



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, June 6, 2023, \* 6:30 pm

### MINUTES

Present was:

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

Absent was:

District 3 Commissioner – Karl Shuck

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

Mayor Fouraker called the meeting to order at 6:30 pm, and the City Clerk confirmed the quorum. Also present were Attorney Chumley, Interim City Manager Grimm, Acting Chief Millis, Public Works Director Phil Price, and City Clerk Yolanda Quiceno.

#### 2. Invocation and Pledge to Flag

Comm Gold gave the invocation and led the pledge to the flag. Mayor Fouraker announced that Comm Partin would attend the meeting via Zoom, and Comm Shuck may not be in attendance.

#### 3. Belle Isle Introduction and Swear-In of Officer Zachary Mathews.

Mayor Fouraker swore in Officer Zachary Mathews.

#### 4. Consent Items

- a. Approval of the City Council Meeting Minutes – May 2, 2023

Comm Carugno requested a correction to the minutes as follows,

Page 5 reads, "6. New Business a. Appointment of Vice Mayor – Sec. 4.03. Vice-mayor: Election.

Comm Carugno moved to nominate Comm Beth Lowell. Comm Smith seconded the motion, which passed unanimously 6:0.

Should read, "6. New Business a. Appointment of Vice Mayor – Sec. 4.03. Vice-mayor: Election.

Comm Carugno moved to nominate Comm Beth Lowell. Comm ~~Smith~~ Gold seconded the motion, which passed unanimously 6:0.

Comm Holihan moved to approve the consent item as amended.

Comm Lowell seconded the motion, which passed unanimously 6:0. Comm Shuck was not in attendance.

#### 5. Citizen's Comments

Mayor Fouraker called for citizen comments. There being none, he closed the citizen comment section.

#### 6. Unfinished Business

- a. Approval of Reallocation of ARPA Funding

Interim City Manager Grimm presented a list of reallocations of ARPA Funds discussed at a previous Council meeting. He noted that the list was presented to the Budget Committee, who recommended approval.

**Comm Smith moved to approve the reallocation of ARPA funds as presented.**

**Comm Holihan seconded the motion, which passed unanimously 6:0. Comm Shuck was not in attendance.**

**At the request of the attending residents, Mayor Fouraker called for a motion to reopen Citizen Comments.**

**Comm Gold moved to reopen citizen comments.**

**Comm Holihan seconded the motion, which passed unanimously 6:0.**

Mayor Fouraker reopened for citizen comments.

- Jodi McMurtrie Zgura residing at 1528 Hoffner Avenue, asked for clarification on the location of the proposed PD Boat Dock. Interim City Manager Grimm said he has spoken to many of the residents in the surrounding area. He noted that the staff has sent out an RFP, and once the information is received, it will be shared with the community. The motion tonight was to approve the funding for a project. Currently, the Peninsular Drive location is the most viable option. Mr. Grimm stated that they are also open to other options if presented.

Mayor Fouraker gave a brief on the current challenges of retrieving and storing the marine patrol equipment. At the present time, the dock currently offered by a resident is appreciated however, it is not ideal. He noted that the funding provided by the State could assist with delivering the adequate services needed for the police department and for the safety of the residents.

Acting Chief Millis said that the proposed dock is in its infant stage. The intent is to position the dock so that it does not utilize the entire beach area to allow residents to enjoy the park.

- Diane Madara residing at 5729 Peninsular Drive, asked if the dock would be open to the public or just for law enforcement. CM Grimm said it would be for law enforcement and city staff only.
- Comm Carugno said he was surprised by the proposed dock on Venetian Beach. He stated that the discussion today is for funding only. He has other options that he would like to present at a later meeting.

There being no further comment, Mayor Fouraker closed citizen comments and excused himself from the meeting to attend a scheduled event. Vice Mayor Lowell will be the presiding officer.

Vice Mayor Lowell called for a motion to excuse Comm Shuck from tonight's meeting.

**Comm Smith moved to excuse Comm Shuck from tonight's meeting.**

**Comm Holihan seconded the motion, which passed unanimously 6:0.**

- b. APPROVAL OF RESOLUTION 23-02 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING AND RESTATING Resolution 19-18 AS AMENDED AND RESTATED BY RESOLUTION 21-18 CONCERNING THE DUTIES AND PROCEDURES OF THE CITY BUDGET ADVISORY COMMITTEE.

**Interim City Manager Grimm read Resolution 23-02 by Title and stated that the addition was item G.**

**There being no discussion, Comm Holihan made a motion to approve Resolution 23-02.**

**Comm Smith seconded the motion, which passed unanimously 6:0.**

- c. ORDINANCE NO. 23-03 - First Reading and Consideration - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, DIVISION 1 OF THE CITY'S CODE OF ORDINANCES TO CREATE A NEW SECTION 2-82 CONCERNING THE HIRING AND CONFIRMATION OF AN ASSISTANT CITY MANAGER, PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

**Interim City Manager Grimm read Ordinance 23-03 by Title for First Reading.**

**There being no discussion, Comm Holihan made a motion to approve Ordinance 23-03.**

**Comm Gold seconded the motion, which passed unanimously 6:0.**

## 7. New Business

### a. Approval of Special Called Session June 15 & June 16

Interim City Manager Grimm gave an update on the City Manager search and noted that the recruiting period has closed. In addition, Council received an email today from Colin Baenziger requesting a discussion on polling the seven candidates for interviews on June 15<sup>th</sup> and 16<sup>th</sup>. Interim City Manager Grimm said he spoke with most of the Council members and provided an additional option to allow Council more time to evaluate the candidates.

Council requested that Colin Baenziger narrow the list to five candidates to allow for keeping the original dates for the interview. Comm Gold said it would be unfair, and he is uncomfortable delegating that charge to Colin Baenziger. Attorney Chumley noted that might be a potential Sunshine issue in the request, which is why Colin Baenziger is asking Council to narrow down the list. All decisions should be made in an open meeting.

Ms. Klein said if Council would like to move to the proposed Option 2, they can work around the schedule to allow more time to review the candidate resumes. Mr. Grimm suggested the following Option 2, and after discussion, the Council agreed to forego the initial dates and agreed to the following,

### June 20, 2023 – 6:30 pm

Selection of 5-Candidates and Ordinance 23-03 ONLY on the agenda for discussion and approval.

### July 13th & 14th, 2023

9:00 am Tour of City. Candidates, Mayor, and Council

11 am to 12:30 pm Meet with key City staff Lunch

1 pm – 5 pm One-on-one City Council interviews

6:00 pm – 7:30 pm Reception for Commissioners, finalists, and the public

### July 18th, 2023

6:30 pm Commission selects its next City Manager or schedules additional interviews.

**Comm Holihan moved in favor of the proposed Option 2.**

**Comm Smith seconded the motion, which passed unanimously 6:0.**

### b. RESOLUTION NO. 23-03 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, AND ENDING SEPTEMBER 30, 2023, PROVIDING AN EFFECTIVE DATE.

**Interim City Manager Grimm read Resolution 23-03 by Title. The amendment was presented to the Budget Committee and recommended approval.**

**Comm Holihan made a motion to approve Resolution 23-03.**

**Comm Smith seconded the motion, which passed unanimously 6:0.**

### c. RESOLUTION NO. 23-04 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, APPROVING A RATE ADJUSTMENT CHANGE FOR JJ'S WASTE AND RECYCLING BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, PROVIDING AN EFFECTIVE DATE.

**Interim City Manager Grimm read Resolution 23-04 by Title.**

**Comm Smith made a motion to approve Resolution 23-04.**

**Comm Holihan seconded the motion, which passed 4:2 with Comm Partin and Comm Carugno, nay.**

### d. RESOLUTION NO. 23-05 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN INCREASE IN THE ANNUAL NON-AD VALOREM SOLID WASTE COLLECTION ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

**Interim City Manager Grimm read Resolution 23-05 by Title.**

**Comm Gold made a motion to approve Resolution 23-05.**

**Comm Smith seconded the motion, which passed 5:1 with Comm Carugno, nay.**

- e. RESOLUTION NO. 23-06 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN INCREASE IN THE ANNUAL NON-AD VALOREM STORMWATER ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

**Interim City Manager Grimm read Resolution 23-06 by Title.**

**Comm Holihan made a motion to approve Resolution 23-04.**

**Comm Smith seconded the motion, which passed 5:1 with Comm Carugno, nay.**

- f. Urban County Qualification Process FY2024-2026

Orange County invited the City to participate in an Interlocal Agreement to conduct development activities under the Urban County process. Mr. Grimm stated that the Council opted out in 2020. The Council discussed the agreement and agreed that the residents would not benefit from this agreement at this time.

**Comm Holihan motioned to opt out of the agreement for 2024-2026.**

**Comm Smith seconded the motion, which passed unanimously 6:0.**

## **8. Attorney Report**

Attorney Chumley said Attorney Langley has a standing conflict and cannot attend the meeting on the first Tuesday of the month. He asked if Council would be agreeable to changing the Workshop to the first Tuesday of the month and the Council meeting to the third Tuesday so that he may be in attendance. Interim CM said he could provide further information under his report.

## **9. City Manager Report**

- a. City Manager search update – previously discussed.

- b. Discussion and approval to cancel or reschedule July 4, 2023, meeting.

**Comm Carugno moved to cancel the July 4<sup>th</sup> meeting.**

**Comm Gold seconded the motion, which passed unanimously 6:0.**

- c. Budget Calendar FY 2023/2024

Interim City Manager Grimm provided the FY 2023-2024 Budget calendar and asked that until the budget is approved, he would like to have all meetings regularly scheduled meetings. At the end of the budget season, Council can decide to go back to workshops on the first Tuesday of the month. He added that the calendar was also provided to the Budget Committee.

**Comm Gold moved to have all meetings regularly scheduled until the end of the budget season.**

**Comm Smith seconded the motion, which passed unanimously 6:0.**

- d. Chief's Report

Acting Chief Millis gave an update on citations for the month. Council complimented Code Enforcement on their efforts throughout the City. Acting Chief Millis said if someone calls in on a violation, they must give their name for the record. Attorney Chumley said it is a State Statute requirement.

- e. Public Works Director

Phil Price gave an update on open projects, Cullen Lake Drive, Gilbert Park, and sidewalk repair.

## **10. Mayors Report**

Vice Mayor Lowell announced a 3-part County meeting of 20/50 Programs regarding mixed-use zoning changes. She noted that she would send a copy to the clerk to distribute. Interim CM Grimm said he would attend the initial meeting and bring forward a report. The following sessions will be held on June 27 and July 10.

Interim CM Grimm reported that the City of Edgewood contacted him to participate in a presentation regarding the Pine Castle historical district to try to lessen the restrictions for annexation. He asked if the Council would like him to attend. The Council consensus was to have the CM attend and report back to Council.

#### **11. Council Items**

Comm Holihan announced that he is resigning effective December 31 and has offered a replacement for Council consideration, Jason Carson. Council briefly discussed the required FORM 6 submittals starting January 2024. Comm Carugno asked if the City would be open to paying any fines imposed if the form is not submitted. Attorney Chumley said he is not aware of any way around it. It is a requirement, and Statute passed by the State.

Comm Gold shared that he may not continue his seat on the Council past January 1, 2024, due to the new State Statute.

Comm Carugno announced that the next ANAC meeting would be held on July 14.

#### **12. Adjournment**

With no further business, Vice Mayor Lowell called for a motion to adjourn. The motion passed unanimously at 8:00 pm.