoffner Avenue. After a brief discussion, Comm Carugno stated he would meet with Chief Houston for further information.

**There being no further discussion, Comm Partin moved to approve item e as presented.**

**Comm Gold seconded the motion, which passed unanimously 7:0.**

City Manager Francis said moving forward, the staff will include OIA Staff Reports.

City Manager Francis reported that all Street Sweeping complaints could be addressed to Bryce Edwards at Orange County – 321-689-8293.

### **3. Citizen Comments**

Mayor Fouraker opened for citizen comments. There being none, the citizen comment section was closed.

### **5. Unfinished Business**

- b. Ordinance 22-06 – Second Reading and Adoption: Moratorium on Installation of Artificial Turf. ORDINANCE NO. 22-06 AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADOPTING A 180-DAY MORATORIUM ON THE USE OF ARTIFICIAL TURF FOR LANDSCAPING; PROVIDING THAT THE CITY HALL DOES NOT ACCEPT, PROCESS, OR CONSIDER APPLICATIONS FOR THE INSTALLATION OF ARTIFICIAL TURF DURING THE MORATORIUM; PROVIDING FOR EXTENSION, EXPIRATION, AND RENEWAL OF THE MORATORIUM; PROVIDING FOR SEVERABILITY, CONFLICTS, NONCODIFICATION, AND AN EFFECTIVE DATE.

City Manager Francis read Ordinance 22-06 by title.

The Planning & Zoning Commissioner requested that the City Council place a six-month moratorium on installing artificial turf until they decide if it should be allowed in the Land Development Code.

**Comm Holihan moved Ordinance 22-06 to be presented for a second reading at the May 3, 2022 meeting and adopt the moratorium.**

**Comm Lowell seconded the motion, which passed unanimously 7:0.**

## 6. New Business

### b. Review & Approval of the Sidewalk Policy and Replacement Program

The City staff has received numerous complaints regarding potential trip hazards on City sidewalks. According to the Municipal Code, Section 10-152(e), adjacent property owners are responsible for, and not limited to, all paved surfaces, including sidewalks, driveways, aprons, and walkways. The language has been in the code since 2008. The City repair of a sidewalk is complaint-driven, and this program allows staff to develop a schedule to repair paved areas. He asked Council who would be responsible for repairing and replacing the sidewalks after the City inspections. Do we continue to have the City inspection, repair, and cover the cost? City Manager Francis noted that the City insurance company has reviewed the program and had one slight change to the ADA compliance regarding the elevation of repairs ½ inch or greater.

The only sidewalk the City does not maintain is the gated communities. Mr. Francis asked for Council approval to have a program in place that is proactive and not complaint-driven. The Council could revisit and expand the program after receiving the anticipated ARPA funds.

**Comm Carugno moved to table the discussion for the next meeting for further review.  
Comm Partin seconded the motion.**

Council discussed the inspection process and possibly having Commissioners walk their districts and assist staff with noting repair areas in their district. Council discussed the repair of the newly annexed sidewalks in the City that are not repaired. Mr. Francis said situations such as that would not be forced on City residents.

**Motion passed 5:2 upon roll call with Comm Holihan and Comm Gold, nay.**

### c. Review and Approval of the Right-of-Way Policy/Program

City Manager Francis said the staff frequently receives requests from residents for utilizing the City's ROW. Requests range from installing trees to fences. He introduced a ROW Policy and will work in conjunction with the utility companies to allow residents to place some items on the ROW with variance approval. If approved, there will be an agreement between the City and homeowner stating the property owner's responsibility for installation, maintenance, and removal if required.

Council discussed the application fee and verbiage in the contract to ensure the current property owner discloses the agreement to a potential new homeowner. Discussion ensued.

Attorney Langley said the motion could be general to approve the policy subject to the revisions to the ROW Use Agreement to address the comments discussed.

**Comm Carugno moved to adopt the ROW Policy to include**

- **a change to the permit fee to \$100 for residential properties,**
- **staff to send out an informational elert to residents,**
- **there will be no charge to residents on property annexed for existing repairs on ROWs,**
- **include verbiage of disclosure to the new homeowner of an existing use agreement.**

**Comm Partin seconded the motion.**

The City Clerk asked if the document would be recorded with Orange County to allow for an update on their property record. Discussion ensued. The Council consensus was not to record the document and keep it on file at City Hall.

Staff recommended rejecting the policy and resubmitting with revisions as discussed for approval.

**The motion was pulled. The Council consensus was to table the discussion and resubmit a revised policy at the following meeting.**

**Mayor Fouraker called for a motion to continue the meeting to 9:15 pm. The motion passed 6:1 with Comm Carugno, nay.**

## 7. Attorney's Report – No report.

## 8. City Manager's Report

### a. Issues Log

City Manager Francis gave an overview of the Issues Log dated April 9, 2022. He noted that he received feedback from the Assistant County Administrator. The City could not get Perkins/Gondola/Matchett because the Pine Castle reservation District overlay runs down the middle of the road. However, they did say if there were any future projects in those areas, they would be willing to partner with us.

The City has received notices on the Ballots for the Police Department Union Election due commencing April 28 for two weeks. Notices will be displayed at City Hall and the Police station.

### b. Appointments to Committees replacing Sue Nielsen (Pioneer Days, PRM Insurance, Community Action Partnership)

Mayor Fouraker said a few openings on Committees replacing Comm Nielsen and asked for Council interest. Comm Partin volunteered to be the lead on the PRM Board.

**Comm Gold moved to nominate Comm Partin to the PRM Board.  
Comm Holihan seconded the motion unanimously approved.**

### c. Chief's Report

Chief Houston reported on the following,

- Deputy Chief Grimm will be out for 5-6 weeks for shoulder surgery.
- Mail forwarding Fraud is active – Chief recommended locking of Credit through Credit bureaus
- Windsor Place Burglaries solved – suspect in custody.

### d. Public Works Director's Report – No report.

## 9. Mayor's Report – No report.

## 10. Items from Council - No report.

## 11. Adjournment

There being no further discussion, the Mayor called for a motion to adjourn, which was unanimously approved at 9:15 pm.