



CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING

Held in City Hall Chambers, 1600 Nela Avenue

Tuesday, March 16, 2021, * 6:30 pm

MINUTES

The Belle Isle City Council met in a regular session on March 16, 2021, at 6:30 pm at the City Hall Chambers, 1600 Nela Avenue.

Present was:

Nicholas Fouraker, Mayor
District 1 Commissioner – Ed Gold
District 2 Commissioner – Anthony Carugno
District 3 Commissioner – Karl Shuck
District 4 Commissioner – Mike Sims
District 6 Commissioner – Jim Partin
District 7 Commissioner – Sue Nielsen

Absent was:

District 5 Commissioner – Harvey Readey

1. Call to Order and Confirmation of Quorum

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

2. Invocation and Pledge to Flag – Commissioner Sims – District 4

Comm Sims gave the invocation and led the Pledge to the Flag.

3. Consent Items - These items are considered routine and have been previously discussed by the Council. They will be adopted by one motion unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. If any item were removed from the Consent Agenda, it would be considered immediately following approval of the remainder of the Consent Agenda.

- a. Approval of March 2, 2021, City Council minutes
- b. February Monthly Reports: Finance Report, Police Department, Marine Patrol, and OC Fire

Comm Nielsen moved to approve the March 2, 2021 minutes as presented.

Comm Shuck seconded the motion, which passed unanimously 6:0

4. Citizen's Comments

Persons desiring to address the Council MUST complete and provide the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the lectern, state their name and address, and direct all remarks to the Council as a body and not to individual members of the Council, staff, or audience. **Citizen comments and each section of the agenda where public comment is allowed are limited to three (3) minutes.** Questions will be referred to staff and answered by staff within a reasonable period of time following the meeting's date. Order and decorum will be preserved at all meetings. Personal, impertinent, or slanderous remarks are not permitted. Thank you.

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

5. Unfinished Business

- a. **ORDINANCE NO. 21-02 - FIRST READING AND CONSIDERATION: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE CITY'S SIGN REGULATIONS UNDER CHAPTER 52 OF THE CITY CODE; PROVIDING DEFINITIONS; AMENDING AND ADDING REGULATIONS RELATED TO TEMPORARY SIGNS, PROTECTION OF FIRST AMENDMENT RIGHTS, AND OTHER MATTERS RELATED TO SIGNS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The City Clerk read Ordinance 21-02 by title.

Mayor Fouraker called for public comment and a motion to approve.

There being no discussion, Comm Nielsen moved to advance Ordinance 21-02 to a second reading on April 6, 2021.

Comm Gold seconded the motion, which passed unanimously 6:0 upon roll call.

- b. ORDINANCE 21-04 - FIRST READING AND CONSIDERATION: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 42, ARTICLE II, SECTION 42-32– PLANNING AND ZONING BOARD; PROVIDING FOR THE APPOINTMENT AND FILLING OF VACANCIES ON THE BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The City Clerk read Ordinance 21-04 by title.

City Manager Francis said the staff would incorporate a change to the ordinance, before second reading and consideration, that the seven members appointed must be residents of the City.

Mayor Fouraker called for public comment and a motion to approve.

There being no discussion, Comm Gold moved to advance Ordinance 21-04 to a second reading on April 6, 2021.

Comm Nielsen seconded the motion, which passed unanimously 6:0 upon roll call.

6. New Business

- a. RESOLUTION NO. 21-03 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, MAKING FINDINGS AS TO SAFETY CONCERNS; ESTABLISHING THE INTERSECTION OF VIA FLORA, TRENTWOOD BOULEVARD, AND FLOWERTREE ROAD AS AN ALL-WAY STOP; AND DIRECTING THE CITY MANAGER TO INSTALL THE APPROPRIATE SIGNAGE AT THAT LOCATION; AND ESTABLISHING AN EFFECTIVE DATE

Mayor Fouraker read the Resolution by Title.

City Manager Francis said he and Comm Sims attended a meeting of the Daetwyler HOA. The residents shared their concerns with the safety issues at the intersection of Via Flora and Flowertree Road. The HOA is requesting that this intersection be made an All-Way Stop intersection temporarily to allow the City to research installing a roundabout in the near future.

Comm Sims said the residents favor the All-Way Stop and feel it is a long-term solution without the expense of a round-a-bout. Comm Gold shared his agreement and said it might make it a less desirable cut-through. Discussion ensued on installing speed humps as a solution.

Mayor Fouraker asked what the HOA will think about making the neighborhood a gated community. Comm Sims said that option was discussed by the Council a few years back, and it never got off the ground as a viable option. The Mayor noted that since the City currently owns Daetwyler, it may be one less complication moving forward.

Comm Nielsen commented that if that neighborhood becomes a gated community, and the City continues to maintain their road's; that may be a negative for other gated communities. She added that the City currently does not maintain any roads in existing gated communities. Comm Shuck shared a similar concern. Discussion ensued.

Mayor Fouraker called for further discussion and a motion.

Chief Houston commented that a potential backup from Daetwyler might occur. She asked that if the community is aware of that occurring, please let her know.

Comm Sims moved to approve Resolution 21-03 and direct the City manager to convert the Via Flora/Flowertree intersection to an All-Way stop.

Comm Gold seconded the motion, which passed unanimously 6:0 upon roll call.

- b. RESOLUTION NO. 21-04 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, MAKING FINDINGS AS TO SAFETY AS A REDUCTION IN SPEED, AND DIRECTING THE CITY MANAGER TO INSTALL THE APPROPRIATE SIGNAGE AT THE JUDGE ROAD LOCATION, AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Fouraker read the Resolution by Title.

City Manager Francis said the City had received quite a bit of complaint from the HOA and residents over on Judge Road that there is too much speeding on Judge Road. Currently, Judge Road is 40 mph, and Daetwyler is 35 mph. Mr. Francis said when we accept Judge and Daetwyler from the County, the agreement was that we could not go lower than 35 mph without the Board of County Commissioners (BCC) approval. Reducing the speed on Judge Road to 35 mph will bring it in line with Daetwyler Drive. When approved, he will research the possibility of requesting a reduction in the speed limit to the BCC if State Statute 361.89 allows municipalities the option.

Chief Houston said, in the interim, the City will place a speed table and extra enforcement on Judge (front of Lakes & Landings) and Daetwyler. A combination of the speed tables may slow the speed in both directions.

Comm Sims said he doesn't believe the current speed limit is the problem, but the abuse of the speed limit is the problem. He, however, wholeheartedly is in favor of the Resolution.

Comm Carugno said he would like the staff to submit the BCC request to lower the speed to less than 35 mph. After further discussion, the Council agreed to the recommendation; however, they would like to allow the staff to monitor and obtain adequate data and enforcement before submitting the request.

Comm Partin moved to approve Resolution 21-04 to reduce the speed limit on Judge Road from 40 mph to 35 mph between Conway Road and Daetwyler Drive and direct the City Manager to post the appropriate signage. Comm Sims seconded the motion, which passed unanimously 6:0 upon roll call.

7. Attorney's Report – No report.

8. City Manager's Report

City Manager Francis reported on the following.

a. Issues Log

- Street Paving – Mr. Francis said the City and Consultant conducted a pavement assessment and will develop a CIP for paving for the next fiscal year. He will be meeting with the consultants, via Zoom, on how to apply the data.
- Street Drainage – The crew will start working on Stafford about March 29. Sol project continues to move forward.
- The staff has received the initial estimates for Barby Lane. St. Partin and Barby Lane outfall is a NAV Board project. He will be submitting a work order to work with them.
- The flashing beacon has been installed on Monet & Hoffner. The staff will meet with the representative for a date to go live. The next flashing beacon will be either installed at Pleasure Island/Hoffner or Peninsular/Hoffner.
- Transportation System Plan – Staff will be reviewing and finalizing the plan for Council review.
- Wallace Field – Scheduled for P&Z Meeting Hearing on March 23, 2021.
- Charter School – Market Rent study is complete. Will be reviewed by Budget Committee on March 26, 2021, along with the CCA Agreement and RFP: Lobbyist and Impact Fee Study
- Municipal Code Update – Completed Sign Code and At-Large Appointments. City staff is looking at increasing the impervious surface ratio.
- Annexation: Sienna Place is in the process of obtaining signatures for annexation.
- Lake Conway Issues – Mr. Francis discussed the Canoe and Swim Ordinance and asked if the Council would like to move forward with the first reading. Comm Carugno shared his concerns with the logistics on implementing the ordinance and requested a workshop for further Council discussion and resident participation.
After discussion, Comm Partin moved to hold a workshop to discuss the Canoe and Swim Area Ordinance for March 30, 2021, at 6:30 pm and include participation from Comm-Elect Rick Miller. Comm Nielsen seconded the motion, which passed unanimously 6:0.
- City Hall Chambers Audio RFP is due March 31.
- Lancaster House project continues to move forward.
- City Manager Francis reported on an upcoming Orange County Planning & Zoning Special Exception for 1205 Nela Avenue on April 1, 2021-9:00 am. He said the special exception is to allow a 2-story family development to be located within 100 ft from the property line (5-buildings, 20-apartment complex). Some details of the special exception are to allow,
 - 11 feet from S property line in lieu of 100 ft
 - 15 feet from W property line in lieu of 100 ft
 - 22 feet from E property line in lieu of 100 ft
 - 11 feet from the front of the property line in lieu of 20 ft
 - 15 feet from the side of the property line in lieu of 30 ft
 - 22 feet from E of the property line in lieu of 30 ft

Mr. Francis said he would send out an elert once all the information has been received.

b. **Chief's Report**

Chief Houston reported on the following,

- 75% of the PD staff have been vaccinated. 25% of the staff is not in favor of the vaccination. She noted that it was indicated that if they do not receive the vaccination, they will not be eligible for worker's compensation (PTO) if they do get COVID.
- The first false alarm fine has been issued. The residence had 3-false alarms in a week.
- Traffic detail on McCoy and Hoffner.
- Red Light Camera since inception is 437.
- Random drug testing commences this week for PD staff; two officers will be tested quarterly.
- The Agency has received many calls re Solicitors in their neighborhood. She encourages residents to call the non-emergency number.
- Temporary speed humps will be installed on Seminole and Nela. There will be a 4-6 week traffic count for traffic shifts.

9. Mayor's Report

Mayor Fouraker reported on the following,

- Mayor Fouraker thanked the staff, Council, and PD for their participation with the Bank of America Open House.
- He announced the Easter Drive-thru event for April 3, 2021, from 9-12 noon at the CCA parking lot.
- Mayor Fouraker gave a summary of the Regal Boats Open House. He noted that after further consideration, the Kuck Family withdrew their application for the special exception and looks forward to serving the community with future projects.

10. Items from Council

- Comm Partin said he heard from many residents who would like to contact the police department via a patrol phone. He said some of the concerns are on how the non-emergency staff responds to Belle Isle residents. Chief Houston explained several facts and the liability of having a patrol phone. A patrol phone creates an additional safety concern for the officer on the road and does not provide the necessary response on a recorded line. Chief Houston encourages all residents to call the non-emergency dispatch service for BIPD calls. If a Belle Isle resident feels they are not treated fairly, they should ask for a supervisor to file a complaint.
- Comm Nielsen said she would like Council to consider some alternatives to the digital-only version, such as distributing the newsletter to every resident or moving back to a print edition.
- Comm Shuck shared his concern with pedestrian traffic and asked that all pedestrians, specifically bicycle riders obey the traffic laws for everyone's safety on the road.
- Comm Sims shared his appreciation to the staff for their level of service.
- Comm Carugno announced the event at the Oviedo Mall Car Show on March 20 from 9-1 pm, honoring veterans. He shared his concern with calling the non-emergency number to report service when he is on the lake.
- Comm Gold spoke on a request he addressed with the City Manager to contact Belle Isle Commons to see if they would be open to adding sidewalks at their location. Comm Nielsen said she does not believe there is enough space for a sidewalk due to the existing swale. City Manager Francis said he has communicated with the Belle Isle Commons management on the request.

11. Adjournment

There being no further business, Mayor Fouraker called for a motion to adjourn. Motion passed unanimously at 8:00 pm.