



## city council minutes

## MINUTES July 17, 2018 City Council Regular Session: Regular Session 6:30 pm

The Belle Isle City Council met in a regular session on July 17, 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 Harv Readey  
Commissioner Jeremy Weinsier

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

### **CALL TO ORDER**

Mayor Pisano called the regular session to order at 6:30 pm and the City Clerk confirmed quorum. Comm Gold gave the invocation and led the Pledge to the flag.

Mayor Pisano called for a motion to excuse Comm Weinsier from tonight's meeting.

**Comm Gold motioned to excuse Comm Weinsier for tonight's meeting.**

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

Mayor Pisano welcomed Pete Clarke, Orange County District 3 Commissioner.

Comm Clarke spoke of an erroneous Facebook post regarding the proposed development on Orange Avenue. The subject property is a proposed urban development project that can allow for 10 units per acre. He clarifies that the surrounding area had been notified and the County has held a number of meetings to update the community in 2016 and 2017 as follows, 2016: May 18, Oct 27, Nov 18 and Dec 16; 2017: Feb 6, Feb 17, Mar 17, Apr 3, May 25, Jun 14, Sept 27 and Nov 18. He gave a brief overview of the proposed project and said he will not pass any project that is not compatible with the surrounding area.

- Trish Russell residing at 1128 Nela Avenue spoke in opposition to the proposed project.
- Lisa Newman residing at 1115 Nela Avenue spoke in opposition to the proposed project.
- Gary Meloon residing at 6101 Matchett Road spoke in opposition to the proposed project.
- Holly Bobrowski residing at 2400 Hoffner Avenue spoke in opposition to the proposed project.
- Emily Wakley residing at 3019 Indian Drive spoke in opposition to the proposed project.
- Beth Lowell residing at 2416 Homewood Drive said better communication between Orange County and the City would be beneficial

### **CONSENT ITEMS – no report**

### **CITIZEN COMMENTS**

Mayor Pisano opened for citizen comments. There being no comments, Mayor Pisano closed citizen comments and opened for Council discussion.

## UNFINISHED BUSINESS

### Discussion of Annexation for the Hoffner Avenue Area

Mr. Francis opened for a general discussion on Annexation. He spoke of the January workshop and the four areas of discussion in annexing contiguous property in the City, such as (1) vicinity Hoffner and Hansel, (2) properties in the Pine Castle Urban Center, (3) vicinity from Sand Lake Road to Hoffner, and (4) commercial properties in the Conway/Hoffner area. He provided an outline of what will be required to accomplish the annexation and asked Council for further direction and a timeline moving forward. Council discussed the following focus areas,

1. Comm Partin:
  - a. Hoffner and Conway commercial area
  - b. Orange Avenue on the East/West side beyond the tracks
  - c. McCoy to Sand Lake
  - d. Randolph Boat Ramp
2. Comm Nielsen:
  - a. Hoffner and Conway commercial area
  - b. Vicinity area around the school
  - c. Randolph Boat Ramp
3. Comm Sims:
  - a. Crescent Park
  - b. Nela Avenue to Orange Avenue
  - c. Daetwyler Drive (Fish on Fire)
  - d. Hoffner and Conway commercial area
  - e. Orange Avenue on the East/West side beyond the tracks
  - f. McCoy to Sand Lake
  - g. Randolph Boat Ramp
4. Mayor Pisano:
  1. Vicinity area around the school
  - a. Borderlines from Sand Lake to Hoffner, Gondola, and Matchett to Orange Avenue
5. Comm Carugno:
  - a. Randolph Avenue West and South to Sand Lake (including the industrial property)
  - b. West of Gondola to West of Matchett Avenue
6. Comm Gold:
  - a. Hoffner Avenue and Conway commercial area)
  - b. Nela Avenue to Orange Avenue
  - c. North Lake encirclement

Chief Houston shared her opinion and said the City cannot maintain the annexing areas without researching the hiring of additional staff. She believes the quality of life should be a top priority and said if requested, she can get law enforcement stats on all areas discussed for review.

Mr. Francis spoke of the annexation process and criterions (e.g. contiguous land, reasonably compact, wholly unincorporated or developed for urban purposes) that have to be met before moving forward.

Attorney Ardaman addressed the following four mechanisms for annexation;

- 1) Voluntary Annexations – 100% participation
- 2) Involuntary Annexation – 70% participation of voting electors or 50% of owners for commercial business
- 3) Enclave – by referendum
- 4) Inter-local Service Battery Agreement with the County

Comm Carugno spoke of the pros and cons in annexing the property passed the railroad tracks. Attorney Ardaman said if it's the Council's priority, having control of both sides provides an advantage of control of the surrounding area for the City. Discussion ensued on contiguous properties passed the railroad provided that the area does not prevent the City from being a unified whole. Comm Nielsen shared her reservations on moving forward West of Orange Avenue.

After discussion, Council's priorities were clarified as follows,

1. Conway/Hoffner Area
2. Randolph Area (Randolph boat ramp and Charter School area)
3. Orange Avenue (Matchett to Orange Avenue)
4. Other borders of the City

Mr. Francis discussed the publication/hearing timeline and preparation of the report/packet describing the plan to provide Urban Services which will contain the following,

- a. Map of the area to be annexed (Metes and Bounds)
- b. Map showing City limits, sewer and water lines
- c. Land Use pattern
- d. Written statement on how each new area will be provided an extension of urban services, water (OUC) and sewer (OC)
- e. A written statement of the services the City will provide such as Police, Public Works and Code Enforcement (COBI), fire (OC), water & sewer (OUC)
- f. List of Questions and Answers,
  - a. Why should I be annexed into the City?
  - b. What are the costs to annexing into the City?
  - c. Would the services be better or more?
  - d. What is in it for me?
- g. Social Media support – will the community support the annexation
- h. Door-to-Door solicitation for support of the annexation

City Manager Francis clarified the process and associated costs to move forward with the annexation. If there is no referendum of the proposed annexation it must receive 51% of the parcels must consent to the annexation. If it is accomplished by referendum, and the referendum fails, the City will not be able to propose an annexation for the same location for up to 2-years.

Council discussed mailed ballots avoiding additional costs associated with a special election. Attorney Ardaman said he will research the option and get back to Council.

## **NEW BUSINESS**

### Approval of donation of 4.07 acres of land by Thirumala Property LLC

Mr. Francis said the Attorney Ardaman has submitted a donation agreement which was received later today by the Owner with some revisions. Some of the revisions are of concern and Mr. Francis would like to request additional time to go over the agreement before Council approval. Mr. Francis gave a brief overview of the project and the proposed donation. Discussion ensued on the building height and lighting noise.

## **ATTORNEY REPORT**

Attorney Ardaman reported that he has had conversations with the Charter School Attorney and OCPS. He said they informed him that they will require additional time to evaluate some of the questions sent by Council. He will report to Council of their response at the next session.

## **CITY MANAGER'S REPORT**

City Manager Francis reported on the following,

- a. The City has received a Request for Relief from Bobby Lance. At this time the City is looking for a special magistrate to mediate both parties. He informed Council that the Attorney representing Mr. Lance is former Attorney Tom Callan. He said it is not un-ethical however, if the Council has a concern he can ask for a change in Counsel. The Counsel consensus was that they did not have a problem with Attorney Callan representing Mr. Lance.

Attorney Ardaman asked for a motion to (1) authorize the City Manager as the representative of the City for this process and approve the magistrate, (2) appoint a Commissioner as part of the panel and (3) the authority of the City Manager to negotiate on behalf of the City and pay for half the cost of the special magistrate

**Comm Nielsen moved to appoint the City Manager to handle the negotiations and handle the process.  
Comm Carugno seconded the motion which passed unanimously 5:0.**

**Comm Gold moved to appoint Commissioner Jim Partin to participate in the special magistrate discussion.  
Comm Sims seconded the motion which passed unanimously 5:0.**

- b. Mr. Francis reported that he will be out of the Country on August 8-18<sup>th</sup> and would like to designate Chief Houston the authority to sign on his behalf.
  - Comm Sims moved to appoint Chief Houston as acting City Manager from August 8<sup>th</sup>-18th in Mr. Francis absence.**
  - Comm Gold seconded the motion which passed unanimously 5:0.**
- c. Mr. Francis met with the consultant from CCA and discussed a few inaccuracies and discrepancies in the report. He will forward the revised report once received. He asked the consultant to schedule a joint meeting to present to Council and the School Board once it has been revised.
- d. Mr. Francis reported that the total cost of expenses incurred on the Duck Hunting issue with Fish and Wildlife Commission was \$127,600. The Council looked at the project in the interest of public safety and to the many concerns voiced by the residents.
- e. Mr. Francis gave an update on the issues log by project,
  - a. Wallace Field Run-Off - The City has received permission from Orange County and St Johns to land applicate the Wallace field, however, he is requesting a hold to the correction until the Use Agreement has been signed with the Charter School and can be incorporated with the site plan.
  - b. Gene Polk Park – Waiting on FEMA to provide funding
  - c. Street Paving – Waiting for quotes on paving the area around City Hall which will include milling and curbing. He reported that the curbing portion of the quote is not on a piggyback contract and will have to go out to bid.
  - d. Storm Drainage – LCS project is moving forward. There is a problem with the construction of the road which slopes the wrong way in certain areas not allowing all the water to drain. The good news is that the water around the lake lot is draining in about 20 minutes during heavy rain.
  - e. 4-Stormwater projects added to the 2018/2019 Budget: St. Partin, Seminole, and Daetwyler, Nela Avenue 2800 Block and Wind Drift Road.
  - f. Traffic Study – Consultant finalizing an outline for the Master Plan and will follow up with discussions. They will schedule another community meeting once completed.
  - g. Park Signage – Standardize all park sign and add to next year’s budget
  - h. Wallace & Matchett Park – He reported that the school will not need the entire field. The City has put out a quick survey to residents to see what they would like to see in that location. Once the City receives the school’s plan he will be able to revisit the residents “wish list”. Comm Nielsen stated the City has been waiting for the site plan for almost a year and would like to set a date for completion.
  - i. Perkins Boat Ramp – Mr. Francis reported that the current rules and regulations in place were incorporated by a court order when permitted initially by Orange County. If the City would like to change any of the rules he can put in a request to Orange County.
  - j. Rental Ordinance – He has revised the ordinance and made revisions per the Council discussion. He can bring back on the agenda in August at Council’s request. Council consensus was to place on the agenda for the second meeting in August.
  - k. Vision– Mr. Francis asked Council to schedule a time for a strategic meeting. Council consensus was to schedule a formal session in October for the new budget year and authorize the City Manager to engage a consultant
  - l. Bird Sanctuary – Second Reading of the Ordinance will be on the next agenda. He would like to provide a sign to be placed on the lakeside at the end of the existing docks. Council was in agreement with the request. Comm Carugno asked if the City can request lakeside residents to place their address on the boat dock for ease of reference on the water for law enforcement and first responders.

- m. Parking Ordinances – A draft ordinance will be provided for review in a September meeting.
- n. Solar Panel – Waiting for quotes from a consultant.
- o. Tree Issues – Mr. Francis announced that the City has been officially designated as a Tree City. Once the City receives their packet he will formally announce the designation at a future meeting.
- p. Cross Lake – Phase 1 Environmental report should be ready for distribution in August.
- q. The City staff will be elevating the canopy on Hoffner in preparation of the storms. Notices will go out accordingly to advise residents on traffic delays.

#### **CHIEF'S REPORT**

Chief Houston reported on the following;

1. Chief Houston reported that the road on Hoffner in front of Wawa has become very dangerous. The City has scheduled a five-day traffic detail to collect the data required for Orange County to redesign the traffic pattern and prevent those from going into ongoing traffic.
2. Orange County will be placing construction barricades on the north part of Hoffner and Conway to eliminate crossover traffic.
3. The trucks and trailers illegal parked on Hoffner Avenue have been sent to Orange County for enforcement.

#### **MAYOR'S REPORT**

1. Mayor Pisano called for a motion to excuse Comm Harv Readey for tonight's meeting.  
**Comm Nielsen motioned to excuse Comm Readey for tonight's meeting.**  
**Comm Sims seconded the motion which passed unanimously 5:0.**
2. Mayor Pisano reported numerous calls she has received on the noise coming from the sandbar. Chief Houston said the CSO Officer is working on enforcement.
3. Wawa will be hosting the Belle Isle PD meet and greet on Wednesday from 12:00-1: 00 pm.

#### **COUNCIL REPORTS**

- Comm Nielsen shared her concern with the inaccurate post on Facebook causing many residents to be extremely upset. The City has put in place several ways the City can communicate with the public. She would like to have a Resolution that will state that no City Official can post about City business on any public forum other than directing them to staff, the City website, subscribing to E-alerts or City facebook page. After discussion, Council consensus was to have the City Manager resend the Social Media Policy for review, discussion and enforcement at the next meeting.
- Comm Carugno asked for LED lighting at the crosswalk on Hoffner by the street lights on the corner. In addition, he would like to have the 25mph sign moved further down the road for safety reasons.

#### **ADJOURNMENT**

There being no further business Mayor Pisano called for a motion to adjourn, unanimously approved at 8:55 p.m.

Yolanda Quiceno, CMC, City Clerk