



city council minutes

AGENDA April 4, 2017 * 6:30 p.m. City Council Regular Session

The Belle Isle City Council met in a City Council Regular Session on April 4, 2017 at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

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

Absent:

Attorney Kruppenbacher

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

CALL TO ORDER

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

Mayor Pisano welcomed City Manager Bob Francis.

CAFR PRESENTATION – McDirmit Davis

Kelly Leary from McDirmit Davis with offices at 934 North Magnolia Street, Orlando, FL gave an overview and presentation of the City's financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the City of Belle Isle as of and for the year ended September 30, 2016. She stated that the City is in a strong financial condition and in compliance with the laws and regulations that pertain to municipalities.

CONSENT ITEMS

- a. Proclamation: Autism Awareness Month
- b. Approval of the Combined Operational Assistance and Voluntary Cooperation Mutual Aid Agreement

Comm Weinsier motioned to approve the consent items as presented.

Comm Lance seconded the motion, which passed unanimously.

CITIZEN COMMENTS

Mayor Pisano opened for public comment.

- Phil Price residing at 7440 Daetwyler, Belle Isle drive shared his concerns of the Warren Park boat dock issue and how it was handled by City Council.
- Greg Gent residing at 2924 Nela Avenue, Belle Isle expressed some concerns to the approval process and donation that was received for the Belle Isle Police Department renovation.

Attorney Callan said the money was donated without any kind of qualification or condition from the individual Mr. Comins. He understands that when the money was donated there were no special considerations of any kind for any approvals in the present or in the future. There is going to be a receipt, signed by Mr. Comins, acknowledging the terms and that the funds were received and paid by the City. Any city can take a donation and sometimes it is context of a project that goes forward as a development approval. Every development approval is judged on whether or not it is related to the public interest of the city and must pass substantial competent evidence to support it. He understands the concern, however all projects and issues must be presented in front of the board and judged upon its own merits.

- Allan Beck residing at 4326 Quando Drive, Belle Isle spoke on the potential noise and density issues surrounding new development and asked Council to consider these issues when approving future development.
- For the record, Mayor Pisano stated that the City has submitted an email for the records. Attorney Callan addressed an email from Rick Miller to the City concerning various aspects dealing with City Attorney Frank Kruppenbacher. Attorney Callan highlighted a few of Mr. Miller's concerns regarding invoicing, phone calls and attorney-client privilege, conflict of interests with the Charter School and affiliation with Greater Orlando Aviation Authority (GOAA) and former Mayor Brooks. For the purposes of disclosure, he stated that he, at one time, has represented Richard Anderson in the City of Apopka. Attorney Callan said that some of Mr. Miller's accusations of adverse interests were reckless. In conclusion, he stated that he would work with Attorney Kruppenbacher in retrieving the signed contracts.
- Comm Weinsier asked for clarification on the comment made regarding Comm Lance's position on the Warren Park boat dock launch. Attorney Callan clarified that Comm Lance could not recuse himself from the vote because there was no sufficient basis under Florida law.

There being no further comments Mayor Pisano closed the public comment section.

CITY MANAGER'S REPORT

City Manager Bob Francis thanked the residents and City Council for the opportunity to work with the City of Belle Isle. As time progresses he would like to meet with each Council member individually to discuss scheduling district meetings to address any constituents who may not come to meetings and talk openly. He said that Belle Isle is a terrific place and believes everyone working together can make great things happen.

MAYOR'S REPORT

Mayor Pisano gave an update on the following,

- a) CRC Update - Mayor Pisano attended the last Constitution Revision Commission (CRC) meeting and addressed issues to protect home rule, sovereign waters and the duck hunting issue.
- b) Legislative Update – There is many legislative policies coming up for a vote that will put a negative fiscal impact on many of the cities and municipalities. They are looking to restrict or terminate CRA's, making short-term rental a State issue not a local municipality issue, increasing homestead exemptions and eliminate business tax on local business. Many of these changes will lower our tax base and the municipalities will need to subsidize revenue.
- c) Special Events Update – Easter Egg Hunt will be held on April 15th from 10-12:00pm with the egg hunt starting promptly at 10:15am. Lake Clean Up will be held on April 29th where residents will be able to drop off paints, chemicals and electronics along with a plant exchange and AG center participation.
- d) Bing Grant Application/Process Approval - Mayor Pisano attached a draft copy of the Bing Grant application along with an application from a homeowners association for \$3442.00 for installation of irrigation on Wind Drift and Gondola. Mayor Pisano stated if they do not receive the Bing Grant they would loose their approved Orange County grant. Discussion ensued on the Bing grant process and criteria for application submittals.

City Manager Francis said he would like to review the current application and criteria and provide a policy to Council at the next council meeting for discussion and approval. After discussion, consensus was to add the Bing Grant for approval as a regular agenda item at the next City Council meeting.

- e) Lake Conway Watercraft Issues - Mayor Pisano reported that Comm Carugno invited her for a ride on the Lake to observe the safety concerns he has been addressing. She said she saw first hand on how the jet skiers have no regard for the boaters and she believes that it is causing a serious safety issue. She further added that the Hoffner Bridge is completely full with graffiti and is in desperate need of maintenance. Mr. Francis said he has opened discussion with the Public Works Manager and has it on the schedule for review. Comm Carugno requested review of the timing issue on the Nela Bridge.
- f) Use of City Facilities discussion - Mayor Pisano opened discussion on the use of the facilities at City Hall. Mayor Pisano believes the City should not charge residents (i.e. home owners associations) for use of the facility because they already pay taxes.

Comm Lance motioned to remove the \$25.00 fee for use of the facilities.

Comm Nielsen asked if the City has the authority to discriminate among groups who want to use the building. Attorney Callan recommended that a policy be provided for review and approval that clarifies the usage of the building.

After discussion, Comm Lance withdrew his motion. Consensus was to have the City Manager waive the fee, on a case by case basis, on any meeting requests in the interim until the next Council meeting where a policy can be adopted.

SWEAR-IN OF COMMISSIONERS

Mayor Pisano recognized and swore in Incumbent Sue Nielsen and Incumbent Edward Gold.

COUNCIL REPORTS

Comm Nielsen – District 7

- Comm Nielsen spoke on the importance of contacting legislators to make a difference in our City. She reminded Council on the school board application approval at the next meeting and asked if the City Clerk can send an email with all the applications received to date.

Comm Mosse – District 6

- Comm Mosse stated for the record, that he may not agree or disagree with Attorney Callan's response to Mr. Miller's letter and would have preferred to see Attorney Kruppenbacher attend a Council meeting to defend himself. He further reported on his recent meetings in his district.

Comm Lance – District 4

- Comm Lance said Donna Milray has shared her concerns about the construction of the neighboring dock and stated that she is not sure if they have a valid permit.

Comm Weinsier – District 3

- Comm Weinsier said that the Gmail email transfer has begun and asked the City Clerk to provide an update. City Clerk noted that IT has started the transfer. He is asking that all staff, Mayor and Council bring their iPhones and iPads' to City Hall on April 10th to complete the transfer of all accounts.

Vice Mayor Readey – District 5

- Vice Mayor Readey apologized for his comment at the last meeting regarding the Daetwyler issue. He asked if there was anything Council can do to regulate the boat activity on the lake. Mayor Pisano said that sovereign waters are governed by the State and the best way for legislators to hear our concerns is to email and contact them directly on the safety issues.

Comm Carugno – District 2

- Comm Carugno asked for continuity on the signage at all City parks, ramps and beach areas. He shared his concerns on the proposed gate on Trentwood and the traffic studies for the affected areas including Seminole/Nela. Discussion ensued on signs throughout the City.

Comm Gold – District 1

- Comm Gold reported a complaint that Republic Services trucks are hitting the curbs and leaving exposed rebar.
- Comm Gold asked if the legislative alerts can be added to the website so that residents are aware of what is happening in our City.

Attorney Callan reported that a citizen is requesting personal phone records from the Mayor. He said personal phone records are not a public record under the public records law; however, they can be subpoenaed and investigated. Discussion ensued on public records law.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:20p.m.

Yolanda Quiceno
CMC-City Clerk