



CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, December 6, 2022, * 6:30 pm

MINUTES

Present was:

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

Absent was:

District 3 Commissioner – Karl Shuck
District 4 Commissioner – Randy Holihan

1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed quorum. Also present were City Manager Francis, Attorney Chumley, Chief Houston, Deputy Chief Grimm, and City Clerk Yolanda Quiceno.

2. Invocation and Pledge to Flag – Commissioner Beth Lowell, District 5

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

3. Presentations

a. Presentation of the Mayor's Annual "State of the City" Message to the City Council

Mayor Fouraker presented the State of the City. He stated that the entire State of the City address could be viewed on the City's website and published in the current Belle Isle Connection Newsletter.

b. Hurricane Heroes

Mayor Fouraker presented a Certificate of Appreciation to the Hurricane Heroes and thanked them for their volunteerism for hurricane-related recovery. The Heroes acknowledged were Donald Hoevenaar, Dave Smith, Pete Madison, Tyler Madison, Chris Bass, Officer Trendafilov and Officer Tapia, Mark and Austin Smothers, Richard Weinsier, Sandy and Don George, William and Cole McMullen, Joanna Brune, Remington Readey, and Jose Cabrera. He further thanked Commissioners Carugno, Smith, and Lowell for their continued support of the residents of Belle Isle and for being part of the hurricane recovery.

4. Consent Items - n/a.

5. Citizen's Comments

Mayor Fouraker opened for Citizen Comments. There being no comments, Mayor Fouraker closed citizen comments.

6. Unfinished Business – n/a.

7. New Business

a. Discuss/Approval of Land Acquisition

City Manager Francis said the City Council provided him the direction to investigate available properties that may be an asset to the City. He presented an updated site survey for the 1209 Hoffner Avenue property, .56 acres of open space with a 25-foot easement off Hoffner, and a non-binding letter of intent to purchase for \$200,000. He stated that the landowner has accepted the offer and is bringing it forward for Council approval. The City is currently obtaining a Phase 1 Environmental survey. The property can be annexed into the City in the future because it is contiguous with the right-of-way by the Masonic Lodge.

Council discussed using the property as an open space and adding security fencing and signage. Council discussed annexation with the surrounding properties. Mr. Francis noted that an involuntary annexation might be possible. The properties on the east and west are part of the Pine Castle Preservation District, and voluntary annexation is a tuff process.

Mayor Fouraker said the Wallace Field development is on hold because the Council has prioritized finding a new City facility. We do not have excess property, and this is a very inexpensive acquisition that allows us to plant our flag further toward Hansel Avenue.

**Comm Smith moved to accept the offer to purchase the property at 1209 Hoffner Avenue for \$200,000, contingent on a clear environmental assessment.
Comm Gold seconded the motion, which passed unanimously 5:0.**

b. Approval of Purchase of New Boat Motor for Police Department (PD)

Mr. Francis said the Council allocated \$50,000 to purchase a new boat; however, with the increasing prices, the PD purchased a personal watercraft for lake patrol. A new motor is needed for one of the boats. Under the City Purchasing Policy, any purchase between 15-20,000 must be approved by Council. The PD has included three written quotes and will offset some costs by reselling the current motor.

**Comm Gold moved to approve the purchase of a motor from Portside Marine for \$23,674.00
Comm Lowell seconded the motion, which passed unanimously 5:0.**

c. Request for Authorization to Take Necessary Legal Action to Resolve Septic Tank Issue at 1615 Idaho Avenue

The City has received and verified complaints of a leaking septic system down the driveway located at 1615 Idaho Avenue. The Code Enforcement Officer fined the owner and notified the Department of Health. Regardless of the fines and liens imposed against the property, the owner has yet to take appropriate corrective actions. This situation falls under the recent ordinance passed about dangerous and substandard structures. Staff is asking for Council authorization to undertake legal action to enforce the City's code and abate the nuisance. The consensus was to have the Council evaluate the cost before moving forward with the abatement and lien.

Attorney Chumley said Code enforcement often is an imperfect way to deal with these issues. In this sense, we have a sanitary nuisance essential, a public nuisance in our code. We will seek an order from the Court authorizing us to abate the issue. The cost for filing the Court order and administrative fees may be approximately 25,000+. This property is currently homestead, and the law protects the enforcement of non-consensual liens against homestead properties. If a lien or judgment is processed, it may never be paid unless the home is sold and the bank would like to satisfy the lien, subject to limitations of seven years. Attorney Chumley said the City would have to assess the issues fully. After correction, if the homeowner continues to live on the property, there may be the possibility that it will happen again.

Chief Houston stated that this is a known drug home. The homeowner has indicated that he would like to sell the property. Some neighbors are interested in purchasing the home as-is. The homeowner has been cited for renting without a license and numerous other citations.

Mr. Francis said under the new ordinance; the City would also be evaluated at two other addresses, St. Marie and Arajo.

**Comm Gold moved to approve the City's filing of a lawsuit to enforce the City's Code and seek abatement of the sanitary nuisance at 1615 Idaho Avenue.
Comm Smith seconded the motion, which passed unanimously 5:0.**

d. Discuss Report to OIA ANAC Committee

City Manager Francis said the staff received many complaints from residents regarding noise from the airport. The increase in noise is twofold; 1. Introduction of the Metroplex operation and procedures for outgoing aircraft, and 2. taking away the natural noise buffer on the east side of Conway. Comm Carugno worked with the Consultant and developed a report to present to the ANAC Board for the north and south operations. If there is no

response, it will be submitted to the GOAA Board or the FAA. The report will be presented to the ANAC Board at their next meeting on January 13, 2023.

Comm Partin moved forward with the report developed by the City and its Consultant to the airport's ANAC Board and the GOAA Board for their review.

e. Discuss/Approve RFP for Centennial Event Consultant

In 2024, the City will observe its 100th Anniversary. To assist the Special Events Committee, the City will issue an RFP for an event planning Consultant to help with a budget and other assistance. The Special Events Committee has reviewed the RFP and is ready to be published. If interviews are necessary, the Special Events Committee will schedule them accordingly.

Comm Gold moved to approve the RFP and direct staff to publish the RFP.

Comm Smith seconded the motion, which passed unanimously 5:0.

f. Discuss/Approve RFP for Continuing Services Contract for Sidewalk Repair/Replacement

The Council directed the Public Works Department to inspect and repair/replace sidewalks and driveway aprons. The City does have a contractor; however, the RFP will provide continuous service with single or multiple contractors and would eliminate the need to request quotes each time work is necessary. Mr. Francis noted that widening sidewalks, i.e., Judge and Hoffner, will be part of the traffic plans submitted by MetroPlan and under the Traffic Advisory Committee. As a note, Orange County does not allow the City to piggyback under its contract.

Comm Smith moved to approve the RFP and direct the staff to publish the RFP.

Comm Partin seconded the motion, which passed unanimously 5:0.

g. Discuss/Approve RFP for Comprehensive Plan Update Consultant

Every seven years, the City must report any changes to the City's Comprehensive Plan to the State. In 2017, the Council sent a letter to the State that there were no changes at the time. The next update is due in 2024. There have been many changes in the City, and he anticipates changes to the Plan. The staff has received two applications for the Comp Plan Committee and is looking for volunteers. The deadline for the application submittal will be extended for all Districts.

Comm Partin moved to approve the RFP and direct the staff to publish the RFP.

Comm Lowell seconded the motion, which passed unanimously 5:0.

8. Attorney's Report - na

9. City Manager's Report

a. Issues Log

Mr. Francis gave an overview of the Issues Log dated December 6, 2022.

City Manager Francis provided a copy of a "To-do List." Mr. Francis asked for assistance and explained the many open projects on his desks that require much time. He is hiring a Public Works Director and will take care of some items. As part of the succession plan, he is looking for Council approval to hire an assistant City Manager and have someone in place.

Mayor Fouraker spoke on his agreement with the request. He noted a lot of savings and value in creating a smart succession plan. Comm Carugno and Comm Lowell agreed.

Comm Smith asked if the Budget Committee has approved the position. Mr. Francis said it was not funded in the budget but was a discussion item on the needs list.

Comm Gold said that because the request is for a succession plan, he would like to see the Council participate in the hiring of the Assistant City Manager. Council discussed having the City Manager collect the three best resumes and provide a recommendation to the Council. After implementing the succession, a discussion ensued on a 3-month probationary period.

Comm Partin said he would like to see how many items on the To-do List are systematic in the absence of a Public Works Director. He would also like to have a full council when making the decision. Comm Smith agreed.

Council recommended an agenda item for consideration at the next meeting that will include a draft of the RFP, including salary, expectations, and Council participation in the interview process.

b. Chief's Report

Chief Houston reported on the following,

- Chief Houston reported that they have three good candidates for consideration.
- Regal has a new safety staff and is excited about implementing the new Plan.
- Crosswalk detail on Monet – 15 citations were issued in two days.
- A golf cart safety message was posted on social media to promote traffic laws.
- Increase in calls from dementia residents – if you can identify someone who may need assistance, please contact the Community Service Officer.
- Safety and traffic issues on Fairlane/Hansel crosswalk. We are looking to schedule meetings to discuss using designated crosswalks.
- Three strong candidates for Code Enforcement are to be determined in January.
- Red Light Cameras eastbound on Lindos and McCoy are active as of December 1. The warning period has expired.
- The grant for license plate readers will be on the next agenda for Council review and approval.
- The 500 ft wake is not in effect and has expired with the emergency ordinance, and the ramps are now open.

10. **Mayor's Report**

Mayor Fouraker reported on the following,

- Mo Rigante was a wonderful person, and I thanked him and his family for the support of the City.
- Mayor thanked Comm Uribe for the Santa stage for the Light the Way event.
- Mayor Fouraker thanked Holly Bobrowski and the Special Events Committee for all their hard work with the City events.

11. **Items from Council**

Comm Carugno shared his concerns with the operations of the weirs. He would like to request that the City Attorney can recommend how we can get to someone who makes decisions on their operations. Attorney Chumley suggested that staff submit a public request for documents on their decision-making process. Mr. Francis noted that he had emailed Orange County staff to schedule a departmental/stakeholder meeting.

Comm Carugno spoke on the upcoming meeting dates and motioned to cancel the December 20 meeting.

Comm Partin seconded the motion.

The motion failed 3:2.

Comm Partin spoke on "porch pirates" and encouraged residents to pay attention to their deliveries.

Comm Lowell spoke on the uptick in safety concerns at the Publix on Hoffner and asked if the City could post on social media.

12. **Adjournment**

There being no further business, Mayor Fouraker called for a motion to adjourn.

The motion passed unanimously at 8:30 pm.