



CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING

Held in City Hall Chambers, 1600 Nela Avenue

Tuesday, April 20, 2021, * 6:30 pm

MINUTES

The Belle Isle City Council met in a regular session on April 20, 2021, at 6:30 pm at the City Hall Chambers, 1600 Nela Avenue.

Present was:

District 1 Commissioner – Ed Gold
District 2 Commissioner – Anthony Carugno
District 3 Commissioner – Karl Shuck
District 4 Commissioner – Mike Sims
District 5 Commissioner – Rick Miller
District 6 Commissioner – Jim Partin
District 7 Commissioner – Sue Nielsen

Absent was:

Nicholas Fouraker, Mayor

1. Call to Order and Confirmation of Quorum

Vice Mayor Carugno called the meeting to order at 6:30 pm, and the City Clerk confirmed quorum. He said the Mayor would not be in attendance due to prior engagement.

Also present were City Manager Francis, Attorney Ardaman, Chief Houston, and City Clerk Quiceno.

2. Invocation and Pledge to Flag – Commissioner Partin – District 6

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

3. Proclamation

a. MADD "Power Talk 21 Day" - April 21, 2021

Vice Mayor Carugno presented and read for the record the Proclamation proclaiming April 21, 2021, as National Power Talk 21 Day in the City of Belle Isle.

4. Comprehensive Annual Financial Report - McDirmit Davis

a. CAFR Presentation - YE September 30, 2020

City Manager Francis welcomed and introduced Mathew Lee, City Auditor with McDirmit Davis.

Mr. Lee presented the CAFR YE on September 30, 2020. He gave a brief overview of the following highlights of the report as follows,

- Unmodified Audit Opinion
- General Fund balance increased \$166k to \$2.54m.
- Stormwater fund decreased \$61k to \$(37k) - Timing of FEMA grant money caused fund balance deficit
- \$700k total capital outlay, including \$354k spent on Gene Polk Park improvements
- Issuance of Series 2020 Note \$2.56m and creation of Capital Improvements Fund
- Segregation of Duties – is a recommendation for improving financial management and not a significant weakness.

Comm Miller asked if the Auditors had an opinion to have the City Manager as an authorized signatory on the accounts and purchase orders. Mr. Lee said the nature of the comment relates more to the day-to-day functions of the accounting functions and not the having access to the City accounts. The City Manager does not reconcile

any accounts, post items for payment, or access the GL's to change any City accounting records. Mr. Lee said typically, a City this size will have a Finance Director and an additional staff person on staff assist with various duties. Mr. Lee said there is not a need for other staff due to the volume of transactions. Historically, it is rare to have the City Manager sign any checks for payment. It is at the discretion of the Council to have the Mayor as a signatory on the account.

Comm Miller asked if the 20% Fund Balance requirement sufficient if there are cities that are subject to more "frequent disasters," i.e., hurricanes, that will require additional savings. Mr. Lee said that the 20% is a general minimal guideline. The City is currently above 20%, and other funds will be a political question on how much the Council will like to keep on hand.

Comm Partin asked if the Budget Committee raised any concerns at the last meeting. Mr. Lee said some of the matters related to big picture questions on Internal Reporting, Segregation of Duties, and the possibility of additional staff. He clarified that the Segregation of Duties comment is not a deficiency but an awareness of the risk and recommendation to help improve financial stability. He said he would provide the Council an informal report listing their opinion and suggestions at the next reporting season.

Comm Gold asked if the FEMA grants will be added to the budget. Mr. Lee said yes, it is added upon receipt of the funds to ensure submittal and not be in the negative.

5. **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. March Monthly Reports: Finance Reports, Police Department, Code Enforcement, and OC Fire

Comm Nielsen moved to approve the Consent Items as presented.

Comm Miller seconded the motion, which passed unanimously upon roll call 7:0.

6. Citizen's Comments

Vice Mayor Carugno called for citizen comments. There being none, he closed citizen comments.

7. Unfinished Business

- a. ORDINANCE 21-05 SECOND READING AND ADOPTION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN PUBLIC RIGHT-OF-WAY LANDS OWNED AND CONTROLLED BY THE CITY OF BELLE ISLE GENERALLY DESCRIBED AS PORTIONS OF MCCOY ROAD, FRONTAGE ROAD, DAETWYLER DRIVE, AND JUDGE ROAD THAT WERE CONVEYED AND TRANSFERRED TO THE CITY OF BELLE ISLE BY THAT CERTAIN COUNTY DEED RECORDED AT DOCUMENT NUMBER 20200272165, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, INTO THE MUNICIPAL BOUNDARIES OF THE CITY OF BELLE ISLE; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY OF BELLE ISLE JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY, INSTRUCTIONS, AND AN EFFECTIVE DATE.

City Clerk read the Ordinance 21-05 by Title.

Vice Mayor Carugno called for a motion.

Comm Gold moved to adopt Ordinance 21-05 as presented.

Comm Nielsen seconded the motion, which passed unanimously upon roll call 7:0.

- b. Approval of Resolution 21-05 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AUTHORIZING COUNCIL MEMBERS AND THE CITY MANAGER AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

City Clerk read Resolution 21-05 by Title.
Vice Mayor Carugno open for Council discussion.

Comm Partin asked for a summary of the City's check signing process.

City Manager Francis explained that the decision to have the City Manager as a signatory has been in effect since 2005. After further research, the City Manager was added as a signatory because there was difficulty in having Council members come to City Hall to sign checks, creating late payments to vendors. Mr. Francis said he rarely signs any checks however is available for signature under emergency declaration (i.e., During Hurricane Dorian). He further added that signing the bank documents is required whenever there is a change in the Elected Officials.

Comm Miller said to maintain a separation of duties, he would like to recommend additional controls and have all payments signed by the City Manager to be presented to Council for review at the next available Council meeting or assign the Mayor as a signatory on the account. He shared his concern with the bank documents that indicate one signature is required for payroll accounts.

Attorney Ardaman asked if the City requires one or two signatures of any Council member on any expenditure. He recommends the Resolution changed to include a Recital that reads at least two City Council signatures are required for expenditures/payments for transparency and clarity.

Ms. Richardson said the City currently follows the practice of two signatures on all expenditures/payments. She said she would review the bank documents for clarity and correct them accordingly.

Vice Mayor Carugno called for a motion.

Comm Miller moved to adopt Resolution 21-05 and remove the City Manager as a signatory and replace with the Mayor as an authorized signer.

Comm Gold seconded the motion, which passed 6:1 upon roll call with Comm Carugno, nay.

- c. Approval of Resolution 21-06 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, PROVIDING AN EFFECTIVE DATE.

City Clerk read the Ordinance 21-06 by Title.

Vice Mayor Carugno called for a motion.

Comm Gold moved to adopt Ordinance 21-06 as presented.

Comm Sims seconded the motion

Comm Partin asked the Finance Manager to provide a summary of the changes.

Finance Manager Tracey Richardson reported the following budget adjustments,

Revenue

- Increased the CARES Act (COVID) reimbursement line for the prior fiscal year.
- Reduce Solid Waste Fees - Assessments are made at a 95% collection rate similar to non-ad Valorem fees
- Red Light Cameras - Reduced \$200,000 based on the collected violations
- Interest Accounts reduced – City is not receiving the same level of interest as previous years
- Fixed Assets – Insurance reimbursement for two totaled Police vehicles
- Contributions – Adjustment based on \$2000 collected for Police Department events

Expenditures

- Other Miscellaneous – Increased \$2122 based on insurance reimbursement on damage to Code Enforcement vehicle
- Police Detail – Increased \$7000 based on reflecting current activity
- Fire & Protection – Reduced \$6240 based on OC actual cost
- Other Current Charges – Increased \$2500 based on activity, one-time payment of non-ad Valorem assessment fee \$3430
- Donations – Council approved Pioneer Days \$600 sponsorship
- PD Off Duty – Increased detail pay based on revenue collected
- Red Light Camera Fees – Recorded \$112,000 each month flat fee total for four cameras paid out of the revenue received
- Public Works Urban Forestry – Increased based on activity
- CIP & Equipment – Decreased \$10,000 for equipment not purchased
- Interest Payments 2020 Bond – Bank of America purchase. A portion of the funds will be used for the Storm Water Fund
- Revenues – Increased \$50,000 for Impact Fee study and reduced road improvements \$20,500 for projects not completed
- Storm Water Fund – Adjusted to include pipelining project
- Charter Debt Service Fund – Increased professional services for the completed Rent Study
- Bank of America purchase - \$2m+ purchase amount

Upon roll call, the motion passed unanimously.

d. Approval of Lobbyist Proposal

City Manager Francis presented the lobbyist's proposals received. He said the Budget Committee held in-person interviews with the three firms and is recommending the firm Gray-Robinson.

Comm Gold asked if the \$54,000 total a monthly or annual fee. Mr. Francis said it would be a yearly fee. The company will meet with the City Council and determine the priorities of the year.

Comm Shuck moved to approve the proposal from Gray Robinson to provide lobbying services to the City. Comm Miller seconded the motion, which passed 5:2 upon roll call with Comm Partin and Comm Gold, nay.

8. New Business

a. Appointment of Betty Lynne De Jarnette to the Tree Advisory Board

Comm Gold moved to appoint Betty Lynne DeJarnette to the Tree Advisory Board.

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

9. Attorney's Report – No report.

10. City Manager's Report

a. Issues Log

City Manager Francis gave a summary on the Issues log dated April 20, 2021, and reviewed the next steps as presented.

Mr. Francis gave an update on the following,

- Wallace Field discussions – P&Z decision appeal on May 4. He said he met with the Wallace Field homeowners group and said he believes the group needs a CCA board liaison. Gary Meloon is reaching

out to CCA Board. CCA discussion on the agreement and lease will be scheduled for May 18 to recommend CCA Board's meeting in June.

- Comm Partin asked if it would be wise to meet with the Wallace homeowners individually. City Attorney and Mr. Francis said he is welcomed to meet with the group; however, he would have to disclose the meeting and declare the ex parte communication at the Public Hearing per Florida Law. Attorney Ardaman recommended elected officials not meet with the group due to the conflicting nature of the appeal; however, there is no legal or ethical prohibition in doing so. In addition, the possibility of a Sunshine law violation can exist if the conversation is conveyed to another commissioner by any party.
- Comm Carugno reported that the Wallace group also contacted him. City Attorney recommended not to meet; however, if he does, he should listen, do not take a position, and disclose the ex parte communication at the Public Hearing. City Attorney said the Public Hearing is the forum/process that should be used to hear all sides of the appeal before deciding.
- OC P&Z Public Hearing for 1205 Nela Ave scheduled for May 6 - City may provide testimony at the hearing.
- Mr. Francis reported that Dwayne Bennett resigned from his position at Public Work. The City has posted an ad for the open position.
- Comm Carugno spoke on flooding on the south side of Hoffner, which may create a safety issue. Mr. Francis said he sent a projected project to Orange County. Next month he will meet with Comm Uribe and will address the concern.
- Council discussed the traffic concerns by Wawa and Cork & Fork.
- Council addressed the traffic turn east of Cove Drive is not working correctly. Mr. Francis said he would contact the City of Orlando.

b. Chief's Report

Chief Houston reported on the following,

- Agency-wide training – Active shooter training with the school and high liability topics
- Working on a noise ordinance with the City Manager
- Chief Houston gave a summary on crime challenges in the City, DUIs, and missing persons. Enforcement and outreach continue at Palm Squares.
- Chief Houston said the Agency had issued 792 uniformed citations (73 criminal (cost recovery), 8 DUI arrests, and 333 traffic citations).
- Crosswalk detail enforcement - 9 violators last week.

11. Mayor's Report – No report.

12. Items from Council

- Comm Sims thanked the City for the 4-Way Stop on Trentwood; residents are happy with the change. Mr. Sims asked if the Wallace Field appeal be the only item on the agenda to allow for full discussions. Mr. Francis said he would try to make it a light agenda.
- Comm Miller said he would like to see the staff spot check the trouble areas with the upcoming rainy season. He further asked that the staff update Council when any appeal is received to allow them the heads up to answer resident concerns.
- Comm Shuck reported that he might have an applicant for the P&Z District 3 seat. He will report at the next meeting.
- Comm Gold spoke briefly on his communication with Gary Mellon and said he would like to recommend a special meeting with the Wallace residents. He further addressed the concerns he has read on Facebook and

said he had informed the Facebook readers that all City meetings are a public forum and welcomes their participation.

Comm Gold said he has been speaking with Emily Hanna, Executive Director of Bike Walk Central Florida. She did a presentation on Pedestrian Safety/Fatality and offered to do a presentation for our City on making pedestrian safety a priority in Central Florida.

We have a resident turning 100 on April 28 and asked the City the possibility of presenting a proclamation in celebration of her life.

13. Adjournment

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