



city council minutes

MINUTES October 16, 2018 City Council Public Budget Hearing Session: Regular Session 6:30 pm

The Belle Isle City Council met in a regular session on September 18, 2018, at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Lydia Pisano
Commissioner Gold
Commissioner Anthony Carugno
Commissioner Mike Sims
Commissioner Jim Partin
Commissioner Sue Nielsen

Absent was:

Commissioner Jeremy Weinsier
Commissioner Harv Readey

Also present was City Manager Bob Francis, Attorney Rick Geller, Chief Houston, and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Pisano called the City Council Regular Session to order at 6:30 pm and the City Clerk confirmed quorum. Commissioner Sims gave the invocation and led the Pledge to the flag.

Mayor Pisano called for a motion to excuse Vice Mayor Readey's and Comm Weinsier's absence.

Comm Gold motioned to excuse the absences of Vice Mayor Readey and Comm Weinsier.

Comm Nielsen seconded the motion which passed unanimously 5:0.

CONSENT ITEMS

- a. Proclamation declaring November 3rd - 10th as "Week of the Family"
- b. Approval of the City Council Regular session minutes - September 18, 2018

Mayor Pisano called for a motion to approve the consent items as presented.

Comm Nielsen motioned to approve the consent items.

Comm Sims seconded the motion which passed unanimously.

REQUEST OF CHRIS COMINS AND DARYL CARTER TO ADDRESS CITY COUNCIL

Mayor Pisano said she will hold on item # 4 to allow Mr. Comins time to arrive.

CITIZEN COMMENT

1. Greg Gent said he would like to hold on his comment based on the discussions regarding the lot split application. application
2. Holly Bobrowski said she will hold on her comment until the discussion of reimbursement of legal fees is presented.
3. Karl Shuck residing at 1658 Wind Willow Road shared his frustration with the response of public records request he submitted for the Mayor's personal phone records. He gave a brief summary of what he has received from June 7, 2018, through today even though he has voiced his frustration to City Council at the last City Council meeting. At the rate he has been receiving the requested documents it will take approximately two years before this records request is fulfilled. He would like to hold the Mayor and all Council members accountable for future records request. This entire matter could have been prevented if the Mayor followed City Policy as advised in 2016. In addition, on the City's website, it still lists her personal phone number.

UNFINISHED BUSINESS

ORDINANCE NO. 18-11 - SECOND READING AND ADOPTION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, CHANGING THE ABSENTEE REQUIREMENTS FOR THE TREE BOARD MEMBERS; SEVERABILITY; CONFLICTS AND EFFECTIVE DATE.

City Manager Francis read Ordinance 18-11 by title.

Mr. Francis gave a brief summary of the Ordinance and said it would change the absentee requirements for the members of the tree board to forfeit their seat if there are more than two unexcused absences within a 12-month period.

Comm Gold motioned to adopt Ordinance 18-11.

Comm Nielsen seconded the motion which passed unanimously 5:0 upon roll call.

Reimbursement of Attorney Fees

Mr. Francis said with the probability that the three Commissioners mentioned will ask to be recused because of the financial interest that would only leave three Council members to vote tonight and we are required to have four council members present. He is recommending that the City Council table this Ordinance until the October 30th or November 13th meeting.

Comm Sims motioned to table this request.

Comm Gold seconded the motion which passed unanimously 5:0.

Comm Sims amended the motion to table the discussion to November 13, 2018.

Comm Gold seconded the motion which was unanimously approved.

NEW BUSINESS

ORDINANCE NO. 18-12 - FIRST READING AND CONSIDERATION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADOPTING AN OFFICIAL MUNICIPAL SEAL; CREATING A NEW SECTION 2-1 IN CHAPTER 2, ARTICLE I OF THE CITY CODE, GOVERNING USE OF THE CITY'S MUNICIPAL SEAL; RESTRICTING USE OF THE MUNICIPAL SEAL AND PENALIZING UNAUTHORIZED USE THEREOF; PROVIDING FOR USE OF THE MUNICIPAL SEAL BY THIRD PARTIES WHERE AUTHORIZED BY THE CITY; AUTHORIZING ADOPTION OF POLICIES, REQUIREMENTS, FORMS, AND DOCUMENTATION RELATED TO USE OF THE CITY SEAL; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS, AND AN EFFECTIVE DATE.

City Clerk read Ordinance 18-12 by title.

City Manager Francis said in 2008 the City adopted the current logo however, he has not been able to find an executed ordinance or policy that determines who can use our logo and for what purpose. The City Attorney drafted the following ordinance at the request of the City due to the misuse of the logo a couple of times for certain publications.

Comm Nielsen moved to advance Ordinance 18-12 to a second reading.

Comm Sims seconded the motion which passed unanimously 5:0.

City Manager Francis asked for approval of the Policy.

Comm Gold moved to approve the City Logo Policy as presented.

Comm Nielsen seconded the motion which passed unanimously 5:0.

ORDINANCE 18-13 - FIRST READING AND CONSIDERATION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, PROPOSING AMENDMENTS TO THE CHARTER OF THE CITY OF BELLE ISLE SECTIONS 7.01 WITH RESPECT TO MATTERS INCLUDING BUT NOT LIMITED THE PASSAGE OF AN ORDINANCE BY THE VOTERS; PROVIDING FOR A REFERENDUM VOTE BY THE ELECTORS OF THE CITY OF BELLE ISLE ON THE QUESTION OF APPROVAL OF THE PROPOSED CHARTER AMENDMENTS AT THE ELECTION TO BE HELD ON MARCH 12, 2019; PROVIDING FORM OF BALLOT; PROVIDING FOR FILING REVISED CHARTER WITH THE FLORIDA DEPARTMENT OF STATE, AND OTHER DIRECTIONS TO CITY STAFF; PROVIDING FOR AN EFFECTIVE DATE OF THE ORDINANCE AND CHARTER AMENDMENTS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND CONFLICTS.

City Clerk read Ordinance 18-13 by title.

City Manager Francis said this was a discussion Comm Weinsier wanted to see on the ballot. The City Attorney believes the City may run into a fowl with the State Statute. He is recommending that Council table Ordinance 18-13 to the November 13th meeting to allow the City Attorney to further research the request and to ensure that Comm Weinsier will be present for the discussion and motion.

Comm Sims moved to table the reading of Ordinance 18-13 to November 13, 2018.

Comm Carugno seconded the motion which passed unanimously 5:0.

DISCUSS AND APPROVE CHANGES TO THE PERSONNEL MANUAL

City Manager Francis said according to the Charter, Section 4.09 the City Manager establishes personnel policies in the City Manual; however, all changes must be approved by the City Council. Mr. Francis said some of the changes reflect the requirements established by the Fair Labor Standards Act and necessary housekeeping items. Mr. Francis gave a brief summary of the highlighted changes;

- Acknowledgment Sheet
- Introduction and General Policies
- Whistle Blower Clause
- Domestic Violence
- Retaliation
- Requirement and Selection
- Employee Records – Confidentiality
- Right to examine personnel files
- Employee Benefits
- Paid Time Off – Donation Hours
- Performance Evaluations
- Travel, Training, Education, and Expenses
- Code of Conduct, Ethics and Conflict of Interest
- Confidentiality
- Workplace Violence and Incident Reporting
- Sexual Harassment
- Use of Electronics, Email and Web Access
- Emergency Closing
- Separation from Employment. Release of Information
- Leave Donation Form

Mr. Francis asked for approval of the changes as presented to the City Personnel Manual.

Comm Nielsen moved to approve the changes presented to the Personnel Policy and propose a Resolution for adoption.

Comm Gold seconded the motion which passed unanimously 5:0.

ATTORNEY REPORT— no report.

City Manager's Report

Mr. Francis reported on the following updates,

- He has drafted a preliminary policy on Council rules and procedures. Some of the items to discuss will be meeting time limits and recognition of Council members before the discussion. He will provide the draft of the policy for review and discussion on November 13, 2018.
- Mr. Francis gave an update on the Nela Fountain Roundabout. The Contractor has advised the City that some of the piping in the area is not adequate for the type of fountain that was proposed. The Contractor is proposing a three-tier fountain similar to the one at Regal Park. He further recommended placing the Bronze Fountain at City Hall.
- NAV Board report - Mr. Francis provided a summary of the last NAV Board meeting.

- Mr. Francis reported that the City had a meeting Orange County on the drainage project on Matchett Road. The County is going to try to delay the project until a better project for that entire area can be designed to include a nutrient separating box. At that time, the Cornerstone Field drainage project will also be addressed.
- Price Construction will hold the start of the project for two weeks until the in-lining of the pipes is completed. The Lake Conway Shores project should be completed by mid-December.
- The City is waiting for quotes from Middlesex for paving around City Hall. In addition, we are waiting for three quotes for repair of the curbs throughout the City.
- Transportation Plan is in its final stages that will include additional bike and pedestrian friendly roads. A stakeholders meeting will be scheduled sometime in mid-December.
- Mr. Francis reported that he will be meeting with the contractors and the business owners in the Wawa/Conway area to discuss traffic solutions.
- Mr. Francis said he met with Orange County regarding jurisdiction of certain roads in the City. After the meeting, Orange County said they will be transferring jurisdiction of Seminole Road to the City. The jurisdiction of Seminole is the road only not the residential properties. He is open to future discussions to include the jurisdiction of Judge, Daetwyler, Matchett, and Perkins (Matchett to Gondola). Mr. Francis said Orange County typically repairs the road to Orange County standards before transferring it over to the City.
- Mr. Francis said he has provided a Lot Split Report to Council for review and will have it on the agenda for discussion on Nov 13th.
- The forensic audit is complete and will be presented to Council on October 30th. After the presentation, the report will become a public document.
- Staff is looking to present a parking discussion and presentation to City Council for December 4th.

Chief's Report

- Chief Houston said in participation with the Cornerstone Charter School the Walk / Bike to school day was educational and successful with about 75-80 attendees.
- Chief Houston gave an update on the Officers who went to Tallahassee. It was an investment to send them to aid in the Hurricane cleanup. The Police Department had a fundraiser for the Red Cross and raised 7500 for the cause.
- Senior Education Event at 10:00 am on October 17th.

Tree Board Report

- Holly Bobrowski introduced Emily Wakley for approval on the Tree Board.
Comm Gold motioned to accepted Emily Wakley to the Tree Board.
Comm Sims seconded the motion which passed unanimously.

MAYOR'S REPORT

- Mayor Pisano reminded the community of the "Teach a Kid to Fish Day" event on October 20th.
- Ducktober Fest at the School
- Mayor Pisano presented d the Holiday budgets for the Santa Ride and Tree Lighting/Snow Day events.
Comm Nielsen stated that she is not in support of the snow and the safety associated with it. She also clarified the change to the program to include Santa Stops throughout the City.
Comm Partin also shared his concern with the safety issues with the "snow".
Mr. Francis said instead of using the snow we currently use we can explore another cost-effective option, such as what is used at Celebration and Gaylord Palms.

After discussion, Comm Sims moved to approve the Santa Ride event and table the Snow/Tree Lighting event to allow more affordable and safer options.

Comm Nielsen seconded the motion which passed unanimously 5:0.

REQUEST OF CHRIS COMINS AND DARYL CARTER TO ADDRESS CITY COUNCIL

Chris Comins residing at 4932 Oak Island Road shared a brief overview of his plans to develop in the City of Belle Isle and a summary of his career and personal growth.

Mr. Comins addressed the two abandoned trailer parks and the process he has taken to prepare these parcel for new development which included:

- removal of 42 obsolete septic tank on Daetwyler and 21 tanks on Seminole;
- removal of concrete buildings with asbestos
- removal of dilapidated pipes.
- removal of obsolete wiring and telephone poles

During that time he also purchased a property from Daryl Carter after he obtained a lot split. There has been concern about the speed of development. He has distributed a letter from Brent Walters who is actively pursuing permits for the next two homes. He feels what he is doing is a large benefit to the City. He has removed obsolete trailer parks and vile items in the ground contaminating the lakes and replaces this with beautiful homes that will grow the City's tax base.

Mr. Comins addressed the proposed development of 33 townhomes and six docks on Daetwyler. He said this proposal may change to single family homes with no docks; however, he has not made that decision. As for the traffic concern, he is already reducing the number of the vehicle with this proposal than what then existed with the trailer parks.

He asked City Council if there is anything else he can be doing to smooth the path to completing these projects in the interest of the Community; he is doing a good thing for all the right reasons and would like to be able to understand the concerns.

Comm Sims asked Mr. Comins if the property in Daetwyler and the property on Seminole be proposed and approved simultaneously. Mr. Comins stated that he has not stated as such. He said these are two projects with separate issues and should not be a joined together.

Daryl Carter with Morey Carter & Associates with offices at 3333 S Orange Avenue clarified the purchase by Mr. Comins of the Seminole property. He said Mr. Comins is an amazing person and does a lot for others in the community. He is vouching for Mr. Comins and stated that he is an asset to the community.

Angel Sanchez, Project Manager with offices at 6413 Pinecastle Blvd spoke about the long, unexpected process to bring the properties to par. The main goal is to build a beautiful home s for the community.

Council Reports – no report

ADJOURNMENT

There being no further business Mayor Pisano called for a motion to adjourn. The motion was passed unanimously at 7:45 p.m.

Yolanda Quiceno, CMC, City Clerk